JOURNAL
OF THE
HOUSE OF COMMONS
OF THE
GENERAL ASSEMBLY
OF THE
OF NORTH CAROLINA,
AT ITS
SESSIONS OF 1865–'66.

RALEIGH:
WILLIAM E. PELL, PRINTER TO THE STATE.
1865–'66
At a General Assembly of the State of North-Carolina, begun and held at the Capitol, in the City of Raleigh, on Monday, the twenty-seventh day of November, in the year of our Lord one thousand eight hundred and sixty-five, and the ninetieth year of the independence of the United States of America, being the day appointed by a Convention of the people of North-Carolina for the meeting of the Legislature, the following members of the House of Commons appeared, exhibited their credentials, and were duly qualified according to law, viz:

Anson, ........................................... A. J. Dargan,
Ashe, ............................................ Archibald Niven.
Alamance, ....................................... Matthew Carson.
Alexander, ..................................... R. Y. McAden,
Buncombe, ...................................... John A. Moore.
Bladen, .......................................... A. C. McIntosh.
Bertie, .......................................... W. G. Candler.
Brunswick, ..................................... J. J. D. Lucas.
Burke, .......................................... P. T. Henry.
Cabarrus, ...................................... Daniel L. Russell, Jr.
Catawba, ...................................... J. B. Marler.
                          A. J. Dargan, Archibald Niven.
                          Matthew Carson.
                          R. Y. McAden,
                          John A. Moore.
                          A. C. McIntosh.
                          W. G. Candler.
                          J. J. D. Lucas.
                          P. T. Henry.
                          Daniel L. Russell, Jr.
                          J. B. Marler.
                          R. W. Allison.
                          James J. Mott.
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Warren, .............................................. \{ Thomas J. Judkins, \\
Washington, ........................................... J. A. Melson. \\
Watauga, ................................................ Charles Potter. \\
Wayne, .................................................. \{ J. H. Everett, \\
Wilkes, ................................................... W. T. Faircloth. \\
Yancy, ..................................................... John W. Garland. \\
Yadkin, .................................................... George Nicks. \\

A quorum of the whole number of members being present, Mr. Waugh, of Surry, moved that the House proceed to the election of Speaker, which was agreed to; and he nominated for that office Samuel F. Phillips, of Orange.

No other nomination being made, Mr. Phillips, on further motion of Mr. Waugh, was declared unanimously elected by the House, and was conducted to the Chair by Messrs. Manly and Waugh.

On motion of Mr. Henry, the House agreed to proceed to the election of Principal Clerk.

Mr. Lyon nominated Edward Cantwell, of Granville, for that office, and, on motion of Mr. Blackmer, the name of Seaton Gales, of Wake, was added to the nomination.

The House thereupon voted as follows, under the superintendence of Messrs. Blackmer and Lyon:

For Mr. Gales—Messrs. Speaker, Allison, Ashworth, Barnett, Beasley, Blackmer, Bonner, Burton, Caldwell, Chandler, Carson, Crawford, Craig, Cameron, Dargan, Davis, of Carteret, Dunn, Dickey, Dalby, Farrow, Faircloth, of Wayne, Flythe, Foster, Furr, Ferrell, Gaines, Holderby, Harrison, Hodnett, Houston, Hanrahan, Hamilton, Holmes, Joyner, Jones, Judkins, Kinney, Lee, of Gates, Leigh, of Tyrrell, McAden, Moore, of Alamance, Marler, Manly, Mott, Melson, McGuire, Murrill, McEachern, McNair, Newsom, Niven, Nick, Potter, Palmer, Rayner, Rosebro', Russell, Smith, of Columbus, Smith, of Cumberland, Smith, of Guil-

Mr. Gales, having received a majority of the whole number of votes cast, was declared elected Principal Clerk.

The House then resolved, on motion of Mr. Rayner, to go into an election for Assistant Clerk.

Mr. Rayner nominated Theophilus H. Hill, of Wake, and Mr. Henry added the name of W. M. Hardy, of Buncombe.

The House voted as follows:


For Mr. Hill—Messrs. Ashworth, Blair, Beasley, Burton, Blythe, Coates, Dalby, Dickey, Dunn, Furr, Ferrell, Hamilton, Holderby, Henrahan, Jenkins, of Granville, Judkins, Lyon, Matthews, Moore, of Chatham, Murphy, Newsom, Page, Potter, Rayner, Russell, Scoggins, Teague, Wheeler and Waugh—29.

Mr. Hardy, having received a majority of the whole num-
Mr. Waugh moved that the House do now proceed to the election of Principal Doorkeeper, and nominated therefor H. B. Kingsbury, of Forsythe. There being no further nomination, Mr. Kingsbury was, on motion by Mr. Dargan, declared unanimously elected.

Mr. McKay moved that the House do next go into an election for Assistant Doorkeeper, and placed in nomination Jno. Hill, of Randolph.

Mr. Everett nominated Bennett Barnes, of Wilson.

The House voted as follows:


Mr. Hill, having received a majority of the whole number of votes given, was declared duly elected Assistant Doorkeeper.

Mr. Waugh moved that the House do now adjourn until
to-morrow morning, 11 o'clock, but withdrew the motion in order to allow Mr. Holderby to introduce the following resolution:

Resolved, That the Speaker be requested to invite the Clergy of this City to officiate as Chaplains to this House, and that they alternate as may suit their convenience.

Mr. Waugh then renewed his motion, and the House adjourned until to-morrow morning, 11 o'clock.

TUESDAY, NOVEMBER, 28TH, 1865.

The following members elect appeared, produced their credentials, were duly qualified and took their seats, viz: J. B. Faircloth, of the County of Greene; John F. Hoke, of the County of Lincoln; David A. Jenkins, of the County of Gaston; James E. Moore, of the County of Martin; Lewis Thompson, of the County of Bertie; Kenneth Thigpen, of the County of Edgecombe; and William Stilly, of the County of Beaufort.

The resolution offered by Mr. Holderby, on yesterday, relative to the invitation to the Clergy to open the sessions of the House with prayer, was taken up and adopted.

On motion of Mr. McKay, the Speaker was directed to appoint a committee of five to prepare rules for the government of the House.

And, thereupon, the Speaker announced Messrs. McKay, Manly, Thompson, Blackmer and Waugh as composing said committee.

On motion of Mr. Henry, it was

Ordered, That the rules for the government of the House of Commons, adopted during the session of the Legislature of 1860-'61, be taken for the government of this body until the report of the Committee.
Mr. Moore, of Alamance, offered the following resolution, viz:

Resolved, That a Committee of three be appointed to examine into the legal qualifications of R. Y. McAden, a member duly elected from Alamance County to a seat in the House of Commons, and that the committee be requested to report to the House at its earliest convenience.

Which was adopted; and the Speaker designated the following gentlemen as composing said committee, viz: Messrs. Blackmer, Jenkins, of Warren, and Faircloth, of Wayne.

On motion of Mr. Waugh, a message was ordered to be sent to the Senate, informing that body of the due organization of this House and its readiness to proceed to the despatch of public business; and,

On further motion of Mr. Waugh, it was proposed to send a message to the Senate, offering to raise a joint select committee, to consist of five members upon the part of this House, and three on the part of the Senate, to prepare joint rules for the government of the two Houses during the present session. Laid over.

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

WEDNESDAY, NOVEMBER, 29TH, 1865.

Prayer by Rev. Dr. Craven.

Mr. J. W. Gidney, member elect from the County of Cleaveland, Mr. J. R. Logan, also member elect from the County of Cleaveland, and Mr. Phineas Horton, member elect from the County of Wilkes, appeared, produced their credentials, were qualified and took their seats.

On motion of Mr. Henry, it was
Ordered, That a committee of three be appointed by the Speaker of this House to wait upon Lieutenant Gen. Grant, at present in this City, and extend to him the courtesy of a seat upon this floor.

Whereupon, the Speaker designated, as said committee, Messrs. Henry, Manly and Blackmer.

Mr. McKay, from the committee appointed on yesterday to prepare rules for the government of this House, during the present session, reported the following

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

TOUCHING THE DUTY OF THE SPEAKER.

1. It shall be the duty of the Speaker to invite the Pastors of the several churches of this city, under such arrangements as they may make among themselves, to perform the service of prayer at the opening of the daily sessions of the House.

2. He shall take the Chair every day precisely at the hour to which the House, on the preceding day, 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.

3. 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.

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

5. Questions shall be distinctly put in this form, namely: "As many are of the opinion that, (as the question may
be,) say Aye;" and, after the affirmative voice has been expressed, "As many as are of the contrary opinion, say No." Upon a call for a division, the Speaker shall count; if required, he shall appoint tellers.

6. 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 adjournment, except in case of sickness.

7. All Committees shall be appointed by the Speaker, unless otherwise specially ordered by the House.

8. 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 in the minority, will make the division equal; in case of such equal division, the question shall be lost.

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, except members of the Senate, Officers and Clerks of the two Houses of the General Assembly, Judges of the Supreme and Superior Courts, Officers of the State resident at the seat of Government, members of Congress, persons particularly invited by the Speaker, and such gentlemen as have been members of either House of the Legislature, or of the Conventions of the people of the State, shall be admitted within the Hall 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. After the reading of the Journal of the preceding day, the House shall proceed to business in the following order, viz: 1st, the receiving petitions, memorials, pension certificates, and papers addressed either to the General Assembly or to the House; 2d, the reports of Standing Committees; 3d, the reports of Select Committees; 4th resolutions; 5th, bills; 6th, bills, resolutions, petitions, memorials, messages, pension certificates, and other papers on the table. Then the orders of the day; but motions and messages to elect officers shall always be in order.

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

OF DECORUM AND DEBATES.

15. 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.

16. 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, a 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 the leave of the House; and if the case in the judgment of the House require it, he shall be liable to its censure.

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

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

19. 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.

20. 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.

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

22. 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.

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

24. 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 mo-
tion, 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.

25. 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 certain day, 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.

26. A motion to adjourn or lay on the table shall be decided without debate; and a motion to adjourn shall always be in order, except when the House is voting, or some member is speaking.

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

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

29. 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, and no motion to reconsider shall be taken from the table except by a two-thirds vote.

30. 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.

31. 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, un-
less the House shall direct otherwise, but shall lie on the table, to be taken up in the order they were read.

32. 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 of reconsideration shall have elapsed.

33. When the yeas and nays are called for, on any question, it shall be on motion before the question is put, and if seconded by one-fifth of the members present, the question shall be decided by the 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.

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

35. Any fifteen members, including the Speaker, shall be authorized to compel the attendance of absent members.

36. No member or officer of the House shall absent himself from the service of the House, without leave, unless from sickness or inability.

37. 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.

38. 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.

39. 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.

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

41. Upon motion of any member, there shall be a call of the House, a majority of the members present assenting thereto; and upon a call of the House, the names of the members shall be called over by the Clerk, and the absentees noted; after which the names of the absentees shall again be called over. The doors shall then be closed, and those from 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 special messengers appointed for that purpose.

42. Seven Standing Committees shall be appointed at the commencement of the session, viz: a Committee on Claims, a Committee on Propositions and Grievances, a Committee on Education, a Committee on Agriculture, a Committee on Internal Improvements, a Committee on Privileges and Elections, and a Committee on Corporations. Each of said Committees shall consist of eleven members, one from each Congressional District, and one at large, to be appointed by the Speaker. 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.

43. A Select Standing Committee, consisting of eleven members, shall be appointed at the commencement of the session by the Speaker, and be denominated "the Committee on the Judiciary." There shall also be appointed on Monday of each week, a Select Committee of three, to be known as the Committee on Engrossed Bills, whose duty it shall be to examine all bills engrossed by order of the House.

44. Select Committees shall consist of five members. It shall be the duty of the persons first named on any Committee to cause the members of the Committee to convene when ne-
cessary, and when so convened, they may appoint some one of their number Chairman.

45. 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.

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

47. 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.

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

49. 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, ETC.

50. Every bill shall be introduced by motion for leave, or by order of the House on the report of a Committee.

51. 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 reject-
ed?" If no opposition be made, or if the question to reject be negatived, the bill shall go to its second reading without question.

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

53. The Clerk of the House shall keep a separate calendar of the public and private bills, in the order in which they are introduced; and all private bills and private business only shall be considered on Saturday of each week, and then in preference to all other business, unless the House shall otherwise direct—and all bills shall be disposed of in the order they stand upon the calendar, except the revenue bill, and bills otherwise specially ordered. No public bill shall be twice read on the same day without the concurrence of two-thirds of the members present.

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

55. 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.

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

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

Which report was concurred in.

A message was received from the Senate, announcing the due organization of that body, and its readiness to proceed to the transaction of business.

Mr. Henry, from the committee appointed to wait upon Lieut. Gen. Grant, reported that that distinguished officer would visit the House of Commons, and pay his respects to the body, at the hour of twelve.
Mr. Blackmer, from the committee appointed to examine into the legal qualifications of Rufus Y. McAden, member elect from the county of Alamance, submitted the following report, which was unanimously concurred in, viz:

"The committee appointed to inquire into, and report upon, the right of R. Y. McAden to a seat in the House of Commons, have had the matter under consideration, and submit the following report:

From the affidavit of R. Y. McAden, and from the testimony of a disinterested witness, we have obtained the following facts:—Mr. McAden is more than twenty-one years of age, is a native of North-Carolina, has always resided in the State, and has been a citizen of Alamance county for five years or more. He was regularly elected as a representative from his county, at the election ordered by the late Convention, and received a certificate of his election from the Provisional sheriff of his county. The Amnesty oath was taken by him, the certificate of which, signed by the Provisional Justices of the Peace of the county, was produced before us, and he was permitted to vote in the subsequent elections. He is not excluded from the benefit of the Amnesty Proclamation of the President of the United States, issued on the 29th day of May last.

Shortly after the date of the President's Proclamation, Mr. McAden became uneasy about the 13th clause thereof, not knowing at what date the value of property would be estimated; well knowing that, at the commencement of the year, he was worth more than twenty thousand dollars, most of which he had lost during the war.

After mature deliberation, and by the advice of a member of the Provisional Government in this city, he concluded, through abundant caution, to make application for a special pardon, for the reason that he might be worth twenty thousand dollars. In his petition, he stated that his estate consisted of
land, bank stock, and North-Carolina war bonds, and, owing to the probable worthlessness of this stock and bonds, he did not believe he was worth the amount necessary to exclude him from the benefit of the Amnesty Proclamation, but if, by any mode or time of estimation, he might be worth twenty thousand dollars, he desired a special pardon.

After having sent his petition forward, it was announced by His Excellency, Gov. Holden, that the estimated value of property on the 29th May, 1865, would be the guide in all cases coming under the 13th section of the Amnesty Proclamation; and Mr. McAden gave himself no further trouble about the case. The Justices of the Peace, who gave him the certificate of having taken the Amnesty oath, well knew that he had applied for a special pardon, but they permitted him to take the oath, and gave him a certificate—they being satisfied that he was not worth twenty thousand dollars at the close of the war.

For these reasons, your committee are satisfied that Mr. McAden was entitled to take, and has a right to hold, his seat as a member of this House. Your committee would, therefore, recommend the adoption of the following resolution:

Resolved, That R. Y. McAden is legally entitled to his seat as a member of the House of Commons, from the county of Alamance.

All of which your committee respectfully submit, and ask to be discharged.

LUKE BLACKMER,
WM. A. JENKINS,
W. T. FAIRCLOTH."

On motion of Mr. Manly, it was

Ordered, That, in order to complete the further organization of the two Houses, a message be sent to the Senate, proposing to ballot forthwith for three Engrossing Clerks.
The following gentlemen were placed in nomination: By Mr. Manly, E. B. Freeman, and Chas. M. Busbee, of Wake; by Mr. Waugh, Jno. A. Hampton, of Yadkin; by Mr. Everett, Bennett Barnes, of Wayne; by Mr. Joyner, Erasmus Page, of Wake; by Mr. McKay, M. J. McSween, of Richmond; by Mr. Sharpe, Jas. A. Moore, of Wake; and by Mr. Jones, John Boner, of Forsythe.

A message was received from the Senate, proposing to go forthwith into an election for Public Printer, and informing this body that the names of Wm. E. Pell and Jos. W. Holden were in nomination; which was concurred in, and Messrs. Ferrell and Luke were appointed a committee to superintend the election on the part of the House.

The House thereupon voted as follows:

For Mr. Pell—Messrs. Speaker, Allison, Arrington, Barnett, Baxter, Bonner, Caldwell, Cameron, Chadwick, Cox, Crawford, Dalby, Dargan, Davis, of Carteret, Davis, of Halifax, Everett, Farrow, Faison, Foster, Furr, Gaines, Gideon, Harper, Henrahan, Holmes, Houston, Hyman, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Luke, Marler, McAden, McGuire, McIntosh, McNair, Melson, Moore, of Alamance, Moore, of Martin, Mott, Murphy, Niven, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Teague, Thigpen, Webb, Whitley, Williams, Wilson and Yellowley—61.


A message was received from the Senate, proposing that a
committee of two be appointed, on the part of each House, to wait upon His Excellency, the Provisional Governor, and inform him that the two Houses are fully organized and are ready to receive any communication he may have to make.

The proposition was concurred in, and Messrs. Wheeler and Page designated as the committee on the part of the House.

Mr. Luke, from the committee appointed to superintend the election of Public Printer, reported that the whole number of votes cast by the two Houses was 147; necessary to a choice 74; that Wm. E. Pell had received 86 votes and Joseph W. Holden 61.; and that Wm. E. Pell was therefore duly elected.

A message was received from the Senate, announcing Messrs. Leitch and Harriss as the committee on their part to wait upon His Excellency, the Provisional Governor.

Mr. McAden introduced the following resolutions, viz:

RESOLUTIONS ADOPTING THE CONSTITUTIONAL AMENDMENT ABOLISHING SLAVERY WITHIN THE UNITED STATES.

Whereas, The Congress of the United States, by joint resolution approved on the 1st day of February, A. D., 1865, proposed an amendment to the Constitution of the United States, for the ratification of the Legislatures of the several States, which amendment is in the following words, to wit:

"Art. 13, sec. 1. Neither slavery, nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Sec. 2. Congress shall have power to enforce this article by appropriate legislation."

"Approved Feb. 2nd, 1865."

Resolved, Therefore, by the Senate and House of Commons of the General Assembly of the State of North-Carolina, that the aforesaid proposed amendment of the Constitution of the
United States he and the same is hereby accepted and ratified by this State.

Resolved, That a certified copy of the foregoing preamble and resolution be forwarded by His Excellency, the Provisional Governor, to His Excellency, the President of the United States, and also to the Secretary of the State of United States.

Mr. Hutchison offered the following as an additional resolution, viz:

Resolved, That any legislation by Congress upon the political status of freedmen, or their civil relations, would be unauthorized by the Constitution of the United States, as it now is, or as it would be changed by the proposed amendment, in opposition to the policy of the President declared in the amnesty proclamation, and to the restoration of that harmony upon which depend the welfare and prosperity of the Republic.

At this moment, Gen. Grant entered the Hall, was received by the members standing, appropriately welcomed by the Speaker, and, on motion of Mr. Wilson, a recess of fifteen minutes was taken in order to afford opportunity for the usual interchange of civilities.

A message was received from the Senate, concurring in the proposition to go at once into an election for three Engrossing Clerks, and naming Messrs. Garner and Donaho as the committee on their part to superintend the election.

Messrs. Webb and Horton were designated as the committee on the part of the House, and it proceeded to vote as follows:

For Mr. Freeman—Messrs. Speaker, Allison, Arrington, Barnett, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Chadwick, Coates, Craige, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Everett, Faircloth, of Greene, Faircloth of Wayne, Ferrell, Flythe, Foster, Furr, Gaines, Gidney,


For Mr. McSween—Messrs. Ashworth, Baxter, Black, Blair, Blythe, Bryson, Caldwell, Cameron, Candler, Carson, Chadwick, Cox, Crawford, Davis, of Carteret, Dickey, Dunn, Faison, Flythe, Gaines, Garland, Gidney, Hamilton, Henry, Horton, Hyman, Jones, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, McAden, McDonald, McEachern, McIntosh, McKay, McNair, Nelson, Moore, of Alamance, Moore, of Martin, Mott, Murphy, Niven, Newsum, Paschall, Russell, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Stilly, Scoggin, Thompson, Trull, Waugh, Webb, Whitley, Williams and Yellowley—61.

For Mr. Hampton—Messrs. Arrington, Ashworth, Barnett, Baxter, Blair, Blythe, Burton, Candler, Carson, Craige, Dargan, Dickey, Dunn, Faircloth, of Wayne, Faison, Furr, Garland,
For Mr. Busbee—Messrs. Speaker, Allison, Arrington, Black, Blackmer, Bonner, Caldwell, Cameron, Dargan, Everett, Ferrell, Flythe, Gaines, Gidney, Henrahan, Holmes, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Logan, Lucas, Manly, Marler, Murphy, Murrill, Newsum, Paschall, Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Thigpen and Wilson—45.


For Mr. Page—Messrs. Bryson, Dalby, Davis, of Halifax, Fairecloth, of Greene, Foster, Hoke, Joyner, Moore, of Chatham, Page and Smith, of Cumberland—10.

For Mr. Boxer—Messrs. Burton, Coates, Holderby, Matthews and Teague—5.

Mr. Wheeler, from the committee appointed to wait upon the Provisional Governor, reported that he would transmit a communication to the Legislature at 12 o'clock, M., to-morrow.

The question recurring on the passage of Mr. Hutchison's amendment, it was rejected; yea 10, nays 85.

Those who voted in the affirmative were: Messrs. Arrington, Everett, Faison, Hutchison, Kenan, Manly, McIntosh, Moore, of Martin, Simmons and Thigpen.

Those who voted in the negative were: Messrs. Allison, Ashworth, Barnett, Beasley, Black, Blackmer, Blair, Blythe, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Carson,
Chadwick; Coates, Craig, Crawford, Dalby, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Flythe, Foster, Furr, Gaines, Garland, Gidney, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Judkins, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Lyon, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McKay, Melson, Moore, of Alamance, Moore, of Chatham, Mott, Murriell, Niven, Nicks; Newsum, Page, Palmer, Paschall, Potter, Rosebro', Russell, Sharpe, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler, Williams, Wilson, Yellowley and York.

Mr. Wilson moved to postpone the further consideration of the resolutions until to-morrow, 1 o'clock, P. M., which motion was not carried.

The resolutions of Mr. McAden were then adopted; yeas 100, nays 4.

Those who voted in the affirmative were:

Messrs. Allison, Arrington, Ashworth, Barnett, Baxter, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Chadwick, Coates, Cox, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Flythe, Foster, Furr, Gaines, Garland, Gidney, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jones, Judkins, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Lyon, Manly, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Alamance, Moore, of Chatham, Mott, Murphy, Murrell, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro', Russell, Sharpe, Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh,

Those who voted in the negative were:

Ordered to be engrossed and sent to the Senate.

Mr. Horton, from the committee appointed to superintend the election of three Engrossing Clerks, reported that the whole number of votes cast was 161, necessary to a choice 81; that Mr. E. B. Freeman had received 139, M. J. McSween 82, Jno. A. Hampton 77, Chas. M. Busbee 46, Jas. A. Moore 41, Bennett Barnes 59, Erasmus Page 24, and John Boner 14.

Edmund B. Freeman and M. J. McSween, having received majorities of the whole number of votes cast, were declared duly elected.

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

THURSDAY, NOVEMBER 30, 1865.

Prayer by Rev. Mr. Byrd.

Mr. W. N. H. Smith, member elect from the county of Hertford, appeared, produced his credentials, was qualified, and took his seat.

The resolution of Mr. Waugh, directing that a message be sent to the Senate, proposing to raise a Joint Select Committee to prepare Joint Rules of order for the government of the two Houses, was taken up and adopted.

Messrs. Waugh, Jenkins, of Warren, Henry, Baxter and Wilson were designated as the Committee on the part of the House.

Mr. Russell offered the following resolutions, which, on motion of Mr. Henry, were referred to a Select Committee of five, and ordered to be printed, viz:

"Whereas, there are numerous indications that a large por-
tion of the people of the Northern States of this Union have been led to believe that the people of North-Carolina are not well disposed towards them and towards the General Government; and whereas, it appears from a telegram from His Excellency, the President of the United States, to the Provisional Governor of this State, published in the “Standard” newspaper of the 29th inst., that his Excellency has been misinformed as to the views and sentiments of the people of North-Carolina, and especially as regards the issues involved in the late elections in this State; and whereas, it is right and proper that this General Assembly should correct, as far as may be in their power, such erroneous impressions, and vindicate the character of the State.

Therefore, be it resolved, That the people of North-Carolina have accepted the terms offered them by the President of the United States, and complied with all the conditions laid down by him as necessary to restore our practical constitutional relations with the other States of this Union, and that they have done so in good faith, and with the intention and determination to preserve and maintain them.

Resolved, That the people of North-Carolina are loyal to the Government of the United States, and are ready to make any concessions, not inconsistent with their honor and safety, for the restoration of that harmony upon which their prosperity and security depend.

Resolved, That we have confidence in the ability, integrity, impartiality and patriotism of Andrew Johnson, President of the United States, and that, on behalf of the people of North-Carolina, we hereby return our thanks to him for the kindness, liberality and magnanimity which he has displayed towards us.

Resolved, That a copy of these Resolutions be transmitted to His Excellency, the President of the United States, and to the Congress, when it shall assemble.”

The Speaker designated the following as the Special Com-
mittee, to whom the foregoing resolutions shall be referred, viz: Messrs. Russell, Blackmer, Jenkins, of Warren, Cameron and Henry.

A message was received from the Senate, proposing to go forthwith into an election for one Engrossing Clerk, and announcing Messrs. Latham and Coward as the Committee, on their part, to superintend said election.

The message was concurred in, and Messrs. Lyon and Simmons appointed to superintend the election on the part of the House.

The names of James A. Moore, John Boner and Chas. M. Busbee were withdrawn from nomination; when the House voted as follows:


Mr. Faircloth, of Greene, voted for Mr. Page.

Mr. Simmons, from the committee appointed to superintend
the election of Engrossing Clerk, reported that the whole number of votes cast was 158, necessary to a choice 80; that Mr. Hampton had received 101 votes, Mr. Barnes 50, Mr. Busbee 4, and Mr. Page 3; and that Mr. Hampton was, accordingly, duly elected.

Received from His Excellency, the Provisional Governor, through the hands of his Private Secretary, W. R. Richardson, Esq., the following communication, which was read, and, on motion of Mr. McKay, ordered to be sent to the Senate, with a proposition to print five copies for each member of the General Assembly:

**Executive Department, N. C.,**
Raleigh, November 30, 1865.

*Gentlemen of the Senate and of the House of Commons.*

I regret that a severe and painful illness, from which I am still suffering, has prevented me from preparing for your consideration a more full and detailed statement of the condition of public affairs, and of the progress which has been made in restoring North-Carolina to her natural position as a member of the Union, under the Federal Constitution. I am gratified to state, however, that my health is improving, and I hope soon to be in a condition to impart to you at length any information in my possession in relation to public affairs which you may desire.

The progress thus far made in the work of restoration has been attended by a great labor; and I have been very anxious to discharge my duties as Provisional Governor, under the instructions of the President, in such a way as to promote the best interests of the State, and to ensure a restoration of our Constitutional relations to the Federal Government at the earliest practicable period.
We can entertain no hope that confidence and activity in business will be revived, or that our people can even begin to renew their former prosperity until the State, shall have been fully restored to her place in the Union. The greatest good of the present and of all coming generations will be embodied in the practical fact that we are once more a part of the freest, proudest and most prosperous government in the world. As long as this fact is unrealized, the State must necessarily languish in all its interests, and instead of availing herself of her great natural advantages, and springing forward in competition with other States in the career of wealth and prosperity, she will become more and more impoverished.

Let us, then, omit nothing which may be deemed necessary, or even expedient, to attain the great end we have in view, to wit: the complete restoration of the State to all its Constitutional relations to the common government. Let the divisions and differences which exist among us, and which are calculated to obstruct the work of restoration, disappear under the influence of a more intense and a more devoted patriotism. He who does anything now, whether by word or act, calculated or intended to embarrass the national administration, or to obstruct the work of restoration, incurs a grave responsibility, and can be no friend either to the Federal Union or to North-Carolina.

The Convention of the people of this State, recently in session, very wisely ordained,

1st, That the so-called ordinance of secession, adopted the 20th day of May, 1861, "is now, and at all times hath been, null and void," and that "the ordinance of the Convention of the State of North-Carolina, ratified on the 21st day of November, 1789, which adopted and ratified the Constitution of the United States, and also all acts and parts of acts of the General Assembly, ratifying and adopting amendments to the said Constitution, are now, and at all times since the adoption and ratification thereof, have been, in full force and effect."
2d. That "slavery and involuntary servitude, otherwise than for crimes, whereof the party shall have been duly convicted, shall be, and is hereby, forever prohibited within the State."

3d. That it shall be the duty of the General Assembly to provide for the payment of all debts and obligations created or incurred by the State, otherwise than in aid of the late rebellion. But that "all debts and obligations created or incurred by the State, in aid of the late rebellion, directly or indirectly, are void, and no General Assembly of this State shall have power to assume or provide for the payment of the same, or any portion thereof."

These are safe and proper steps in the right direction, and such as were expected of the representatives of a loyal people.

But, in order to remove the last obstacle in the way of restoration, it is indispensable that the Legislature shall ratify the amendment to the Constitution of the United States prohibiting the existence of slavery throughout the United States.

I herewith transmit to you a communication on this subject, from Hon. William H. Seward, Secretary of State, and also a certified copy of the joint resolution which has passed Congress on the subject, approved February Ist, 1865.

I beg leave, gentlemen, most respectfully and earnestly to urge on you the propriety of ratifying this amendment unanimously, at the earliest practicable moment. It is the wish of our best friend, the President of the United States, that this shall be done. Such ratification cannot fail to hasten our restoration to the Union, and thus lay anew for us and our children the foundations of permanent prosperity and glory.

Under the provisions of an Ordinance passed by the Convention at its late session, I have appointed the Hon. B. F. Moore, the Hon. Richard S. Donnell, and William S. Mason, Esquire, Commissioners to prepare and report to the Legislature a system of laws upon the subject of freedmen, and to designate such laws and parts of laws, now in force, as should
be repealed, in order to conform the statutes of the State to the ordinance of the Convention abolishing the institution of slavery.

In conclusion, permit me to assure you, gentlemen, of my readiness and anxiety to co-operate with you cordially and zealously in every thing which may be calculated to relieve our unfortunate and beloved State from her present depressed and unhappy condition.

With sentiments of high respect, I have the honor to be, &c.,

W. W. HOLDEN,

Provisional Governor.

[DUPLICATE.]

UNITED STATES OF AMERICA.

DEPARTMENT OF STATE.

To all whom these Presents shall come Greeting:

I certify that the annexed is a true copy of a Joint Resolution of Congress, entitled "A Resolution submitting to the Legislatures of the several States a proposition to amend the Constitution of the United States," approved February 1st, 1865; the original of which is on file in this Department.

In testimony whereof, I, William H. Seward, Secretary of State of the United States, have hereunto subscribed my name and caused the seal of the Department of State to be affixed. Done at the City of Washington, this second day of February, A. D., 1865, and of the Independence of the United States of America, the eighty-ninth.

WILLIAM H. SEWARD.
Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both Houses concurring,) That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid, to all intents and purposes, as a part of the said Constitution, namely:

**Article XIII.**

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Sec. 2. Congress shall have power to enforce this article by appropriate legislation.

Approved, February 1, 1865.

Mr. Waugh moved that a message be sent to the Senate, proposing to go into an election for United States Senator, to fill the unexpired term of the Hon. Thos. L. Clingman, tomorrow at 12 o'clock.

Mr. Jenkins, of Granville, moved to amend the message so as to propose an election for two United States Senators; which amendment did not prevail.

Mr. Waugh's motion was then adopted, and the message sent accordingly.

Received a message from the Senate, concurring in the proposition to print five copies of the communication of the Provisional Governor for each member of the General Assembly.
Also, a message proposing to go forthwith into an election for three Judges of the Supreme Court.

Mr. Jenkins, of Warren, moved to lay this message upon the table, and thereupon demanded the yeas and nays; yeas 38, nays 56.

Those who voted in the affirmative, were:

Messrs. Allison, Ashworth, Baxter, Black, Burgess, Chadwick, Cox, Dalby, Everett, Foster, Gidney, Harper, Harrison, Henahan, Hodnett, Holderby, Holmes, Horton, Hutchison, Jenkins, of Warren, Kenan, Logan, Lyon, Marler, Matthews, McIntosh, Moore, of Martin, Murphy, Niven, Nicks, Palmer, Shaw, Smith, of Cumberland, Teague, Thigpen, Wheeler, Whitley and Williams.

Those who voted in the negative, were:


So the motion was rejected.

The message was then concurred in, the Senate informed thereof, and Messrs. Blackmer and Jenkins, of Warren, appointed to superintend the election on the part of the House.


The House then proceeded to vote as follows:

For Mr. Pearson—Mr. Speaker, Allison, Arrington, Ash-
worth, Barnett, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Candler, Carson, Chadwick, Coates, Cox, Crawford, Dalby, Davis, of Carteret, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Faison, Ferrell, Flythe, Furr, Gaines, Garland, Gidney, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Leigh, of Tyrrell, Logan, Lucas, Lyon, Manly, Marler, Matthews, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Martin, Mott, Murphy, Murrill, Niven, Nicks, Newsom, Palmer, Paschall, Potter, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggins, Teague, Thompson, Trull, Waugh, Webb, Wheeler, Whitley, Williams, Yellowley and York—91.

For Mr. Battle—Mr. Speaker, Arrington, Ashworth, Beasley, Blythe, Bryson, Burton, Cameron, Chadwick, Craig, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Everett, Faircloth, of Greene, Farrow, Faison, Ferrell, Foster, Gidney, Harper, Harrison, Henry, Hodnett, Holderby, Hoke, Hutchison, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Lee, of Gates, Leigh, of Tyrrell, Logan, Manly, Marler, Matthews, McAden, McDonald, McEachern, McIntosh, McNair, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Murphy, Murrill, Niven, Page, Rosebro', Sharpe, Shaw, Simmons, Smith, of Cumberland, Stilley, Scoggins, Thigpen, Thompson, Trull, Williams, Wilson and Yellowley—64.

For Mr. Reade—Mr. Speaker, Allison, Ashworth, Barnett, Beasley, Blair, Blythe, Burton, Caldwell, Candler, Carson, Coates, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Furr, Gaines, Garland, Hamilton, Harper, Harrison, Henrahan, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lucas, Lyon, Matthews, McAden, McDonald, McEachern, McGuire, McIn-

For Mr. Manly—Messrs. Arrington, Baxter, Bonner, Bryson, Burgess, Cameron, Chadwick, Davis, of Halifax, Everett, Farrow, Faison, Foster, Gidney, Henrahan, Holse, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Logan; Lucas, Luke, Marler, McAden, McKay, McNair, Moore, of Alamance, Moore, of Martin, Mott, Murphy, Mur- rill, Niven, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Stilley, Thigpen, Trull, Webb, Whitley, Williams and Yellowley—47.


Mr. Jenkins voted for Wm. Eaton, Jr.

Received a message from the Senate, refusing to concur in the proposition of the House of Commons to go into an election for United States Senator to-morrow.

Also, a message concurring in the proposition to raise a Joint Select Committee on Rules, and naming Messrs. Win-
stead, Morehead and Arendell as the committee on the part of the Senate.

Also, a message, proposing to raise a Joint Select Committee of three on the part of the Senate, and five on the part of the House, to examine into the present condition and future prospects of all Railroads in North-Carolina, and report as early as practicable; and naming Messrs. Whitford, Leach, of Davidson, and Hall as the Senate branch of said Committee.

Mr. Jenkins, from the committee appointed to superintend the election of three Judges of the Supreme Court, reported that the whole number of votes cast was 159, necessary to a choice 80; that Hon. R. M. Pearson had received 132, Hon. W. H. Battle 97, Hon. E. G. Reade 89, Hon. M. E. Manly 68, B. F. Moore 34, Hon. W. N. H. Smith 32, Hon. Nath'l Boyden 13, and Hon. R. R. Heath 11; and that Hons. R. M. Pearson, Will. H. Battle and Edwin G. Reade, having each received a majority, are duly elected.

On motion of Mr. Russell, the House adjourned until tomorrow morning, 11 o'clock.

FRIDAY, December, 1, 1865.

Prayer by Rev. Mr. Hardie.

Mr. Robert H. Cowan, member elect from the County of New Hanover, appeared, produced his credentials, was qualified and took his seat.

On motion of Mr. Caldwell, of Guilford, it was

Ordered, That His Excellency, the Governor of North-Carolina, be requested to procure a suitable flag of the United States, and that the same be unfurled from the Capitol during the sittings of this Assembly.

Mr. Kenan moved that a message be sent to the Senate, proposing to go immediately into an election for Secretary of State; which motion did not prevail.
The following resolution was offered by Mr. Caldwell, of Guilford:

Resolved, That the members of this House be requested to meet at 3 o'clock this P. M., for general conference and interchange of views in regard to nominations; and that the Senate be informed of such informal meeting and be requested to attend.

Which resolution, on motion of Mr. Waugh, was laid upon the table.

Mr. Waugh, from the committee appointed to prepare Joint Rules for the government of the two Houses, during the present session, reported the following, which, on his motion, were sent to the Senate with a proposition to print:

JOINT RULES OF ORDER.

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

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

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

4. When a message shall be sent from one House to the other, it shall be announced at the door of the House to which
it is sent by the door-keeper, and shall be respectfully delivered to the Chair, by the person by whom it may be sent.

5. After a bill shall have passed the House in which it originated, it shall be under the signature of the clerk, and engrossed under his direction and inspection, before it shall be communicated to the other House.

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

7. When bills are enrolled, they shall be carefully examined by a Joint Committee of three from the Senate, and five from the House of Commons, whose duty it shall be to carefully compare the enrollment 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 in writing 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 on Finance shall be joint, consisting of eight members from each House; the Committee on Public Buildings and Grounds shall be a joint committee of two from the Senate and three from the House of Commons; the Library Committee shall be a joint standing committee consisting of three members from each House, appointed by the Speak-
ers thereof respectively; the Committees on the Deaf and Dumb and Blind Asylum, the Insane Asylum, Military Affairs, Swamp Lands, and on Cherokee Lands and Western Turnpikes, shall be joint standing committees, consisting each of three members from the Senate and five from the House of Commons.

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 convened, they shall choose their own Chairman.

14. Either House may make 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 Documents," 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 the State, and ordered to be printed, they shall be designated "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 two copies shall be deposited in the Public Library, and the Public Librarian required to have them neatly bound.

16. All elections requiring a joint vote shall be \textit{viva voce}, and a Select Committee of two members in each House shall be appointed to superintend the same in their respective Houses. After the vote shall have been taken, said select committee shall confer together, and report the result of such election to their respective Houses.

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

Mr. Russell, from the committee to whom were referred the "Resolutions declaring the loyalty of the people of North-Carolina," reported the same back to the House, with a slight verbal alteration, recommending their passage; which report was concurred in, and the resolutions adopted.

Mr. Craige offered a resolution relative to a change in the basis of representation in the State Legislature, which, on motion of Mr. Dalby, was laid on the table, by yeas 71, nays 32.

Mr. Gidney demanded the yeas and nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Mr. Herin introduced "A bill to amend an act passed at the session of the General Assembly of 1860-61, entitled an
act to appoint tax collectors for Bertie and other counties." Passed first reading.

Mr. Waugh moved a re-consideration of the vote by which the resolutions of Mr. Russell, declaring the loyalty of the people of North-Carolina, were adopted. Carried.

Mr. Wilson moved to amend, by striking out in the 8th line, (printed copy,) the words "been misinformed as to," and inserting the word "misconstrued," which was disagreed to.

The question then recurring on the passage of the resolutions, they were adopted ; yeas 112, nays 0.

Yea's and aye's demanded by Mr. Russell.

Those who voted in the affirmative were:

None voting in the negative.

Mr. McAden moved that a message be sent to the Senate, proposing to go forthwith into an election for United States Senator for the long term, commencing on the 5th March last,
and stating that the Hon. William A. Graham is in nomination therefor.

Mr. Waugh moved to lay this motion upon the table; which was not agreed to.

Mr. McAden’s motion was then adopted, and the message sent accordingly.

The Speaker announced, as the House branch of the Joint Select Committee on Railroads, Messrs. Rayner, Hoke, Joyner, Jenkins, of Warren, and McAden.

Received a message from the Senate, refusing to concur in the proposition to go into an election for United States Senator for the long term.

A message was sent to the Senate, on motion of Mr. Henry, proposing to go at once into an election for Judge of the 1st Judicial Circuit, and stating that Hon. David A. Barnes was in nomination.

A message was received from the Senate, proposing to go into an election for two United States Senators, on Monday next, at 12 o’clock. Concurred in.

Received a message from the Senate, agreeing to the proposition to go into an election for Judge of the 1st Judicial Circuit.

Messrs. Russell and Henry were appointed the committee to superintend the election; when the House voted as follows:

For Mr. Barnes—Messrs. Speaker, Allison, Arrington, Ashworth, Barnett, Baxter, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Chadwick, Coates, Cowan, Cox, Craige, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne; Farrow, Faison, Ferrell, Flythe, Foster, Furr, Gaines, Garland, Gidney, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchinson, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warrer,
Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, Manly, Marler, Matthews, McAden, McEachern, McGuire, McIntosh, McNair, Melson, Moore, of Chatham, Moore, of Martin, Mott, Murphy, Murrill; Niven, Nick's, Newsam, Page, Palmer, Paschall, Potter, Rayner, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Teague, Thigpen; Thompson, Trull, Waugh, Webb, Wheeler, Whitley, Williams, Wilson, Yellowley and York—112.

Mr. Smith, of Hertford, voted for Mr. Eure.

Received a message from the Senate, concurring in the proposition to print the Constitution and Rules of Order.

Also, a message proposing to go forthwith into an election for Secretary of State, and stating that R. W. Best, Sam'l. T. Williams and Wm. R. Hill are in nomination.

The message was concurred in, Messrs. Faircloth, of Greene, and Arrington appointed a committee to superintend the election, and the House voted as follows,—the name of Mr. Jas. H. Foote having previously been put in nomination.

For Mr. Best—Mr. Speaker, Allison, Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Candler, Coates, Craige, Crawford, Davis, of Carteret, Dickey, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Furr, Garland, Hamilton, Henry, Holderby, Holmes, Houston, Jenkins, of Gaston, Kinney, Moore, of Chatham, Murphy, Murrill, Nick's, Page, Paschall, Potter, Russell, Simmons, Smith, of Columbus, Stilley, Scoggin, Thompson, Trull, Whitley, Wilson and Yellowley—48.

For Mr. Williams—Messrs. Arrington, Baxter, Burgess, Caldwell, Cameron, Chadwick, Cox, Davis, of Halifax, Farrow, Faison, Flythe, Foster, Gaines, Gidney, Henrahan, Hoke, Hutchison, Hyman, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Luke, Lyon, Manly, Marler, McNair, Melson, Moore, of Alamance,
Moore, of Martin, Mott, Niven, Newsam, Thigpen and Webb—38.


For Mr. Hill—Messrs. Harrison, Hodnett, McEachern, Shaw, Smith, of Cumberland and Williams—6.

Mr. Henry, from the committee appointed to superintend the election of Judge for the 1st Circuit, reported that the whole number of votes cast was 158, necessary to a choice 80; of which D. A. Barnes received 155, R. R. Heath, 1, W. N. H. Smith 1, and M. L. Eure 1; and that Hon. David A. Barnes was therefore duly elected. Which report was concurred in.

Mr. Arrington, from the committee appointed to superintend the election of Secretary of State, reported: whole number of votes 157, necessary to a choice 79. Mr. Best received 63, Mr. Williams 57, Mr. Foote 28, and Mr. Hill 9. No election.

Received a message from the Senate, proposing to vote forthwith for Solicitor of the 1st Judicial Circuit, and stating that Messrs. Mills H. Eure and Jesse J. Yeates are in nomination; which was concurred in.

Messrs. Moore, of Martin, and Cox were designated as the committee to superintend the election, when the House voted as follows:

For Mr. Eure—Mr. Speaker, Arrington, Baxter, Beasley, Black, Bonner, Bryson, Burgess, Cameron, Chadwick, Cowan, Cox, Crawford, Dalby, Davis, of Halifax, Everett, Faircloth, of Wayne, Ferrell, Foster, Furr, Gaines, Garland, Gidney, Harper, Harrison, Hodnett, Hoke, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, McAden, McEachern, McIntosh, McNair, Melson, Moore, of Alamance, Moore, of Martin, Niven, Palmer, Paschall, Rosebro', Sharpe, Shaw, Sim-

For Mr. Yeates—Messrs. Allison, Ashworth, Blackmer, Blair, Blythe, Burton, Caldwell, Candler, Carson, Coates, Craige, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Hamilton, Henry, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Marler, Matthews, McGuire, Moore, of Chatham, Murphy, Murrill, Nicks, Newsum, Page, Potter, Rayner, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Seoggin, Thompson, Waugh, Whitley, Williams and York—48.

The Speaker announced the following standing committees:

On Finance: Messrs. Smith, of Hertford, Rayner, Cowan, Murphy, Thompson, Holderby, Holmes, and Harper.


On Judiciary: Messrs. Manly, Blackmer, McAden, Dargan, Sharpe, Jenkins, of Warren, McKay, Yellowley, Moore, of Martin, and Candler.

On Education: Messrs. Jenkins, of Granville, Sharpe, Cameron, Caldwell, Wilson, Hyman, Jones, Cox, Whitley and Smith, of Cumberland.

On motion of Mr. Russell, a message was sent to the Senate, proposing to vote at once for Judge of the 5th Judicial Circuit; in which proposition the Senate subsequently refused to concur.

Mr. Moore, of Martin, from the committee appointed to superintend the election of Solicitor for the 1st Circuit, reported that the whole number of votes cast was 153, necessary to a choice 77; that Mr. Eure had received 82, and Mr. Yeates 71, and that Mills H. Eure was duly elected; which report was concurred in.

Mr. Manly presented a petition from Will. A. Blount, Administrator, and W. A. Blount, Jr., which, on his motion, was referred to the Committee on the Judiciary.
Received a message from the Senate proposing to go forthwith into an election for Judge of the 2nd Judicial Circuit, and stating that Hons. Geo. Howard and E. J. Warren are in nomination.

Mr. Blackmer moved to adjourn until to-morrow morning, 10 o'clock. Lost.

The message of the Senate was concurred in, Messrs. Hyman and Stilley appointed to superintend the election, and the House voted as follows:


For Mr. Howard—Mr. Speaker, Arrington, Barnett, Baxter, Bonner, Bryson, Burgess, Cameron, Chadwick, Cowan, Cox, Davis, of Halifax, Everett, Faison, Furr, Gidney, Hoke, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, McAden, McNair, Moore, of Alamance, Moore, of Martin, Mott, Murphy, Niven, Paschall, Rayner, Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen, Truill, Whitley and Williams—45.

On motion of Mr. Moore, of Alamance, a message was sent to the Senate, proposing to ballot again, forthwith, for Secretary of State.

Mr. Hyman, from the committee appointed to superintend the election of Judge for the 2nd Judicial District, reported:
whole number of votes 157, necessary to a choice 79. Mr. Warren received 89 and Mr. Howard 68. Hon. E. J. Warren was, accordingly, declared duly elected.

Received a message from the Senate proposing to vote at once for Solicitor of the 2nd Judicial Circuit, and stating that Messrs. W. T. Faircloth, Jas. G. Scott and Jno. M. Perry are in nomination. The House concurred, Messrs. Kenan, and Davis, of Carteret, were appointed to superintend the ballot, and the House voted as follows, the name of Wm. A. Allen having been previously added to the list of nominations:

For Mr. Faircloth—Mr. Speaker, Allison, Ashworth, Barnett, Beasley, Black, Blackmer, Blair, Blythe, Burton, Cameron, Candler, Carson, Chadwick, Coates, Craige, Dalby, Dickey, Dunn, Faircloth, of Greene, Ferrell, Flythe, Furr, Gaines, Garland, Hamilton, Harper, Harrison, Hanrahan, Henry, Hodnett, Holderby, Holmes, Horton, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jones, Joyner, Judkins, Kinney, Lee, of Gates, Lyon, Matthews, McAden, McGuire, McIntosh, McKay, Melson, Moore, of Alamance, Moore, of Chatham, Nicks, Newsom, Page, Palmer, Paschall, Potter, Roseboro', Smith, of Columbus, Smith, of Hertford, Stilley, Scoggin, Thompson, Trull, Waugh, Webb, Whitley, Williams, Yellowley and York—70.


For Mr. Perry—Messrs. Crawford, Davis, of Carteret, Hyman and Thigpen—4.

Received a message from the Senate, concurring in the proposition to vote again for Secretary of State. The names
of Messrs. Foote and Hill having been withdrawn from nomination, the House voted as follows, under the superintendence of Messrs. Faircloth, of Greene, and Arrington:

For Mr. Best—Mr. Speaker, Allison, Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Candler, Carson, Chadwick, Coates, Craig, Crawford, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Flythe, Furr, Garland, Hamilton, Harper, Henry, Holderby, Holmes, Houston, Jenkins, Gaston, Jones, Kinney, Lucas, Matthews, McEachern, McGuire, McIntosh, Melson, Moore of Chatham, Murphy, Murrill, Nick, Page, Palmer, Paschall, Potter, Rosebro', Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Whitley, Wilson and Yellowley—61.


Mr. Kenan, from the committee, reported that the whole number of votes cast for Solicitor of the 2nd Judicial Circuit was 147,—necessary to a choice 74; that W. T. Faircloth had received 88; W. A. Allen 30; Jas. G. Scott 21, and Jno. M. Perry 8; and that W. T. Faircloth, having received a majority, was duly elected. Report concurred in.

Mr. Arrington, from the committee, reported that the whole number of votes cast for Secretary of State, was 154,—necessary to a choice 78; that Mr. Best had received 78, and Mr. Williams 76; and that R. W. Best was, therefore, duly elected Secretary of State. Which report was concurred in.
On motion of Mr. Simmons, the House adjourned until tomorrow 10 o'clock.

SATURDAY, December 2, 1865.

Prayer by Rev. Mr. Hardie.

The bill, entitled "A bill to amend an act passed at the session of the General Assembly of 1860-'61, entitled an act to appoint tax collectors for Bertie and other counties," was taken up, read the second time and passed, and, under a suspension of the rules, read the third time, passed, and ordered to be engrossed and sent to the Senate.

The following bills were introduced:

By Mr. Marler: A bill concerning the burning of Register's books in the county of Burke. Read and referred to Committee on Judiciary.

By Mr. Webb: A bill to incorporate the Durham Academy in the county of Orange. Read and referred to the Committee on the Judiciary.

Mr. Smith, of Hertford, offered the following Joint Resolution, which was adopted, and a message sent to the Senate asking its concurrence therein:

Resolved, by the House of Commons, (the Senate concurring,) That in the execution of the joint order of the two Houses to go into the election of Senators of the United States, at 12 o'clock, M., on Monday next, the election shall first be to fill the Senatorial term beginning on the 4th day of March, 1865, and, immediately thereafter, to fill the unexpired term beginning on the 4th day of March, 1861.

Mr. Sharpe introduced a resolution "To provide for the qualifications of the Superior Court Clerks of the State;" which was read and referred to the Judiciary Committee.

On motion of Mr. Caldwell, of Guilford, a message was sent to the Senate, proposing to go at once into an election
for Judge of the 3d Judicial District, and stating that Hon. D. G. Fowle and Wm. Eaton, Jr., were in nomination; in which proposition the Senate did not concur.

Mr. Harper offered a resolution calling upon the Governor for certain information, in reply to an Ordinance of the State Convention, with regard to government horses and mules. Adopted.

On motion of Mr. Jenkins, of Granville, a message was sent to the Senate, proposing to vote at once for a Judge for the 4th Judicial District, and stating that Hon. R. B. Gilliam is in nomination.

The Senate concurring, Messrs. Jenkins, of Granville, and Moore, of Alamance, were appointed a committee to superintend the ballot, and the House voted as follows:


Mr. Jenkins, of Granville, from the committee, reported that there were 155 votes cast for Judge in the 4th Circuit,—ne-
ecessary to a choice 78; that Hon. R. B. Gilliam had received the whole number, 155, and that he was therefore duly elected. Which report was concurred in.

Received a message from the Senate, concurring in the proposition of the House prescribing the order of election of U. S. Senators on Monday next.

Also, a message proposing to vote at once for Solicitor for the 4th Judicial Circuit, and informing the House that Hon. Thos. Settle is in nomination. Which proposition was concurred in, Messrs. Dalby and Burton appointed to superintend the election, and the House voted as follows:

For Mr. Settle—Messrs. Speaker, Allison, Arrington, Ashworth, Barnett, Baxter, Beasley, Black, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Cameron, Candler, Carson, Chadwick, Coates, Cox, Craige, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Ferrell, Flythe, Foster, Furr, Gaines, Garland, Gidney, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby; Hoke, Horton, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Judkins, Lee, of Gates, Logan, Lucas, Lyon, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Alamance, Moore, of Chatham, Mott, Murphy, Murrill, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro, Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Scoggins, Thigpen, Thompson, Trull, Waugh, Webb, Whitley, Williams, Wilson and York—98.

Mr. Caldwell, of Guilford, voted for Mr. Wilson.

On motion of Mr. Russell, a message was forwarded to the Senate, proposing to go into an election forthwith for a Judge of the 5th Judicial Circuit, and stating that Hon. R. P. Buxton, Hon. R. S. French, W. A. Wright and H. L. Holmes are in nomination.
Mr. Dalby, from the committee appointed to superintend the election of a Solicitor for the 4th Judicial Circuit, reported that the whole number of votes cast was 141,—necessary to a choice 72; that Hon. Thos. Settle had received 140 votes and Mr. Wilson 1, and that Mr. Settle was, therefore, duly elected; which report was concurred in.

Mr. Baxter introduced a bill in favor of Jesse B. Lee, late sheriff of Currituck County. Referred to Committee on Private Bills.

Received a message from the Senate, concurring in the proposition to ballot immediately for Judge of the 5th Judicial Circuit, and the House voted as follows, under the superintendence of Messrs. Russell and Everett:


For Mr. French—Messrs. Baxter, Cameron, Farrow, Hyman, Lee, of Gates, Leigh, of Tyrrell, Luke, McAden, McCachern, McNair, Moore, of Alamance, Moore, of Martin, Murphy, Niven, Thigpen and Williams—16.

For Mr. Wright—Messrs. Burgess, Caldwell, Chadwick, Cox, Everett, Gidney, Holderby, Hutchison, Jenkins, of Warren, Judkins, Kenan, Lucas, Smith, of Guilford, Smith, of Hertford and Whitley—15.

For Mr. Holmes—Messrs. Hoke and Logan—2.
The Speaker announced the following Standing Committees:

On Internal Improvements: Messrs. Hoke, Everest, Burton, Hutchison, Baxter, Davis, of Halifax, Page, Chadwick, Smith, of Columbus, and Bryson.

On Privileges and Elections: Messrs. Henry, Allison, Faircloth, of Wayne, Murphy, Smith, of Guilford, Gidney, Dalby, McNair, Horton and Gaines.

On Propositions and Grievances: Messrs. Sharpe, Dunn, Murrill, Russell, Harrison, Stilley, Paschall, Blair, Bonner and Blythe.

On Agriculture: Messrs. Simmons, Burgess, Newsom, Foster, Hodnett, Rosebro', Moore, of Chatham, Furr, Beasley and Scoggins.


On Library: Messrs. Cameron, Kenan and Russell.


Mr. Russell, from the committee appointed to superintend the election of Judge for the 5th Circuit, reported the whole number of votes cast to be 155,—necessary to a choice 78. Mr. Buxton received 101, Mr. Wright 18, Mr. French 27 and
Mr. Holmes 9. Hon. R. P. Buxton was accordingly declared duly elected.

On motion of Mr. Simmons, a message was sent to the Senate, proposing to vote at once for Solicitor for the 5th Judicial Circuit,—Messrs. W. S. Devane, J. W. Cameron, A. M. Waddell, Neill McKay, Giles Leitch, Jas. McCorkle and A. R. McDonald being in nomination.

The Senate concurred, and the House voted as follows, under the superintendence of Messrs. Kenan and McNair.


For Mr. Cameron—Messrs. Bonner, Farrow, Hoke, Lee, of Gates, Leigh, of Tyrrell, Moore, of Alamance, Niven, Russell, Smith, of Columbus, Teague, Trull and Yellowley—12.


For Mr. McDonald—Messrs. Beasley, Black, Blythe, Coates, Davis, of Carteret, Hamilton, Matthews and Moore, of Chatham—8.

For Mr. Devane—Messrs. Kenan, Murphy and Williams—3.

For Mr. Waddell—Messrs. Hanrahan and Moore, of Martin—2.

A message was received from the Senate, proposing to go
immediately into an election for Judge of the 3d Judicial District, and informing the House that Hon. D. G. Fowle and William Eaton, Jr., were in nomination.

The House agreed to the proposition, and voted as follows,—Messrs. Judkins and Ferrell superintending the election:


Mr. Kenan, from the committee, reported that the whole number of votes cast for Solicitor of the 5th Judicial Circuit was 146—necessary to a choice 74; That Mr. McKay had received 74, Mr. Leitch 20, Mr. Cameron 15, Mr. McCorkle 13, Mr. McDonald 12; Mr. Devane 8, and Mr. Waddell 4; and that Mr. McKay having received the requisite number, was duly elected.

Mr. Hutchison introduced a bill to authorize the magistrates, in each county to levy a tax for the purpose of work-
ing the public roads;” which was read and referred to the Judiciary Committee.

On motion of Mr. Moore, of Alamance, the House adjourned until Monday morning, 11 o’clock.

MONDAY, DECEMBER 4, 1865.

Prayer by Rev. Mr. Skinner.

Mr. Jno. R. Hawes, a member elect from the county of New Hanover, appeared, produced his credentials, was qualified and took his seat.

The Speaker announced Messrs. McNair, Smith, of Cumberland, Bryson, Moore, of Alamance and Scoggin as the committee on Enrolled Bills, upon the part of this House for the ensuing week.

Mr. Kenan introduced a resolution instructing the committee on the Judiciary to enquire into the propriety and expediency of passing a Homestead Law and report by bill or otherwise. Referred accordingly.

Mr. Cowan offered a resolution instructing the Finance Committee to enquire into the expediency of directing the Public Treasurer to recall the bonds of the State issued to the Wilmington, Charlotte and Rutherford Railroad in February 1861, and to issue other bonds in their stead, and to report by bill or otherwise. Referred accordingly.

Received a message from His Excellency, the Governor, transmitting the report of the Superintendent of the Lunatic Asylum; which, on motion of Mr. Russell, was ordered to be printed and referred to the committee on said Asylum.

Mr. Murrill offered a resolution, regulating the compensation of the officers and members of the General Assembly, which passed its first reading, and, under a suspension of the rules, was placed upon its second reading, when .

Mr. Jones moved to amend by inserting “five dollars,” as
the *per diem* of members, engrossing clerks and door-keepers, in lieu of "six dollars" and "seven dollars," respectively, and "eight dollars," as the *per diem* of Speaker, Principal and Assistant Clerks, in lieu of "ten dollars;" which motion did not prevail.

The resolution then passed its second, and, under a further suspension, its final reading, and was ordered to be engrossed and sent to the Senate.

Mr. Ferrell, from the committee appointed on yesterday to superintend the election of a Judge for the 3d Judicial Circuit, reported that the whole number of votes cast was 153—necessary to a choice 77; that Mr. Fowle had received 110, and Mr. Eaton 43, and that Mr. Fowle was accordingly elected. Which report was concurred in.

The following bills were introduced:

By Mr. Allison: A bill to amend sec. 14, chapter 101, of the Revised Code. Referred to Judiciary Committee.

By Mr. Candler: A bill to authorize the construction of a bridge across the French Broad River. Referred to the Committee on Internal Improvements.

Mr. Waugh moved that a message be sent to the Senate, proposing to rescind the joint order for going into an election of United States Senator to-day, at 12 o'clock.

Mr. Russell moved to amend, so as to rescind said order, so far as relates to the election of Senator for the long term.

Mr. Jenkins, of Warren, moved to lay the amendments upon the table; which motion prevailed, yeas 86, nays 24,—the yeas and nays being demanded by Mr. Jenkins.

Those who voted in the affirmative, were:

Messrs. Allison, Arrington, Barnett, Baxter, Blackmer, Blythe, Bonner, Bryson, Burgess, Caldwell, Cameron, Candler, Carson, Chadwick, Cowan, Cox, Dalby, Dargan, Davis, of Carteret, Davis, of Halifax, Everett, Faircloth, of Wayne, Farrow, Faison, Flythe, Foster, Furr, Caines, Gidney, Hamilton, Harper, Harrison, Hawes, Hanrahan, Hodnett, Hoke, Holmes,

Those who voted in the negative, were:
Messrs. Ashworth, Beasley, Black, Blair, Burton, Craige, Crawford, Dickey, Dunn, Faircloth, of Greene, Garland, Holderby, Jones, Kinney, Matthews, McDonald, McKay, Murphy, Palmer, Russell, Simmons, Smith, of Columbus, Waugh and Williams.

A communication was received from the Secretary of State, announcing the delinquency of the sheriffs of Bertie, Polk and Yadkin, in not making returns of the late election for Governor in those counties, as required by sec. 4, chap. 53, Revised Code.

A message was received from the Senate, proposing to vote at once for Judge of the 6th Judicial Circuit, and informing the House that Hon. J. W. Osborne and Anderson Mitchell, Esq., were in nomination.

The House concurred, Messrs. Hutchison and Sharpe were appointed to superintend the election, and the House voted as follows:

For Mr. Mitchell—Messrs. Speaker, Ashworth, Barnett, Beasley, Black, Blackmer, Blair, Blythe, Burton, Caldwell, Candler, Carson, Coates, Craige, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Ferrell, Flythe, Gaines, Garland, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jones, Kinney, Lyon, Matthews, McAden, McDonald, McGuire, McIntosh, McKay, Melson, Moore, of Alamance, Moore of Chat-
A message was received from the Provisional Governor, in answer to a resolution of the House, stating that no information had been received from the military authorities, in reply to the Ordinance of the Convention, respecting government horses and mules.

Mr. Faircloth, of Wayne, by leave, introduced a bill concerning fees of County Officers, which was read and referred to the committee on the Judiciary.

Mr. Hutchison, from the committee, reported that there had been cast for Judge of the 6th Circuit 164 votes,—necessary to a choice 83; that Mr. Mitchell had received 94 votes and Mr. Osborne 70, and that Mr. Mitchell was, therefore, duly elected. Which report was concurred in.

The Speaker announced the following additional members of committees heretofore constituted:

Judiciary: Mr. Gidney.

Claims: Mr. Lucas.

Education: Mr. Mott.

Internal Improvements: Mr. McEachern.

Privileges and Elections: Mr. Webb.

Propositions and Grievances: Mr. Williams.
Agriculture: Mr. Palmer.

Received a message from the Senate, asking the concurrence of the House in a proposition to appoint a Joint Select Committee of three on the part of the Senate, and five on the part of the House, to confer with the board appointed under authority of the Convention to prepare a code for the government of freedmen, and ascertain what progress has been made and when a report may be expected.

Concurred in, and the Speaker designated Messrs. Thompson, McAden, Cowan, Hoke and Holderby as composing the House branch of said committee.

Also, a message announcing its readiness,—the hour having arrived,—to vote for United States Senator for the long term, and stating that the Hon. W. A. Graham was in nomination. The House thereupon voted as follows, under the superintendence of Messrs. Cameron and Webb:


For Mr. Dick—Messrs. Blair, Coates, Dickey, Kinney, Moore, of Chatham, and Nicks—6.

Received a message from the Senate, announcing that Messrs. McLean, Leitch and Snead constitute their committee on Enrolled Bills for the ensuing week, and also announcing their branches of the Joint Standing Committees.

Also, a message communicating their readiness to proceed at once to an election for United States Senator for the short term, commencing 4th March, 1861, and stating that John Pool, Esq., Hon. Bedford Brown and Hon. Thomas S. Ashe were in nomination. Whereupon,

The House voted as follows, under the superintendence of Messrs. Henry and Niven,—the names of Robt. P. Dick, Esq., and Hon. Nat. Boyden having been previously added to the list of nominations:

For Mr. Pool—Messrs. Speaker, Allison, Ashworth, Barnett, Beasley, Black, Blair, Blythe, Bryson, Burgess, Burton, Caldwell, Candler, Coates, Craige, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Flythe, Furr, Garland, Hamilton, Harper, Henry, Horton, Houston, Jenkins, of Gaston, Jones, Kinney, Logan, Lyon, McDonald, McGuire, McKay, Melson, Moore, of Chatham, Murrill, Nicks, Newsam, Page, Palmer, Paschall, Potter, Rosebro', Russell, Sharpe, Simmons, Smith, of Columbus, Scoggin, Thompson, Waugh and York—57.

For Mr. Brown—Messrs. Cox, Farrow, Harrison, Hodnett, Holderby, Hoke, Hutchison, Manly, Matthews and Whitley—10.

For Mr. Boyden—Messrs. Blackmer, Carson, Gaines, Holmes, McIntosh, Mott andTeague—7.

Mr. Wilson voted for Mr. Smith.

Mr. Wheeler voted for Mr. Henry.

Mr. Cameron, from the committee appointed to superintend the election of United States Senator for the long term, reported that the whole number of votes cast was 154,—necessary to a choice 78; that Hon. W. A. Graham had received 138, and all others 16; and that the Hon. William A. Graham was, therefore, duly elected. Report was concurred in.

On motion of Mr. Craig, a message was sent to the Senate, proposing to ballot immediately for a Judge for the 8th Judicial Circuit, and stating that Messrs. A. S. Merrimon and W. W. Lenoir were in nomination.

The Senate concurring, Messrs. Craig and Wilson were appointed to superintend the election, and the House voted as follows:


For Mr. Lenoir—Messrs. Arrington, Baxter, Beasley, Cameron, Carson, Chadwick, Crawford, Dargan, Davis, of Halifax,
Mr. Henry, from the committee appointed to superintend the election of United States Senator for the short term, reported that the whole number of votes cast was 160,—necessary to a choice 81; that Jno. Pool had received 80, Thos. S. Ashe 47, Bedford Brown 22, Nath'l. Boyden, 7, W. N. H. Smith 2, P. T. Henry 1, and Wm. Eaton, Jr., 1; and that there was no election.

Mr. Wheeler moved that a message be sent to the Senate, proposing to vote at once for Solicitor of the 6th Judicial Circuit, and stating that Messrs. L. Q. Sharpe, D. M. Furches and J. L. McAulay were in nomination. Carried.

On motion of Mr. McAden, a message was sent to the Senate, proposing to vote again for United States Senator at 1½ o'clock, P. M.

Mr. Craigie, from the committee, reported that the whole number of votes cast for Judge of the 8th District was 159,—necessary to a choice 80; that Mr. Merrimon had received 104 and Mr. Lenoir 55, and that Mr. Merrimon was therefore elected. Which report was concurred in.

Mr. Smith, of Hertford, offered a resolution, directing the Committee on Finance to report a bill in accordance with the provisions of an ordinance of Convention, ratified October 18, 1865, making it the duty of the General Assembly to provide a scale of depreciation of Confederate currency from the time of its first issue to the end of the war. So referred.

On motion of Mr. Smith, of Hertford, the House adjourned until to-morrow morning, 10 o'clock.
Prayer by Rev. Mr. Wiley.

Mr. Jenkins, of Warren, rose to a question of privilege and made a personal explanation.

Mr. Manly, from the committee on the Judiciary, to whom was referred "A Bill concerning the burning of Register's books in the County of Burke," reported the same back to the House, with an amendment, recommending that it do pass.

On motion of Mr. Marler, the rules were suspended, the bill as amended, put upon its second and third readings, passed and ordered to be engrossed.

The following resolutions and bills were introduced:

By Mr. Bryson: A Resolution in favor of L. G. Ward. Referred to committee on Cherokee Lands.

By Mr. Craig: A resolution instructing the Judiciary committee to enquire into the expediency of granting per diem and mileage to sheriffs visiting Raleigh to render tax returns. So referred.

By Mr. Blythe: A bill to amend sec. 26, ch. 66 Revised Code. Referred to the committee on Education.

By Mr. Moore, of Alamance: A bill to incorporate the town of Company Shops, in Alamance county. Referred to Judiciary Committee.

Mr. Moore, of Chatham, offered a resolution relative to adjournment; which did not prevail.

Mr. Scoggin moved that a message be sent to the Senate, proposing to vote at once for Judge of the 7th Circuit. Not carried.

On motion of Mr. Moore, of Alamance, a message was sent to the Senate, proposing to ballot immediately for Solicitor of the 8th Judicial Circuit; in which the Senate did not concur.

A message was received from the Governor, communicating the report of J. M. Shook, Agent of the Western Turnpike
Road; which was referred to the committee on Internal Improvements.

Received a message from the Senate, proposing to proceed at once to an election for United States Senator for the short term, and stating that John Pool and Thos. S. Ashe were in nomination.

The House concurred, Messrs. Henry and Niven were appointed to superintend the election, and it voted as follows:


For Mr. Ashe—Messrs. Arrington, Baxter, Bonner, Cameron, Chadwick, Cowan, Cox, Dargan, Davis, of Halifax, Everett, Farrow, Faison, Foster, Furr, Gaines, Gidney, Hawes, Hanrahan, Hoke, Hutchinson, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Leigh, of Tyrrell, Lucas, Manly, Marler, McEachern, McNair, Moore, of Martin, Murphy, Niven, Paschall, Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen, Trull, Whitley, Williams, Wilson and Yellowley—44.


Mr. Mott voted for Mr. Boydjen.

Mr. Henry, from the committee, reported that the whole number of votes cast for Senator was 163,—necessary to a choice 82; that Mr. Poole received 93, Mr. Ashe 60, Mr.
Smith 9, and Mr. Boyden 1; and that Mr. Pool, having received a majority, was duly elected. Which report was concurred in.

Received a message from the Senate, proposing to vote at once for Solicitor of the 6th Circuit, and stating that Messrs. C. M. T. McAuley, R. P. Waring, L. Q. Sharpe, D. M. Furches and Rufus Barringer were in nomination; which was concurred in, Messrs. Trull and Whitley appointed to superintend the election, and the House voted as follows:


For Mr. Furches—Messrs. Ashworth, Black, Blackmer, Blair, Blythe, Caldwell, Dickey, Fairecloth, of Wayne, Flythe, Gaines, Hamilton, Hanrahan, Holmes, Houston, Jones, Kinney, Lyon, McDonald, McGuire, McKay, Moore, of Chatham, Nick, Newsom, Page, Potter, Russell, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague and Wheeler—31.


For Mr. Barringer—Messrs. Allison, Cowan, Davis, of Halifax, Furr, Hawes, Logan, Lucas, Moore, of Martin, Smith, of Cumberland, Smith, of Hertford, and Yellowley—11.

For Mr. McAuley—Messrs. Cameron, Chadwick, Everett, Farrow, McEachern, Niven and Trull—7.

On motion of Mr. Jenkins, of Granville, a message was sent to the Senate, proposing to vote forthwith for Attorney Gen-
eral, and announcing that Hons. S. F. Phillips and Sion H. Rogers were in nomination.

Mr. Whitley, from the committee appointed to superintend the election for Solicitor in the 7th Circuit, reported the whole number of votes cast to be 159,—necessary to a choice 80. Of this number, Mr. Sharpe received 63, Mr. Furches 44, Mr. Waring 21, Mr. Barringer 22, and Mr. McAuley 9. No election.

Received a message from the Senate, proposing to ballot for Solicitor of the 8th Judicial District, and stating that Messrs. Bedford Brown, David Coleman, and J. L. Henry were in nomination; which was concurred in, Messrs. Bryson and Craig appointed to superintend the election, and the House voted as follows:

For Mr. Brown—Messrs. Ashworth, Barnett, Beasley, Black, Blair, Blythe, Burgess, Burton, Caldwell, Candle, Carson, Coates, Dalby, Davis, of Carteret, Dickey, Dunn, Fairecloth, of Wayne, Ferrell, Flythe, Foster, Hamilton, Harrison, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, McGuire, McKay, Moore, of Chatham, Mott, Murrill, Nick, Newsum, Page, Paschall, Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggins, Teague, Trull, Waugh, Wheeler and York—54.

For Mr. Henry—Messrs. Craig, Faircloth, of Greene, Hanrahan, Henry, Judkins, Palmer and Sharpe—7.

Mr. Crawford voted for Mr. Lenoir.

Mr. Craig, from the committee, reported the whole number of votes cast in the foregoing election to be 156,—necessary to a choice 79. Of this number Mr. Brown received 77, Mr. Coleman 68, Mr. Henry 10 and Mr. Lenoir 1. No election.

Received a message from the Senate, asking the concurrence of the House in the following engrossed resolutions:

Resolved by the General Assembly of North-Carolina, That the members of this body, having entire confidence in the loyalty and honor of Z. B. Vance, would be pleased to see an extension of the Executive clemency in his pardon, and believe that this action would be highly gratifying to the people of the State.

Resolved, That the Speakers of this body be and they are hereby instructed to lay these resolutions before his Excellency, the Provisional Governor, and ask him to forward them to the President of the United States, with the assurance that the action of this Assembly, in the premises, springs from a sincere desire to promote the patriotic aims of His Excellency, the President, in reconstructing the Union and restoring to it the blessings of domestic tranquility.

The resolutions were adopted and ordered to be enrolled—yeas, 97, nays 13.

Mr. Russell demanded the yeas and nays:

Those who voted in the affirmative were:

Messrs. Allison, Arrington, Barnett, Baxter, Black, Blackmer, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Chadwick, Cowan, Cox, Craig, Crawford, Dalby, Dargan, Davis, of Carteret, Davis of Halifax, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Faison; Ferrell, Flythe, Foster, Furr, Gaines, Gidney, Harper, Harrison, Hawes, Hanrahan, Hodnett, Holderby, Hoke, Holmes,
Horton, Houston, Hutchison, Hyman, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, Manly, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Moore, of Alamance, Moore, of Martin, Mott, Murphy, Murrill, Niven, Newsum, Paschall, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Teague, Thigpen, Thompson, Trull, Waugh, Webb, Wheeler, Whitley, Williams, Wilson, Yellowley and York.

Those who voted in the negative were:
Messrs. Ashworth, Beasley, Blair, Blythe, Carson, Coates, Kinney, Moore, of Chatham, Nicks, Page, Palmer, Potter and Scoggin.

Received a message from the Senate, proposing to vote again for Solicitor of the 6th Judicial Circuit, and announcing that the names of Messrs. Waring and McAuley were withdrawn from nomination. The House concurred, and voted as follows, under the superintendence of Messrs. McGuire and Rosebro':


For Mr. Furnes—Messrs. Ashworth, Black, Blackmer, Blair, Blythe, Burgess, Caldwell, Dickey, Faircloth, of Wayne,
Flythe, Gaines, Hamilton, Hanrahan, Henry, Holmes, Houston, Jones, Kinney, Lyon, McDonald, McGuire, Moore, of Chatham, Nicks, Newsum, Page, Potter, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague and Thompson—31.

For Mr. Barringer—Messrs. Allison, Arrington, Bonner, Coates, Cowan, Faison, Furr, Hawes, Kenan, Lucas and Trull—11.

Received from the Senate a message, agreeing to the proposition to vote at once for Attorney General; whereupon the House, under the superintendence of Messrs. Page and Webb, voted as follows:


For Mr. Rogers—Messrs. Arrington, Baxter, Beasley, Chadwick, Cowan, Cox, Dalby, Dargan, Davis, of Halifax, Everett, Fairecloth, of Wayne, Farrow, Faison, Ferrell, Foster, Hawes, Hanrahan, Hoke, Horton, Hutchison, Hyman, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Luke, Lyon, Manly, Marler, McAden, McDonald, Melson, Moore, of Martin, Mott, Murphy, Niven, Sharpe, Simmons, Smith, of Hertford, Thigpen, Trull, Williams and Yellowley—46.

Mr. Coates voted for Mr. Mason.

Mr. McGuire, from the committee appointed to superintend the election for Solicitor of the 6th Judicial Circuit, reported
that the whole number of votes cast was 158,—necessary to a choice 80; that Mr. Sharpe received 92, Mr. Furches 42, and Mr. Barringer 24, and that Mr. Sharpe was duly elected. Which report was concurred in.

Mr. Webb, from the committee appointed to superintend the election for Attorney General, reported that the whole number of votes cast was 159,—necessary to a choice 80; that Mr. Rogers had received 82, Mr. Phillips 76, and Mr. Mason 1, and that Mr. Rogers having received a majority, was duly elected. Which report was concurred in.

Received a message from the Senate, proposing to proceed to the election of a Judge for the 7th Judicial District, and stating that Hons. W. M. Shipp, G. W. Logan and B. S. Gaither were in nomination; which proposition was concurred in, and the House voted as follows, under the superintendence of Messrs. Hoke and Marler:

For Mr. Shipp—Messrs. Allison, Arrington, Barnett, Baxter, Black, Blackmer, Blair, Blythe, Burton, Caldwell, Cameron, Candler, Chadwick, Cowan, Cox, Dalby, Dargan, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Flythe, Furr, Gaines, Gidney, Hamilton, Harrison, Hawes, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchinson, Jenkins, of Gaston, Jones, Joyner, Judkins, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Alamance, Moore, of Martin, Murphy, Murrill, Niven, Nicks, Newsum, Paschall, Russell, Sharpe, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Webb, Wheeler, Whitley, Williams and York—81.

For Mr. Logan—Messrs. Ashworth, Beasley, Carson, Coates, Dickey, Ferrell, Jones, Moore, of Chatham, Potter and Rosebro'—10.

Mr. Hoke, from the committee to superintend the foregoing election, reported that the whole number of votes cast was 158,—necessary to a choice 80; that Mr. Shipp had received 117, Mr. Gaither 29, and Mr. Logan 12; and that Mr. Shipp was therefore duly elected. Which report was concurred in.

Mr. Faison submitted, by leave, the following resolution:

Resolved, That this General Assembly adjourn on Thursday morning next, and meet again on the 2nd Monday of February next, subject to the call of the Governor.

Which was not carried.

Received a message from the Senate, proposing to raise a Joint Select Committee of two on the part of each House to make arrangements for counting the votes polled for Governor at the recent election.

Also, a message proposing to raise a Joint Select Committee, to consist of three on the part of the Senate and five on the part of the House, to propose a scale of depreciation of the Confederate currency, under an Ordinance of the Convention;

Also, a message proposing to raise a Joint Select Committee, to consist of two on the part of the Senate and three on the part of the House, to take into consideration the subject of the adjournment of the Legislature;

All of which were severally concurred in; and the Speaker announced the following committees in pursuance thereof, viz:

On counting vote for Governor:—Messrs. Wheeler and Waugh.

On scale of depreciation:—Messrs. Smith, of Hertford, Joyner, Caldwell, Thompson and Holmes.

On the matter of adjournment:—Messrs. Jenkins, of Warren, Murphy and Harrison.

On motion of Mr. Fairecloth, of Wayne, a message was sent
to the Senate, proposing to vote again for Solicitor of the 8th Judicial Circuit, and announcing that the name of J. L. Henry had been withdrawn from the list of those in nomination.

Received a message from the Senate, proposing to ballot for Solicitor of the 7th Judicial Circuit, and announcing that W. P. Bynum was in nomination before that body.

The House concurred and voted as follows, under the superintendence of Messrs. Hoke and Gidney,—the names of Messrs. G. N. Folk and G. W. Whitfield having been previously added to the list of nominations:


For Mr. Whitfield—Messrs. Arrington, Gidney, Hyman, Logan and Thigpen—5.

On motion of Mr. Ashworth, the House adjourned until to-morrow morning, 10 o'clock.
Prayer by Rev. Mr. Hardie.

The following Resolutions and Bills were introduced, viz:

By Mr. Waugh: A resolution concerning the land tax due the United States. Referred to the Committee on Finance.

By Mr. Webb: Resolution concerning sec. 12, ch. 10, Acts of 1861, second session. Committee on Judiciary.

By Mr. Logan: Resolution concerning Distribution Common School Fund. Committee on Education.

By Mr. Caldwell, of Guilford: Bill to authorize C. A. Boon, late sheriff of Guilford, to collect arrears of taxes. Committee on Judiciary.

By Mr. Wheeler: Bill to incorporate Stokesbury Lodge, No. 220 Free and Accepted Masons. Under a suspension of the rules passed 2nd and 3rd readings, and ordered to be engrossed.

By Mr. Burgess: Bill authorizing collection of unpaid taxes in Pasquotank County. Judiciary.

By Mr. Dickey: Bill to provide for the establishment of a ferry on Hiwassie river. Judiciary.

By Mr. Rosebro': Bill to stay executions and for other purposes. Ordered to be printed and referred to the Committee on the Judiciary.

By Mr. Hamilton: Bill to empower Robt. McFarland, late sheriff of Polk, to collect arrears of taxes. Judiciary.

By Mr. Jenkins, of Warren: Resolution directing the special committee on Railroads to enquire into contracts entered into or about to be entered into, between the Wilmington and Weldon Road and Adams' Express Company. Appropriately referred.

By Mr. Thompson: Resolution in regard to the Public Debt. Referred to Committee on Finance.

By Mr. Faircloth, of Wayne: Resolution concerning Homestead Law. Judiciary.

By Mr. Burgess; Bill (accompanied by petition) to amend
an act entitled "An act to extend time for duration of charter for erecting a bridge across Pasquotank river." Referred to Committee on Private Bills.

By Mr. Harper: Resolution instructing the Judiciary committee to enquire into the expediency of giving exclusive jurisdiction to the Superior Courts of Law in all cases of breaches of the peace, for a limited time. Referred to Committee on Judiciary.

Mr. Gidney, from the committee appointed on yesterday to superintend the election of Solicitor for the 7th Judicial Circuit, reported that the whole number of votes cast was 153,—necessary to a choice 77; that Mr. Bynum had received 136, Mr. Folk 12 and Mr. Whitfield 5; and that Mr. Pynum was therefore duly elected. Which report was concurred in.

Mr. Manly, from the committee on Judiciary, to whom was referred a resolution of enquiry into the propriety of allowing sheriffs mileage and per diem in certain cases, reported that no action was necessary, and asked to be discharged from the further consideration of the subject. Concluded in.

Mr. Manly, from the same committee, to whom was also referred a "Bill concerning county officers," reported back the following resolution, in lieu thereof, which was adopted, and the committee discharged from the further consideration of the subject:

Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee, to consist of three on the part of the Senate and five on the part of the House, to consider the subject of official salaries and fees, generally, and to report a bill fixing them at reasonable and proper rates.

Mr. Smith, of Hertford, from the Committee on Finance, to whom was referred a resolution instructing said committee to prepare a scale of depreciation of Confederate currency, reported the same back to the House, and recommended its reference to the Joint Special Committee having charge of the subject; which report was concurred in.
Mr. Jenkins, of Warren, presented a memorial from "Widows of Southern Soldiers in North-Carolina," which was referred to the Committee on Propositions and Grievances.

Mr. Murphy moved that a message be sent to the Senate, proposing to vote forthwith for Solicitor of the 8th Judicial Circuit.

Mr. Crawford moved to amend, by inserting "on Friday next," in lieu of the word "forthwith," which did not prevail.

The original motion was then carried, and the message sent accordingly.

The Senate concurring, the House voted as follows, under the superintendence of Messrs. Bryson and Craig,—the names of Messrs. R. Y. McAden, G. N. Folk and W. G. Candler having been previously added to those in nomination:

For Mr. Coleman—Messrs. Speaker, Allison, Arrington, Bryson, Cameron, Chadwick, Cowan, Craig, Dargan, Everett, Farrow, Faison, Furr, Gaines, Garland, Gidney, Hawes, Hanrahan, Hoke, Holmes, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Kenan, Leigh, of Tyrrell, Logan, Lucas, Luke, Marler, MeEachern, McKay, McNair, Melson, Moore, of Martin, Murphy, Niven, Russell, Sharpe, Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen, Williams, Wilson and Yellowley—46.


For Mr. McAden—Messrs. Burton, Crawford, Davis of Carteret, Davis, of Halifax, Dunn, Flythe, Harrison, Hodnett, Joyner, Judkins, Manly, Moore, of Alamance, Murrill, Newsom, Simmons, Webb and Whitley—17.
For Mr. Folk—Messrs. Blackmer, Bonner, Burgess, Caldwell, Cox, Horton, McIntosh, Mott and Rosebro'—9.


Mr. Candler voted for Mr. Bryson.

Mr. Craig, from the committee appointed to superintend the foregoing election, reported that the whole number of votes cast was 155; that Mr. Coleman had received 66, Mr. Brown 47, Mr. McAden 23, Mr. Folk 14, Mr. Candler 4 and Mr. Bryson 1; and that 78 votes being necessary to a choice, there was no election.

Mr. Whitley offered the following resolution:

Resolved, That when this House adjourns to-day, it shall stand adjourned until Friday next at 10 o'clock,—to-morrow being Thanksgiving day, under proclamation of the President of the United States.

Which was adopted.

Received a message from the Senate, concurring in the proposition to raise a Joint Select Committee, to whom shall be referred the general subject of Salaries and Fees.

On motion of Mr. McNair, a message was sent to the Senate, proposing to ballot immediately for Public Treasurer, and announcing that Messrs. K. P. Battle and Wm. Sloan were in nomination.

The Senate concurring, the House proceeded to vote as follows, under the superintidence of Messrs. Blackmer and McNair:

For Mr. Battle—Messrs. Speaker, Arrington, Baxter Beasley, Black, Bonner, Burgess, Caldwell, Cameron, Candler, Chadwick, Cowan, Cox, Crawford, Davis, of Halifax, Farrow, Foster, Furr, Gaines, Harper, Hawes, Houston, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Marler, McAden, McEachern, McGuire, McIntosh, McKay, McNair, Moore, of Alamance, Moore, of Martin, Murphy, Murvill, Niven, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Cumberland, Smith,

For Mr. Sloan—Messrs. Allison, Ashworth, Barnett, Blackmer, Blair, Blythe, Bryson, Burton, Carson, Coates, Craig, Dalby, Dargan, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Garland, Hamilton, Harrison, Henry, Hodnett, Holderby, Holmes, Horton, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, Melson, Moore, of Chatham, Mott, Nicks, Newsom, Palmer, Paschell, Potter, Smith, of Columbus, Stilley, Scoggin, Thompson, Waugh and York—48.

Mr. McNair, from the committee appointed to superintend the foregoing election, reported that the whole number of votes cast was 155,—necessary to a choice 78; that Mr. Battle had received 89, and Mr. Sloan 66, and that Mr. Battle was therefore duly elected. Which report was concurred in.

On motion of Mr. Craig, a message was transmitted to the Senate, proposing to vote again for Solicitor of the 8th District, and stating that the names of Messrs. Folk, McAden and Candler were withdrawn from nomination.

The Senate concurring, the House voted as follows, under the further superintendence of Messrs. Bryson and Craig:

For Mr. Coleman—Messrs. Speaker, Allison, Arrington, Baxter, Blackmer, Bonner, Bryson, Burgess, Caldwell, Cameron, Chadwick, Cowan, Cox, Craig, Crawford, Davis, of Carteret, Davis, of Halifax, Everett, Farrow, Faison, Flythe, Foster, Furr, Gaines, Garland, Gidney, Harper, Hawes, Hanrahan, Hoke, Holmes, Houston, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Marler, McAden, McEachern, McIntosh, McNair, Melson, Moore, of Alamance, Moore, of Martin, Murphy, Murrill, Niven, Palmer, Rosebro', Shaw, Smith, of Cumberland; Smith, of Hertford, Thigpen, Trull, Whitley, Williams, Wilson and Yellowley—66.

For Mr. Brown—Messrs. Ashworth, Barnett, Beasley, Black.

For Mr. McDaden—Mr. Mott—1.

Mr. Bryson, from the joint committee appointed to superintend the preceding election, reported as follows: whole number of votes cast 149,—necessary to a choice 75. Mr. Coleman received 90, Mr. Brown 55, Mr. Candler 3 and Mr. McDaden 1. Mr. Coleman duly elected. Report concurred in.

Mr. Simmons moved that a message be sent to the Senate, proposing to vote for Comptroller; which motion prevailed.

Mr. Faircloth, of Wayne, moved a re-consideration of the vote by which the foregoing message was directed to be sent; which was ordered,

And, then, the motion was rejected.

Received a message from the Senate, asking the concurrence of the House in the following resolutions:

Resolved, by this General Assembly, (the House of Commons concurring,) that the Provisional Governor be requested to communicate to the General Assembly, whether he has the power conferred upon him by the National Government to restore the several Courts of the State, with their accustomed jurisdiction.

Resolved, If he has the power to do so, that the Provisional Governor be requested to restore said Courts, with their ancient jurisdiction, civil and criminal, subject to such limitations and restrictions as may be imposed by this General Assembly.

Which, on motion of Mr. Smith, of Hertford, were referred to the Committee on the Judiciary.

Mr. Blackmer offered the following joint resolution:

Resolved, That the thanks of the State are due to Dr. R. J.
Powell, Agent of the State in Washington City, for his constant efforts to oblige all our citizens having business in that city, and also for the zeal he has exhibited in endeavoring to remove the utterly false impression that there is any hostility, or appearance of hostility, to a restoration of our relations with the United States, on the basis prescribed by President Johnson.

Which, on motion of Mr. McAden, was referred to a special committee of three.

Whereupon, the Speaker designated Messrs. Blackmer, Dargan and McAden as composing said committee.

Received a message from the Senate, proposing to the House to raise a joint select committee of five on the part of each House, to be entitled a committee on Federal Relations.

Which was concurred in, and Messrs. Cameron, Burton, Sharpe, Hutchison and Russell, designated as the committee on the part of the House.

On motion, the House adjourned until Friday morning, 10 o'clock.

FRIDAY, December, 8, 1865.

Prayer by Rev. Mr. Gannon.

The Speaker announced the following gentlemen as composing the House branch of the Committee on Salaries and Fees, viz: Messrs. McAden, Harper, Chadwick, Holderby and Kenan.

On motion, leave of absence until Monday morning next was granted to Messrs. Coates, Faircloth, of Greene, Moore, of Chatham, Houston, Caldwell, Smith, of Guilford, and Holmes; and, until Tuesday, to Mr. Murphy.

The following bills and resolutions were introduced:

By Mr. Crawford: Resolution in favor of the Provisional
Sheriffs of the several counties of the State. Referred to the Committee on the Judiciary.

By Mr. Niven: Resolution requesting the Provisional Governor to supply the militia with arms and ammunition. Military Affairs.

By Mr. Holderby: Resolution instructing Judiciary Committee to enquire into the expediency of empowering the Courts of Pleas and Quarter Sessions to levy taxes for county purposes. So referred.

By Mr. Chadwick: Bill to empower A. C. Latham, sheriff of Craven, to collect arrears of taxes. Judiciary.

By Mr. Waugh: Resolution instructing Judiciary Committee to enquire into the expediency of preparing and reporting a bill for the relief of sheriffs, in reference to the collection of back taxes. So referred.

By Mr. Smith, of Hertford: Bill to revive and continue in force certain acts for the relief of persons who may suffer from the destruction of the records of Hertford county. Judiciary.

By the same: Bill regulating the terms of the Supreme Court, and for other purposes. Judiciary.

By the same: Bill regulating the salaries of the Judges of the Supreme and Superior Courts. Same reference.

By the same: Bill to prevent the discontinuance of causes in certain cases. Same reference.

By Mr. Burton: Bill in favor of Walker Smith, sheriff of Rockingham county. Judiciary.

Mr. Houston offered the following resolution:

Resolved, That the Speaker appoint a Special Committee of five members, to be styled the Committee on Corporations.

Which was adopted, and the Speaker designated the following gentlemen as composing said committee, viz: Messrs. Blackmer, Houston, Burton, Hawes and Cox.

On motion of Mr. Jenkins, of Warren, the rules were sus-
pended, and the names of Messrs. Hoke and Smith, of Hertford, were added to the Committee on the Judiciary.

By Mr. Houston: Bill to amend an act passed February, 1859, entitled "An act to incorporate the town of High Point, Guilford county." Referred to Committee on Corporations.

By Mr. Baxter: Bill to establish a Homestead Freehold and for other purposes. Judiciary.

By Mr. McIntosh: Bill for the relief of the citizens of Alexander county, who may be injured by the destruction of its public records. Committee on the Judiciary.

On motion of Mr. Waugh, it was

Ordered. 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 take into consideration the subject of a stay law.

Mr. Waugh, from the committee appointed to make suitable arrangements for counting the vote for Governor at the recent election, submitted the following report:

"That the two Houses of the General Assembly shall convene in the hall of the House of Commons on Saturday, the 9th day of December, 1865, at 12 o'clock, M., and the Speaker of the Senate shall be the presiding officer; that one person shall be appointed teller on the part of the Senate, and two on the part of the House, to make a list of the votes polled for Governor of the State at the late election, as they shall be declared by the Speaker of the Senate. The result shall be delivered to the Speaker of the Senate, who shall announce to the two Houses the state of the vote and the person elected; which announcement shall be a sufficient declaration of the person elected, and, together with the list of votes, shall be entered on the journals of the two Houses."

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

Mr. Logan, from the Committee on Cherokee Lands, to whom was referred a resolution in favor of L. G. Ward, re-
ported the same back, with an amendment, recommending its passage.

The resolution, as amended, then passed its second reading.

Received a message from the Senate, transmitting an engrossed bill, entitled "A bill to exempt the Raleigh and Gaston Railroad Company from re-building the bridge over the Roanoke river at Gaston," which was referred to the committee on Internal Improvements.

Mr. Blackmer, from the committee on the Lunatic Asylum, submitted the following report:

"The Joint Committee of the Senate and House of Commons on the Insane Asylum nominate the following gentlemen as Directors of the Institution and recommend their election, viz: Dr. M. F. Arendell, of Carteret; Jos. Keener, of Jackson; Isaac H. Saunders, of Onslow; H. M. Waugh, of Surry; R. W. Allison, of Cabarrus; W. H. Wheeler, of Forsyth; Giles Leitch, of Robeson; M. L. Holmes, of Rowan; W. K. Lane, of Wayne; A. H. Davis, of Halifax; A. D. McLean, of Harnett; and Ruffin Williams, Henderson Hodge, W. D. Jones and W. S. Mason, of Wake."

Mr. Niven moved to amend the report by the substitution of the name of Wm. Smith, of Anson, for that of Jos. Keener, of Jackson; which was not agreed to.

The report was then concurred in, and the gentlemen nominated as Directors declared duly chosen.

Mr. Holderby offered the following resolutions, which were referred to the committee having charge of that subject:

Resolved, That this Legislature (the Senate concurring) take a recess from Monday, the 11th inst., until such day as the Speakers of the two Houses may convene the same.

Resolved further; That, in case either of the Speakers, from any cause, be unable to act, then, and in that event, a call from one or either one of them shall be valid.

Mr. Kenan offered a resolution, providing for furnishing each Clerk of the County Courts of the State ten copies of the
Ordinances of the late Convention; which, under the rules was laid over for one day.

Mr. Ashworth, by leave, introduced a bill for the relief of poor debtors; which was read and referred to the committee on the Judiciary.

Mr. McAden, by leave, presented a memorial in relation to a publication of Dr. Curtis, Assistant State Geologist; which was referred to the Committee on Propositions and Grievances.

Mr. Baxter introduced a resolution, relative to an additional doorkeeper; which was not adopted.

Received a message from the Senate, announcing Messrs. Winstead and Hall as their branch of the Joint Select Committee on Salaries and Fees; and Messrs. Leach, Howard, Warren, Cowper and Isbell as their branch of the committee on Federal Relations.

Also, a message concurring in the proposition to raise a Joint Committee to take into consideration the subject of a Stay Law, and announcing Messrs. Jones, of Columbus, and Wilson, as their branch of said committee.

Also, concurring in the arrangements made for counting the vote for Governor on Saturday at 12 o'clock.

Mr. McNair moved that a message be sent to the Senate, proposing to vote for seven Councillors of State; which was not agreed to.

Mr. McNair then moved that a similar message be sent, proposing to go into said election on Monday next, at 12 o'clock; which motion prevailed.

Received a message from the Senate, asking the concurrence of the House in the following resolution:

Resolved, That this Legislature adjourn on Monday, December 18th instant, at 6 o'clock, A. M., to meet again on the first Monday of February next.

Mr. Holderby moved to amend by inserting "Thursday, December 14," in lieu of "Monday, December 18;" which amendment did not prevail.
The proposition of the Senate was then agreed to, and it informed thereof by message.

Mr. Potter, by leave, introduced a bill in favor of A. J. McBride, sheriff of Watauga; which was referred to the Committee on the Judiciary.

Mr. Waugh, by leave, offered the following resolution, which was read and referred to the Committee on the Judiciary:

Resolved, That the Committee on the Judiciary be instructed to inquire and report whether elections made by the General Assembly since May 20, 1861, for the offices of Superintendent of Common Schools, Trustees of the University, etc., are valid or not, and that they report by bill or otherwise.

Received a message from the Senate concurring in the election of Directors for the Lunatic Asylum.

Also, a message asking the concurrence of the House in the following resolution:

Resolved, (The House of Commons concurring,) that the committee appointed to count the votes polled for Governor in November last, be instructed to make arrangements for the administration of the oaths of office to the Governor elect, at the same time the returns are opened and the votes counted.

Which was concurred in, and Messrs. Wheeler and Waugh appointed the committee to count said vote and make said arrangements.

On motion of Mr. Waugh, the House adjourned until tomorrow morning, 10 o'clock.

SATURDAY, DECEMBER 9, 1865.

Prayer by Rev. Mr. Hardie.

The Speaker announced the following gentlemen as composing the House branch of the committee on the subject of the stay law, viz: Messrs. Waugh, McNair, Jones, Farrow and Whitley.
Mr. Manly, from the Committee on the Judiciary, to whom was referred a resolution of enquiry into "the expediency of giving exclusive jurisdiction to the Superior Courts in all cases of breaches of the peace for a limited time," reported the same back, and asked to be discharged, for reasons stated, from its further consideration. So ordered.

Also, the Senate resolution in relation to the restoration of the Courts, with their ancient jurisdiction, recommending the concurrence of the House therein.

Also, the "bill to authorize the magistrates in each county to levy a tax for the purpose of working the public roads," recommending that it do not pass.

Also, a "bill to amend sec. 14, chap. 101, of the Revised Code," recommending that it do not pass.

Also, a "bill to incorporate the Durham Academy in the county of Orange," recommending its passage, with an amendment.

Mr. Hoke, from the committee on Internal Improvements, to whom was referred an engrossed bill from the Senate, "to exempt the Raleigh and Gaston Railroad Company from rebuilding the bridge across the Roanoke river, at Gaston," reported the same back, and recommended its passage.

Also, the report of J. M. Shook, Agent of the Western Turnpike Company, asking its reference to the Committee on Cherokee Lands; which reference was ordered accordingly.

Also, the bill "authorizing the construction of a bridge across the French Broad river," recommending its passage, with an amendment.

Mr. Smith, from the Committee on Finance, to whom was referred a resolution of enquiry in reference to the recall of certain bonds, heretofore issued in aid of the Wilmington, Charlotte and Rutherford Railroad Company, and the issue of others in their stead, reported back a bill to the House, entitled a "bill for the relief of holders of State bonds issued since May 20, '61, under an act ratified Jan. 16, 1861, entitled
an "Act to secure the completion of the Wilmington, Charlotte and Rutherford Railroad Company; and amend its charter," and recommended its passage. Passed first reading, and, on motion of Mr. Faircloth, of Wayne, ordered to be printed and made the special order of the day for Tuesday next, 11 o'clock.

Mr. Smith, from the same committee, to whom was referred the resolution of the House in regard to the public debt due, and about to fall due, reported a bill "providing for the payment of the State debt contracted before the war," which passed its first reading, and, under a suspension of the rules, its second and third readings, and was ordered to be engrossed and sent to the Senate.

Mr. Smith, from the same committee, to whom was referred a resolution of enquiry into the expediency of assuming the land tax due the United States, reported back the following resolution, and recommended its passage:

Resolved, That it is not expedient for the State to assume payment of the direct tax levied by the laws of the United States upon the lands of the people of this State.

Which report and resolution, on motion of Mr. Waugh, were laid upon the table.

Mr. Waugh introduced the following resolution:

Whereas, by an Ordinance of the Convention, it is provided that the Governor elect shall not enter upon the discharge of his duties until the Provisional Government expires: Therefore,

Resolved, That a message be sent to the Senate, proposing to rescind the joint order providing for the administration of the oaths of office to the Governor elect, at the time the votes are counted.

Which was adopted,—yeas 69, nays 24; the yeas and nays being demanded by Mr. Simmons.

Those who voted in the affirmative, were:

Messrs. Allison, Ashworth, Black, Blackmer, Blair, Blythe,
Bryson, Burgess, Burton, Cameron, Candler, Carson, Chadwick, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Faircloth, of Wayne, Farrow, Ferrell, Flythe, Foster, Furr, Gaines, Garland, Hamilton, Harper, Harrison, Henry, Hordnett, Horton, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jones, Joyner, Kinney, Logan, Manly, Matthews, McCachern, McGuire, McIntosh, McKay, Mélson, Mott, Murrill, Nicks, Newsum, Page, Palmer, Paschall, Potter, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Hertford, Stilley, Scoggin, Trull, Waugh, Webb, Whitley Williams, Wilson, Yellowley and York.

Those who voted in the negative, were:


Received a message from the Senate, concurring in the House proposition to go into an election for seven Councillors of State on Monday next, at 12 o'clock.

Also, announcing the passage of the engrossed bill from the House, entitled a “Bill concerning the burning of the Registers' books in the County of Burke,” with certain amendments embracing the County of Sampson, and asking the concurrence of the House in said amendments. Amendments agreed to and the Senate informed thereof by message.

Also, transmitting an engrossed bill “To extend the charter of the Bank of the State of North-Carolina;” which was read the first time and passed.

The following bills and resolutions were introduced:

By Mr. Jenkins, of Warren: Resolution of enquiry as to the propriety of making larceny punishable with death for the third offence. Referred to Committee on Judiciary.

By the same: Bill to make an assault, with intent to com-
mit rape upon the body of a white female, felony punishable with death. Judiciary.

By the same: Bill to make horse-stealing a felony punishable with death. Same reference.

By Mr. Gidney: Resolution instructing committee on scale of depreciation of Confederate currency to take into consideration the propriety of fixing said scale on a produce valuation. Referred to Committee on Judiciary.

By Mr. Garland: Bill for the relief of citizens of Yancey County, on account of destruction of public records. Judiciary.

By Mr. Cameron: Memorial of Robt. S. Ledbetter, of Richmond County, relative to the loss of certain State bonds. Referred to Judiciary Committee.

By Mr. Blythe: Bill giving the election of Clerk and Master in Equity to the qualified voters of Henderson County. Judiciary.

Received a message from the Senate, concurring in the proposition to rescind the joint order for the administration of the oaths of office to the Governor-elect.

Also, a message asking the concurrence of the House in the following resolution:

Resolved, That a message be sent to the House of Commons, to raise a Joint Committee to consist of five in number,—two on the part of the Senate and three on the part of the House,—to enquire who are the proper owners of the Piedmont Rail Road; that they report the charter, if any, under which it was incorporated, the stockholders therein, with what funds it was built, how they were supplied with funds, and especially the property in said Company which belonged to the Confederate States and to individuals; and that, for these purposes, the committee have power to send for persons and papers, to examine witnesses on oath, if necessary, and report to this or the adjourned session of the Legislature.

Which was concurred in.
The hour having arrived, according to the joint order of the two Houses, for comparing and examining the returns of the vote for Governor at the election on the 9th day of November last, the two Houses thereupon assembled in general Convention in the hall of the House of Commons. Mr. Speaker Settle, of the Senate, in the Chair, who made the following announcement:

**Gentlemen of the Senate**

and of the **House of Commons**:

The two Houses of the General Assembly being now convened, I will proceed, according to the requirements of the law, to open and publish the returns for Governor, held on the 9th day of November last.

And then the tellers of the two Houses proceeded to record the several returns of the sheriffs, as announced by the Chairman of the Convention, as follows:

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*No official returns received from the Counties of Anson and Brunswick.*
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Whereupon, Mr. Speaker Settle, as President of the Convention, made a declaration of the result as follows:

Gentlemen of the Senate and of the House of Commons:

The tellers appointed by the two Houses of the General Assembly, to compare the returns and make a list of the votes given at the late election for Governor of this State, report that Jonathan Worth received 31,643 votes, being the highest number of votes given; that W. W. Holden received 25,704 votes, and that there were scattering 195 votes.

No objection being made to this report, I declare Jonathan Worth duly elected Governor of the State of North-Carolina,—to enter upon the duties of his office, whenever the present Provisional Government shall cease, provided such Government shall determine prior to January 1st, 1867.

The Senators having withdrawn, the Speaker of the House resumed the chair.

Mr. Waugh offered the following resolution, which lies over, viz:

Resolved, That, as soon as the Provisional Government of this State is at an end, the Hon. Jonathan Worth, the Governor elect under an Ordinance of the Convention, be requested, in case the General Assembly is not in session, to take the oaths of office before the Chief Justice of the Supreme Court,
and enter upon the discharge of the duties of his office for the term to which he was elected, under the Ordinance of said Convention: Provided, That said Provisional Government comes to an end any time prior to the 1st day of January, A. D., 1867.

On motion of Mr. Jenkins, of Warren, the House adjourned until Monday morning, 10 o'clock.

MONDAY, December 11, 1865.

Prayer by Rev. Mr. Skinner.

The Speaker announced the following committees:

On the Piedmont Railroad.—Messrs. Smith, of Columbus, Murphy and Allison.

On enrolled Bills for the week.—Messrs. Harrison, Black, McGuire, Faison and Marler.

Leaves of absence were granted to Messrs. Foster, McKay, Manly and Thompson.

The following Bills were introduced:

By Mr. Hoke: Bill extending the time of registration of deeds and grants. Passed first reading.

By Mr. Jenkins, of Warren: Bill to add thirty days hard labor upon the public roads and highways, as an additional punishment for all offences, the punishment whereof is now whipping. Referred to the Committee on Judiciary.

The resolution, directing the Secretary of State to furnish ten copies of the Ordinances of the Convention to each County Court Clerk of the State, was taken up, passed the 2nd and 3rd readings, and was ordered to be engrossed and sent to the Senate.

The following bills were read the second time and passed, and, under a suspension of the rules, read the third time, passed and ordered to be engrossed, viz:
Bill to incorporate Durham Academy in the County of Orange;

Bill to authorize the construction of a bridge across the French Broad river.

The following engrossed bills from the Senate were respectively read the second time and passed, and, under a suspension of the rules, the third time, passed and ordered to be enrolled, viz:

Bill to extend the charter of the Bank of the State of North Carolina;

Bill to exempt the Raleigh and Gaston Rail Road Company from re-building the bridge over the Roanoke river at Gaston.

The bill to amend sec. 14, ch. 101 Revised Code, coming up on its second reading, was rejected; and

The following bill and resolution, on their second reading, were respectively laid on the table, viz:

Bill to authorize the County Courts to levy taxes for the purpose of working the roads;

Senate resolution of enquiry as to the restoration of the Courts, with their ancient jurisdiction.

The bill in favor of L. G. Ward passed its third reading and was ordered to be engrossed.

Mr. Waugh, from the Committee on Private Bills, to whom was referred a bill concerning the construction of a bridge across the Pasquotank river, reported the same back to the House, recommending its passage.

On motion of Mr. Luke, the rules were suspended, the bill put upon its second and third readings, passed and ordered to be engrossed.

Received a message from the Senate, transmitting an engrossed bill for the relief of citizens of Washington County, on account of the burning of public records; which, under a suspension of the rules, was read the 2d and 3d times, passed and ordered to be enrolled.
Mr. Holderby offered the following resolution, which was referred to the Committee on the Judiciary:

Resolved, That the Judiciary Committee be requested to enquire into the propriety of allowing each County Court of the State to establish a Board, to be styled "The Board of Conciliation," to which all cases of disagreement arising upon contracts made between May 20, 1861, and May 1, 1865, may be referred for adjustment; and that they report by bill or otherwise.

Mr. Waugh called up the resolution, heretofore introduced by him, relative to the administration of the oaths of office to the Governor elect; which he moved to amend by inserting, after the words "Chief Justice of the Supreme Court," the words "or any Judge of the Superior Courts or any justice."

Mr. Burton proposed, as an additional amendment, the following:

Resolved, That it is the purpose of this General Assembly, in administering the oaths of office to the Governor elect, to provide that he may be ready to enter on the discharge of his duties, when the office of Provisional Governor shall determine by direction of His Excellency, the President of the United States,—but not to go into office until he shall be so directed by the President of the United States.

Mr. Smith, of Hertford, moved the following as a substitute for the whole:

Resolved, That a joint committee of five,—consisting of two members of the Senate and three members of the House,—be appointed to notify the Governor elect of his election, and to make arrangements for administering to him the oaths of office before the recess of the General Assembly.

Which was adopted, and the concurrence of the Senate asked by message.

Received a message from the Senate, proposing to rescind the joint order to vote for Councillors of the State this day; in which the House refused to concur.
Mr. Luke moved that a message be sent to the Senate, proposing to set apart Thursday next, 12 o'clock, as the day and hour for the appointment of Justices of the Peace. Not carried.

Mr. Sharpe introduced, by leave, a bill to qualify the Superior Court Clerks lately elected; on whose motion, the rules were suspended, the bill put upon its second and third readings, passed and ordered to be engrossed.

Received a message from the Senate, concurring in the proposition to appoint a committee to wait upon the Governor elect, inform him of his election and make arrangements for the administration of the oaths of office; whereupon

The Speaker designated Messrs. Waugh, Wheeler and Hyman as composing the House branch of said committee.

The following bills and resolutions were introduced by leave, viz:

By Mr. Davis, of Carteret: Bill to amend sec. 32, chap. 102 Revised Code. Referred to Committee on Salaries and Fees.

By Mr. Sharpe: Resolution relative to fees of Constables. Same reference.

By Mr. Trull: Resolution respecting Constables and Deputy Sheriffs. Judiciary.

By Mr. Murphy: Bill for the relief of Jno. A. Oats, late sheriff of Sampson County. Judiciary.

Mr. Thigpen moved that a message be sent to the Senate proposing to make the appointment of magistrates the special order for Friday next, 11 o'clock. Not adopted.


Whereupon, the House proceeded to vote as follows, under the superintendence of Messrs. McAden and Hutchison:


For Mr. Wright—Messrs. Allison, Arrington, Barnett, Blackmer, Cowan, Craig, Everett, Faison, Furr, Gaines, Gidney, Hawes, Holderby, Holmes, Hutchinson, Hyman, Judkins, Kenan, Kinney, Leigh, of Tyrrell, Lucas, Marler, Matthews, McAden, McNair, Melson, Moore, of Martin, Murphy, Shaw, Smith, of Cumberland, Smith, of Hertford, Trull, Whitley, Williams and Wilson—35.


For Mr. Cowles—Messrs. Ashworth, Blair, Blythe, Bonner, Burton, Cameron, Carson, Coates, Craig, Dickey, Flythe, Garland, Hamilton, Holderby, Horton, Lee, of Gates, McDonald, Moore, of Chatham, Murrill, Nicks, Newsum, Page, Palmer, Paschall, Potter, Smith, of Columbus, Scoggin, Waugh and York—29.

For Mr. Murphy—Messrs. Speaker, Allison, Blackmer, Bryson, Caldwell, Candler, Davis, of Carteret, Faircloth, of Wayne, Furr, Gaines, Harper, Harrison, Holmes, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, MeEachern, McIntosh, Mott, Smith, of Guilford, Teague, Webb and Wheeler—25.

For Mr. Patterson—Messrs. Speaker, Burton, Caldwell, Craig, Faircloth, of Wayne, Furr, Harper, Harrison, Holderby,
Horton, Houston, Jenkins, of Granville, Jones, McGuire, McIntosh, Mott, Nicks, Potter, Smith, of Guilford, Teague, Wheeler and Whitley—22.


For Mr. Winstead—Messrs. Speaker, Barnett, Caldwell, Candler, Craig, Crawford, Dalby, Furr, Harrison, Holderby, Houston, Jones, McIntosh, Mott, Nicks, Rosebro' Sharpe, Simmons, Smith, of Guilford, Teague, Webb and Wilson—22.


For Mr. Caldwell—Messrs. Speaker, Black, Burton, Caldwell, Candler, Holderby, Houston, Judkins, Kinney, McEachern, McGuire, Murphy, Nicks, Potter, Rosebro', Sharpe, Simmons, Smith, of Guilford, Trull and Waugh—20.

For Mr. Leach—Messrs. Ashworth, Blair, Blythe, Burton, Carson, Coates, Dickey, Hamilton, Jenkins, of Gaston, Jones, Kinney, McDonald, Moore, of Chatham, Nicks, Page, Potter, Russell, Scoggin, Waugh and York—20.


For Mr. Parrott—Messrs. Speaker, Beasley, Bryson, Caldwell, Coates, Dalby, Davis, of Carteret, Dickey, Everett, Harrison, Houston, Jenkins, of Granville, McIntosh, Murrill, Smith, of Guilford, Teague, Webb and Wheeler—18.

For Mr. Yellowley—Messrs. Black, Bonner, Cameron, Faircloth, of Wayne, Faison, Judkins, Lee, of Gates, Luke,

For Mr. Miller—Messrs. Black, Everett, Gidney, Hutchinson, Jenkins, of Warren, Judkins, Leigh, of Tyrrell, Logan, Matthews, Moore, of Martin, Paschall, Smith, of Hertford and Trull—13.


For Mr. Bizzell—Messrs. Arrington, Faison, Hutchinson, Keenan, Logan, McAden, Murphy, Whitley and Williams—9.

For Mr. Harriss—Messrs. Ashworth, Blair, Blythe, Candler, Dickey, Hamilton, Page and Scoggin—8.

For Mr. Davidson—Messrs. Bryson, Crawford, Davis, of Carteret, Leigh, of Tyrrell, Moore, of Martin, and Smith, of Hertford—6.

For Mr. Eldridge—Messrs. Beasley and Everett—2.

For Mr. Wadsworth—Messrs. Smith, of Hertford, Moore, of Martin, Gidney and Chadwick—4.

For N. M. Roan—Messrs. Holderby and Harrison.

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

TUESDAY, December 12, 1865.

Prayer by Rev. Dr. Lacy.

Leave of absence until Friday next was granted to Mr. Yellowley.
Mr. Sharpe, from the Committee on Propositions and Grievances, to whom was referred the memorial of the "Widows of Southern soldiers in North-Carolina," reported the same back to the House, and asked to be discharged from its further consideration. So ordered.

The following resolutions and bills were introduced, viz:

By Mr. Moore, of Martin: Resolutions concerning the withdrawal of military law and forces from the State, and favoring the establishment of civil government therein. Ordered to be printed, and made the special order for Thursday next, 11 o'clock.

By Mr. Garland: Bill concerning the county site of Mitchell county. Referred to Committee on Propositions and Grievances.

By Mr. Wilson: Bill concerning Justices of the Peace. Judiciary.

By Mr. Teague: Bill concerning the depreciation of Confederate currency. Referred to Special Committee on scale of depreciation.

By Mr. Bryson: Bill to amend an act entitled "An act to incorporate the Tuckasegee and Keowee Turnpike Company." Internal Improvements.

By Mr. Blythe: Bill concerning judgments. Committee on Judiciary.

By Mr. Ashworth: Bill to consolidate the offices of Public Librarian and Keeper of the Capitol. Under a suspension of the rules, passed the second reading, and then referred to the Committee on the Library.

By Mr. Coates: Bill to punish the stealing of stock. Judiciary.

By Mr. Furr: Bill to amend sec. 1, ch. 12, of the Revised Code, concerning Bastardy. Committee on Judiciary.

By Mr. Holderby: Resolution of enquiry, instructing the Judiciary Committee to enquire and report what legislation
is necessary for the protection of guardians, trustees and others.

So referred.

Mr. McAden, from the committee appointed on yesterday to superintend the vote for seven Councillors of State, reported that the whole number of votes cast was 137,—necessary to a choice 69; of which number, Wm. Eaton, Jr., received 86, D. L. Russell, Sr. 67, H. A. Lemly, 66, J. J. Yeates 58, W. A. Wright 52, C. J. Cowles 47, W. W. Lenoir 35, W. Murphy 36, R. L. Patterson 47, E. J. Hale 21, J. M. Parrott 41, P. H. Winston 41, R. P. Dick 16, D. M. Carter 33, W. J. Yates 19, A. Dockery 12, H. A. Bizzell 18, A. T. Davidson 17, W. S. Mason 4, Jas. Dickson 5, J. T. Leach 23, Jno. Nefleet 3, Dr. W. J. T. Miller 13, D. F. Caldwell 21, J. R. Hargrove 22, C. L. Harriss 8, B. M. Baxter 10, E. C. Yellowley 17, Thos. Allison 14, N. M. Roan 4, W. B. Wadsworth 4, H. Adams 3, J. A. Drake 10, N. A. McLean 7, G. W. Logan 2 and Loverd Eldridge 3; and that Wm. Eaton, Jr., having alone received a majority of the whole number of votes cast, was the only person elected. Which report was concurred in.

Mr. Blackmer presented a memorial to the President of the United States from the General Assembly of the State of North-Carolin; which was read and adopted, and ordered to be sent to the Senate for its concurrence.

Received a message from the Senate, transmitting an engrossed bill to repeal an act entitled "an act to establish the office of Auditor of Public Accounts and for other purposes;" which passed its first reading and was placed upon the calendar.

The hour having arrived for the consideration of the special order, to wit: Bill for the relief of the holders of State bonds issued since May 20, 1861, under the act ratified Feb. 16, 1861, entitled "An Act to secure the completion of the Wilmington, Charlotte & Rutherford Rail Road Company, and amend its charter," the same was taken up.

Mr. Faircloth, of Wayne, moved to amend by striking out
the words "and others," in the 4th line of the preamble; also by substituting the words "said Company" for "the holders," in 7th line; also in 9th line strike out "holders" and insert "Company;" also in section 1, line 6, strike out the word "such," and in 7th line the word "holders" and insert said "Company:" and further to amend by adding as follows:

"Sec. 6. The benefit of this act shall extend to such of the aforesaid bonds only as were owned and held by said Company on the 1st of December, 1865."

Pending discussion upon which, a message was received from the Senate, proposing to vote forthwith for six Councillors of State;

Which was concurred in, Messrs. McAden and Hutchison appointed to superintend the election, and the House voted as follows,—the names of Messrs. Yellowley, McLean and Davidson having been previously withdrawn from nomination:


For Mr. Russell—Messrs. Speaker, Allison, Ashworth, Barnett, Black, Blair, Blythe, Bonner, Burton, Caldwell, Cameron, Carson, Chadwick, Cowan, Crawford, Dalby, Dargan,
Davis, of Carteret, Dickey, Dunn, Everett, Faircloth, of Wayne, Farrow, Flythe, Hamilton, Harrison, Hawes, Hodnett, Holmes, Horton, Houston, Hutchison, Jenkins, of Granville, Jenkins, of Warren, Jones, Lee, of Gates, Leigh, of Tyrrell, Lucas, Matthews, McAden, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Mott, Murphy, Murrill, Newsum, Page, Paschall, Rosebro', Russell, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Scoggin, Teague, Waugh, Webb, Wheeler, Whitley, Williams and Wilson—66.


For Mr. Baxter—Messrs. Arrington, Barnett, Bääxter, Bönnner, Bryson, Chadwick, Cowan, Cox, Craig, Dalby, Dargan, Davis, of Halifax, Everett, Faison, Garland, Gidney, Harrison, Hawes, Holderby, Hoke, Hyman, Jenkins, of Granville, Jen-
kinds, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Marler, McDonald, McNair, Melson, Moore, of Martin, Mott, Murphy, Shaw, Smith, of Cumberland, Thigpen, Waugh, Whitley and Williams—44.

For Mr. Wright—Messrs. Allison, Arrington, Barnett, Black, Blackmer, Bonner, Chadwick, Cowan, Cox, Crawford, Everett, Faircloth, of Wayne, Furr, Gaines, Garland, Harrison, Hawes, Hodnett, Holderby, Hoke, Hyman, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Lyon, Marler, Matthews, McNair, Moore, of Martin, Murphy, Paschall, Smith, of Columbus, Smith, of Hertford, Thigpen, Trull, Whitley, Williams, and Wilson—42.


For Mr. Drake—Messrs. Arrington, Baxter, Cameron, Chadwick, Cowan, Cox, Dargan, Davis, of Halifax, Everett, Farrow, Flythe, Gidney, Hawes, Hoke, Jenkins, of Warren, Joyner, Judkins, Kenan, Logan, Lucas, Luke, Lyon, McDonald, Moore, of Alamance, Moore, of Martin, Mott, Niven, Newsome, Shaw and Thigpen—39.


For Mr. Patterson—Messrs. Beasley, Burton, Candler, Craig, Furr, Garland, Harper, Holmes, Horton, Hutchison, Jenkins, of Gaston, Jones, Kinney, McIntosh, Mott, Murrill,


For Mr. Murphy—Messrs. Speaker, Allison, Blackmer, Caldwell, Candler, Dalby, Foster, Gaines, Holmes, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, McIntosh, Mott, Page, Paschall, Potter, Smith, of Guilford and Teague—21.

For Mr. Dick—Messrs. Ashworth, Beasley, Blackmer, Blair, Blythe, Candler, Coates, Hamilton, Hodnett, Jenkins, of Gaston, Jenkins, of Granville, Melson, Moore, of Chatham, Paschall, Russell and Scoggin—16.

For Mr. Leach—Messrs. Baxter, Blythe, Bryson, Carson, Dickey, Flythe, Horton, McDonald, Moore, of Chatham, Newsam, Scoggin, Wheeler and York—13.


For Mr. Carter—Messrs. Ashworth, Beasley, Blair, Coates, Craig, Dunn, Faircloth, of Wayne, Hamilton, Palmer and Stilley—10.

For Mr. Miller—Messrs. Arrington, Black, Chadwick, Faison, Gidney, Logan, Lyon and Matthews—8.

For Mr. Hargrove—Messrs. Cameron, Dargan, Farrow, Gaines, Marler, Niven and Trull—7.

For Mr. Winston—Messrs. Craig, Garland, Palmer and Smith, of Columbus—4.

For Mr. Harris—Messrs. Blythe, Dickey, McDonald and Scoggins—4.

For Mr. Davis—Messrs. Gaines, Kinney and Lyon—3.

For Mr. Eldridge—Messrs. Beasley and Coates—2.

For Mr. Dockery—Mr. Beasley—1.

Messrs. Judkins and Kenan voted for Mr. Dixon.

Mr. Hodnett voted for Mr. Roan.

The question recurring upon the amendments of Mr. Faircloth, they were severally adopted.

Mr. Craig, of McDowell, offered the following amendment, viz:

*Be it further enacted, That the Public Treasurer be, and he is hereby, authorized to issue to the Western North-Carolina Railroad Company one million of dollars, under the same rules and regulations as provided in this bill.*

Which did not prevail.

Mr. Smith, of Hertford, offered the following amendment: Strike out all after the word "prescribe," in line 11, sec. 1, and insert "Provided, That the Public Treasurer shall apply the coupons due on bonds of the said Wilmington, Charlotte, and Rutherford Railroad Company, held by the State, in payment of coupons due on such bonds of the State as may be surrendered, for exchange, under the provisions of this act."

Which was adopted.

The bill then passed its second reading—yeas 54, nays 54,—the Speaker voting in the affirmative.

Yees and nays demanded by Mr. Henry.

Those who voted in the affirmative, were:

Messrs. Allison, Barnett, Baxter, Black, Blackmer, Bonner, Burton, Cameron, Chadwick, Cowan, Cox, Dargan, Davis, of Halifax, Dunn, Faircloth, of Wayne, Faison, Flythe, Garland,

Those who voted in the negative, were:

Messrs. Arrington, Ashworth, Beasley, Blair, Bryson, Burgess, Caldwell, Candler, Carson, Coates, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Everett, Farrow, Furr, Gaines, Harrison, Henry, Hodnett, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McAden, McDonald, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of Chatham, Mott, Murrill, Nicks, Palmer, Paschall, Potter, Rosebro', Sharpe, Shaw, Simmons, Smith, of Guilford, Stilley, Teague, Waugh, Webb, Wheeler and York.

Mr. Hutchison, from the committee appointed to superintend the election for six Councillors of State, reported that the whole number of votes cast was 148,—necessary to a choice 75; that Mr. Lemley had received 116, Mr. Russell 88, Mr. Yeates 77, Mr. Lenoir 59, Mr. Parrott 53, Mr. Baxter 58, Mr. Wright 57, Mr. Drake 37, Mr. Patterson 44, Mr. Cowles 39, Mr. Murphy 26, Mr. Bizzell 41, Mr. Leach 15, Mr. Carter 17, Mr. Miller 10, Mr. Hargrove 11, Mr. Allison 6, Mr. Harriss 4, Mr. Eldridge 2, Mr. Caldwell 14, Mr. Dockery 2, Mr. Dick 20, Mr. Winston 6, Mr. W. J. Yates 21, Mr. Hale 22, Mr. Davis 3, and Mr. Davidson 4; and that Messrs. Lemley, Russell and J. J. Yeates, having each received a majority, were duly elected. Report concurred in.

Mr. Waugh, from the Joint Select Committee appointed to wait on Jonathan Worth, the Governor elect, reported that that gentleman, if it were the pleasure of the two Houses, would meet them in the Commons Hall, at 12 o'clock, M., on Friday next, for the purpose of taking the oaths of office, and
that arrangements be made for the purpose of carrying into execution the wishes of the two Houses.

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

WEDNESDAY, December 13, 1865.

Prayer by Rev. Dr. Smedes.

Mr. McAden, from the Committee on the Judiciary, reported back the "Bill for the relief of the citizens of Alexander County, who may be injured by the destruction of its public records," recommending its passage.

Mr. Jenkins, of Warren, from the Joint Select Committee on Railroads, to whom was referred a resolution of enquiry in regard to certain contracts with Railroads, reported the following resolution for the action of the House:

Resolved, That, in the event of any contract having been entered into by any Railroad Company in this State with any person or company, whereby preferences or exclusive rights of transportation, either in priority or arrangement, is given to such person or company, the Attorney General of the State is hereby instructed to institute proceedings immediately against such Railroad Company for a forfeiture of its charter.

Which was adopted, and the concurrence of the Senate asked therein.

Received a message from the Senate, proposing to vote forthwith for three Councillors of State; which was concurred in, and the House voted as follows, under the superintendence of Messrs. McAden and Hutchison,—the names of Messrs. Leach, Miller, Eldridge, Dockery, Hale, Hargrove and Harriss having been previously withdrawn from nomination:

For Mr. Lenoir—Messrs. Speaker, Ashworth, Beasley, Blair, Blythe, Bonner, Bryson, Burgess, Candler, Carson, Coates, Cox, Craig, Crawford, Dalby, Dargan, Davis, of Carteret, Dunn,

For Mr. Baxter—Messrs. Arrington, Baxter, Blythe, Bryan, Burgess, Caldwell, Cameron, Chadwick, Cox, Crawford, Dalby, Dargan, Davis, of Carteret, Davis, of Halifax, Dickey, Everett, Farrow, Faison, Flythe, Foster, Gidney, Hawes, Hoke, Houston, Hutchison, Hyman, Jenkins, of Granville, Joyner, Judkins, Kenan, Lee, of Gates, Logan, Lucas, Luke, Manly, Marler, McAden, McDonald, McNair, Moore, of Martin, Mott, Niven, Newsom, Palmer, Paschall, Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Hertford, Thigpen, Trull and Webb—52.


For Mr. Cowles—Messrs. Ashworth, Baxter, Black, Blair,

For Mr. Caldwell—Messrs. Speaker, Arrington, Burton, Caldwell, Cameron, Dickey, Farrow, Faison, Flythe, Holderby, Houston, Jones, Lee, of Gates, Moore, of Alamance, Moore, of Chatham, Murrill, Nicks, Newsum, Paschall, Potter, Russell, Smith, of Guilford, Smith, of Hertford, Teague and Waugh—25.

For Mr. Bizzell—Messrs. Cameron, Chadwick, Cowan, Crawford, Faircloth, of Wayne, Farrow, Faison, Foster, Gaines. Holderby, Hutchison, Judkins, Kenan, Lee, of Gates. Logan. Manly, Marler, Moore, of Martin, Murphy, Shaw, Smith, of Cumberland, Whitley and Williams—23.


For Mr. Dick—Messrs. Beasley, Henry, Jenkins, of Granville, Melson, Moore, of Chatham, Nicks and Potter—7.

For Mr. Drake—Messrs. Arrington, Chadwick, Cowan, Davis, of Halifax, Gidney, Joyner and Moore, of Martin—7.

For Mr. Patterson—Messrs. Burton, Harrison, Hodnett and McGuire—4.

Mr. Holderby introduced the following resolution:

Resolved, (the Senate concurring,) That the Provisional Governor be, and he is hereby, respectively requested to convene the Convention on the first Monday in February ensuing:

Which did not prevail.

Mr. Bryson offered a resolution of enquiry concerning the right of Redemption, which was referred to the Committee on the Judiciary.

Received a message from the Senate, asking the concurrence of the House in a resolution authorizing the Joint Select Com-
committee on Railroads to send for persons and papers and to administer oaths. Agreed to.

Also, a message transmitting the report of the Joint Select Committee appointed to confer with the Commission charged with the duty of preparing a code of laws for the government of freedmen, recommending a postponement of further action in the premises until the adjourned session; which report was concurred in.

Also, transmitting the following engrossed bills, and asking the concurrence of the House therein, viz:

Bill to amend sec. 3, ch. 16, Revised Code; which was read first time, and, under a suspension of the rules, read second and third times, and passed, and ordered to be enrolled.

Bill concerning the holding of the Courts in Washington County. Read 1st., 2d and 3d times, under a suspension of the rules, and ordered to be enrolled.

Bill to amend the act to incorporate the Little River Turnpike Company; which was read the first time and passed.

Received a message from the Senate, concurring in the proposition to receive the Governor elect and have the oaths of office administered to him on Friday next, 12 o'clock.

Mr. Caldwell introduced a bill to authorize the establishment of Courts of Arbitration in each county by the Courts of Pleas and Quarter Sessions; which was referred to the Committee on the Judiciary and ordered to be printed.

Mr. Waugh, from the committee appointed to make arrangements for the administration of the oaths of office to the Governor elect, submitted the following report:

"That the Speakers of the two Houses will occupy the place at the table in the Commons Hall, and that the Governor elect, and Hon. D. G. Fowle, one of the Judges of the Superior Court, will occupy places at the Clerks' desk—the Governor on the right,—and the Committee of Arrangements immediately in front of the Clerks' table.

The members of the Senate will occupy the front seats, on
the right of the Speaker's chair; the residue of the seats on the right, and those on the left, of the Speakers' chair, will be occupied by the members of the House.

After the Governor elect shall have taken and subscribed the oaths of office, and delivered his address in presence of both branches of the Assembly, the Speaker of the Senate will announce that the Senators will retire to their chamber, and, thereupon, the Governor, Judge and Committee will first retire, and the Speaker of the Senate will retire at the head of the members of the Senate."

Which report was concurred in.

Mr. Webb introduced a bill to incorporate Enoe Lodge, Free and Accepted Masons; which passed its first, and, under a suspension of the rules, its second and third readings, and was ordered to be engrossed.

Mr. Smith, of Hertford, offered the following resolution, viz:

Resolved, (the Senate concurring,) That the unfinished business depending in the two Houses at the adjournment ordered by their joint action on Monday next, shall be continued over the recess and resumed at the next meeting of the General Assembly, in like manner as in adjournments from day to-day.

Which was adopted, and a message sent to the Senate asking concurrence.

Mr. Hutchison, from the committee appointed to superintend the election of three Councillors of State, reported that the whole number of votes cast was 152,—necessary to a choice 77; that Mr. Lenoir had received 82, Mr. Wright 69, Mr. Parrett 51, Mr. Baxter 67, Mr. Cowles 46, Mr. Bizzell 37, Mr. Murphy 16, Mr. Patterson 20, Mr. Yates 13, Mr. Dick 10, Mr. Caldwell 29, Mr. Drake 9 and Mr. Hale 5; and that Mr. Lenoir, having received a majority, was duly elected. Concurred in.

Mr. Smith, of Cumberland, by leave, introduced a bill to legalize and confirm certain proceedings of the County Courts
of Cumberland county, which was referred to the Committee on the Judiciary.

Mr. Lucas, by leave, introduced a resolution of enquiry as to the expediency of selling State property acquired since May 20, 1865. Referred to Committee on Finance.

On motion of Mr. Jenkins, of Warren, a message was sent to the Senate, proposing to vote at once for the two remaining Councillors of State, and stating that the names of Messrs. Patterson and Caldwell were withdrawn from nomination.

The Senate concurring, the House proceeded to vote as follows, under the superintendence of Messrs. Hutchison and McAden:


For Mr. Cowles—Messrs. Speaker, Ashworth, Blackmer, Blair, Blythe, Bryson, Burton, Candler, Carson, Craig, Craw-


For Mr. Bizzell—Messrs. Faison, Murphy and Williams—3.

For Mr. Duke—Mr. Coates.

For Mr. Murphy—Mr. Jones.

The bill extending the time for registration of deeds and grants passed its second, and, the rules being suspended, its third, reading, and was ordered to be engrossed.

The Senate bill to repeal the Act establishing the office of Auditor, and for other purposes, coming upon its second reading,

Mr. Caldwell moved its reference to the Committees on Salaries and Fees; which was not ordered.

Mr. Dalby moved to amend by striking out the section, (4,) allowing Clerks to the Comptroller with certain salaries; which amendment was adopted.

Mr. Dalby moved further to amend by inserting "fifteen hundred dollars" as the salary of the Comptroller in lieu of "two thousand dollars;" which amendment prevailed, yeas 55, nays 50,—the yeas and nays being demanded by Mr. Dalby.

Those who voted in the affirmative were:

Those who voted in the negative were:


The bill then passed its second reading, as amended, and was sent to the Senate for its concurrence in the amendments.

Mr. Hutchison, from the committee appointed to superintend the election of two Councillors of State, reported that the whole number of votes cast was 150,—necessary to a choice 76; that Mr. Wright had received 84, Mr. Cowles 78, Mr. Baxter 70, Mr. Parrott 49, Mr. Yates 14, Mr. Bizzell 5, Mr. Hale 3, and Mr. Patterson 1; and that Messrs. Wright and Cowles, having each received a majority, were duly elected. Report concurred in.

The bill providing for the recall of certain bonds issued to the Wilmington, Charlotte & Rutherford Railroad Company, and the issue of others in their stead, coming up on its third reading,

Mr. Luke moved to amend, by inserting in the body of the
bill, after the word "bonds," the words "not to exceed $455,000 in amount."

Mr. Blair moved to lay the amendment on the table; which motion was rejected, yeas 34, nays 67,—the yeas and nays being demanded by Mr. Blair.

Those who voted in the affirmative were:

Messrs. Ashworth, Beasley, Blair, Bonner, Burgess, Caldwell, Coates, Craig, Dalby, Farrow, Ferrell, Gaines, Harrison, Henry, Hodnett, Horton, Jenkins, of Granville, Jones, Kinney, Lyon, McAden, McGuire, Moore, of Alamance, Moore, of Chatham, Nicks, Paschall, Potter, Rosebro', Smith, of Guilford, Stilley, Teague, Waugh, Webb and York.

Those who voted in the negative were:


Mr. Henry moved that the House do now adjourn; which motion was lost.

Mr. Lyon moved to postpone further consideration until the second Monday in February next. Lost.

The amendment was then adopted, and the bill, as amended, passed its third reading and was ordered to be engrossed,—yeas 62, nays 41.

Mr. Dickey demanded the yeas and nays.

Those who voted in the affirmative, were:

Messrs. Allison, Baxter, Blackmer, Blythe, Burton, Came-

Those who voted in the negative, were:

Messrs. Arrington, Ashworth, Beasley, Blair, Bonner, Bryan, Burgess, Caldwell, Carson, Coates, Dalby, Davis, of Carteret, Everett, Farrow, Ferrell, Gaines, Harrison, Henry, Hodnett, Horton, Houston, Jenkins, of Granville, Jones, Kinney, Lyon, McAden, McDonald, McGuire, Moore, of Alamance, Moore, of Chatham, Nicks, Paschall, Potter, Rosebro', Simmons, Smith, of Guilford, Stilley, Teague, Waugh, Webb and York.

Received a message from the Senate, concurring in the resolution relative to unfinished business depending at the time of adjournment.

Also, concurring in first amendment of the House to the bill "to repeal an act to establish the office of Auditor of Public Accounts, and for other purposes," striking out $2,000 and inserting "$1,500," but refusing to concur in the second.

The question being "shall the House recede from its amendment?" it was decided in the negative;

Whereupon, on motion of Mr. Murphy, the Speaker was directed to appoint a committee, on the part of the House, to confer with a similar committee, on the part of the Senate, with reference to the subject of disagreement.

And then, on motion of Mr. Simmons, the House adjourned until to-morrow morning, 10 o'clock.
Prayer by Rev. Mr. Hardie.

Mr. Waugh, from the Committee on Propositions and Grievances, reported back the bill in favor of Jesse B. Lee, late Sheriff of Currituck, recommending its reference to the Committee on the Judiciary; which was so ordered.

Mr. Manly, from the Committee on the Judiciary, to whom they were severally referred, reported back the following bills and resolutions, to wit:

Bill to empower A. C. Latham, Sheriff of Craven county, to collect arrears of taxes; recommending its passage, with certain amendments;

Bill for the relief of poor debtors; recommending that it do not pass;

Bill concerning judgments; recommending that it do not pass;

Bill giving the election of Clerk and Master in Equity to the qualified voters of Henderson county; recommending that it do not pass;

Resolution of enquiry respecting the expediency of establishing "Boards of Conciliation," asking its reference to the committee on "Scale of depreciation,"—which was so ordered;

Bill to stay Executions, and for other purposes; recommending its reference to the special committee charged with the consideration of the Stay Law,—which was so ordered;

Resolution in regard to the depreciation of the currency, (Mr. Gidney,) recommending its reference to the committee on scale of depreciation; which was ordered accordingly. And,

Bill to repeal Sec. 12, Chapter 10, Acts of 1861, 2nd Extra Session; recommending its passage.

Mr. Hoke, from the committee on Internal Improvements, reported favorably on the bill to amend the Act to incorporate the Tuckasegee and Keowee Turnpike Company.

Mr. Blackmer, from the committee on the Lunatic Asylum,
submitted a report relative to the management of that institution, accompanied by the following resolution, viz:

Resolved, That the sum of forty-four thousand, four hundred and seventeen dollars ($44,417) be appropriated for the use and support of the Insane Asylum, and that the Treasurer be directed to pay over this sum out of any monies in his hands, not otherwise appropriated.

Which was read and passed its first reading.

Mr. Murrill, from the committee on Propositions and Grievances, reported favorably upon the bill concerning establishment of county site of Mitchell county.

Under a suspension of the rules, the bill was put upon its second reading, when

Mr. Marler moved to lay upon the table; which was not agreed to.

The bill then passed its second and third readings, and was ordered to be engrossed.

Mr. Smith, of Hertford, from the committee on Finance, presented the report of the commissioners of the Sinking Fund; which, on his motion, was sent to the Senate, with a proposition to print and refer to a joint select committee, to consist of three members on the part of the House and two on the part of the Senate.

Mr. Cameron, from the committee on the Library, reported back the bill to consolidate the offices of Public Librarian and Keeper of the Capitol, with the recommendation that it do not pass.

The bill was thereupon, on motion, put upon its third reading and rejected.

Received a message from the Senate, transmitting the following engrossed bills and asking the concurrence of the House therein, viz:

Bill to modify an Ordinance of the State Convention, to organize a temporary force for the preservation of law and or-
Under suspension of the rules, passed its second and third readings, and ordered to be engrossed.

Bill to carry into effect an ordinance entitled an ordinance for the election of clerks and sheriffs. Referred to Committee on Judiciary.

Bill to extend time of registering deeds and other conveyances. The rules having been suspended, and the bill put upon its 2d reading;

Mr. Hoke moved to amend by inserting "three years" in lieu of "two years," which was adopted.

The bill, as amended, then passed its 2d and 3d readings, and was sent to the Senate for concurrence in the amendment.

Mr. Moore, of Alamance, offered the following resolution, which was adopted:

Resolved, That the Committee on Arrangements for administering the oaths of office to Jonathan Worth, Esq., Governor elect, be also instructed to invite His Excellency, the Provisional Governor, to be present, and that they assign him an appropriate seat.

The hour having arrived for the consideration of the special order, viz: The resolutions of Mr. Moore, of Martin, relative to the suspension of military law, the same were, on his motion, laid upon the table.

Mr. Ashworth introduced the following resolution, which was adopted:

Resolved, That the Committee on Salaries and Fees be instructed to enquire, and report by bill or otherwise, as to the propriety of increasing the per diem and mileage of jurors and witnesses, who are compelled to attend the courts of the different counties, so that the pay they receive will at least pay their board.

The following bills were introduced, viz:

By Mr. Smith, of Cumberland: Bill (accompanied by memorial,) to authorize Mayor and Commissioners of Fayette-
ville to issue certificates of indebtedness and appoint assessors of taxables. Committee on Propositions and Grievances.

By Mr. Marler: Bill to incorporate Catawba Valley Lodge, No. 217, Free and Accepted Masons. Passed first, and, the rules being suspended, second and third readings, and ordered to be engrossed.

By Mr. Coates: Bill to punish breaking into a house in the day time. Judiciary.

The following bills, coming up on their 2d reading, were disposed of as follows:

Senate bill to amend an act incorporating the Little River Turnpike Company. Passed second reading, and, under a suspension of the rules, its third reading, and ordered to be enrolled.

Bill for the relief of the citizens of Alexander county, who may be injured by the destruction of its public records. Amended, by adding ratifying clause, and passed its several readings and ordered to be engrossed.

Bill giving election of Clerk and Master in Equity to qualified voters of Henderson county. Rejected.

Bill concerning judgments. Rejected.

Received a message from the Senate, concurring in the House amendment to the Senate bill "to extend the time of registering deeds and other conveyances." So the bill was ordered to enrolment.

Also, informing the House that it had passed, with certain specified amendments, the House "Bill to qualify the Superior Court Clerks lately elected." The amendment was concurred in by the House, and the Senate informed thereof by message.

Also, agreeing to the proposition to raise a Committee of Conference relative to the amendments made by the House, and disagreed to by the Senate, to the bill "to repeal the act establishing the office of Auditor, &c.," and naming,
Faison, Garner and Gorrell as the committee on the part of the Senate.

Whereupon, the Speaker announced Messrs. Dalby, Hoke and Holderby as the committee on the part of the House.

Also, a message concurring in the arrangement made for the administration of the oaths of office to the Governor elect.

Also, concurring in the proposition to print the Report of the Commissioners of the Sinking Fund, and refer it to a Joint Select Committee of five, and naming Messrs. Bynum and Wilson as the Senate branch of the committee.

Whereupon, the Speaker announced Messrs. Smith, of Hertford, Burton and Harper as the committee on the part of the House.

The following bill and resolution were introduced by leave:

By Mr. Webb: Resolution in favor of Rev. M. A. Curtis; which was adopted, and sent to the Senate for concurrence.

By Mr. Blair: Bill to legalize certain proceedings of the Provisional Justices of Randolph county. Under a suspension of the rules passed its several readings, and ordered to be engrossed.

Mr. Burton moved that a message be sent to the Senate, proposing to vote for Comptroller to-morrow at 11½ o'clock.

Mr. Hutchison moved to amend, by substituting "to-day at 1 o'clock;" which amendment Mr. Wheeler moved to lay on the table.

The motion to table was lost, the amendment adopted, and the message, as amended, ordered to be sent.

Received a communication from the Provisional Governor, transmitting the reports of the President and Superintendent of the Asylum for the Deaf, Dumb and Blind; which, on motion of Mr. McKay, were sent to the Senate, with a proposition to print.

Received a message from the Senate, concurring in the proposition to vote at 1 o'clock for Comptroller, and stating
that Messrs. C. H. Brogden, W. F. Collins and A. C. Cowles were in nomination.

The hour being at hand, the House voted as follows, under the superintendence of Messrs. McKay and Simmons:


For Mr. Cowles—Messrs. Speaker, Ashworth, Blair, Burton, Carson, Cowan, Cox, Dickey, Dunn, Fairecloth, of Green, Furr, Gaines, Henry, Horton, Houston, Hutchison, Jones, McAden, McIntosh, McKay, Moore, of Alamance, Mott, Potter, Rosebro, Russell, Smith, of Columbus, Scoggin, Waugh, Wheeler, Wilson and York—31.


Received a message from the Senate, announcing the agreement of that body to a request of the joint select committee on the Stay law to be discharged from consideration of the subject until the first Monday in February next.

Also, concurring in the proposition to print the reports of the President, &c., of the Deaf and Dumb Asylum.

Mr. McKay, from the committee, reported that the whole number of votes cast for Comptroller was 154—necessary to a choice 78; that Mr. Brogden had received 63, Mr. Cowles 52, Mr. Collins 38, and Mr. D. W. Bain 1; and that no one
having received a majority of the whole number of votes, there was no election.

Mr. Kenan moved, and it was so ordered, that a message be sent to the Senate, proposing to vote again forthwith for Comptroller.

The Senate concurring, the House voted as follows, under the superintendence of Messrs. Simmons and McKay:


For Mr. Cowles—Messrs. Speaker, Allison, Arrington, Ashworth, Baxter, Blair, Blythe, Burton, Carson, Dickey, Dunn, Fairecloth, of Greene, Furr, Gaines, Garland, Hamilton, Harrison, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Hutchison, Jenkins, of Granville, Jones, Matthews, McAden, McDonald, McIntosh, McKay, Moore, of Alamance, Moore, of Chatham, Mott, Newsum, Potter, Rosebro', Smith, of Columbus, Scoggin, Teague, Waugh, Wheeler and York—43.

For Mr. Collins—Messrs. Cowan and Dargan—2.

Mr. Simmons, from the committee appointed to superintend the foregoing election, reported that the whole number of votes cast was 153,—necessary to a choice 77; that Mr. Brogden had received 80, Mr. Cowles 66, and Mr. Collins 7; and that C. H. Brogden, having received a majority, was duly elected Comptroller of Public Accounts. Which report was concurred in.
On motion of Mr. Paschall, the House adjourned until to-morrow morning, 10 o'clock.

FRIDAY, December, 15, 1865.

Prayer by Rev. Mr. Branson.

Leave of absence was granted to Mr. Faircloth, of Wayne, for to-day.

Mr. Manly, from the Committee on the Judiciary, to whom were referred
Resolution of enquiry, relative to the expediency of passing a law concerning the right of Redemption; and
Similar resolution relative to the expediency of empowering the County Courts to levy taxes for County purposes,
Reported the same back to the House, asking, for reasons stated, to be discharged from their further consideration; which was ordered accordingly.
Also, favorably upon the following bills, to-wit:
Bill to prevent the discontinuance of causes in certain cases; and
Bill to regulate the terms of the Supreme Court, (with amendments,)
And unfavorably upon the Resolution in favor of the Provisional Sheriffs of the several Counties of the State.
Mr. Manly, from the same Committee, reported back the bill for the relief of citizens of Yancey County, recommending, for reasons stated, that it be laid on the table; which was so ordered.
Also, the bill to establish a ferry on the Hiwassie river, asking its further reference to the Committee on Internal Improvements; which was ordered accordingly.
Mr. Blackmer, from the Committee on Corporations, reported back the bill to amend an Act to incorporate the town of High Point, in Guilford County, with a slight verbat
amendment, and recommending that it do pass. Under a suspension of the rules, passed its 2nd and 3rd readings, and ordered to be engrossed.

Mr. Murrill, from the Committee on Propositions and Grievances, reported favorably upon the bill to authorize the Mayor and Commissioners of Fayetteville to issue certificates of indebtedness and appoint assessors of taxables.

Mr. Blackmer moved that the bill be re-committed to the Committee on Finance. Not agreed to.

Under a suspension of the rules, the bill then passed its second reading, was amended, passed its third reading and was ordered to be engrossed.

Mr. Hutchison introduced the following resolution:

Resolved, (the Senate concurring,) That so much of the joint order of this General Assembly, as fixes the time of adjournment to the 1st Monday in February next, be rescinded, and the 4th Monday in January inserted instead thereof.

Which was not adopted.

Mr. Burgess offered the following:

Resolved, That so much of the joint resolutions of the General Assembly as provides for adjournment on the 18th of December, 1865, be amended as to strike out “February” so and insert “June.”

Mr. Scoggin moved to amend by substituting “4th Monday of March.”

Mr. Waugh moved to lay the whole matter upon the table; which motion was adopted.

The following bill and resolution were introduced:

By Mr. Jenkins, of Warren: Bill to authorize the Raleigh and Gaston Rail Road Company to establish a ferry over the Roanoke river, at Gaston. Under suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Holderby: Resolution of enquiry as to amount and value of Swamp Lands belonging to the Literary Fund. Referred to Committee on Swamp Lands.
Received a message from the Senate, transmitting engrossed resolutions concerning the North-Carolina Institution for the Deaf and Dumb and the Blind; which, under a suspension of the rules, were passed their several readings and ordered to enrolment.

The following bills came up upon their second reading, to wit:

Bill to amend an act entitled an act to incorporate the Tuckaseegee and Keowee Turnpike Company. Passed 2d, and, rules being suspended, 3rd reading, and ordered to be engrossed.

Bill for the relief of poor debtors. Rejected.

Resolution in favor of Lunatic Asylum, (appropriating $44,417 for next fiscal year.) Passed 2d reading, and rejected on 3d; whereupon

Mr. McKay moved a re-consideration of the vote; which was ordered, and

On motion of Mr. Smith, of Hertford, the resolution was referred to the Committee on Finance.

Bill to prevent discontinuance of causes in certain cases. Passed several readings and ordered to be engrossed.

Bill to regulate terms of the Supreme Court. Passed its several readings, as amended by the committee, and ordered to be engrossed.

Bill to repeal sec. 10, ch. 12, acts of 1861, (2d extra session.) Passed its several readings and ordered to be engrossed.

Resolution in favor of Provisional sheriffs. Rejected.

Bill for the relief of citizens of Yancey county. Laid on table, as recommended by committee.

Bill in favor of A. C. Latham, sheriff of Craven county. Passed its several readings and ordered to be engrossed.

The hour having now arrived at which, by the joint order of the two Houses, they were to proceed to witness the administration of the oaths of office to the Governor elect, a message was sent to the Senate, informing that body of the
readiness of the House of Commons to receive them for this purpose in the Hall of the House.

The Senate thereupon appeared in the Commons Hall, and were received by the members of the House standing.

The Speaker of the Senate took his seat with the Speaker of the House, at the Speaker's desk; the Senators took their seats on the right of the Speaker's chair, according to the arrangements heretofore made.

And, then, Jonathan Worth, Esq., Governor elect, attended by the Hon. D. G. Fowle, one of the Judges of the Superior Courts of Law and Equity, the Provisional Governor of the State, and the Committee of Arrangements, waited upon the Convention of the two Houses and took and subscribed the oaths of office prescribed by law for the qualification of the Governor of the State; the oaths having been administered by Hon. D. G. Fowle, Judge as aforesaid; after which the Governor elect delivered an appropriate address to the members of the Convention.

And, thereafter, he, attended as aforesaid, having retired, the Speaker of the Senate announced that the Senators would repair to their chamber, which was accordingly done.

The Committee of Conference, on the part of the House, with reference to certain disagreements with the Senate upon the bill to abolish the office of Auditor, &c., asked for further time for consultation; which was granted.

Mr. Dalby offered the following resolution, which was referred as directed, viz:

Resolved, That the Committee on Finance be instructed to report as to the propriety of authorizing the Public Treasurer to sell any or all of the stocks and interest in the corporate stock of the State, and, if sold, what privileges should be retained by the State.

Received a message from the Senate, announcing that they had amended the title of the engrossed bill from the House of Commons, entitled "A bill for the relief of the holders of State
bonds issued since May 20, 1861, &c," as follows: Strike out all after the words "A bill" and insert "authorizing and directing the renewal of certain State bonds in the hands of the Wilmington, Charlotte and Rutherford Rail Road Company." Which was concurred in.

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

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SATURDAY, DECEMBER 16, 1865.

Prayer by Rev. Mr. Wiley.

The Speaker announced Messrs. Blair and Wilson to fill up the Committee on Enrolled Bills.

Mr. Manly, from the Committee on the Judiciary, reported favorably upon the engrossed bill from the Senate to carry into effect an Ordinance of the Convention entitled "An Ordinance for the election of Clerks and Sheriffs."

Mr. Manly, from the same Committee, to whom was referred a resolution instructing it "to enquire whether elections made by the General Assembly since May 20, 1861, for the office of Superintendent of Common Schools and Trustees of the University are valid," submitted a report, accompanied by a bill, entitled "A bill to declare valid certain elections and acts since May 20, 1861."

Which bill, under a suspension of the rules, passed its several readings, and was ordered to be engrossed.

The following bills and resolutions were introduced, viz:

By Mr. Holderby: A bill to increase the per diem of Jurors and Witnesses. Referred to Committee on Salaries and Fees.

By Mr. Page: Bill to increase the tax on the manufacture of spirituous liquors from grain. Referred to Committee on Finance.

By Mr. York: Resolution directing Committee on Finance
to enquire into the expediency of repealing the tax on spirituous liquors. So referred.

By Mr. McDonald: Resolution concerning arrest of Benj. Robinson, of Cumberland. Tabled.

Received a message from the Senate, transmitting the following engrossed bills and resolutions, and asking the concurrence of the House therein, viz:

Bill to revoke certain wills. Referred to the Committee on the Judiciary.

Bill concerning advancements. Same reference.

Resolution in favor of Briggs & Dodd. Finance.

Resolution (accompanied by report of Judiciary Committee,) touching the amendment to the Constitution of the United States, and providing that

"Said amendment has been adopted and ratified in the sense given to it by the Hon. William H. Seward, Secretary of State of the United States, to-wit: That it does not enlarge the powers of the Congress to legislate on the subject of freedmen within the States."

Mr. Waugh moved to lay the resolution on the table, which motion was not adopted, yeas 27, nays 51—the yeas and nays being demanded by Mr. Jenkins, of Warren.

Those who voted in the affirmative were:


Those who voted in the negative were:

Messrs. Arrington, Ashworth, Baxter, Black, Blackmer, Blair, Bonner, Burgess, Caldwell, Cameron, Carson, Chadwick, Cowan, Craig, Crawford, Davis, of Carteret, Dunn, Everett, Foster, Furr, Gaines, Gidney, Hawes, Holmes, Houston, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Luke, Manly,
McAden, McEachern, McIntosh, McKay, McNair, Melson, Moore, of Alamance, Moore, of Martin, Murphy, Niven, Smith, of Guilford, Smith, of Hertford, Thigpen, Trull and Whitley.

Mr. McKay moved to amend, by inserting after the words "Secretary of State of the United States," the words "and in accordance with the reconstruction policy of President Johnson;" upon which motion he demanded the yeas and nays.

The amendment was rejected,—yeas 33, nays 41.

Those who voted in the affirmative were:
Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Bryson, Candler, Carson, Coates, Craig, Dunn, Fairecloth, of Greene, Flythe, Furr, Garland, Harper, Holmes, Horton, Jenkins, of Gaston, Kinney, McDonald, McIntosh, McKay, Murrill, Nicks, Newsom, Palmer, Rosebro', Sharpe, Smith, of Columbus, Waugh, Webb and York.

Those who voted in the negative were:

The question then recurring on the passage of the resolution, it was adopted,—yeas 54, nays 25.

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

Those who voted in the affirmative were:
Messrs. Arrington, Baxter, Bonner, Burton, Caldwell, Cameron, Chadwick, Cowan, Cox, Craig, Crawford, Dunn, Everett, Foster, Garland, Gidney, Hawes, Hanrahan, Holderby, Hoke, Houston, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Luke, Manly, Marler, McAden, McDonald, McEachern, McIntosh, McKay, McNair, Mel-
son, Moore, of Alamance, Moore, of Martin, Murphy, Niven, Newsum, Smith, of Columbus, Smith, of Guilford, Smith, of Hertford, Thigpen, Trull, Waugh, Whitley and Yellowley.

Those who voted in the negative were:


Received a message from the Senate, transmitting the report of the Committee on the Deaf and Dumb Asylum, with a proposition to print the same; which proposition was con-
curred in.

Also, transmitting an engrossed bill for the relief of the citizens of the several counties who may suffer from the de-
struction of public records; which was referred to the Com-
mittee on the Judiciary.

The Senate bill "to carry into effect an Ordinance of the Convention for the election of clerks and sheriffs," passed its several readings; when

Mr. Baxter moved a reconsideration of the vote by which the foregoing bill had passed its 3d reading; which was or-
dered.

And after some time spent in debate thereon, the bill again passed its final reading and was ordered to be enrolled.

On motion of Mr. Waugh, the House took a recess until 3½ o'clock, P. M.

Three-and-a-half o'clock, P. M.

Received a message from the Senate, transmitting an eng-
grossed bill, entitled a "Bill to decrease the expenses of sheriffs;" which, under a suspension of the rules, was passed its several readings and ordered to be enrolled.
On motion of Mr. Judkins, the House adjourned until Monday morning, 4 o'clock.

MONDAY, December 18, 1865.

Four o'clock, A. M.

The Speaker announced his ratification of sundry bills; when

A message was received from the Senate, proposing to carry into effect the joint order relative to adjournment; which was concurred in.

Whereupon, at 6 o'clock, the Speaker declared the House of Commons adjourned until Monday, the 5th day of February, 1866, at 10 o'clock, A. M.

S. F. PHILLIPS,
Speaker.

Seaton Gales,
Clerk.
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- Resolution touching the amendment to the Constitution of the United States, 135, 136, 137
THURSDAY, JAN. 18, 1866.

In pursuance of the following Proclamation, to wit:

"A PROCLAMATION

By His Excellency, Jonathan Worth,
Governor of North Carolina:

Whereas, I, Jonathan Worth, Governor of North Carolina, with the concurrence and advice of the Council of State, do deem it absolutely necessary that the General Assembly of this State be convened before the time appointed for its meeting:

Now, therefore, I do issue this my Proclamation, notifying and requesting the members of the General Assembly of North Carolina to meet in special session, at the Capitol, in the City of Raleigh, on Thursday, the 18th day of this month.

Given under my hand, and attested by the great seal of the State, at office in Raleigh, this the 3rd day of [U.S.] January, A.D., 1866, and in the year of our Independence the nineteenth.

[Signed,]

JONATHAN WORTH.

By the Governor,

[Signed,] W. H. BAGLEY, Priv. Sec."
The House of Commons, at the hour of 12 M., was called to order by the Speaker.

Richard S. Donnell, one of the members elect for the county of Beaufort, appeared, produced his credentials, was qualified and took his seat.

It appearing that there was not a quorum of the whole number of members present,

The House, on motion of Mr. Waugh, adjourned until tomorrow morning, 11 o'clock.

FRIDAY, JANUARY 19, 1866.

A quorum of members being present.

On motion of Mr. Waugh, a message was ordered to be sent to the Senate, announcing the due organization of the House and its readiness to proceed to the transaction of public business.

The Speaker announced the resignation of L. Q. Sharpe, one of the members of this House, from the county of Tredell.

The resignation was accepted, and the Speaker directed to issue a writ of election, to supply the vacancy, for Thursday, February 1st, 1866.

Received a message from the Senate, announcing the organization of that body, and its readiness to proceed with the public business.

Also, a message asking the concurrence of the House in a proposition to appoint a Joint Committee, to consist of one member, on the part of the Senate, and two members, on the part of the House, to wait upon his Excellency, the Governor, and inform him of the organization of the two Houses, and their readiness to receive any communication he may have to make.

Which was concurred in, and Messrs. McKay and Jenkins,
of Warren, were appointed as the House branch of the committee.

Mr. Dargan offered a resolution, directing the Committee on the Judiciary to inquire into the expediency of passing a Stay Law for the relief of the people; which was not adopted.

Mr. McDonald offered the following resolution, which, on motion of Mr. Waugh, was laid upon the table, viz:

Resolved, That all Justices of the Peace, who held their commissions on the 20th May, 1861, be, and they are hereby re-appointed, each for his respective county; and this resolution shall not be so construed as to preclude the appointment of such others as to this General Assembly may seem proper.

Mr. Manly introduced resolutions in behalf of the disabled soldiers of the State; which, under a suspension of the rules, passed their several readings, and were ordered to be engrossed and sent to the Senate.

Mr. Hutchison offered the following resolution:

Resolved, That a message be sent to the Senate, proposing to set apart the hour of twelve, to-morrow, for the appointment of Justices of the Peace.

Which was adopted, and the message sent accordingly.

Mr. McKay, from the committee appointed to wait upon his Excellency, the Governor, reported that the Governor would communicate with the two Houses immediately.

Received from his Excellency, Gov. Worth, by his Private Secretary, Mr. W. H. Bagley, the following communication, which, being read,

Mr. Jenkins, of Warren, moved that the same be transmitted to the Senate, with the documents accompanying, and with a proposition to print fifty copies for each member.

Mr. Waugh moved to amend, by substituting "ten" copies in lieu of "fifty"; which motion did not prevail.

The original motion was then adopted.
The General Assembly of North-Carolina:

Gentlemen:—Being notified by a dispatch from the President of the United States, of the discontinuance of the Provisional Government, Governor Holden turned over to me, on the 28th December last, the great seal of the State and other State effects in the Capitol, and I entered upon the discharge of my duties as Civil Governor.

No civil officers in the state.

I entertained the opinion, in which I was sustained by legal gentlemen whom I consulted, that under a proper construction of the 6th section of the ordinance of the Convention, ratified on the 18th day of October last, the powers of Justices of the Peace, and of all other officers appointed by the Provisional Governor, were determined by the discontinuance of the Provisional Government. This section of the ordinance is in the following words: "All the acts and deeds of the Provisional Governor of the State, appointed by the President of the United States, and likewise all the acts of any officer or agent by him appointed, or under his authority, done, or which may be done in pursuance of the authority, conferred on such officer or agent, are hereby ratified and declared to be valid to all intents and purposes: Provided, nevertheless, That so far as it may be competent for this Convention to declare the same, all appointments made, and all offices and places created, by or under the authority of the Provisional Governor, shall cease at the close of the first session of the next General Assembly, or at such other time as that Assem-
bly shall direct successors in such appointments or offices to be chosen or to be qualified, subject, however, to the provisions of the Revised Code, chapter seventy-seven, section three: Provided, however, That in all cases of appointments made by him of directors in any corporation, they shall continue until the regular election of its officers."

CONVENING OF THE LEGISLATURE.

Believing it absolutely necessary that the General Assembly should be convened at an earlier day than that to which it had adjourned, I summoned the Executive Council to meet here on the third day of this month, when a quorum attended, and with their advice, I issued my proclamation in conformity with which you are now assembled.

SHERIFFS AND CLERKS.

It may be that a proper construction of the ordinance referred to continued in office the Sheriffs and Clerks of the Courts until the qualification of their successors; but it is clear that the powers of the Provisional Justices of the Peace, and the municipal officers of corporate towns, ceased with the Provisional Government.

SOME JUSTICES OF THE PEACE HELD OVER.

I hear that in some counties there are Justices of the Peace who were commissioned and qualified before the 20th May, 1861, who have not resigned, or taken the oath to support the Constitution of the Confederate States; and I presume it will be held that the offices of such Justices were not vacated by the ordinance ratified 19th of October last, entitled "An Ordinance declaring vacant all the offices of the State in existence on the 26th day of April, 1865."
The appointment of Justices of the Peace demands your earliest attention. It is a very important office, and great care should be taken that it be conferred only on intelligent and virtuous men. Our Constitution has entrusted this duty to the General Assembly under the idea that the merits of the appointee would be duly weighed. A practice, however, has long prevailed by which the selection of the Justices of each county is in effect made by the representatives of such county. The nominations made by them are usually confirmed without inquiry as to the fitness of the appointees, or the number needed in such county; hence, many have been appointed to effect local or party objects, whereby many ignorant and bad men have been made Justices of the Peace; and the tenure of the office being during good behavior, the mischief of a bad appointment is not easily remedied. In most of the counties there were greatly too many of them. From these causes the office has lost much of the dignity which ought to belong to it. An opportunity is now offered to profit by the errors of the past. The evil, both as to the number and quality of those officers, is so universally felt, that the Convention has under consideration, and will probably adopt, at its next session, an amendment limiting the numbers to be appointed in each county, possibly altering the mode of appointment. I, therefore, respectfully recommend that only a very small number be appointed at the present session. These should be properly distributed over the county.

PROVISIONAL JUSTICES AND SHERIFFS TO HOLD ON TEMPORARILY.

If it be deemed doubtful whether the Provisional Sheriffs and Clerks of the Courts retain their authority until the qualification of their successors, I recommend that they be continued in office by an act to be passed by you to enable them to
qualify the Justices of the Peace to be appointed by you, as all other duties pertaining to their offices.

SPECIAL TERMS OF THE COUNTY COURT.

In some of the counties it will be necessary that special terms of the County Court be held to qualify the newly elected Clerks and Sheriffs, to provide jurors for the next courts, and to transact any other county business, which they may think requires immediate action.

GOVERNOR AUTHORIZED TO SECURE AGENTS FOR THE PROMPT ORGANIZATION OF THE COURTS.

I further recommend that so soon as you shall have appointed Justices of the Peace and passed such acts as you may deem necessary to remedy the irregularities to which I have referred, the Governor be forthwith required to issue commissions to the Justices appointed, and an order to the Sheriff of each county, commanding him to notify each of the said Justices of his appointment, and requesting them to assemble at their respective Court Houses at an early day to be designated by the sheriff, in order to be qualified; on which day they may, if they choose, hold the special term of the County Court. A copy of such act or acts as you may designate, should be printed and sent to each of said Justices by the Sheriff at the time of notifying them of their appointment; and the Governor should be empowered to employ such agency for the expeditious transmission of said commissions and order to the Sheriffs and copies of said acts, as he may deem best, with power to draw on the Public Treasurer to pay the expenses.

INCORPORATED TOWNS.

As elections have probably been held in many of the incorporated towns, not in conformity with their charters; and
many acts have been done since the 28th day of December last, or may be done by the late officers and agents of the Provisional Government before their successors shall be qualified, I recommend that such elections be declared valid, and such acts declared as lawful as they would have been if done before the discontinuance of the Provisional Government.

**WRITS OF ELECTION FOR SAMPSON AND BEAUFORT.**

Having been notified by the Sheriff of Sampson, that Thomas J. Faison, Senator of this General Assembly from said county, and a member of the State Convention from said county, departed this life since your adjournment, I have issued writs of election to said county, appointing the 27th day of this month for the holding of an election to fill such vacancies. The 16th section of chapter 52, Revised Code, requires the Governor to issue a writ of election to fill a vacancy occurring before the meeting of the General Assembly. I have had doubt as to my power to issue such writ to fill a vacancy occurring between the sessions of the same General Assembly; but I conceive the intent of the statute was that the Governor should exercise this power when the General Assembly, not being in session, could not order the filling of the vacancy. I construe "before" to have reference to the meeting of the Assembly at its next meeting.

I have also sent a writ of election to the Sheriff of Beaufort to hold an election on the 30th instant, to fill the vacancy occasioned in the 12th Senatorial district by the resignation of Edward J. Warren, filed in my office on the 13th instant.

**ATTORNEY GENERAL.**

The many embarrassing questions of law growing out of the transition from war to peace, and from Provisional to partial Civil Government, make it necessary that there should be
a legal officer whom the Chief Executive officers of the State
should have a right to consult on doubtful questions of law
pertaining to their official duties. It has long been the prac-
tice to call on the Attorney General for such opinions, but we
have no law requiring him to give such opinions, or to com-
 pense him for this service. In every other State of the
Union, I believe, the Attorney General is required to reside
at the Capitol, and to give written opinions upon such ques-
tions of administrative duty as may be submitted to him by
the Chief Executive departments. It seems to me that this
officer ought to have a fixed salary, and to be required to at-
tend to all suits and indictments pending in the Supreme
Court, and to such important suits in which the State may be
interested, pending in other courts of the State, as the Gover-
or may require, and that he should not be required to ride a
circuit as prosecuting Attorney. I recommend this matter to
your consideration. It cannot be reasonably expected that he
can bestow the requisite attention and take the responsibility
of writing out opinions where it is not made his duty, nor any
compensation provided for the service.

REVIVAL OF THE LAWS PASSED DURING THE WAR RECOMMENDED.

I apprehend that very great difficulty will arise in applying
to many acts passed since the 20th May, 1861, the provisions
of the ordinance ratified 18th October last, declaring what
laws and ordinances are in force. This ordinance declares
that such of said laws are in force as "were compatible with
the allegiance of the citizens of the State to the government
of the United States, and not since repealed or modified, where
the same are consistent with the Constitution of the State and
of the United States." This ordinance has this important
proviso to which I call your special attention: "Provided,
however, That nothing herein contained shall be so construed
as to prevent the General Assembly from repealing or modi-
fying any of said laws and ordinances hereby ratified, which shall not form part of the Constitution of the State."

I think very many of these laws enacted in reference to the disturbed state of the currency, and adapted to a state of war, which are left in force under this ordinance, ought to be repealed. I recommend that all laws, passed shortly before and during the war, be carefully reviewed, and such of them, or such parts of them, repealed, by a distinct reference to them, as shall be deemed unsuited to our present condition, as well as they shall be found incompatible with our allegiance and in conflict with the Constitution of the State and of the United States. Doubts as to what is, and is not in force, should be removed as far as possible.

MILITIA.

There are probably many acts passed, during and immediately preceding the war, relating to the militia, which, upon their face, may not be unconstitutional or incompatible with allegiance, which ought now to be repealed or modified. It is to be hoped that the period is not distant when the United States will perceive that we are satisfied that we have had enough of war, and that we are as ready as any people can be to perform all our duties to the national government. When this shall occur, it is to be hoped that civil government will be fully restored to us. It is important now that our militia laws be revised and consolidated, and an intelligible and judicious militia code adopted, under which the militia may be organized and put in condition to perform its appropriate part in the government, both Federal and State.

BANKING.

The large amount of money which the University and Board of Literature have in the two principal banks, and the invest-
ments held by our citizens in all of them, (including very many widows and orphans) and the great want of a circulating medium, seem to demand of me some suggestion on these subjects. I make them with much diffidence, having never been interested in any banking institution, and not having made the subject a matter of much consideration. The United States has adopted a system of national banking, looking to a uniform currency throughout the United States. It is our duty to conform to this policy.

The fortunes of our capitalists have been swept away. How are we to raise the means of establishing national banks?

AMENDMENTS TO THE CHARTERS OF THE BANCS AND RAILROADS.

By a proper amendment of the charters of our banks and railroad companies, I hope it may be done. Several of our railroads, in which the State holds large stock, are in a sound condition. Some of them owe little or nothing.

REPORTS OF BANK OFFICERS.

The reports of the banks, which were procured under the orders of the Provisional Governor, and have been printed and laid before you, show, in round numbers, that these banks have a little above $800,000 of specie—and that they owe to the holders of their notes and to depositors about $8,500,000, and that there is due to them for discounts before the war about $3,000,000, and for discounts since the war about $3,000,000.

If the banks are forced to make an assignment, and go into a general liquidation, in order to make an equitable pro rata distribution of their assets among all their creditors, (which must be the case, if nothing be done by you,) the note-holders and depositors would receive about ten cents in the dollar in specie, and such further dividend as collections
from their debtors might enable them to make. Unless money becomes more abundant in the State, it is manifest that little can be expected from these collections.

**NATIONAL BANKS.**

This specie is now locked up, yielding no benefit to anybody. I suggest that, by an amendment to their charters, these banks and railroad companies be allowed to subscribe for stock in a national bank. With the specie in possession of the banks, and resources at the command of the other corporations, with such subscriptions on the part of individuals as might be expected, bonds of the United States might be bought to an amount sufficient to form the basis of a national bank. The dividends declared in favor of the banks should be paid over to them, and by them should be paid out, together with the collections they may make, to their creditors.

The benefits proposed by this scheme are:

1. The making of the specie in the banks, now lying dormant, produce the interest which would accrue on the United States bonds in which it would be invested.

2. The enabling of the solvent debtors to our banks to borrow money from the new bank and pay off their notes to the present banks, whereby many of them would be saved from ruin, and at the same time afford a larger dividend to the present creditors of the banks.

3. The extension of aid to our people by supplying a circulating medium so essential to the restoring of their shattered fortunes.

4. The furnishing a safe depository for the funds of the State and individuals.

5. The securing to the creditors of the banks a much larger dividend than they will get, if the banks be forced into immediate liquidation.

6. A hope, that by good management in some of the banks,
some of the stock might be saved to the stockholders, including the University and the Literary Fund.

If there be not some insuperable obstacle in the way, which I do not perceive, then this plan offers a reasonable prospect to help a suffering people, to aid in the revival of prosperity, bring in taxes to the State, help the debtors to the old banks to pay their debts, increase the assets to the same, and thereby save money to their creditors, furnish a safe fiscal agent to the State and save a portion of the stock, and rescue from ruin the University and Common Schools.

In the short time since I entered upon the discharge of my duties, surrounded with the innumerable difficulties attending the newly organized government, it has been impossible for me to call for aid from bankers and skillful financiers, which their experience would have afforded in projecting the plans best suited to our extraordinary condition; but I have felt it my duty to make such crude suggestions as I hope may be of some service in arriving at just conclusions.

**THE STATE DEBT.**

My report as late Treasurer, submitted to the Convention in October last, shows that the bonded debt of the State, created under acts passed prior to the war, is $11,119,500. The estimated amount of unpaid coupons on these bonds was then 2,500,000. Interest which will accrue on this debt up to October 1st, 1866, is $17,000.

$14,436,500

To pay the interest on our State debt, and the other indispensable expenses of the State, she will require at least one million of dollars each year. This would require a tax nearly twice as great as we ever paid before the war, when our tax-
able property was worth about three times as much as it is now.

The war has annihilated, probably, two-thirds of our wealth. In addition to our State taxes, the land tax we are required to pay this year to the government of the United States is upwards of $500,000, besides other direct taxes to the United States, the amount of which I have no means of estimating.

Before the war we had solvent banks with a capital exceeding $8,000,000, and a circulation of about the same amount. This capital is lost, and the currency, probably, worth less than $1,500,000.

We have now almost no banking facilities—and owing to the presence of devastating armies, the derangement of labor by the emancipation of our slaves, in the midst of the planting season, we made last year almost nothing for market. Owing to these causes, it is manifest that a tax this year to meet the accruing interest on our State debt would be ruinous to our people, and consequently injurious to our creditors.

In view of the large amount we must contribute to the national government, the derangement of labor, and the want of banks, affording facilities to men of enterprise to employ and pay liberal wages to laborers, even if Providence favor us with good seasons, we can scarcely hope to be able, for some time to come, to meet our obligations punctually.

An honest debtor who cannot punctually cash accounts against him, is always willing to give his note. As we can not pay our bonds and the coupons now due, and falling due this year, we ought to sell our bonds at par, if we can, to raise the means of payment; or allow our creditors to accept them at par; or make such other arrangement with them as shall seem most beneficial to them, and least detrimental to us.

STATE STOCK IN OUR RAILROADS.

Our only resource, other than taxation, to meet our debt, is stock in our railroads to the amount of $6,516,500, and bonds
on certain other railroads, (secured by mortgage,) with which the State has exchanged her bonds, to the amount of about $3,000,000. It is supposed that many of the holders of our State bonds would exchange them for a like amount of these stocks. Far the larger portion of our State debt is due to non-residents of the State. If such exchange were made, to the extent of giving the control of our Roads to non-residents, it might result in oppressive rates of freight or other regulations detrimental to the State. Properly guarded, I favor such exchange.

BONDS TO BE ISSUED.

Another plan suggested, supposed to be acceptable to the holders of our bonds, looking to the furnishing of a currency as well as the making of our State debt manageable, is the issue of small bonds, payable to bearer, and bearing a low rate of interest, say one per cent., and receivable in payment of all dues to or from the State. As the credit of these bonds would rest on the faith of the State, as that of the present national currency depends on the faith of the nation; and as there would be much demand for them to pay taxes, and in view of the uncertainty when the State may be able to resume the payment of interest on her present bonds, the advocates of this scheme believe that the holders of the large bonds would deem it their interest, and would exchange for these smaller bonds—especially if allowed to take a part of the amount in railroad stocks.

It is objected to this scheme that it would violate the provision in the constitution of the United States which forbids a State to emit bills of credit. The advocates of this plan insist that it has always been conceded that States might, constitutionally, issue bonds payable to bearer, and transferable, by delivery, with no restriction as to the amount of the bond, or the rate of interest. I give the outlines of this plan, as I understand it, to call attention to it.
The pressure of other duties has not allowed me time to give to this, and other plans, which have been presented in relation to the payment of the State debt and a supply of currency, sufficient consideration to conduct me to a satisfactory conclusion, and I, therefore, abstain from submitting any distinct recommendation as to either.

In presenting the foregoing views of our affairs, I must not be understood as despondent. To overcome our difficulties, it is necessary to face them—and not to shut our eyes on them. We still have large resources. We must rely chiefly on virtue, persevering industry, and frugality, which are the true sources of national prosperity. We must attract capital by calling attention to our fertile lands, rich mines of coal, iron, gold, silver and copper, and water power for manufacturing.

We must protect and encourage the laborer. Honest industry must be held in esteem, and indolence regarded as disreputable, and the vagrant punished. By these means our Rail Road stocks will be made productive, and taxation thus reduced. I need not warn this generation to avoid war.

EDUCATION.

Our University and Public Schools, institutions which the Constitution wisely enjoins it on us to sustain, have felt the blighting effects of war. I herewith submit the report of the able and indefatigable Superintendent of Public Schools. He has discussed the subject so fully that I need only commend it to your careful consideration. During the past five years, education has been sadly neglected. Whatever may be our pecuniary distresses, our youth must be educated. We must sustain our institutions of learning.

SWAMP LANDS.

I deem the swamp lands the most valuable resource now left to the Board of Literature. They are empowered to sell
any part of these lands, which may be reclaimed. Large amounts have been spent in their drainage. By the report of Gov. Morehead, as President of the Board of Literature, dated the 4th of December, 1844, there had been expended prior to that date, as follows:

For Alligator Canal, $63,799 59
For Pungo Canal, 35,316 55
For tributaries to Pungo Canal, 23,576 00
For tributaries to Alligator Canal, 29,688 77

Total, 152,380 91

Little, if any, of these lands has been sold. The reports of surveys made by the Literary Board, more than twenty years ago, show that there is a million of acres of these lands capable of being reclaimed at small expense. From the report of Professor Emmons and others, many of them are equal in fertility to any lands in the world. It is unaccountable why they have been so long neglected. I recommend an inquiry whether any other legislation be necessary to enable the Literary Board to make them available. From the hasty examination I have been able to give to the subject, I think the Board cannot sell them before being reclaimed. I recommend that they be empowered to sell them before reclaiming.

RESTORATION OF THE COURTS.

It is believed that all the Judges of the Supreme and Superior Courts, elected at your late session, have qualified, and when you shall have appointed Justices of the Peace, and the County Courts are restored, the machinery of civil government will be about complete. It is high time. Crime, particularly larceny, is too common, and the long want of any power to enforce the performance of any species of contract,
has had a most pernicious effect on the public morals, and the welfare of the State.

As our laws make the testimony of a negro competent in all pleas of the State where the defendant may be a negro, I am informed by the Military Commandant of the State, if the punishment prescribed by law for the offence with which the defendant is charged, be the same whether the defendant be a white man or a black, there will be no interference with our criminal courts. I hope, after you shall have reformed our laws relating to freedmen, the jurisdiction of our courts will be fully restored; but the courts will be comparatively inefficient while the Act passed in 1861 shall remain in force, entitled "An Act to change the jurisdiction of the Courts and the rules of pleading therein."

I recommend that this Act be repealed; and that you pass a stay law for the benefit of debtors, if you can devise a constitutional mode of effecting the object.

AGRICULTURAL COLLEGE.

By act of Congress, ratified July 2nd, 1862, an amount of public land was devoted to each State equal to thirty thousand acres for each Senator and Representative in Congress, the proceeds of the sale of which are to be invested for the endowment, support and maintenance of at least one college, where the leading objects shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to Agriculture and the Mechanic Arts, in such manner as the Legislatures of the States may prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

The conditions of the grant are not such, in my judgment, as should prevent its acceptance by the General Assembly, as the objects to be accomplished are of the highest importance.
I respectfully recommend that acceptance of the same be signified at an early day.

By an amendment to the act, approved on the 14th of April, 1864, the time limited for the acceptance of the donation will expire on the 14th of April, 1866.

**Freedmen’s Bureau.**

The condition of society produced by the sudden emancipation of the black race, in numbers over one-third of the entire population of the State, and the exemption of this class from the operation of our laws, civil and criminal, except as administered by a military tribunal, instituted by the government of the United States, and also claiming and exercising jurisdiction over all white citizens in matters criminal and civil, wherever blacks may be concerned, is at once anomalous and inconsistent with the ancient constitutional authority of the several States. This tribunal, known as the Bureau of Freedmen, was established during the late unhappy war for "the supervision and management of all abandoned lands and the control of all subjects relating to refugees and freedmen from rebel States or from any district within the operations of the army, under such rules and regulations as might be prescribed by the head of the Bureau, and approved by the President," and was "directed to continue during the war of the rebellion and for one year thereafter."

Its authority is derived from that clause of the Constitution which authorizes Congress "to adopt measures to suppress insurrections," and ceases when that end shall have been attained. It was obviously designed to be temporary in duration, and its continuance, after the designated period, could only be justified on the plea of affording necessary protection to freedmen in their novel situation, until proper provision should be made for this object by the State government.

The extinguishment of slavery by an ordinance of the Con-
vention of this State, the double security of the ratification by
the Legislature of an amendment to the Constitution of the
United States to the same effect, and the general acquiescence
of the people, should remove all apprehension of any endeav-
or to re-establish it, or to treat with oppression or injustice
the liberated African. The imputation of such purpose to
the State, would be alike unjust to her plighted faith and uni-
form character. Such rights as were accorded to the free col-
ored people of North Carolina (and they were neither meagre
nor unimportant) were ever most scrupulously observed and
maintained. For ages it has been a capital and most igno-
minious offence to kidnap, or deport, or to endeavor to en-
slave a person of African descent who was free. Whenever
one, held as a slave, laid claim to freedom, he could find coun-
sel to investigate his cause, and, if well founded, to maintain
it; and judges who subjected the opposing party to such rules
as secured a fair and impartial trial. In all criminal accusa-
tions tried by jury, he was allowed the right of challenge and
other safeguards of the common law. Property was acquired
and held by them with all the privileges of transfer, devise
and descent, and the courts of justice were open to their com-
plaints, with all the modes of relief to property or persons that
were allowable to white men. All these became the rights of
the freedman by the mere fact of emancipation.

To secure him still further in his privileges, as well as to
protect society in the sudden and violent change effected by
this measure, a commission was organized under an ordinance
of the Convention to review our Code touching this race, and
consider and propose such amendatory provisions as may be
demanded by the occasion. Whether all the regulations de-
sired to effect the object in view are to be attained without
an amendment to the constitution, and whether the labors of
the Commission may not be partially delayed until the coming
session of that body, I am not advised. To the enlightened
labors of this Commission, when their report shall be received, I need not solicit your attention.

While social equality with the whites (which prevails nowhere in the United States, notwithstanding pretences to the contrary in some quarters and among some persons,) is not to be expected, nor is the elective franchise, I am fully warranted in saying, there is no disposition to deny to them any of the essential rights of civil or religious freedom in this State: on the contrary, every day's observation makes it manifest that restraining measures are necessary to prevent pauperism, vagrancy, idleness, and their consequent crimes, in the new phase which our social system presents. And it is important to the safety, peace and welfare of society, that the conflicts of systems of law and administration,—the one for the white and the other for the colored man—(the latter, however, drawing into its jurisdiction every transaction in which a black may be involved,) shall cease among us; and that the great interests of rights, wrongs, and remedies, may be committed to judges and juries of the vicinage, according to ancient English and American usage. It is hoped, therefore, that the President and Congress of the United States may order, as early as possible, the withdrawal from our limits of the Bureau of Freedmen; at least, that these authorities of the government will not provide for its extension beyond its present limits of one year from the close of the war in this State. Independently of the question of power to maintain such an institution in time of peace, it is difficult to conceive how justice can be executed, and a decent respect for the judiciary be maintained, with such a conflict of authority as must, of necessity, exist, with a military tribunal of concurrent jurisdiction, not composed of men learned in the law, or responsible to the people of the State for their administration of it. The right to appoint judges to administer the municipal laws, is as well established an attribute of state of the American Union as the power to determine whether murder,
arson, robbery, or burglary shall be crimes; and the oath of a judge, handed down to us from ancient times, that "I (he) will do equal law and right to all persons, rich and poor, without having regard to any person;" and that "I will not delay any person of common right by reason of any letter or command from any persons in authority to me directed, or for any other cause whatsoever; and in case any letter or orders come to me contrary to law, I will proceed to enforce the law, such letters or orders notwithstanding," requires him, as he shall answer to the State he serves, to deal out the justice established by law, without regard to any persons, or commands from any other authority. But by the regulations now, or lately, in operation, if there be two persons charged with crime— robbery, for example—the one from the person of a white man, the other from a black, the judge of the Superior Court for the county, where the offences were committed, may and must try the first according to the course of the common law; but the other, he must, notwithstanding his oath of office, deliver over, on a military order, to the Freedmen's Bureau, to be tried by a military commission, although he should claim his deliverance at the hands of the jury of his country. I am fully persuaded that in such a contest, the Supreme Court of the United States would sustain the judges of the State in the jurisdiction they would be obliged to assert,—but I deprecate controversy, even in the forum, between authorities of the government, and hopefully trust that the President and Congress will remove the grounds of dispute by remitting the State judiciary to its appropriate functions. I make these observations with very great deference to the distinguished and benevolent officer at the head of the Bureau of Freedmen, and with the best wishes for the advancement and happiness of this portion of our population; but confusion, idleness, vice, crime and jealousy, and irritation between the two races, are consequences of the existing order of things, and the safety and welfare of society require reformation.
I was one of those who believed that the late disastrous war ought never to have occurred. I believe it never would have occurred if the masses of the people in the two sections could have met in council, and freely interchanged opinions and information. I am satisfied now that the jealousy, hatred and distrust engendered by the struggle, prevail among politicians with far more intensity than among the citizens, including the late soldiers in either section. It concerns the Republic that there shall be an end of strife. Confidence must begin somewhere. The war actually ceased with the surrender of the Southern armies nine months ago. This event was immediately followed by the liberation of all slaves, a measure which, *eo instarit*, that it was accomplished, annihilated two thousand millions in value of property, and impoverished thousands upon thousands of families bred in affluence, and accustomed to luxury. Yet, not this extraordinary spoliation, nor the indiscriminate devastations of homes and plantations of unexampled extent, entailing ruin upon millions of inhabitants, has produced the slightest show of opposition to the authority of the government. The President, in a late message in which he but concurs in the assertion of the General-in-Chief of the army, after extensive personal observation from the eminent position he occupies, announces that all resistance on the part of the States and individuals lately in rebellion had ceased: that the laws of the United States are enforced and obeyed everywhere in the South: and it would seem we had reached that point of progress when distrust should yield to confidence; aversion to a spirit of harmony, if not cordiality. Among the laws in operation are those for the collection of Revenue of the United States, and the collectors are making collections in various districts of the State. Although it seems to have been recognized as an axiom in American politics that representation and taxation were inseparable, yet I regret to state that no Senator or Representative has been admitted into the halls of Congress from
this State. The passions aroused in revolutions do not at once subside, but the sober sense of the American people will not brook the violation of great principles of government.

I pray God that a returning sense of patriotism and justice will, ere long, correct the prejudice of the time, and carry out the wise system so successfully begun and perfected by the President, (so far as depended on Executive authority) for the restoration of the States to a constitutional and harmonious Union, and that He will inspire all of us with the wisdom and the disposition to do right.

JONATHAN WORTH.

The Speaker laid before the House the report of the Public Treasurer; which, on motion of Mr. Hutchison, was ordered to be sent to the Senate, with a proposition to print five copies for the use of each member.

The following bills were introduced, and severally disposed of as stated, viz:

By Mr. Hutchison: A bill to prohibit, for a limited time, the distillation of spirituous liquors from grain. Made the special order of the day for Monday, Jan. 22d, 12 o'clock.

By Mr. Dargan: A bill to legalize the proceedings of the Courts of Pleas and Quarter Sessions of this State. Referred to the Committee on the Judiciary.

By Mr. McAden: A bill for the more complete organization of the State Government, and for other purposes. Ordered to be printed and referred to the Committee on the Judiciary.

By Mr. Beasley: A bill to legalize the official acts of Justices of the Peace in the county of Johnston. Judiciary.

By the same: A bill to admit the evidence of persons of color in Courts of Justice. Same reference.

By Mr. Fairecloth, of Wayne: A bill to authorize the holding an election for Commissioners of the town of Goldsboro', and for other purposes. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.
By Mr. Allison: A bill to authorize a Court of Pleas and Quarter Sessions for the county of Cabarrus. Referred to Committee on Judiciary.

By Mr. Marler: A bill to legalize the election of Mayor and Commissioners for the town of Morganton. Same reference.

By Mr. Dargan: A bill to give certain fees to Justices of the Peace. Referred to Committee on Salaries and Fees.

By Mr. Everett: A bill to legalize the election of Commissioners for the town of Goldsboro'. Passed first reading.

Received from the Senate a message, concurring in the proposition to set apart to-morrow, 12 o'clock, for the appointment of magistrates.

Also, concurring in the proposition to print fifty copies of the Governor's message and accompanying documents, and five copies of the Treasurer's report, for each member of the two Houses of the General Assembly.

The Speaker announced Mr. Cameron as a member of the Judiciary Committee, to fill the vacancy occasioned by the resignation of Mr. Sharpe.

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

SATURDAY, JANUARY 20, 1866.

The following resolutions were introduced and adopted, to wit:

By Mr. Kenan: Instructing the Committee on Military Affairs to enquire into the propriety of amending the Militia Law, in order to effect a more complete organization of the Militia of the State:

By Mr. McIntosh: Instructing the Committee on Finance to enquire into the expediency of extending the time allowed by the Ordinance of the late Convention to sheriffs for collecting the tax imposed by that Ordinance;
By Mr. Wheeler: Directing a message to be sent to the Senate, asking its concurrence in a proposition to raise a Joint Select Committee, to consist of three, on the part of the House, and two, on the part of the Senate, to whom shall be referred so much of the Governor's message as relates to the donation of lands by the United States;

By Mr. McAden: Proposing to send a message to the Senate, asking the appointment of a Joint Select Committee, of two on the part of the Senate, and three on the part of the House, to whom shall be referred so much of the Governor's message as relates to Banks and Banking.

The following bills were introduced and disposed of as stated, to wit:

By Mr. Shaw: A bill to incorporate the Clarendon Bridge Company and vest certain powers therein. Referred to the Committee on Corporations.

By Mr. Craig: A bill to prevent obstructions in the Catawba river, in the county of McDowell. Filed.

By Mr. Moore, of Alamance: A bill to incorporate the town of Company Shops in the county of Alamance. Referred to the Committee on Corporations.

By Mr. Donnell: A bill to extend relief by injunction. Referred to Committee on Judiciary.

Mr. Waugh moved that a message be sent to the Senate, proposing to print fifty additional copies of the Governor's message, for the use of the Executive office; which was adopted.

Received a message from the Senate, asking the concurrence of the House in the following resolution, viz:

Resolved, That a Joint Select Committee of two from the Senate, and three from the House of Commons, be appointed to enquire into the necessity of refitting the residence provided for the Governor of North-Carolina, and report by bill or otherwise;
Which was concurred in, and Messrs. Dargan, Baxter and Allison announced as the House branch of said committee.

The bill, introduced on yesterday, to legalize the election of Commissioners in the town of Goldsboro', coming up on its second reading, was rejected.

On motion of Mr. Waugh, it was ordered that a message be sent to the Senate, proposing to rescind the joint order fixing the hour of twelve for the appointment of magistrates, and designating the hour of eleven instead thereof.

Mr. Bayner offered a resolution, providing for extra copies of the report of the Public Treasurer, which, under a suspension of the rules, passed its several readings, and was ordered to be engrossed.

Received a message from the Senate, agreeing to the proposition to print fifty extra copies of the Governor's message for the use of the Executive office.

Also, a message concurring in the proposition to change the hour for appointing magistrates from eleven to twelve o'clock.

The hour of eleven having arrived, the House proceeded to the execution of the joint order, to wit: the appointment of magistrates for the several counties in the State.

When the list of names for the county of Granville was read.

Mr. Jenkins, of Granville, moved to strike therefrom the name of L. A. Paschall; which motion did not prevail.

When the county of Randolph was called, Mr. Jenkins, of Warren, moved to strike from the list of persons nominated, the name of John C. Hill, and upon that motion demanded the yeas and nays.

The demand being sustained, the following members voted in the affirmative, viz: Messrs. Allison, Arrington, Barnett, Blackmer, Boner, Burgess, Cameron, Cox, Dulby, Dargan, Everett, Foster, Gaines, Harper, Hake, Hutchinson, Hyman, Jenkins, of Warren, Joyner,

And the following in the negative, viz:

Messrs. Speaker, Ashworth, Beasley, Blythe, Caldwell, Candler, Coates, Craig, Davis, of Carteret, Donnell, Dunn, Faircloth, of Greene, Ferrell, Garland, Henry, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, McDonald, McGuire, McIntosh, Moore, of Chatham, Mott, Nicks, Newsum, Simmons, Stilley, Scoggin, Teague, Trull, Waugh, Wheeler and York—35.

So the name of Jno. C. Hill was stricken out.

When the list of names for the county of Wayne was presented,

Mr. Faircloth, of Wayne, moved the substitution of another list therefor; which was not agreed to.

Received a message from the Senate, concurring in the proposition to raise a Joint Select Committee, to whom shall be referred so much of the Governor's message as relates to donation of lands by the United States, and naming Messrs. Bynum and Morehead as the Senate branch of said committee.

The Speaker announced Messrs. Wheeler, Smith, of Hertford, and Hoke, as the committee on the part of the House.

Received a message from the Senate, concurring in the proposition to raise a Joint Select Committee, to whom shall be referred so much of the Governor's message as relates to banks and banking, and naming Messrs. A. J. Jones and Wilson as the Senate branch of said committee.

The Speaker announced Messrs. McAden, Thompson and Caldwell as the committee on the part of the House.

Mr. Dargan, by leave, introduced a bill to empower the Provisional Clerks of the County Courts to administer oaths
to the Justices of the Peace; which passed its first, and, under a suspension of the rules, its second reading; when

Mr. Holderby moved to amend by inserting, after the words "Provisional Clerks of the County Courts," the words "or their deputies"; which was not agreed to.

Mr. Hodnett moved to amend by adding the words "or the Clerks of the Superior Courts"; which was adopted.

Mr. McAden moved to lay the bill on the table. Not carried.

Mr. Cameron moved the following as an additional section, viz:

"And be it further enacted, That it shall be the duty of said Provisional Clerks to furnish the Sheriffs of their respective counties with the names of the Justices appointed for their counties as early a day as practicable; whereupon, it shall be the duty of the said Sheriff, forthwith to notify said Justices of their appointments, and summon them to assemble at their respective Court Houses, for the purpose of being qualified and organizing the Courts of Pleas and Quarter Sessions."

Mr. Smith, of Columbus, moved to amend the amendment, by striking out the words "at as early a day as practicable," and inserting "at such time as he may appoint," which motion did not prevail.

The amendment of Mr. Cameron was then adopted.

Mr. Hutchison moved further to amend the bill, by inserting, after the words "or Clerks of the Superior Courts," the words "until the organization of said County Courts, and thereafter as provided for by the Revised Code," which was not adopted.

The bill, as amended, then passed its third reading, and was ordered to be engrossed.

Received a message from the Senate, transmitting the following engrossed bill, and asking the concurrence of the House therein, viz:
A bill to prevent horse-stealing; which was referred to the Committee on the Judiciary.

On motion of Mr. Barnett, the House adjourned until Monday morning, 10 o'clock.

MONDAY, Jan. 22, 1866.

Prayer by Rev. Mr. Atkinson.

The Speaker announced the following gentlemen as composing the Committee on enrolled bills for the week, viz: Messrs. Moore, of Martin, Dalby, McGuire, Matthews and Dunn.

The following bills were introduced and disposed of, as stated, to wit:

By Mr. Dunn: A bill to extend the time for collecting taxes. Passed its several readings, under a suspension of the rules, and ordered to be engrossed.

By Mr. Kenan: A bill to incorporate the "Ministers' Relief Society" for the Eastern Baptist Association. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Jenkins, of Warren: A bill to amend Chapter 114, Revised Code, entitled "Usury." Referred to Committee on Judiciary.

By Mr. Manly: A bill to re-organize the Corporation Government of the City and also of the Academy of Newbern. Same reference.

Received a message from the Senate, transmitting sundry recommendations relative to Justices of the Peace; which were concurred in.

Also, a message announcing Messrs. Covington, Coward and Berry as the Senate branch of the Committee on enrolled bills for the week.

Mr. Hutchison moved to postpone the special order for 12
o'clock, viz: The bill to prevent, for a limited time, the distillation of spirituous liquors from grain, until to-morrow at 11 o'clock; which was agreed to.

Mr. Waugh moved a re-consideration of the action of the House, nominating Justices of the Peace for the county of Surry;

And Mr. Ashworth made a similar motion with reference to the county of Randolph;

Which were agreed to.

Mr. Russell submitted a list of magistrates for the county of Brunswick; which was approved and sent to the Senate for concurrence.

Mrs. Yellowley offered the following resolutions, which were unanimously adopted, viz:

Resolved, That this House learns, with deep concern, of the decease of Walter S. Hanrahan, a member of this body from the county of Pitt, and sincerely deplores an event that has cast, at such an early day of this session, the gloom of sorrow over its deliberations.

Resolved, That this House tenders its sympathies to the family of Mr. Hanrahan, and, as a mark of its respect to his memory, do now adjourn.

Whereupon, the House adjourned until to-morrow morning, 10 o'clock.

TUESDAY, Jan. 23, 1866.

Prayer by Rev. Mr. Cobb.

Mr. Webb, from the Committee on Military Affairs, to whom was referred, at the last session, a "Resolution requesting the Provisional Governor to supply the militia with arms and ammunition," reported the same back and asked to be discharged from its further consideration; which was ordered accordingly.
Mr. Manly, from the Committee on the Judiciary, to whom were referred
A bill for the more complete organization of the State Government, and for other purposes; and
A bill to re-organize the corporation government of the City, and also of the Academy, of Newbern;
Reported the same back to the House, with certain amendments, and recommended their passage.
Mr. Faircloth, of Wayne, offered a resolution directing that a message be sent to the Senate, proposing to raise a Joint Select Committee, to consist of two on the part of the Senate, and three on the part of the House, who shall be charged with the revision of all laws and ordinances passed by the different Legislatures and Conventions since Feb. —, 1861, and who shall suggest such repeals or modifications as to them shall seem proper; which was adopted.
Mr. Smith, of Hertford, introduced a resolution providing for "transcribing, indexing and re-binding the records of the office of Secretary of State;" which passed its first reading, and was referred to the Committee on Finance.
Mr. Teague offered a resolution, instructing the Judiciary Committee to examine the law and see whether, or not, further legislation is necessary for the protection of vine and fruit growing. Adopted.
The following bills were introduced and severally disposed of as stated, viz:
By Mr. Murrill: A bill to restore Jury trials, in criminal cases, to the Courts of Pleas and Quarter Sessions in Onslow county. Referred to the Committee on the Judiciary.
By Mr. Mott: A bill to enforce the execution of contracts.
Same reference.
By Mr. Foster: A bill to incorporate the Portis Gold Mining Company. Referred to the Committee on Corporations.
By Mr. Houston: A bill to incorporate Dilwood Cemetery.
Same reference.
By Mr. Waugh: A bill to repeal "An act to decrease the expenses of sherrifs' returns." Committee on Judiciary.

By Mr. Flythe: A bill to amend sec. 9, ch. 101, Revised Code, entitled "Roads, Ferries and Bridges." Committee on Propositions and Grievances.

By Mr. Burgess: A bill supplemental to an act, entitled "An act for the government of the town of Elizabeth City," &c., session of 1852-'3. Filed.


Sundry recommendations for magistrates for a number of counties were submitted, approved, and sent to the Senate for concurrence.

The hour having arrived for the consideration of the special order, to wit: A bill to prevent, for a limited time, the distillation of spirituous liquors from grain, the same was taken up.

Mr. Jenkins, of Warren, moved to amend by inserting the "fifteenth of February" in lieu of the "first of February"; which was adopted.

The bill then passed its second reading; when Mr. Hutchinson moved that the rules be suspended and the bill put upon its second reading, which was not agreed to.

Received a message from the Senate, asking the concurrence of the House in a proposition to raise a Joint Select Committee, to consist of two members on the part of the Senate, and four on the part of the House, to take into consideration and report whether the adjournment of the Legislature, on the 18th December last, constituted, in law, a close of the session, as contemplated by the sixth Ordinance of the Convention,

Which was concurred in, and Messrs. Rayner, Manly, Dargan and Blackmer announced as the Committee on the part of the House.

Received a message from the Senate, concurring in the House proposition to raise a Joint Select Committee to revise laws, ordinances, &c., passed since Feb., 1861, and announcing
Messrs. Morehead and Leitch as the Senate branch of said Committee.

The Speaker designated Messrs. Smith, of Hertford, Faircloth, of Wayne, and McKay, as the Committee on the part of the House.

Received a message from the Senate, transmitting an engrossed bill, entitled "A bill to declare Dan river a water course sufficient, instead of a lawful fence, in Caswell County," and asking the concurrence of the House therein.

On motion of Mr. McAden, the rules were suspended, the bill put upon its second and third readings, passed and ordered to be enrolled.

Received a message from his Excellency, the Governor, communicating the report of the Treasurer of the University; which, on motion, was sent to the Senate, with a proposition to print the same.

Received a message from the Senate, transmitting recommendations for magistrates for the counties of Wayne, Perquimans, Onslow and Ashe,—in the last of which the House refused to concur.

Mr. Donnel submitted the report of the Commission, appointed under an Ordinance of the Convention to prepare a Code for the government of freedmen, accompanied by the following bills, to wit:

A bill concerning Negroes, Indians and persons of color or of mixed blood;

A bill to punish pursuing and injuring horses, and other live stock, with intent to steal them;

A bill to prevent wilful trespasses on lands, and stealing any kind of property therefrom;

A bill to punish vagrancy;

A bill to punish seditious language, insurrections and rebellions in the State;

A bill to prevent enticing servants from fulfilling their contracts, or harboring them;
A bill to secure to agricultural laborers their pay in kind;
A bill more effectually to secure the maintenance of bastard children, and the payment of fines and costs on conviction in criminal cases; and
A bill to establish work-houses or houses of correction in the several counties of the State;
All of which passed their first reading, and, together with the report, were ordered to be printed and referred to the Committee having charge of the subject of Freedmen.
The calendar was then taken up, and the following bills passed their second, and, under a suspension of the rules, their third, reading; and were ordered to be engrossed, to wit:
Bill to prevent obstructions in Catawba river, in the county of McDowell;
Bill for the more complete organization of the State government and for other purposes,—the amendments recommended by the Judiciary Committee having been first adopted; and
Bill to re-organize the corporation government of the City, and also of the Academy, of Newbern,—the amendment suggested by the Committee having been previously adopted.
Mr. Ashworth, by leave, introduced a resolution in favor of Justices of the Peace, who administered the amnesty oath; which, on motion of Mr. Dalby, was laid upon the table.
On motion of Mr. Murrill, the House adjourned until tomorrow morning, 10 o'clock.

WEDNESDAY. JANUARY 24, 1866.

Leave of absence until Saturday next was granted to Mr. Faison.
Mr. Smith, from the Committee on Finance, to whom they were severally referred, reported back
A resolution in favor of Briggs & Dodd,—recommending its passage;
A resolution instructing said committee to inquire into the expediency of extending the time allowed Sheriffs to collect taxes under the ordinance of the Convention,—asking to be discharged from its further consideration, which was so ordered;

A resolution authorizing the appointment of a Joint Select Committee to report the propriety of directing the State Treasurer to sell all or any of the stocks and interest in the corporate stock of the State,—asking, for reasons stated, to be discharged from it further consideration; which was so ordered; and

A resolution appropriating $44,417 for the use and support of the Lunatic Asylum; asking its re-commitment to the Committee on the Lunatic Asylum, which was ordered accordingly.

Mr. Blackmer, from the Committee on Corporations, to whom they were referred, reported back the following bills, and recommended their passage, viz:

- Bill to incorporate the Clarendon Bridge Company; and
- Bill to incorporate the town of Company Shops.

Mr. Manly, from the Committee on the Judiciary, to whom they were severally referred, reported favorably upon the following:

- Bill to amend chap. 114, Revised Code, entitled "Usury;" which, on motion of Mr. Cowan, was ordered to be printed;
- Bill to legalize and confirm certain proceedings of the County Court of Cumberland;
- Bill for the relief of all persons that may suffer from the destruction of records and other papers during the war,—with an amendment to strike out the words "so called," in the preamble;

And unfavorably upon the following:

- Bill to revoke certain wills; and
- Bill concerning advancements.

Mr. Jenkins, of Warren, offered the following resolution; which was adopted, viz:

Resolved, That the Committee on Finance be instructed to
enquire into the propriety and expediency of the sale of the stocks belonging to the State of North-Carolina, in the several works of Internal Improvement; and that they report by bill or otherwise.

Mr. Davis, of Carteret, introduced a bill to authorize the Justices of Carteret county to levy taxes for the support of the poor and for other county purposes; which, under a suspension of the rules, passed its several readings, and was ordered to be engrossed.

Sundry recommendations for magistrates for the counties of Duplin, Currituck, Nash, Harnett, Hyde and Chatham, were submitted, approved, and sent to the Senate for concurrence.

The calendar was then taken up, and the following bills coming up on their second reading, were disposed of as stated, to-wit:

Bill to amend the act of 1862-3, concerning Justices of the Peace; which, on motion of Mr. Lucas, was laid upon the table.

Bill to incorporate the town of Company Shops. Passed.

Bill to incorporate the Clarendon Bridge Company. Under a suspension of the rules passed second and third readings, and ordered to be engrossed.

Bill to legalize and confirm certain proceedings of the County Court of Cumberland. Laid upon the table, on motion of Mr. Smith, of Cumberland.

Bill to revoke certain wills. Rejected.

Bill concerning advancements. Rejected.

Bill for the relief of all persons that may suffer from the destruction of records and other papers during the war. Amendment of the Judiciary Committee concurred in, and the bill ordered to be printed and made the special order for Monday, 29th inst., at 1 o'clock.

The bill "to prevent, for a limited time, the distillation of spiritous liquors from grain," coming up on its third reading,
Mr. Dargan moved to amend by striking out the fine of $200 and sixty days imprisonment, and inserting a penalty of $500.

Mr. Baxter moved to amend the amendment, by striking out, in sec. 1, all after the words "be fined," and insert, in lieu thereof, "in a sum not less than $300 nor more than $1,000, for each and every violation of this act;" which did not prevail.

The question recurring on the original amendment, it was rejected.

Mr. Cameron moved the following as an additional section, viz:

"And be it further enacted, That any person violating the provisions of this bill shall be liable to a penalty of $500, recoverable before any Court of competent jurisdiction,—the one-half to the use of the person suing for the same, and the other half to the use of the county wherein the offense shall be committed."

Mr. Lyon moved to lay the amendment upon the table; which motion did not prevail.

The amendment was then adopted.

Mr. Henry moved to amend the bill by striking out the words "rye, oats, barley and peas," after the words "corn and wheat;" which did not prevail.

Mr. McKay offered the following amendment: Strike out, after the word "imprisoned," the words "the fine not to be less than $500, and the imprisonment not to be less than 60 days," and insert "the fine not to exceed $500, and the imprisonment not to exceed 60 days,—one or both at the discretion of the Court;" and, also, strike out "and" and insert "or" in the 11th line of sec. 1.

Which was rejected—yeas 50, nays 54; the yeas and nays having been demanded by Mr. McKay.

Those who voted in the affirmative are:

Messrs. Ashworth, Barnett, Black, Burgess, Carson, Chadwick, Coates, Craige, Dargan, Davis, of Carteret, Davis, of
Halifax, Everett, Farrow, Foster, Furr, Gaines, Garland, Hamilton, Holderby, Hoke, Horton, Jenkins, of Gaston, Jenkins, of Granville, Jones, Joyner, Luke, Lyon, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McKay, McNair, Moore, of Alamance, Moore, of Chatham, Murrill, Nicks, Paschall, Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Smith, of Hertford, Scoggia, Trull, Waugh, Williams and York.

Those who voted in the negative are:


Mr. McAden moved the following as an additional section to the bill, viz:

"Be it further enacted, That nothing in this bill shall be so construed as to prevent a person from distilling the grain made on his own farm."

Which was rejected—yeas 43, nays 60; the yeas and nays having been demanded by Mr. McAden.

Those who voted in the affirmative are:

Those who voted in the negative are:


Mr. Luke offered the following as a substitute for the bill: Strike out all after the enacting clause and insert:

"That no spirituous liquors shall be distilled from grain, in any county in the State, except upon license granted by a majority of Justices of said county, and, in case of any violation of this act, the parties so offending shall be imprisoned or fined not less than $1,000, at the discretion of the court.

Sec. 2. Be it further enacted, That this act shall be in force from and after its ratification."

Which was rejected,—yeas 34, nays 63; the yeas and nays being demanded by Mr. Jenkins, of Gaston.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley, Blair, Blythe, Bonner, Burgess, Burton, Caldwell, Cameron, Candler, Chadwick, Cox, Crawford, Dalby, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Foster, Girney, Har-

Mr. Jenkins, of Gaston, moved that the House do now adjourn; which was not agreed to,—yeas 14, nays 87.

Mr. Thigpen demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Marler offered the following amendment: "Provided, That the provisions of this act shall not apply to the counties in this State west of the county of Catawba;" which was not adopted.
Mr. Nicks moved to adjourn till to-morrow morning, 10 o'clock. Not carried.

Mr. Shaw offered the following as an additional section, viz:

"Be it further enacted, That the fines collected under this act shall be applied to the support of the poor of the county in which the offence has been committed."

Mr. Kenan moved to amend the amendment by inserting the word "white" before the word "poor," which prevailed.

The amendment, as amended, was then adopted.

Mr. Smith, of Hertford, moved to amend by striking out all in section 2, after the words "so offending."

Mr. Lyon moved to adjourn until to-morrow morning, 10 o'clock. Lost.

Mr. Smith's amendment was then adopted.

Mr. McNair offered the following as an additional section, viz:

"Be it further enacted, That any persons hauling any of the articles mentioned in the first section of this act beyond the limits of the State, for the purpose of distilling the same, shall be deemed guilty of violating this act, and, upon conviction, shall be subject to the penalties of this act."

Which was adopted.

Mr. Craig moved to amend, by striking out "February 15th," wherever it occurs, and inserting "March 1st." Lost.

Mr. Thigpen moved to amend by inserting, after the word "peas," the words "Chinese sugar cane seed, sorghum or rice." Lost.

The question now recurring on the passage of the bill, as amended, it passed its third reading and was ordered to be engrossed,—yeas 63, nays 42.

Mr. Scoggin demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley, Blackmer, Blair, Blythe, Bonner, Burton, Caldwell, Cameron, Candler, Chadwick, Cowan, Cox, Crawford, Dalby, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Flythe,

Those who voted in the negative are:


On motion of Mr. Yellowley, the Speaker was directed to issue a writ of election for February 12, 1866, to supply the vacancy occasioned by the demise of Mr. Hanrahan.

Recommendations for magistrates for the counties of Bertie and Northampton were submitted, approved and sent to the Senate for concurrence.

Received a message from the Senate, announcing that the names of Jas. R. Lee and N. G. Thornton had been stricken from the list of magistrates for Cumberland county, and the names of Hector McMillan and J. C. Poe added thereto; in which action the House concurred.

Also, a message announcing Mr. Bullock as a member of the Joint Standing Committee on the Deaf, Dumb and the Blind, vice Mr. Warren, resigned.

Also, a message announcing Messrs. Wilson and Bynum as the Senate branch of the committee to consider whether the adjournment on the 18th ult. constituted the close of a session.

Also, transmitting an engrossed bill “to continue in office the Provisional Commissioners of Lincolnton, and other towns.”
and asking the concurrence of the House therein. Placed on file.

Received a message from his Excellency, the Governor, transmitting a petition from boat-owners and merchants of Wilmington; which was referred to the Committee on the Judiciary.

On motion of Mr. Scoggin, the House adjourned until tomorrow morning, 10 o'clock.

THURSDAY, Jan. 25, 1866.

Prayer by Rev. Dr. Mason.

Mr. Manly, from the Committee on the Judiciary, reported back the following bills, and asked to be discharged from the further consideration of the same; which was so ordered:

Bill to punish the stealing of stock;
Bill to admit the evidence of persons of color in Courts of Justice;
Bill concerning Justices of the Peace.
And unfavorably upon the following:
Bill to repeal "An act to decrease the expenses of Sheriffs' returns";
Bill to amend Chapter 12, Sec. 1, Revised Code.
And favorably upon the bill to legalize the election of Mayor and Commissioners of the town of Morganton.

Mr. Blackmer, from the Committee on Corporations, reported back, with the recommendation that they do pass:
Bill to incorporate Dilwood Cemetery; and
Bill to incorporate Portis Gold Mining Company, with an amendment.

Mr. Murrill, from the Committee on Propositions and Grievances, reported favorably, with an amendment, on
Bill to amend Chapter 101, Sec. 9, Revised Code, entitled "Roads, Ferries and Bridges."
The following bills were introduced:

By Mr. Joyner: Bill to incorporate the Weldon Enterprise and Loan Company. Referred to the Committee on Corporations.

By Mr. Wilson: Bill in favor of J. N. Benners, and others, of Haywood county. Judiciary.

By Mr. Russell: Bill to provide for the payment of the Federal land tax of 1861. Committee on Finance.

By Mr. Jenkins, of Granville: Bill for the benefit of the Public Schools of the State. Ordered to be printed and referred to the Committee on Education.

By Mr. Blackmer: Bill concerning the per diem and mileage of the Council of State. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Davis, of Carteret: Bill to incorporate the town of Newport, in the county of Carteret. Under a suspension of the rules passed its several readings and ordered to be engrossed.

Mr. Everett moved that the House do re-consider its action of yesterday, by which the “Bill to prevent, for a limited time, the distillation of spirituous liquors from grain,” was passed on its third reading.

Which was not adopted,—yeas 45, nays 59; the yeas and nays being demanded by Mr. Hutchison.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Allison, Arrington, Baxter, Beasley, Blackmer,

Received a message from the Senate, announcing their refusal to concur in the House recommendation of magistrates for Yadkin county, and transmitting another list in lieu thereof; which was concurred in.

Mr. Nicks moved that a message be sent to the Senate, proposing to erase the name of S. S. Arnold from the list of magistrates recommended for Yadkin county; and, also, a similar message to add thereto the name of J. C. Phelps; which were not agreed to.

Received from the Senate a message transmitting the following bill and resolutions, and asking the concurrence of the House therein, viz:

Bill to authorize the Public Treasurer to collect and sell State property.—which was referred to the Committee on Finance; and

Resolutions relative to restoration of civil authority, &c., which, on motion of Mr. Manly, were laid upon the table.

Sundry recommendations of magistrates for the counties of Montgomery, Rowan, Union, Watauga, Haywood, Macon, Johnston and Polk, were submitted, approved and sent to the Senate for concurrence.

The calendar was then taken up and the following bills, coming up on their second reading, were severally disposed of as stated, to wit:

Senate bill to continue in office the Provisional Commissioners of Lincolnton and other towns. Under suspension of
the rules, passed its several readings and ordered to be enrolled.

Bill supplemental to an act entitled "An act for the government of the town of Elizabeth City," passed in 1832. Passed its several readings, under suspension of the rules, and ordered to be engrossed.

Bill to admit evidence of persons of color in Courts of Justice. Tabled.

Bill concerning Justices of the Peace. Tabled.

Bill to repeal "An act to decrease the expenses of Sheriffs' returns." Tabled.

Bill to amend Chap. 12, Sec. 1, Revised Code. Tabled.

Bill to legalize the election of Mayor and Commissioners of the town of Morganton. Under suspension of the rules, passed its several readings and ordered to be engrossed.

Bill to punish stealing of stock. Tabled.

Bill to incorporate Portis Gold Mining Company. Under suspension of rules, passed its several readings, as proposed to be amended by the Judiciary Committee, and ordered to be engrossed.

Bill to incorporate Dilwood Cemetery. On motion of Mr. Blackmer, made the special order for to-morrow (Friday) at 11 o'clock.

Bill to amend ch. 101, sec. 9, Revised Code, entitled "Roads, Ferries and Bridges." Under suspension of the rules, passed its several readings and ordered to be engrossed.

The bill to incorporate the town of Company Shops, in the county of Alamance, passed its third reading, and was ordered to be engrossed.

Mr. Smith, of Columbus, offered a resolution, which was adopted, instructing the Judiciary Committee to enquire into the expediency and propriety of reducing the penal bonds of sheriffs, clerks and other public officers.

On motion of Mr. Ashworth, it was

Ordered, That the Committee on the Judiciary be directed
to report whether any legislation is necessary to declare the meaning of sec. 51, ch. 46, Revised Code, and sec. 18, ch. 118, Revised Code, and, if any legislation is necessary, that the committee be directed to report by bill or otherwise.

On motion of Mr. Dargan, the House adjourned until tomorrow morning, 10 o'clock.

FRIDAY, January 26, 1866.

Prayer by Rev. Dr. Smedes.

Leave of absence until Monday next was granted to Mr. Thigpen.

Mr. Newsum presented the memorial of Wm. E. Brodnax and Edmund Wilkins, relative to the privilege heretofore accorded the Raleigh and Gaston Railroad of establishing a ferry over the Roanoke, at Gaston; which was referred to the Committee on Propositions and Grievances.

Mr. Manly, from the Committee on the Judiciary, reported back the following bills, asking to be discharged from the further consideration of the same; which was so ordered:

Bill to authorize a Court of Pleas and Quarter Sessions for the county of Cabarrus;

Bill to legalize the proceedings of the Courts of Pleas and Quarter Sessions of the State;

Bill to revive and continue in force certain acts heretofore passed for the relief of persons who may suffer from the destruction of the records of Hertford county.

And unfavorably upon the following:

Senate bill to prevent horse-stealing; and

Bill to make horse-stealing a felony punishable by death.

Mr. Blackmer, from the committee on the Lunatic Asylum, to whom was re-committed the resolution appropriating $44,417 for the relief of that institution, reported the same back, with the statement that they could see no good reason for reducing the amount.
The following resolutions and bills were introduced and disposed of as stated, to wit:

By Mr. Caldwell: Resolution directing the Committee on Finance to enquire into the propriety of raising all taxes for State purposes by the stamp system, and of taxing real estate and polls only for county purposes, to be imposed by the magistrates of each county. So referred.

By Mr. McKay: Resolution directing the Secretary of State to have the Journals of the Legislature of 1864-65 printed, as provided for by the Revised Code. Adopted and sent to the Senate for concurrence.

By Mr. McDonald: Resolution instructing the Committee on the revision of laws, ordinances, &c., to enquire whether the law of landlord and tenant, passed during the war, is now in force. Referred accordingly.

By Mr. Smith, of Hertford: Resolution instructing the Committee on the Lunatic Asylum to prepare and report a bill to carry into effect the recommendations contained in their report. Adopted.

By Mr. Marler: Bill to amend an act passed at the last meeting of the General Assembly, entitled "An act concerning the burning of Registers' books in the counties of Burke and Sampson." Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Kenan: Bill to amend Sec. 30, Chap. 54, Revised Code. Referred to Committee on Judiciary.

By Mr. Dargan: Bill to alter the pleadings in the Superior Courts and for the relief of the people. Ordered to be printed and referred to the Committee on the Stay Law.

By Mr. Foster: Bill to amend Sec. 12, Chap. 118, Revised Code. Referred to Committee on Judiciary.

By Mr. Blythe: Bill to enlarge the jurisdiction of Justices of the Peace. Same reference.

By Mr. Wilson: Bill fixing an uniform compensation for
members and officers of the General Assembly. Referred to Committee on Salaries and Fees.

By Mr. Ashworth: Bill more effectually to punish vagrancy. Referred to Committee on Freedmen.

The hour having arrived for the consideration of the special order, to wit: The bill to incorporate Dillwood Cemetery, the same was taken up.

Mr. Hoke offered the following amendment, to be inserted at the end of Sec. 3:

"Provided, That not more than ten acres of land shall be embraced by the provisions of this charter."

Which was adopted.

Mr. Smith, of Hertford, moved to amend by striking out the third section entire; which motion prevailed.

And the bill then passed its second, and, under a suspension of the rules, its third reading, and was ordered to be engrossed.

Received a message from the Senate, concurring in sundry recommendations of magistrates.

Recommendations of magistrates for the counties of Camden, Rockingham, Hertford, Jackson, New Hanover and Lenoir were submitted, approved and sent to the Senate for concurrence.

Mr. Russell moved to take from the table the resolutions "concerning the restoration of civil authority"; which motion did not prevail.

The calendar was then taken up, and the following bills, coming up on their second readings, were severally disposed of as stated, to wit:

Bill to authorize a Court of Pleas and Quarter Sessions for the county of Cabarrus. Tabled.

Bill to legalize the proceedings of the Courts of Pleas and Quarter Sessions of the State. Rejected.

Senate bill to prevent horse-stealing;

Mr. Jenkins, of Warren, moved to amend by striking out,
in Sec. 1, all after the words "felon or felons," and insert "shall suffer death."

Mr. Holderby moved to postpone the further consideration of the subject until to-morrow morning, 11 o'clock. Not carried.

The amendment was then rejected,—yeas 30, nays 73; the yeas and nays being demanded by Mr. Jenkins, of Warren.

Those who voted in the affirmative are:

Messrs. Barnett, Black, Blair, Bryson, Burton, Carson, Coates, Dunn, Faircloth, of Green, Ferrell, Foster, Hawes, Jenkins, of Gaston, Jenkins, of Warren, Jones, Judkins, Ke-

nan, Lucas, Matthews, McAden, Moore, of Alamance, Niven, Page, Russell, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Waugh and Williams.

And those who voted in the negative are:

Messrs. Alston, Arrington, Ashworth, Baxter, Beasley, Blackmer, Byrds, Bonner, Burgess, Caldwell, Cameron, Cand-

er, Chadwick, Cox, Craige, Crawford, Dalby, Dargan, Davis, of Carteret, Davis, of Halifax, Faircloth, of Wayne, Farrow, Flythe, Furr, Graves, Garland, Gidney, Hamilton, Harper, Henry, Hodnet, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Hynan, Jenkins, of Granville, Joyner, Kinney, Lee, of Gates, Logan, Luke, Lyon, Manly, Marler, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Martin, Mott, Murrill, Nicks, Newsum, Paschall, Potter, Rayner, Rosebro, Smith, of Guilford, Smith, of Hert-

ford, Stilley, Scoggin, Teague, Trull, Wheeler, Wilson, Yel-

lowley and York.

Mr. Moore, of Martin, moved that the bill be laid on the table; which did not prevail.

The question then recurring on the bill, it passed its second reading:

Bill to make horse-stealing a felony punishable by death. Rejected.
Bill concerning the destruction of the public records of Hertford county. Laid on the table.

Received a message from the Senate, communicating the action of that body with reference to certain recommendations of Justices of the Peace.

Also, transmitting the following engrossed bills and asking the concurrence of the House therein, to wit:

Bill to attach the county of Mitchell to the 8th Judicial Circuit, and for other purposes; and

Bill to continue in office Clerks and Masters, until their successors are appointed.

Which were severally read, and placed on file.

On motion of Mr. Dargan, the House adjourned until tomorrow morning, 10 o'clock.

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SATURDAY, January 27, 1866.

Prayer by Rev. Mr. Hudson.

Leave of absence, until Tuesday next, was granted to Messrs. Faircloth, of Greene, and Coates.

Mr. Manly, from the Committee on the Judiciary, reported unfavorably upon

Resolution of enquiry as to the propriety of making larceny punishable with death for the third offence; and

Bill to enforce the execution of contracts.

Mr. Manly, from the same committee, reported back, with a recommendation that it be referred to the Committee on Freedmen,

Bill to add thirty days' hard labor upon the public roads and highways, as an additional punishment for all offences, the punishment whereof is now whipping.

Which was ordered accordingly.

Mr. Blackmer, from the Committee on Corporations, reported favorably, with an amendment, upon
Bill to incorporate the Weldon Enterprize and Loan Company.

The following resolutions and bills were introduced, and disposed of as stated, to wit:

By Mr. Smith, of Columbus: Resolution instructing the Judiciary Committee to enquire into the propriety and expediency of amending section 13, chapter 46, Revised Code. So referred.

By Mr. Simmons: Instructing the Judiciary Committee to consider the expediency of adopting a Homestead Law, and to report by bill or otherwise. So referred.

By Mr. Henry: Resolution in favor of A. W. Fraps. Referred to Committee on Claims.

By Mr. Smith, of Hertford: Joint resolution authorizing the Public Treasurer to employ an additional clerk, during the present session, and appropriating a sum not to exceed one hundred dollars for that object. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Hoke: Bill to authorize the formation of the English and American Wool and Vine Growing, Manufacturing, Mining and Agricultural Association in the United States of America. Referred to the Committee on Corporations.

By Mr. Jenkins, of Gaston: Bill to charter the High Shoals Railroad Company. Referred to the Committee on Internal Improvements.

By Mr. Smith, of Columbus: Bill to amend chapter 114, Revised Code. Judiciary.

By Mr. Scoggin: Bill to repeal chapter 6, of an act of the General Assembly of 1862-3, entitled "An act authorizing the President and Directors of the Literary Fund to elect a Treasurer and prescribe his duties." Same reference.

By Mr. Whitley: Bill for the relief of guardians. Same reference.

Sundry recommendations of magistrates, for the counties of
Alexander, Montgomery, Mecklenburg and Anson, were submitted, approved and sent to the Senate for concurrence.

The calendar was then taken up, and the following resolution and bills, coming up on their second reading, were severally disposed of, as stated, to wit:

Senate Resolution in favor of Briggs & Dodd. Passed its several readings, under a suspension of the rules, and ordered to be enrolled.

Senate bill "to attach Mitchell county to the 8th Judicial Circuit, and for other purposes." Under a suspension of the rules, passed its several readings and ordered to be enrolled.

Senate bill "to continue in office Clerks and Masters in Equity, until their successors are appointed. Referred to the Committee on the Judiciary.

Bill to enforce the execution of contracts. Tabled.

Bill to incorporate the Weldon Enterprise and Loan Company. Passed its several readings, under a suspension of the rules, and ordered to be engrossed.

The Senate bill "to prevent horse-stealing" coming up on its third reading,

Mr. Henry moved to strike out, in the sentence "shall receive thirty-nine lashes on his or her bare back," in section 2, the words "or her."

Mr. Candler moved to lay the amendment on the table; which motion did not prevail.—yeas 9, nays 81; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative, are:

Messrs. Black, Burgess, Candler, Henry, Jenkins, of Granville, Melson, Moore, of Martin, Mott and Wilson.

Those who voted in the negative, are:

Messrs. Allison, Arrington, Ashworth, Barnett, Baxter, Beasley, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Carson, Chadwick, Cox, Craig, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dunn, Faircloth, of Wayne, Farrow, Ferrell, Flythe, Furr, Garland, Gidney,

The amendment was then rejected.

Mr. Smith, of Hertford, moved to amend by striking out, in section 1, the words "from and after the passage of this act;" which was adopted.

Mr. Manly moved further to amend, by inserting, as an additional section, at the end of the bill:

"Sec. 3. And be it further enacted, That this act, shall be in force from and after its ratification."

Which was adopted.

Mr. Holderby moved also to amend by inserting after the word "each," in section 1, the words "and stand in the pillory one hour;" which was adopted.

Mr. Wilson moved further to amend by striking out the words "without benefit of clergy," in section 1. Carried.

Mr. Jenkins, of Warren, moved next to amend by inserting, after the words "stand in the pillory one hour," the words "and be branded on the left cheek with the letters H. T.;" which did not prevail.

Mr. Hutchison moved, and it was carried, to insert, after the words "shall stand in the pillory one hour," the words "and shall be branded on the left hand with the words H. T."

Mr. Gaines moved further to amend, by inserting, after the words "mule or mule colt," the words "jack or jennet;" which was adopted.

Mr. Beasley moved still further to amend by adding, after
the word "jennet," the words "cow, hog or sheep;" which was not carried.

On motion of Mr. Smith, of Hertford, the vote by which Mr. Henry's amendment was rejected was reconsidered; and the amendment was adopted.

The bill, as amended, then passed its third reading, and was sent to the Senate for concurrence in the amendments.


Received a message from the Senate, transmitting recommendation of magistrates for Union county; which was approved.

Also, concurring in the proposition to go immediately into an election for seven Trustees of the University.

Whereupon the House proceeded to ballot, under the superintendence of Me, Kenan and Gaines.

After which, and before the announcement of the result, the House, on motion of Mr. Russell, adjourned till Monday morning, 10 o'clock.

MONDAY, JANUARY 29, 1866.

Leave of absence for one week was granted to Messrs. Whitley and Stilley.

The Speaker announced the following gentlemen as composing the Committee on Enrolled Bills for the week, viz: Messrs. Niven, Candler, Ferrell, Lucas and Bonner.
Mr. Manly, from the Committee on the Judiciary, to whom they were referred, reported back
Resolution of enquiry relative to delinquent sheriffs; and
Resolution of enquiry as to propriety of requiring Constables and Deputy Sheriffs to return magistrates' judgments to debtors, when paid;
Asking to be discharged from the further consideration of the same. Ordered accordingly.
Mr. Manly, from the same committee, reported favorably, with amendments, upon
Bill in favor of A. J. McBride, late Sheriff of Watauga county;
Bill to authorize C. A. Boon, late Sheriff of Guilford, to collect arrears of taxes;
Bill in favor of J. A. Oates, Sheriff of Sampson;
Bill in favor of Walker Smith, Sheriff of Rockingham; and
Bill to restore jury trials, in criminal cases, to the Court of Pleas and Quarter Sessions in Onslow county.
And unfavorably upon the following:
Bill to extend relief by injunction; and
Bill to make an assault, with intent to commit rape, upon the body of a white female, a felony punishable with death.
Mr. Manly, from the same committee, reported back the resolution of enquiry relative to reducing the penal bonds of Sheriffs and other officers, and asked that it be referred to the Committee on Revision of laws, &c.; which was so ordered.
Mr. Smith, from the Committee on Finance, to whom was referred Joint Resolution for transcribing, &c., the records of the office of Secretary of State, reported back a substitute for the same, and recommended its passage.
Mr. Kenan, from the committee appointed on yesterday to superintend the election of seven Trustees of the University, reported that the whole number of votes cast was 130,—necessary to a choice 66; that Mr. Smith had received 95, Mr. Blackmer 79, Mr. Cameron 62, Mr. Gales 59. Mr. Jenkins 50,
Mr. Ferebee 50, Mr. Hyman 44, Mr. Donnell 37, Mr. Cowles 35, Mr. Hoke 32, Mr. Fowle 32, Mr. Amis 30, Mr. Engelhard 30, Mr. Yellowley 27, Mr. Horton 24, Mr. Williams 22, Mr. T. R. Caldwell 21, Mr. Boyden 19, Mr. Perry 18, Mr. Pell 18, Mr. Hutchison 16, Mr. Whitford 13, Mr. Gaither 12, Mr. Guion 12, Mr. D. F. Caldwell 10, Mr. Bogle 8, Mr. Bynum 10, and all others 26; and that Messrs. W. N. H. Smith and Luke Blackmer, having each received a majority of the whole number of votes cast, were duly elected. Which report was concurred in.

On motion of Mr. Gaines, a message was sent to the Senate, proposing to ballot forthwith for five Trustees of the University, and stating that the names of Messrs. S. S. Jackson, R. H. Cowan, Evans Benbow, Jno. M. Haughton and W. P. Bynum were added to, and the names of Messrs. T. A. Donaho, W. E. Pell, Nat. Boyden, H. W. Guion, B. S. Gaither and H. G. Williams withdrawn from, the list of nominations.

The following bills were introduced and severally disposed of, as stated, to wit:

By Mr. McKay: Bill relating to the late Provisional Judges. Referred to the Committee on Salaries and Fees.

By Mr. Jenkins, of Warren: Bill to incorporate the North Carolina Immigration Company. Referred to the Committee on Corporations.

By Mr. McAden: Bill touching the Piedmont Railroad Company. Referred to a Special Committee of three, consisting of Messrs. McAden, Jenkins, of Warren, and Blackmer.

By Mr. Smith, of Hertford: Bill to authorize the Banks of the State to take stock in National Banks. Referred to Committee on Finance.


By Mr. Joyner: Bill to consolidate the acts relating to the Courts, and for other purposes. Referred to the Committee on the Stay Law, and ordered to be printed.
By Mr. Crawford: Bill to amend an act entitled "An act to incorporate the Macon County Turnpike Company," passed at the session of 1856-'7. Cherokee Lands.

Sundry recommendations of magistrates for the counties of Carteret, Tyrrell, Surry, Alamance, Madison, Transylvania and Samson were submitted, approved, and sent to the Senate for concurrence.

Received from the Senate a message, concurring in the foregoing recommendations; and also nominating magistrates for the counties of Madison and Alleghany.—which were concurred in.

Also, a message refusing to concur in the proposition to vote at once for Trustees of the University.

Also, a message announcing Messrs. Donaho, Cowles and Eure as the Senate branch of the Committee on Enrolled Bills for the week.

The calendar was then taken up, and the following bills, coming up on their second reading, were disposed of, as stated, to wit:

Bill in favor of A. J. McBride, late Sheriff of Watauga. Passed second reading, as amended by the committee.

Bill in favor of J. A. Oats, Sheriff of Sampson. The amendments of the committee were adopted; but the question being raised whether bills of this character partook of the nature of public bills, and, as such, were excluded from the operation of the act requiring notice of application to be given, the bill was re-committed to the Committee on the Judiciary for a decision in the premises.

Bill in favor of Walker Smith, Sheriff of Rockingham. Laid on the table for the present.

Bill in favor of C. A. Boon, late Sheriff of Guilford. Laid on the table for the present.

Bill to extend relief by injunction. Indefinitely postponed.

Bill to restore jury trials, in criminal cases, to the Court of Pleas and Quarter Sessions of Onslow. The amendment of
the committee, making the bill one of general application, was adopted, and the bill passed its second reading.

Bill to make an assault, with intent to commit rape, upon the body of a white female, a felony punishable with death. Laid on table.

Resolution for transcribing, &c., the records of the office of Secretary of State. Passed second reading.

Received a message from his Excellency, the Governor, transmitting the report of the President and Directors of the Western N. C. Railroad; which was sent to the Senate, with a proposition to print.

Received a message from the Senate, transmitting the following engrossed bills, and asking the concurrence of the House in the same, viz:

Bill to incorporate the Salem Female Academy. Referred to the Committee on Education. And,

Bill to incorporate the Albemarle Steam Navigation Company. Referred to Committee on Internal Improvement.

Mr. Rayner moved that the bills, etc., reported from the Commission appointed under the Ordinance of the Convention upon the subject of Freedmen, be taken from the hands of the Committee, to whom they had been referred, and considered hereafter as in Committee of the Whole; which was so ordered. And,

On further motion of Mr. Hutchison, the same were made the special order of the day for to-morrow at 11 o'clock.

Mr. McAden, by leave, from the special committee on the subject, reported back the bill "touching the Piedmont Railroad," and recommended its passage; whereupon, under a suspension of the rules, the bill passed its several readings and was ordered to be engrossed.

Received a message from the Senate, concurring in the proposition to print the report of the President and Directors of the Western N. C. R. R.

The hour for the special order, to wit: Bill for the relief of
such persons as may suffer from the destruction of the records and other papers of the several counties of this State, and for other purposes, having arrived, the same was,

On motion of Mr. Smith, of Hertford, referred to the Committee on the Judiciary.

Mr. Baxter, by leave, offered the following resolution, viz:

Resolved, That a special Committee of three be appointed by this body to examine and revise, if necessary, the laws relating to the Insane Asylum, to the end that its operations may be more clearly and easily understood by the General Assembly, and it thereby enabled to act upon all reports and business pertaining to that institution more intelligibly than has seemed the case heretofore.

Whereupon, the Speaker designated Messrs. Baxter, Hutchison and Russell as said Committee.

On motion of Mr. Wilson, a message was sent to the Senate, proposing to vote at once for five Trustees of the University.

The Senate concurring, the House proceeded to ballot, under the superintendence of Messrs. Kenan and Gaines.

After which, and before the result was announced,

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

TUESDAY, JANUARY 30, 1866.

Prayer by Rev. Mr. Whitfield.

A message was received from the Public Treasurer, suggesting that he be allowed to give certificates, under seal of the Treasury Department, in regard to the laws of this State, &c., and that reasonable Clerk's fees be allowed for the same; which, on motion, was transmitted to the Senate, with a proposition that it be referred to the Committee on Finance.

Mr. Manly, from the Committee on the Judiciary, to whom
they were severally referred, reported unfavorably upon the following bills and resolution, to wit:

Bill authorizing the collection of unpaid taxes in the county of Pasquotank;

Bill to legalize the official acts of Justices of the Peace in the county of Johnston;

Bill to authorize the establishment of Courts of Arbitration in each county of the State, by the Court of Pleas and Quarter Sessions in each county; and

Resolution of enquiry as to the propriety and expediency of amending sec. 13, chap. 46, Revised Code.

And favorably, with amendments, upon the following, viz:

Senate bill for the relief of all persons who may suffer from the destruction of records and other papers during the war; and

Senate bill to continue in office Clerks and Masters until their successors are appointed.

Mr. Manly, from the same Committee, to whom was referred a message from his Excellency, the Governor, accompanied by a memorial from boat-owners and others, relative to the Cape Fear Navigation Company, reported back a series of resolutions upon the subject; which were laid over.

Mr. Manly, from the same Committee, to whom was referred a resolution of enquiry whether or not further legislation is necessary for the protection of vine and fruit growing, reported back "A bill to protect the culture of the grape and other fruits"; which passed its first reading.

Mr. Smith, from the Committee on Finance, reported back Bill to pay the U. S. Land Tax for 1861, and

Resolution of enquiry as to the expediency of selling State property acquired since May 20, 1865;

 Recommending that they, respectively, lie upon the table.

And, favorably, with amendments, upon the bill "to authorize the Public Treasurer to collect and sell State property."

Mr. Smith, from the Committee on the scale of depreciation
of Confederate currency, to whom was referred a resolution directing said Committee to enquire into the propriety of fixing such scale on a produce valuation, submitted a report and asked to be discharged from the further consideration of the subject; which was ordered accordingly.

Mr. Blackmer, from the Committee on Corporations, reported favorably, with an amendment, upon

Bill to authorize the formation of the English and American Wool and Vine Growing, Manufacturing, Mining and Agricultural Association in the United States of America;

And, favorably, upon

Bill to incorporate the North-Carolina Immigration Company.

Mr. Kenan, from the committee appointed on yesterday to superintend the election of five Trustees of the University, reported that the whole number of votes cast was 138,—necessary to a quorum 76; that Mr. Cameron received 68, Mr. Ferebee 68, Mr. Gales 64, Mr. Jenkins 63, Mr. Hyman 63, Mr. Haughton 48, Mr. Yellowley 32, Mr. Bynum 33, Mr. Engelhard 39, Mr. Cowley 27, Mr. P. Horton 29, Mr. Hoke 24, Mr. Cowan 18, Mr. Whitford 13, Mr. Jackson 13, Mr. Amis 11, Mr. Fowle 11, Mr. Hutchison 10, Mr. T. R. Caldwell 10, and all others 40; and that there was no election. Which report was concurred in.

Mr. Blackmer submitted an additional recommendation for Justices in the county of Rowan; which was approved and sent to the Senate for concurrence.

Mr. Allison moved to take from the table the bill "to authorize a Court of Pleas and Quarter Sessions for the county of Cabarrus;" which was carried.

And the bill was then amended, and passed its second, and, under a suspension of the rules, its third reading, and was ordered to be engrossed.

On motion of Mr. Rayner, the House now resolved itself, (the hour agreed upon having arrived,) into a committee of
the Whole, (Mr. Rayner in the chair,) on the "Freedman's Code," the immediate subject before the committee being the bill "concerning Negroes, Indians, and persons of color or of mixed blood."

After some time spent therein, the Speaker resumed the chair. Mr. Rayner, on behalf of the committee, reported progress, and asked leave to sit again to-morrow at 11 o'clock; and leave was accordingly granted.

Received a message from the Senate, concurring in the recommendation of magistrates for the county of Rowan.

Also, concurring in the proposition of the House to refer the special message of the Public Treasurer to the Committee on Finance.

Also, transmitting a recommendation for magistrates for the county of Hertford; which was concurred in.

On motion of Mr. McNair, a message was sent to the Senate, proposing to vote forthwith for five Trustees of the University, and announcing that the names of Messrs. Amis, Hutchinson, Cowles, D. F. Caldwell and R. H. Cowan were withdrawn from, and the names of Rt. Rev. Thomas Atkinson, and Revs. R. H. Marsh, T. M. Jones and Alex. Wilson added to, the list already in nomination.

The Senate concurring, the House proceeded to ballot; after which, and before the vote was announced,

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

WEDNESDAY, January 31, 1866.

Prayer by Rev. Mr. Byrd.

Leave of absence for one week was granted to Mr. Lucas.

Recommendations of magistrates for the counties of Warren and Columbus were submitted, approved and sent to the Senate for concurrence.
Mr. Coates submitted a memorial from Benj. Matthews, of the county of Johnston, praying that measures be taken to investigate the removal from his land, by agents of the State, of a certain bed of rosin; which was referred to the Committee on the Judiciary.

Received a message from the Senate, transmitting certain amendments to the bill "for the more complete organization of the State government, and for other purposes;" which amendments were concurred in, and the Senate informed thereof by message.

Mr. Logan, from the Committee on Cherokee Lands, reported favorably upon the bill to amend an act entitled "an act to incorporate the Macon County Turnpike Company."

Mr. Manly, from the Committee on the Judiciary, to whom they were severally referred, reported adversely upon:
- Bill to enlarge the jurisdiction of Justices of the Peace;
- Bill to punish breaking into a house in the day-time;
- Bill to amend chapter 114, Revised Code;
- Bill for the relief of guardians; and
- Bill to amend sec. 30, chap. 54, Revised Code.

And, favorably, with amendments, upon the following:
- Bill to repeal chap. 6 of an act of 1863, entitled an act "authorizing the President and Directors of the Literary Fund to elect a Treasurer and prescribe his duties;" and
- Bill to amend sec. 12, chap. 118, Revised Code.

Mr. Hoke, from the Committee on Internal Improvements, reported back, with a recommendation that they do pass:
- Bill to charter the High Shoals Railroad Company; and
- Senate bill to incorporate the Albemarle Steam Navigation Company.

Mr. Kenan, from the Committee appointed on yesterday, to superintend the election of five Trustees of the University, reported that the whole number of votes cast was 141,—necessary to a choice 71; that Mr. Cameron had received 86, Mr. Gales 77, Mr. Ferebee 73, Mr. Jenkins 66, Mr. Hyman 60, Mr.
Hoke 54, Mr. Bynum 42, Mr. Jones 38, Mr. Atkinson 34, Mr. Marsh 33, Mr. J. H. Haughton 29, Mr. Wilson 27, Mr. P. Horton 12, Mr. Yellowley 11, and all other 46; and that John W. Cameron, Seaton Gales and D. D. Ferebee, having each received a majority of the whole number of votes cast, were duly elected.

The following resolution and bill were introduced, and disposed of, as stated, viz:

By Mr. Smith, of Hertford: Joint resolution authorizing the Governor to appoint two Commissioners, (and a third, if necessary,) to make examination of the condition and management of the Albemarle and Chesapeake Canal Company, and report the result of said examination, with such recommendations as may seem proper, to the General Assembly or Convention. Referred to the Committee on Internal Improvements.

By Mr. Caldwell: Bill to authorize the exchange of the stocks held by the State of North Carolina in certain railroads and canals for bonds of the State, or the interest thereon now due, and for other purposes. Ordered to be printed and referred to the Committee on Finance.

The calendar was then taken up, and the following resolutions and bills, coming up on their second reading, were severally disposed of, as stated, to wit:

Resolutions from the Judiciary Committee relative to memorial of boat-owners, and others, of Wilmington, concerning the Cape Fear Navigation Company. Under a suspension of the rules, passed their several readings, and ordered to be engrossed.

Bill to legalize the official acts of Justices of the Peace in Johnston county. Laid on the table.

Bill authorizing the collection of unpaid taxes in the county of Pasquotank. Rejected.

Senate bill to authorize the Public Treasurer to collect and sell State property. The amendments recommended by the
Committee were adopted, and the bill, as amended, under a suspension of the rules, passed its several readings, and was ordered to be sent to the Senate for concurrence in the amendments.

Senate bill for the relief of all persons who may suffer from the destruction of records and other papers during the war: The amendments suggested by the Committee were adopted; the bill, as amended, under a suspension of the rules, passed its several readings; and it was sent to the Senate for concurrence in the amendments.

Senate bill to continue the Clerks and Masters of Equity in office, until their successors are appointed. The amendment of the Committee was adopted, the bill, under a suspension of the rules, passed its several readings, and was sent to the Senate for concurrence in the amendment.

Received a message from the Senate, transmitting sundry recommendations of magistrates for the counties of Ashe, Macon and Cabarrus; which were concurred in.

Also, a message announcing that they had passed the House bill concerning the *per diem* of Councillors of State, with an amendment, in which they asked the concurrence of this body. Laid on the table for the present.

The hour having arrived, the House resolved itself into Committee of the Whole, (Mr. Rayner in the chair,) on the "Freedmen's Code." After some time spent therein, the Committee rose, and Mr. Rayner; on its behalf, reported progress and asked leave to sit again at 12 o'clock, to-morrow. And leave was granted accordingly.

Received a message from the Senate, proposing to go at once into an election for two Trustees of the University. Laid on the table.

Received a message from his Excellency, the Governor, relative to certain property claimed by the State, and also claimed by individuals,—the contest as to title turning on questions of law,—and also relative to other matters; which was or-
ordered to be transmitted to the Senate, with a proposition to refer to the Committee on Finance.

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

THURSDAY, February 1, 1866.

Prayer by Rev. Dr. Mason.

Mr. Jenkins, of Granville, for the Committee on Education, reported back to the House, with a recommendation that it do pass;

Senate bill to incorporate the Salem Female Academy; which, under a suspension of the rules, passed its several readings and was ordered to be enrolled.

Mr. Hoke, from the Committee on Internal Improvements, reported favorably upon the resolution requesting the Governor to appoint a Commission to investigate the affairs of the Albemarle and Chesapeake Canal Company, &c. Under a suspension of the rules, the resolution passed its several readings, and was ordered to be engrossed.

Mr. Smith, from the Committee on Finance, reported favorably upon the bill "to authorize the Banks of the State to take stock in National Banks," and the bill, together with the report, was ordered to be printed.

The following resolution and bills were introduced and severally disposed of, as stated, to wit:

By Mr. Moore, of Chatham: Resolution authorizing a special committee to confer with the State and National Executives, relative to the non-admission of the representatives from North-Carolina into Congress. Referred to the Committee on Federal Relations.

By Mr. McDonald: Bill to extend the time for redemption of land sold for taxes. Referred to Committee on Finance.

By Mr. Manly: Bill concerning Attorneys at Law. Referred to the Committee on Federal Relations.
Mr. Hyman submitted an additional list of magistrates for the county of Edgecombe; which was approved and sent to the Senate for concurrence.

Received a message from the Senate, transmitting sundry recommendations of magistrates for the counties of Hyde, Stokes, Burke, Rowan and Columbus; which were severally concurred in.

Also, a message announcing their concurrence in the amendments of the House to the engrossed bills "to continue in office the Clerks and Masters in Equity, until their successors are appointed," and "for the relief of all persons that may suffer from the destruction of records and other papers during the war."

On motion of Mr. Holderby, a message was sent to the Senate, proposing to vote forthwith for two Trustees of the University; in which proposition the Senate subsequently refused to concur.

The calendar was then taken up, and the following resolution and bills, coming up on their second reading, were severally disposed of, as stated, viz:

Resolution appropriating $44,417 for the relief of the Lunatic Asylum. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

Bill to authorize the establishing a Court of Arbitration in each county in this State, by the Court of Pleas and Quarter Sessions in each county. On motion of Mr. Caldwell, referred to a select committee of five.

Whereupon, the Speaker designated Messrs. Caldwell, Smith, of Hertford, Murphy, Dalby and Crawford as composing said Committee.

Bill to pay Federal land taxes for 1861. Tabled.

Bill to authorize the formation of the English and American Wool and Vine Growing, Manufacturing, Mining and Agricultural Association in the United States. Postponed and made the special order for to-morrow morning, 11 o'clock.
Bill to protect the culture of the grape and other fruits. Amended, on motion of Mr. Teague, by inserting the word "water-melons" after the word "grapes," and, as amended, passed its several readings, under a suspension of the rules, and ordered to be engrossed.

Bill to amend an act, entitled "An act to incorporate the Macon County Turnpike Company." Passed its several readings, under a suspension of the rules, and ordered to be engrossed.

The hour having arrived, the House resolved itself into a Committee of the Whole on the "Freedman's Code,"—Mr. Rayner in the chair. After some time spent therein, the Committee rose, and Mr. Rayner, on its behalf, reported progress, and asked leave to sit again at 12 o'clock to-morrow. And leave was granted accordingly.

Received a message from his Excellency, the Governor, transmitting a memorial from the Trustees of the University of the State, and, also, a communication from Rev. Dr. Curtis, Assistant State Geologist; which, on motion, were ordered to be sent to the Senate, with a proposition to print and refer to the Committee on Finance.

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

FRIDAY, FEBRUARY 2, 1866.

Prayer by Rev. Dr. Smedes.

Leave of absence until Thursday next was granted to Mr. Yellowley.

Mr. Smith, from the Committee on Finance, reported back the bill "To extend the time for redemption of lands sold for taxes," with the recommendation that it do not pass.

Mr. Logan, from the Committee on Cherokee Lands, to whom was referred the report of J. M. Shook, Provisional
Agent of the Western Turnpike, reported back the same, and asked to be discharged from its further consideration; which was so ordered.

Mr. Leigh presented additional recommendations of magistrates for the county of Tyrrell, which were approved and sent to the Senate for concurrence.

The following resolutions and bills were introduced, and severally referred, as follows:

By Mr. Paschall: Instructing the Judiciary Committee to enquire and report whether any, or what, relief can be provided by legislative action, for guardians and others, acting in a fiduciary capacity, from liability for losses arising out of investments in Confederate and State securities issued during the war.

By Mr. McDonald: Instructing the Committee on Finance to enquire and report as to the expediency of so amending the existing law, granting time to persons whose land has been sold for taxes in which to redeem the same, as to extend the term of redemption from one to three years.

By Mr. Blythe: Bill to perpetuate liens against real estate. Referred to the Committee on the Judiciary.

By Mr. Yellowley: Bill to amend "An act for the better regulation of the town of Greenville," and to increase the powers of the Commissioners of said town. Same reference.

By Mr. Russell: Bill to regulate pleadings in the Courts of Law in this State. Referred to the Committee on the Stay Law.

By Mr. Hoke: Bill to create an Agent for the State of North-Carolina, at Washington. Referred to the Committee on Federal Relations.

The calendar was then taken up, and the following bills, coming up on their second reading, were severally disposed of as stated, viz:

Bill to incorporate the North-Carolina Immigration Com-
pany. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

Bill to enlarge the jurisdiction of Justices of the Peace. Laid on the table.

Bill to punish the breaking into a house in the day time. Rejected.

Bill to amend chap. 114, Revised Code. Tabled.
Bill to amend sec. 30, chap. 54, Revised Code. Tabled.
Bill to repeal chap. 6, of an act of 1863, "authorizing the President and Directors of the Literary Fund to elect a Treasurer, and prescribe his duties." The amendment of the Committee being adopted, the bill, under a suspension of the rules, passed its several readings, and was ordered to be engrossed.

The hour having arrived for the consideration of the special order, viz: Bill to incorporate the English and American Vine and Wool-growing, Mining, Manufacturing and Agricultural Association in the United States,—the same was taken up.

Mr. Henry moved to amend, by inserting, after the word "Directors," "a majority of whom shall be citizens of, and reside in, the State of North-Carolina;" which did not prevail.

Mr. Henry moved also to amend, by inserting after the words "other places," the words "which shall be located and fixed in North-Carolina;" which was not carried.

The bill was then, on motion, referred to the Committee on the Judiciary.

Received a message from the Senate, proposing to raise a Joint Select Committee of three from the Senate and five from the House, to consider whether it would be to the advantage of the State to consolidate the North-Carolina Railroad Company and the Atlantic & North-Carolina Railroad Company; in which proposition the House declined to concur, and, on motion of Mr. Manly, a message was sent to the Sen-
ate, proposing to refer said matter to the Joint Select Committee on Railroads, heretofore raised.

Also, a message concurring in the appointment of Justices for the county of Edgecombe.

Also, concurring in the House proposition to refer the message of the Governor concerning State claims to property, &c., to the Committee on Finance.

Also, announcing the passage of the following engrossed resolutions, and asking the concurrence of the House therein, viz:

Resolution concerning the Public Square. Referred to the Committee on Public Buildings.
Resolution to furnish Revised Code to Clerks of the Courts, not already supplied. Placed on file.
Resolution in favor of Drewry King. Referred to Committee on Finance.

Also, a message proposing to vote at once for two Trustees of the University.

The House concurring, it proceeded to ballot, under the superintendence of Messrs. Kenan and Gaines,—the names of Messrs. Fowle, Benbow, Yellowley and P. Horton having been previously withdrawn from, and the name of Mr. H. M. Waugh having been added to, the list of nominees.

The appointed hour having arrived, the House resolved itself into Committee of the Whole on the "Freedmen’s Code,"—Mr. Rayner in the chair. After some time spent therein, the committee rose, and Mr. Rayner, on its behalf, reported progress, and asked leave to sit again on Monday next, 12 o’clock. And leave was accordingly granted.

Mr. Gaines, from the committee appointed to superintend the election of two Trustees of the University, reported that the whole number of votes cast was 149,—necessary to a choice 75; that Mr. Jenkins had received 71, Mr. Hyman 67, Mr. Hoke 51, Mr. Bynum 40, Mr. Haughton 26, and all others 31; and that there was no election.
And then, on motion of Mr. Faircloth, of Wayne, the House adjourned until to-morrow morning, 10 o'clock.

SATURDAY, February 3, 1866.

Prayer by Rev. Mr. Branson.

The Speaker announced Mr. Hoke as a member of the Committee on Federal Relations, to supply the vacancy occasioned by the resignation of Mr. Sharpe.

Mr. Manly, from the Committee on the Judiciary, to whom they were referred, reported favorably upon the bill to amend an act "for the better regulation of the town of Greenville," &c.; and favorably, with amendments, upon the bill "to incorporate the English and American Wool and Vine Growing, Mining, Manufacturing and Agricultural Association in the United States."

And, unfavorably, upon the bill "to perpetuate liens against Real Estate."

Mr. Manly, from the same committee, to whom was referred a resolution, instructing them to report whether any legislation is necessary to declare the meaning of section 51, chapter 46 Revised Code, and section 18, chapter 118 Revised Code, reported back a bill "to give further security to a widow for her year's provision;" which was read the first time and placed on file.

Mr. Joyner, from the Committee on Public Buildings, reported favorably upon the engrossed resolution from the Senate "concerning the Public Square."

Mr. Cameron, from the Committee on Federal Relations, reported favorably, with amendments, upon the bill "to create an Agent for the State of North-Carolina at Washington City."

Mr. Wheeler, from the Committee on Claims, reported favorably upon the resolution in favor of A. W. Fraps.

The following bills were introduced and severally disposed of as follows, to wit:
By Mr. Hutchison: Bill to incorporate the Trustees of the General Assembly of the Presbyterian Church in the United States of America. Placed on file.

By Mr. Manly: Bill to allow persons of Indian blood to bear testimony in controversies at law and in equity. Placed on file.

By Mr. Palmer: Bill for the relief of Hiram Hunter, former sheriff of Madison county. Referred to the Committee on the Judiciary.

The calendar was then taken up, and the following bills, coming up on their second reading, were severally disposed of as stated, viz:

Bill to amend an act entitled "An act for the better regulation of the town of Greenville," &c. Under a suspension of the rules, passed its several readings and ordered to be engrossed. And,

Bill to amend section 12, chapter 118 Revised Code. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

Mr. Melson submitted a list of magistrates for the county of Washington, which was approved and sent to the Senate for concurrence.

Received a message from the Senate, concurring in the recommendation of magistrates for the county of Tyrrell, and also in the proposition to print the memorial of the Trustees of the University and refer the same to the Committee on Finance.

Also, a message concurring in the recommendation of magistrates for the county of Washington; and also transmitting sundry additional recommendations for the counties of Northampton, Washington and Forsythe,—which were concurred in.

Also, a message announcing that the Senate had passed the engrossed bill "to authorize the Mayor and Commissioners of Fayetteville to issue certificates of indebtedness and appoint
assessors of taxables," with certain amendments, in which they asked the concurrence of the House. Laid over.

Received a message from his Excellency the Governor, covering the annual report of the Albemarle and Chesapeake Canal Company, and also a communication from the Principal of the Asylum for the Deaf, Dumb and the Blind, asking for directions as to the disposition of certain books in his possession belonging to the State; which were ordered to be sent to the Senate, with a proposition to print the same.

Received a message from the Senate, transmitting the following engrossed resolutions and asking the concurrence of the House therein, viz:

"RESOLUTIONS CONCERNING THE STATUS OF THE PRESENT SESSION OF THE GENERAL ASSEMBLY."

1. Resolved by this General Assembly, the House of Commons concurring, That the sitting of this General Assembly, which began on the 27th day of November, 1865, and terminated by adjournment on the 18th December, 1865, constitutes, and is hereby declared, and was so intended, to be one session of this General Assembly.

2. Resolved, That the sitting of this General Assembly, convened by the proclamation of the Governor on the 18th January, 1866, constitutes and is hereby declared to be one session of the General Assembly.

3. Resolved, That the present session of the General Assembly be brought to a close on the third day of February, 1866, by adjournment, to meet again on the 5th day of February, 1866.

4. Resolved, That the unfinished business depending in the two Houses of the General Assembly on the adjournment at the close of the present session, shall be continued over and resumed at the next session, which is to meet on the 5th day of February, 1866, as if there had been no adjournment."
Mr. Manly moved to amend by striking out all after the enacting clause and inserting the resolution reported by the majority of the Joint Select Committee on the subject, which is in the words following:

"That the adjournment of the Legislature, and its meeting again under the Proclamation of the Governor, is hereby declared to be but one session of this General Assembly."

Mr. Hoke moved to amend the amendment by substituting the following:

Resolved, That the session of the Legislature called by the Governor to meet on the 18th of January, 1866, is an extra session of the Legislature, and shall be considered to end on the 3rd day of February, 1866."

Pending debate whereon, the House, on motion of Mr. Russell, took a recess until 7 o'clock, P. M.

7 O'clock, P. M.

The House resumed the consideration of the engrossed resolutions "concerning the status of the present session of the General Assembly."

Mr. Manly moved to lay the resolutions and amendments upon the table; which motion did not prevail.

The amendment of Mr. Hoke was then rejected; and, Mr. Manly having withdrawn his amendment,

Mr. Smith, of Hertford, moved to amend by striking out the words "and was so intended" in the 5th line of the 1st resolution; which was carried.

Mr. Jenkins, of Warren, moved further to amend, by striking out the last two resolutions of the series, and inserting, in lieu thereof, the following, viz:

Resolved, That so much of the joint resolution of the first session of this General Assembly, ratified on the 7th December, 1865, as requires the General Assembly to meet again on the 5th day of February, is hereby rescinded.
Which was adopted.

Mr. Smith, of Hertford, moved still further to amend by inserting, in the 3rd line of the second resolution, in lieu of the words "one session," the words "a session," which was carried.

The resolutions, as amended, were then adopted, and sent to the Senate for concurrence in the amendments.

Received a message from the Senate, announcing that they had laid on the table the proposition to print the report of the Albemarle and Chesapeake Canal Company, and the communication of W. J. Palmer, Principal, &c., in reference to books printed for the use of the State.

Also, a message proposing to raise a joint select committee, of two on the part of the Senate, and four on the part of the House, to examine the books printed for the State at the Deaf and Dumb Institute, and report what disposition shall be made of them; which was concurred in, and Messrs. Newsum, Kenan, Bonner and Faircloth, of Greene, announced as the Committee on the part of the House.

Leave of absence until Wednesday next was granted to Messrs. Holmes and Allison.

Received a message from the Senate, concurring in the House amendments to the "Resolutions concerning the status of the present session of the General Assembly," and proposing, as an additional amendment, the following:

"Resolved, That all the unfinished business of the last session, which was continued over the recess, be resumed on the 5th day of February, as on an adjournment from day to day."

Mr. Waugh moved that the House do not concur; which motion did not prevail.

Mr. Caldwell moved to strike out the words "on the 5th day of February." Carried.

Mr. Smith, of Hertford, moved to insert, after the word "recess" the words "and is now undisposed of;" which also prevailed.
Mr. Wilson offered the following as a substitute for the amended resolution, viz:

"Resolved, That the unfinished business of the last session of this General Assembly, which adjourned Dec. 18, 1865, has been properly resumed at this session of the General Assembly; and that the General Assembly now in session shall be, and it is hereby declared to be, fully competent to the completion of all business that would have devolved on it at the adjourned session intended to commence on the 5th of February inst."

Which was adopted and transmitted to the Senate for concurrence.

Received a message from the Senate, concurring in the foregoing amendment of the House to the Senate amendment to the resolutions; and then,

On motion of Mr. Hoke, the House, at 11 o'clock, P. M., adjourned until Monday morning, 10 o'clock.

MONDAY, February 5, 1866.

Prayer by Rev. Mr. Atkinson.

The Speaker announced the following gentlemen as Composing the Committee on Enrolled Bills for the week, viz: Messrs. Russell, Hyman, Barnett, Carson and Teague.

Sundry recommendations of magistrates for the counties of Caswell, Davidson, Yadkin, Stanly, Randolph, Sampson, Wilson and Harnett were submitted, approved, and sent to the Senate for concurrence.

The following resolutions and Bills were introduced, and severally disposed of, as follows, viz:

By Mr. Waugh: Resolutions in relation to the United States Land Tax. Referred to the Committee on Donation of Public Lands.

By Mr. Smith, of Hertford: Resolution accepting a dona-
tion of lands by the Congress of the United States, under the act approved February 2, 1862. Same reference.

By the same: Resolution authorizing the Governor to appoint a commission of three persons to examine the laws passed since the adoption of the Revised Code, and to prepare and report to the General Assembly, at its next session, a digest of the same, &c. Referred to the Committee on the Judiciary.

By Mr. McNair: Resolution concerning collection and distribution of copies of the Revised Code. Committee on Finance.

By Mr. Harper: Resolution defining the duty of the Governor with regard to the distribution of the act "for the complete re-organization of the State Government, and for other purposes," ratified February 1, 1866. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. Hodnett: Resoluting restricting debate. Lies over under the rule.

By Mr. Hoke: Resolution concerning the suspension of the United States Land Tax. Referred to the committee on donation of Public Lands.

By Mr. Crawford: Resolution in favor of Jacob Siler, agent of the State for the collection of Cherokee Bonds. Referred to the Committee on Cherokee Lands.

By Mr. Smith, of Hertford: Bill further suspending the operation of the Statute of Limitations. Referred to the Committee on the Judiciary.

By Mr. Jenkins, of Warren: Bill in relation to the Judiciary. Ordered to be printed and referred to the Committee on the Judiciary.

By Mr. Manly: Bill supplemental to, and amendatory of, an act, ratified January 25, 1866, entitled "An act for the corporation government of the city, &c., of Newbern." Under
a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Burton: Bill to incorporate the Leaksville Male Academy, in the county of Rockingham, and to appoint the Trustees thereof. Referred to the Committee on Corporations.

The bill to authorize the Mayor and Commissioners of the town of Fayetteville to issue certificates of indebtedness and appoint assessors of taxables was taken up, the amendments of the Senate agreed to, and it informed thereof by message.

The calendar was then taken up, and the following bills, &c., coming up on their second reading, were severally disposed of as follows, viz:

Bill to incorporate the High Shoals Railroad Company. Passed its several readings, under a suspension of the rules, and ordered to be engrossed.

Senate bill to incorporate the Albemarle Steam Navigation Company. Passed its several readings, under a suspension of the rules, and ordered to be enrolled.

Bill to extend time for redemption of lands sold for taxes. Laid on the table for the present.

Senate bill to furnish the Revised Code to the clerks of the several counties not already supplied. Referred to the Committee on Finance.

Bill to perpetuate liens on Real Estate. Laid on the table for the present.


Senate resolution concerning the Public Square. Under a suspension of the rules, passed its several readings, and ordered to be enrolled.

Bill for the relief of Guardians. Tabled.

Bill to create an agent for the State at Washington. Made the special order for Wednesday next, 11 o'clock.

Bill to amend chapter 114 Revised Code, entitled "Usury;"
Pending debate on which, the hour having arrived for going into Committee of the Whole, the order to that effect was, on motion of Mr. Smith, of Hertford, postponed until Thursday next, 12 o'clock.

The bill was then rejected,—yeas 42, nays 50; the yeas and nays being demanded by Mr. Kinney.

Those who voted in the affirmative, are:

Those who voted in the negative are:

On motion of Mr. Waugh, the vote, by which the foregoing bill failed to pass its second reading, was reconsidered, and the bill was then made the special order for to-morrow, 11 o'clock.

Received a message from the Senate, transmitting the following engrossed bills, and asking the concurrence of the House therein, viz:

Bill to amend the act of incorporation of the town of Clinton, in Sampson county: which, under a suspension of the
rules, passed its several readings and was ordered to be enrolled. And,

Bill concerning the North-Carolina Institution for the Deaf and Dumb and the Blind; which was referred to the Committee on Finance.

Also, a message announcing Messrs. Cowles, Cooper and Ferebee as the Senate branch of the Committee on Enrolled Bills for the week.

Also, transmitting a recommendation of magistrates for the county of Watauga; which was concurred in.

Received a message from his Excellency, the Governor, relative to the Cherokee Indians in this State, and also transmitting the resignation of W. W. Lenoir, Esq., as one of the Councillors of State; which were ordered to be sent to the Senate.

The calendar of bills, &c., on their third reading, was taken up and they were disposed of as stated, viz:

Resolution making an appropriation for transcribing, &c., the records of the office of Secretary State. Passed third reading, but subsequently reconsidered, on motion of Mr. Smith, of Hertford, and replaced on file.

Bill restoring jury trials, in criminal cases, to the Courts of Pleas and Quarter Sessions of the State.

Mr. McKay moved to amend, by adding, at the end of sec. 1, the following:

"Provided, however. That the Justices of the Peace of the different counties, (a majority being present,) in their discretion may, or may not, accept the provisions of this act."

Which not prevailing, the bill then passed its third reading and was ordered to be engrossed.

Received a message from the Senate, proposing to refer the communication from his Excellency, the Governor, in regard to the Cherokee Indians, to a Joint Select Committee of two from the Senate and three from the House, and announcing Messrs. Keener and Gash as their branch of said Committee;
which was concurred in, and Messrs. Wilson, Crawford and Dickey announced as the committee on the part of the House.

Also, concurring in the recommendation of magistrates for the county of Wilson.

Also, asking concurrence in a proposition to refer an accompanying memorial from the Dismal Swamp Canal Company, to the Committee on Finance. Agreed to.

On motion of Mr. Simmons, the House adjourned until tomorrow morning 10 o' clock.

TUESDAY, February 6, 1866.

Sundry recommendations of magistrates for the counties of Jackson, Yancey, Mitchell, Cherokee, Clay and Alamance were submitted, approved and sent to the Senate for concurrence.

Mr. Chadwick submitted a memorial from citizens of Craven and Beaufort counties, praying for the erection of a new county out of parts thereof; which was read and referred to the Committee on Propositions and Grievances.

Mr. Manly, from the Committee on the Judiciary, reported favorably, with amendments, upon the bill further suspending the operation of the statute of Limitations.

The resolution "restricting debate," offered on yesterday by Mr. Hodnett, and laid over under the rule of the House, coming up,

Mr. Baxter moved to lay the same on the table; which did not prevail.

The resolution was then rejected.

The following bills were introduced and severally disposed of as follows:

By Mr. Hoke: Bill for the relief of R. B. Paschall, former Sheriff of Chatham. Referred to the Committee on the Judiciary.
By Mr. Ferrell: Bill for the relief of W. H. High, former Sheriff of Wake. Same reference.

By Mr. Bryson: Bill to appoint a tax collector for the county of Jackson. Same reference.

By Mr. Garland: Bill (accompanied by a memorial,) to alter the county line between Mitchell and Yancey. Referred to the Committee on Propositions and Grievances.

By Mr. Hutchison: Bill to incorporate the Rudisil Gold Mining Company, in the county of Mecklenburg. Referred to the Committee on Corporations.

The calendar was then taken up, and the following bills, coming up on their second reading, were severally disposed of as stated, to-wit:

Bill to give further security to a widow for her year's provision. Under a suspension of the rules, passed its several readings, and ordered to be engrossed. And, Bill to incorporate the Trustees of the General Assembly of the Presbyterian Church in the United States of America. Passed second reading.

The hour having arrived for the special order, viz: Bill to amend chap. 114, Revised Code, entitled "Usury," the same was taken up.

Mr. Waugh moved to amend, by striking out "ten," wherever it occurs in the bill, and inserting "seven," which was not carried.

Mr. Waugh then moved to lay the bill on the table; which was rejected,—yeas 40, nays 55; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:

Messrs. Ashworth, Blair, Burgess, Burton, Caldwell, Craig, Dalby, Davis, of Carteret, Fythe, Furr, Henry, Hodnett, Holderby, Hoke, Horton, Houston, Hutchison; Kinney, Matthews, McDonald, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Chatham, Murrill, Niven, Nicks, Newsum, Palmer,
Paschall, Potter, Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Trull, Waugh and York.

And those who voted in the negative are:


Mr. Wheeler moved to amend, by striking out "ten," wherever it occurs in the bill, and inserting "eight;" which did not prevail,—yeas 41, nays 56; the yeas and nays being demanded by Mr. Wheeler.

Those who voted in the affirmative are:

Messrs. Ashworth, Blair, Blythe, Bonner, Bryson, Burgess, Caldwell, Coates, Craig, Crawford, Dickey, Farrow, Furr, Gidney, Hamilton, Harrison, Henry, Hoke, Horton, Hutchison, Jones, Kinney, Leigh, of Tyrrell, Logan, Matthews, McAden, McIntosh, McKay, Melson, Moore, of Alamance, Niven, Nicks, Potter, Rayner, Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Trull, Wheeler and York.

Those who voted in the negative are:

Messrs. Arrington, Beasley, Black, Burton, Cameron, Candler, Carson, Cowan, Cox, Dalby, Dargan, Davis, of Carteret, Everett, Faircloth, of Green, Faircloth, of Wayne, Faison, Ferrell, Flythe, Gaines, Garland, Harper, Hawes, Hodnett, Holderby, Houston, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Luke, Manly, Marler, McDonald, McEachern, McGuire, McNair, Moore, of Chatham, Moore, of Martin, Murphy, Murrill, Newsum, Pal-

The question then recurring upon the passage of the bill on its second reading, it was rejected,—yeas 43, nays 52; the yeas and nays being demanded by Mr. Hoke.

Those who voted in the affirmative are:


Those who voted in the negative are:


On motion of Mr. Dargan, a message was sent to the Senate, proposing to vote forthwith for two Trustees of the University.

Received a message from the Senate, concurring in the recommendations of magistrates for the counties of Jackson, Yancy, Mitchell, Alamance, Clay and Cherokee.

Also, recommending additional magistrates for the counties of Cumberland, Gates and Iredell. Conceded in.

Also, transmitting an engrossed bill "for the benefit of the firemen of Wilmington," which, under a suspension of the
rules, passed its several readings, and was ordered to be enrolled.

Also, concurring in the proposition to vote forthwith for two Trustees of the University.

Whereupon, the House proceeded to ballot, under the superintendence of Messrs. Kenan and Gaines.

After which, and before the result was announced, the House, on motion of Mr. Waugh, adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, February 7, 1866.

Robert T. Campbell, member elect from the county of Iredell, appeared, produced his credentials, was qualified according to law, and took his seat.

Leave of absence for one week was granted to Mr. Flythe, and extension of leave to Mr. Simmons.

Additional recommendations of magistrates for the counties of Union and Cherokee were submitted, approved, and sent to the Senate for concurrence.

Mr. Logan, from the Committee on Cherokee Lands, reported favorably upon the bill "for the relief of Jacob Siler, Agent of the State for the collection of Cherokee bonds."

Mr. Hoke, from the Committee on Internal Improvements, reported adversely, for reasons stated, upon the bill "to establish a ferry on Hiwassie river."

Mr. Gaines, from the committee appointed on yesterday to superintend the election of two Trustees of the University, reported that the whole number of votes cast was 134,—necessary to a choice 68; that Mr. Jenkins had received 68, Mr. Hyman 60, Mr. Bynum 60, Mr. Hoke 52, Mr. Haughton 11, and all others 15; and that Mr. W. A. Jenkins, having received a majority of the whole number of votes cast, was duly elected. Which report was concurred in.
The following bills were introduced, and severally disposed of, as follows, viz:

By Mr. Hutchison: Bill to authorize the construction of a toll-bridge across the Catawba river, at or near the Rock Island Factory, between the counties of Mecklenburg and Gaston. Referred to the Committee on Internal Improvements.

By Mr. Cowan: Bill to incorporate the Bladen Land Company. Referred to the Committee on Corporations.

By Mr. Murrill: Bill to incorporate the Richlands Female Academy, in the county of Onslow. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. Caldwell: Bill to legalize the transfer of registered bonds of this State to bearer. Referred to the Committee on Propositions and Grievances.

By Mr. McAden: Bill to amend an act entitled "An act to incorporate the town of Graham, in the county of Alamance." Referred to the Committee on Corporations.

By Mr. Marler: Bill for the relief of Michael Spainhour, late Tax Collector for the county of Burke. Referred to the Committee on the Judiciary.

On motion of Mr. Waugh, a message was sent to the Senate, proposing to vote at once for one Councillor of State, to fill the vacancy occasioned by the resignation of W. W. Le Noir, and announcing the following gentlemen as being in nomination, viz: Messrs. Jas. T. Morehead, Jr., G. W. Logan, Giles Mebane, N. A. McLean, Tyre Glenn, Jo. J. Davis, J. N. Cloud, J. C. McDowell, Chas. M. Stedman, R. F. Simonton and R. P. Dick.

The hour having arrived for the consideration of the special order, viz: the bill "To create a State Agent at Washington," the same was taken up.

Mr. Russell moved to postpone the bill indefinitely; which
motion prevailed,—yeas 67, nays 34; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Allison, Beasley, Blair, Burton, Cameron, Carson, Craig, Davis, of Carteret, Dunn, Flythe, Garland, Gidney, Henry, Holderby, Hoke, Hutchison, Hyman, Jenkins, of Warren, Joyner, Kenan, Logan, Manly, Matthews, McDonald, McEachern, McIntosh, McKay, Melson, Murphy, Newsum, Shaw, Thigpen, Thompson and Webb.

On motion of Mr. Manly, a message was sent to the Senate, proposing to raise a Joint Select Committee of two on the part of the Senate, and three on the part of the House, to take into consideration the communication of Rev. Dr. Curtis, in relation to a catalogue of plants in North-Carolina, and report in the premises.

Received a message from the Senate, concurring in the recommendation of magistrates for the county of Cherokee, and refusing to concur in the proposition to ballot for Councillor of State.

Also, proposing to raise a Joint Select Committee of two from the Senate and three from the House of Commons, to enquire into the expediency of having the State printing and
binding done at the State office and bindery attached to the Deaf, Dumb and Blind Asylum. Concluded in, and Messrs. Allison, Arrington and McEachern designated as the committee on the part of the House.

Also, proposing to raise a Joint Select Committee of two from the Senate and three from the House, to take into consideration the propriety of collecting the papers, &c., belonging to the Quartermaster's, Commissary's and Adjutant General's offices of the State, and placing the same in the State Capitol. Concluded in, and Messrs. Waugh, Kenan and Smith, of Cumberland, announced as the House branch of the Committee.

Also, recommending the appointment of sundry magistrates for the counties of Halifax, Duplin and Johnston; which were concurred in.

Also, transmitting an engrossed bill "In relation to Constables and other officers," and asking the concurrence of the House therein. Referred to the Committee on the Judiciary.

The Calendar was then taken up, and the following bills, coming up on their second reading, were disposed of as stated, viz:

Bill to authorize the Banks of the State to take stock in National Banks. Made special order for Tuesday, 13th inst., 12 o'clock, M.

Bill further suspending the operation of the Statute of Limitations. The amendment recommended by the committee having been adopted, the bill passed its second reading.

Bill to allow persons of Indian blood to bear testimony in controversies at law and in equity. Made the special order for Wednesday, 14th inst., 12 o'clock, M.

Resolution in favor of A. W. Fraps. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

And the following bills, &c., coming up on their third reading, were disposed of as follows, viz:
Bill to incorporate the English and American Vine and Wool Growing, Mining, Manufacturing and Agricultural Association in the United States. Passed and ordered to be engrossed.

Bill to incorporate the Trustees of the General Assembly of the Presbyterian Church of the United States of America. Amended, on motion of Mr. Hutchison, by striking out the words "of America," wherever they occur, and passed and ordered to be engrossed.

Resolution providing for transcribing, &c., certain records in the office of Secretary of State. Laid on table for present.

On motion of Mr. Wilson, a message was sent to the Senate, proposing to ballot at once for a Trustee of the University. And,

The Senate concurring, the House proceeded to ballot, under the superintendence of Messrs. Kenan and Gaines.

Mr. Smith, of Hertford, from the Committee on Finance, to whom was referred the memorial of the Trustees of the University, by leave, reported back a resolution entitled a "Resolution for the relief of the University of North-Carolina;" which, being read,

Mr. Smith moved that the rules be suspended and the resolution put upon its several readings; which was carried.

Mr. Waugh moved to amend, by inserting, after the word "University," the words "and $50,000 for the use of the Common Schools of the State."

Mr. Crawford moved to amend the amendment by inserting "$200,000" in lieu of "$50,000;" which did not prevail.

The amendment was then rejected,—yeas 29, nays 67; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative, are:

Messrs. Blair, Blythe, Bryson, Caldwell, Campbell, Candler, Carson, Crawford, Davis, of Carteret, Dickey, Everett, Horton, Jones, Kinney, Matthews, McAden, McDonald, McIntosh,

Those who voted in the negative, are:


The resolution then passed its second reading,—yeas 62. nays 34; the yeas and nays being demanded by Mr. York.

Those who voted in the affirmative are:


Those who voted in the negative are:

Eachern, Moore, of Chatham, Nicks, Palmer, Paschall, Rosebro', Scogggin, Teague, Trull, Waugh and York.

The resolution then further passed its third reading, and was ordered to be engrossed.

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

THURSDAY, February 8, 1866.

Additional recommendations of magistrates for the counties of Iredell, Greene, Burke and Rockingham were submitted, approved and sent to the Senate for concurrence.

The Speaker announced the resignation of Neill McKay, member of this House from the County of Harnett, to take effect on the 10th inst., and directed a writ of election to be issued for Monday, 19th inst., to fill the vacancy.

The Speaker designated Mr. Joyner as a member of the Committee on the Asylum for the Deaf, Dumb and the Blind, to supply the vacancy occasioned by the resignation of Mr. McKay.

Mr. Smith, of Hertford, from the Committee on Finance, reported back the bill "concerning the North Carolina Institute for the Deaf, Dumb and Blind," with the recommendation that it do pass.

Mr. Hutchison, from the Committee on Internal Improvements, reported favorably upon the bill "to authorize the construction of a toll-bridge across the Catawba river, at or near the Rock Island Factory, between the counties of Mecklenburg and Gaston."

Mr. Murrill, from the Committee on Propositions and Grievances, reported favorably upon

Bill to legalize the transfer of registered bonds of this State to bearer; and
Bill to alter the county line between the counties of Mitchell and Yancey.

Mr. Murrill, from the same Committee, to whom was referred the memorial of citizens of Beaufort and Craven counties, praying the erection of a new county out of parts thereof, reported that it is inexpedient, at present, to grant the prayer of the memorialists; whereupon, the Committee was discharged from the further consideration of the subject.

Mr. Gaines, from the Committee appointed on yesterday to superintend the election of a Trustee of the University, reported that the whole number of votes cast was 135,—necessary to a choice 68; that Mr. Bynum received 63, Mr. Hyman 42, Mr. Hoke 29, and Mr. Jones 1; and that there was no election. Which report was concurred in.

The following resolution and bills were introduced and respectively referred to the Committee on the Judiciary, viz:

By Mr. Murphy: Resolution directing said committee to take into consideration so much of the Governor's message as relates to the Attorney General.

By Mr. Candler: Bill in relation to Landlords.

By Mr. Garland: Bill to prevent obstruction to the passage of fish in Caney river, in the county of Yancey.

Mr. Waugh offered the following resolution, which was adopted, viz:

Resolved, That the Governor be requested to inform this General Assembly, whether, from his correspondence with the manufacturers of artificial limbs, or otherwise, he has satisfactory information whether an artificial arm is of any utility or merely ornamental. Also, what the artificial arm will cost, and the probable number to be supplied under the resolution of this General Assembly, ratified on the 23d January last.

The calendar was then taken up, and the following bills, coming up on their second reading, were severally disposed of, as stated, viz:
Bill to establish a ferry on Hiwassic river. Tabled.

Bill for the relief of Jacob Siler, Agent of the State for the collection of Cherokee bonds. Under a suspension of the rules passed its several readings, and ordered to be engrossed.

Senate bill "concerning the North-Carolina Institute for the Deaf, Dumb and the Blind." Passed its several readings, under a suspension of the rules, and ordered to be enrolled.

The bill, "further suspending the operation of the Statute of Limitations," coming up on its third reading, was passed, and ordered to be engrossed.

The hour having arrived, the House resolved itself into Committee of the Whole on the "Freeman's Code,"—Mr. Rayner in the chair. After some time spent therein, the committee rose, and Mr. Rayner, on its behalf, reported progress, and asked leave to sit again to-morrow at 11 o'clock. And leave was granted accordingly.

Received a message from the Senate, recommending the appointment of magistrates for the counties of Moore, Nash, Cumberland and Pasquotank; which were concurred in and the Senate informed thereof by message.

Also, a message concurring in the recommendation of magistrates for the county of Union.

Also, a message concurring in the proposition to raise a Joint Select Committee to take into consideration the communication of Rev. Dr. Curtis, in relation to a catalogue of the plants of North-Carolina, and announcing Messrs. Ferebee and Carter as the Senate branch of said committee.

Whereupon, the Speaker designated Messrs. Cowan, Hyman and Webb, as the committee on the part of the House.

On motion of Mr. Hoke, the House adjourned until to-morrow morning, 10 o'clock.
FRIDAY, FEBRUARY 9, 1866.

Prayer by Rev. Dr. Smedes.

The Speaker announced Mr. McNair as a member of the Committee on Education, to fill the vacancy occasioned by the resignation of Mr. Sharpe; and Mr. Campbell as a member of the Committee on Propositions and Grievances and Claims, respectively, in lieu of Mr. Sharpe, resigned, and Mr. Hanrahain, deceased.

Leave of absence until Tuesday next was granted to Messrs. Jones, Teague and Hodnett, and, until Wednesday next, to Mr. Jenkins, of Gaston.

Additional recommendations of magistrates for the counties of Harnett and Alexander were submitted, approved and sent to the Senate for concurrence.

Mr. Manly, from the Committee on the Judiciary, to whom were referred the memorials of W. A. Blount, Administrator, and Robert S. Ledbetter, respectively, concerning the loss of certain State bonds, reported back the same, and asked, for reasons stated, to be discharged from their further consideration; which was so ordered.

Mr. Manly, from the same committee, reported favorably, with amendments, upon

Bill in relation to landlords;

Unfavorably upon

Resolution authorizing the Governor to appoint Commissioners to prepare a digest of the laws passed since the adoption of the Revised Code, &c.; and favorably upon

Senate bill in relation to constables and other officers.

Mr. Blackmer, from the Committee on Corporations, reported favorably upon

Bill to incorporate the Rudisil Gold Mining Company;

Bill to incorporate the Leakesville Male Academy;

Bill to amend an act to incorporate the town of Graham, in Alamance county; and

Bill to incorporate the Bladen Land Company.
Mr. Smith, of Hertford, from the Committee on Finance, reported favorably, with amendments, upon the Senate resolution to furnish the Revised Code to clerks of the several courts, not already supplied.

Mr. Wheeler, from the Committee on Donation of Public Lands, reported favorably upon the resolutions accepting a donation of lands by the Congress of the United States, under the act approved July 2, 1862.

Mr. Baxter, from the Committee on Swamp Lands, to whom was referred a resolution of enquiry, directing them to ascertain the amount and value of the Swamp Lands belonging to the Literary Fund, submitted a report thereon; which was ordered to be printed.

Mr. Smith, of Hertford, from the Joint Select Committee, to whom was referred the report of the Commissioners of the Sinking Fund, submitted a report thereon, accompanied by the following resolution, viz:

Resolved, That the Commissioners of the Sinking Fund, for the ability, faithfulness and integrity with which they have discharged their onerous and responsible duties, retain the undiminished confidence of the General Assembly.

Which was adopted, and the report and resolution ordered to be printed.

The following resolution and bill were introduced and respectively referred to the committee on the Judiciary, viz:

By Mr. Dunn: Resolution instructing said committee to enquire into the policy and expediency of perfecting and establishing a Mechanics' Lien Law; and

By Mr. Cox: Bill in favor of sureties of J. R. White, deceased, late sheriff of Perquimans county.

The bill to alter the county line between the counties of Mitchell and Yancey, coming up on its second reading, passed the same.

The hour having arrived, the House resolved itself into Committee of the Whole on "Freedmen's Code,"—Mr. Mc-
Aden in the chair,—and, after some time spent therein, the committee rose, and Mr. McAden, on its behalf, reported back to the House, with amendments, the "bill concerning Negroes, Indians, and persons of color, or of mixed blood," and recommended that it do pass. Whereupon, said bill was, on motion, referred to the Committee on the Judiciary.

Received a message from the Senate, transmitting a communication from the Comptroller of the State, with a proposition to refer the same to the committee of Conference on the salary of Comptroller. Concurred in.

The following resolution and bills were introduced by leave, viz:

By Mr. Faison: Resolution proposing to send a message to the Senate, asking for a Joint Select Committee to examine into the condition of the public business, and report when an adjournment can be effected without detriment to the same.

By Mr. Hoke: Bill to enable the Banks of the State to close their business. Ordered to be printed and referred to the Committee on Finance.

By Mr. Russell: Bill to secure creditors in certain cases. Referred to the Committee on the Judiciary.

Mr. Caldwell, from the special committee, to whom was referred the bill "authorizing the appointment of boards of arbitration," &c., by leave, reported back a substitute for the same, entitled "A bill to authorize the reference of disputes by consent of the parties;" which, on motion of Mr. Waugh, was ordered to be printed, and made the special order for Thursday, 15th inst., 11 o'clock.

On motion of Mr. Hutchison, the House adjourned until tomorrow morning, 10 o'clock.
SATURDAY, February 10, 1866.

Prayer by Rev. Mr. Hudson.

Leave of absence until Tuesday next was granted to Mr. Manly.

Mr. Faircloth, of Wayne, was announced as a member of the Judiciary Committee, in place of Mr. McKay, resigned.

Additional recommendations of magistrates for the counties of Randolph, Beaufort, and Rowan were submitted, approved and sent to the Senate for concurrence.

Received a message from the Senate, concurring in the recommendation of Justices for the counties of Harnett, Alexander and Caswell.

Also, transmitting other recommendations for the county of Caswell; which were concurred in.

Mr. Marler presented a memorial from citizens of Mitchell county, concerning the county-seat of said county; which was referred to the Committee on Propositions and Grievances.

Mr. Holberby, from the Committee of Conference of the two Houses, relative to their disagreement on the bill "to repeal an act establishing the office of Auditor," submitted a report, recommending that the Senate concur in the House amendment to the bill, to wit: Strike out that part of the bill, which allows the Comptroller a Clerk.

The following bills were introduced, and severally referred as stated, viz:

By Mr. Smith, of Hertford: Bill improving the laws of evidence. Ordered to be printed and referred to the Committee on the Judiciary.

By Mr. Allison: Bill to incorporate Stokes Lodge, No. 32, F. & A. Masons. Corporations.

By Mr. Craig: Bill to incorporate Mystic-tie Lodge, No. 237, F. & A. Masons. Same reference.

By Mr. Holmes: Bill to incorporate Union Mining Co., in Rowan county. Same reference.
By Mr. Logan: Bill for the relief of Geo. M. Green, Sheriff of Cleveland county. Judiciary.

By Mr. Cowan: Bill to repeal so much of sec. 20 of an act "to change the jurisdiction of the Courts and the rules of pleading therein," ratified Sept. 11, 1861, as requires executors to give security. Same reference.

Received a message from the Senate, refusing to concur in the proposition to raise a Joint Select Committee upon the subject of adjournment.

The calendar was then taken up, and the following bills, etc., coming up on their second reading, were severally disposed of as stated, viz:

Senate bill "concerning constables and other officers." Under a suspension of the rules, passed its several readings, and ordered to be enrolled.

Bill in relation to landlords: Re-committed to the Judiciary Committee.

Bill to incorporate the Bladen Land Company. Passed second reading.

Bill to amend an act "to incorporate the town of Graham." Passed second reading.

Bill to incorporate the Leakesville Male Academy. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

Bill to incorporate the Rudisil Gold Mining Company. The amendments of the Committee were adopted, and passed second reading.

Resolution authorizing the Governor to appoint a Commission to prepare a digest of laws, &c. Tabled.

Senate bill to furnish copies of the Revised Code to Clerks, &c., not already supplied. Amendment suggested by Committee adopted, and passed second reading.

Resolutions accepting donation of public lands, under act of Congress, ratified July 2, 1862. Passed several readings, under a suspension of the rules, and ordered to be engrossed.
Bill to punish persons pursuing and injuring horses, and other live stock, with intent to steal them. Passed second reading.

Bill to prevent wilful trespasses on lands, and stealing any kind of property therefrom. Passed second reading. And,

Bill to punish vagrancy. On motion of McNair, this bill, and all the others of the series, reported by the Commission upon the subject of Freedmen, were referred to the Judiciary Committee.

The bill "to alter the county line between Mitchell and Yancey counties," coming up on its third reading, passed the same, and was ordered to be engrossed.

On motion of Mr. Craig, a message was sent to the Senate, proposing to vote forthwith for a Councillor of State, and announcing that Messrs. J. M. Cloud and J. C. McDowell were withdrawn from nomination.

The Senate concurring, the House proceeded to vote as follows, under the superintendence of Messrs. Harrison and Stilly, viz:


For Mr. Davis—Messrs. Bonner, Foster, Jenkins, of Granville, Judkins, Smith, of Hertford, and Yellowley—6.
For Mr. Mebane—Messrs. Farrow, Gaines and Harrison—3.
For Mr. McLean—Messrs. McNair, Shaw and Smith, of Cumberland—3.
For Mr. Glenn—Messrs. Faison and Nicks—2.

On motion of Mr. Wilson, a message was sent to the Senate, proposing to ballot forthwith for a Trustee of the University, and stating that the name of J. H. Hyman was withdrawn from nomination.

Mr. Stilly, from the Committee appointed to superintend the election of a Councillor of State, reported that the whole number of votes cast was 122,—necessary to a choice 62; that Mr. Simonton had received 62, Mr. Morehead 17, Mr. Logan 14, Davis 12, and all others 17; and that Mr. Simonton, having received a majority, was duly elected. Which report was concurred in.

Received a message from the Senate, refusing to concur in the proposition to vote forthwith for Trustee of the University.

On motion of Mr. Waugh, the House adjourned until Monday morning, 10 o'clock.

MONDAY, FEBRUARY 12, 1866.

Prayer by Rev. Mr. Atkinson.

Leave of absence for one day was granted to Mr. Caldwell.

The Speaker announced the following gentlemen as constituting the Committee on Enrolled Bills for the week, viz: Messrs. Stilly, Jenkins, of Gaston, Blythe, Cox and Crawford.

Additional recommendations of magistrates for the counties of Edgecombe, Union and Brunswick were submitted, approved, and sent to the Senate for concurrence.

Mr. Ashworth presented a memorial from Justices of the
Peace of Randolph county, praying the repeal of certain portions of the late Revenue Law, which was ordered to be sent to the Senate, with a proposition to refer to the Committee on Finance.

Mr. McAden, from the Committee on Salaries and Fees, reported back a bill entitled a "Bill to regulate Salaries and Fees," which was, on motion, ordered to be printed.

Mr. Holderby, from the Committee on Finance, reported favorably upon the Senate bill in favor of Drewry King. Passed second reading.

The following resolution and bills were introduced, and severally disposed of, as follows, viz:

By Mr. Gaines: Resolution concerning the Rules of Order of this House. Referred to the committee on Propositions and Grievance.

By Mr. Dickey: Bill to incorporate the Hiwassie Turnpike Company. Referred to the Committee on Internal Improvements.

By Mr. Farrow: Bill to establish a Board of Commissioners of Navigation. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. Murrill: Bill to consolidate and amend the several acts heretofore passed for the better regulation of the town of Jacksonville, in Onslow county. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. Davis, of Carteret: Bill to repeal section 17 of an act of 1825, "for the better regulation of the town of Beaufort. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. Jenkins, of Warren: Bill concerning assignments. Ordered to be printed and referred to Committee on Judiciary.

The calendar was then taken up, and the following bill coming up on its second reading, passed the same, viz:

Bill to establish a Toll-bridge across the Catawba river, at or near Rock Island Factory.
And the following, coming up on their third reading, were severally passed, and ordered to be engrossed, viz:

Bill to incorporate the Bladen Land Company;
Bill to amend an act to incorporate the town of Graham; and
Bill to incorporate the Rudisil Gold Mining Company.

The Senate bill providing for distribution of copies of the Revised Code to Clerks, &c., not already supplied, passed its third reading, and was sent to the Senate for concurrence in the amendments heretofore adopted.

Mr. Thigpen moved that a message be sent to the Senate proposing to vote forthwith for a Trustee of the University; which was so ordered,—but the Senate subsequently refused to concur.

Received a message from the Senate, refusing to concur in the House amendments to the bill "providing for distribution of copies of the Revised Code to Clerks, &c., not already supplied," proposing a Committee of Conference relative to the disagreement, and announcing Messrs. Ferebee and Gash as the Senate branch of said committee. The House concurred, and Messrs. Holmes and Yellowley were designated as the committee on the part of the House.

Also, a message agreeing to the recommendations of magistrates for the counties of Edgecombe, Beaufort and Brunswick.

Also, transmitting sundry recommendations for Justices for the counties of Hertford, Duplin and Union; which was concurred in.

Also, announcing Messrs. Boner, Gash and Wilson as the Senate branch of the Committee on Enrolled Bills for the week.

Also, announcing their concurrence in the House amendments to the engrossed bill, entitled "A bill to repeal an act to establish the office of Auditor of Public Accounts." So the bill was ordered to be enrolled.

Also, a message announcing that the Senate had passed the
engrossed bill to amend an act to incorporate the Tuckasegee and Keowee Turnpike Company, and asking the concurrence of the House in the same. Concurred in, and the Senate informed thereof by message.

Also, transmitting an engrossed bill "to prevent the sale of spirituous liquors in the town of Salem;" which was read and placed on file.

A communication was received from Messrs. R. W. Allison, W. H. Wheeler, A. H. Davis and A. D. McLean, Directors of the Lunatic Asylum, tendering their resignation as such; which was read and ordered to be transmitted to the Senate.

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

TUESDAY, February 13, 1866.

Prayer by Rev. Mr. Cobb.

Additional recommendations of magistrates for the counties of Johnston, Surry and Macon were submitted, approved and sent to the Senate for concurrence.

A communication was received from Jas. Keener, one of the Directors of the Lunatic Asylum, tendering his resignation as such; which was ordered to be transmitted to the Senate.

Mr. Webb presented a memorial from certain Justices of Orange county, praying a reasonable compensation to magistrates for their services: which was referred to the Committee on Propositions and Grievances.

Mr. Bryson, from the Committee on Internal Improvements, reported favorably, with amendments, upon the bill to incorporate the Hiwassie Turnpike Company.

Mr. Blackmer, from the Committee on the Judiciary, reported favorably, with amendments, upon

Bill to secure to agricultural labors their pay in kind;
Bill to punish persons pursuing and injuring horses and other live stock, with intent to steal them;
Bill to punish vagrancy; and
Bill to repeal so much of sec. 20 of an act ratified Sept. 11, 1861, entitled "an act to change the jurisdiction of the courts and the rules of pleading therein," as requires executors to give security.
Favorably upon the following:
Bill more effectually to secure the maintenance of bastard children, and the payment of fines and costs on conviction in criminal cases;
Bill to prevent enticing servants from fulfilling their contracts or harboring them; and
Bill to prevent wilful trespasses on lands and stealing any kind of property therefrom.
And adversely upon the bill to secure creditors in certain cases.
Mr. Manly, from the Committee on the Judiciary, reported unfavorably upon
Bill to prevent obstructions to the passage of fish in Cauney river;
Bill to appoint a tax collector for the county of Jackson; and
Memorial of Benj. Matthews, of the county of Johnston.
Mr. Manly, from the same committee, to whom was referred so much of the Governor's message as relates to the Attorney General, reported that it is inexpedient, at the present time, to take action in the premises.
Mr. Blackmer, from the Committee on Corporations, reported favorably, with amendments, upon
Bill to incorporate the Union Mining Company;
And favorably upon
Bill to incorporate Mystic-tie Lodge, No. 237, Free and Accepted Masons; and
Bill to incorporate Stokes Lodge, No. 32, Free and Accepted Masons.

Mr. Waugh, from the Committee on the Stay Law, reported adversely to the bill to regulate pleadings in the courts of law of this State.

The following resolutions and bills were introduced and severally disposed of as follows, viz:

By Mr. Holderby: Resolution authorizing the Public Treasurer to pay traveling expenses, in certain cases, of citizens who may be entitled to artificial limbs under the act of this General Assembly. Referred to Committee on Finance.

By Mr. Blythe: Resolution relating to Evening Sessions of this House. Lies over under the rules.

By Mr. McNair: Bill for the relief of Executors, Administrators, Trustees, Guardians, and others, acting in a fiduciary capacity. Referred to Committee on Judiciary.

By Mr. Waugh: Bill in favor of William Haymore, sheriff of Surry county. Filed.

By Mr. Furr: Bill to establish a Homestead Freehold. Referred to the Committee on the Judiciary.

By Mr. Cox: Bill to empower the Courts of Pleas and Quarter Sessions to authorize executors and administrators to sell for cash. Judiciary.

Received a message from his Excellency, the Governor, in reply to a resolution of the House requesting certain information relative to the procurement of artificial limbs; which was ordered to be sent to the Senate.

Also, transmitting a communication from the Public Treasurer, relative to place of deposit of State monies; which was ordered to be sent to the Senate, with a proposition to refer to the Committee on Finance.

The following bills, coming up on their second reading, were severally disposed of as follows:

Senate bill to prevent the sale of spirituous liquors in the town of Salem. Referred to Committee on the Judiciary.
Bill to legalize the transfer of registered bonds of this State to bearer. Passed.

Mr. Murrill announced, in appropriate terms, the death, in this City, of Isaac N. Sanders, Senator from the county of Onslow.

Whereupon, on motion of Mr. Manly, the House, as a tribute of respect to the memory of the deceased, adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, FEBRUARY 14, 1866.

Received a message from the Senate, concurring in the proposition to refer the memorial of Justices of the Peace of the county of Randolph to the Joint Committee on Finance.

Also, transmitting a recommendation of magistrates for the county of Hyde, which was concurred in.

Mr. Hoke, from the Committee on Internal Improvements, to whom were referred sundry bills for the relief of Sheriffs, &c., with the enquiry whether said bills were of a public or private nature, submitted the following report, viz:

"After investigation, a majority of the Committee are of opinion, that such acts are public acts, and will not therefore violate 5th clause, article 1, of the Constitution of the State. The Committee are of opinion that such bills, when passed, will fall under that class of acts denominated 'public local acts.'

"It is difficult to distinguish between public and private acts,—to point out where the one ends and the other begins. But the Constitution of the State, in requiring public notice to be given, of an intention to apply for the passage of a private law, intended to guard against any legislation which would impair the rights of individuals unheard and confer privileges on the applicants for such laws. These bills do not conflict with such intention. They impair the right of no
They simply amend the law relative to the Sheriffs, which before was a public law. A privilege only is granted to the officer. Rail Road charters, Canal and Turnpike Road charters are public local laws. And, with such acts, a majority of the Committee think may be classed acts for the relief of Sheriffs. All of which is respectfully submitted," &c.

Mr. Manly, from the Committee on the Judiciary, reported favorably, with amendments, upon

Bill for relief of John A. Oates, Sheriff of Sampson;
Bill for the relief of W. N. Perkins, late Tax Collector of Pitt county;
Bill to empower Ro. McFarland, late Sheriff of Polk county, to collect arrears of taxes;
Bill in favor of J. N. Benners, and others, of Haywood county;
Bill in favor of W. H. High, late Sheriff of Wake;
Bill in favor of Jesse B. Lee, late Sheriff of Currituck Co.;
Bill for relief of Hiram Hunter, former Sheriff of Madison county;
Bill for relief of R. B. Paschall, late Sheriff of Chatham county;
Bill for relief of Michal Spainhour, late Tax Collector of Burke county; and
Bill in favor of the sureties of J. R. White, late Sheriff of Perquimans county.

Mr. Murrill, from the Committee on Propositions and Grievances, to whom was referred a memorial from the citizens of Mitchell county, relative to the county-seat of the same, asked to be discharged from the further consideration of the subject; which was so ordered.

Mr. Waugh, from the Select Committee on the Stay Law, reported unfavorably upon the bill "to consolidate the acts relating to the Courts, and for other purposes."

The following resolutions and bills were introduced, and severally disposed of, as stated, viz:
By Mr. Murphy: Resolution instructing the Judiciary Committee to enquire what relief, if any, can be afforded Administrators, Executors, Guardians and Trustees, who received Confederate money or invested in Confederate bonds. Referred accordingly.

By Mr. Ferrell: Resolution in favor of Charles Keuster & Brother. Referred to Committee on Claims.

By Mr. Cowan: Bill to incorporate the inhabitants of the town of Wilmington. Referred to the Committee on Corporations.

By Mr. Hall: Bill for relief of Culpeper Austin, Sheriff of Union county. Judiciary.

By Mr. Webb: Bill to incorporate "Little River Select School," in the county of Orange. Filed.

The resolution relative evening to sessions of this House, introduced on yesterday, was, on motion of Mr. Waugh, laid on the table.

Received a message from the Senate, transmitting a recommendation of magistrates for the county of Yadkin; which was, on motion of Mr. Nicks, laid on the table.

Also, a message transmitting an engrossed bill, entitled a "bill to incorporate Transylvania Seminary, in Transylvania county," and asking the concurrence of the House in the same. Placed on file.

The calendar was then taken up, and the bill "to regulate salaries and fees" coming up on its second reading,

Mr. Blackmer moved to amend, by inserting "eighteen hundred dollars," as the salary of the Private Secretary of the Governor, in lieu of "one thousand dollars."

Mr. Baxter offered the following, as a substitute for the bill; which did not prevail:

"Be it enacted, &c., That, from and after the ratification of this act, the Governor of the State shall receive, as his salary, the sum of $4000 per annum."

The question recurring upon the amendment of Mr. Black-
mer; it was lost,—yeas 3, nays 95; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:

Messrs. Blackmer, Cowan and Dargan.

Those who voted in the negative are:


Mr. Hoke moved to amend by striking out "four thousand dollars," as the salary of the Governor, and inserting "three thousand" in lieu thereof; which was adopted,—yeas 70, nays 32; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Beasley, Black, Blair, Blythe, Bryson, Burgess, Burton, Caldwell, Candler, Carson, Coates Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Farrow, Flythe, Furr, Garland, Gidney, Hamilton, Harrison, Henry, Hodnett, Holderby, Hoke, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Judkins, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lyon, Manly, Marler, McEachern, McGuire, McNair,
Melson, Moore, of Chatham, Moore, of Martin, Murphy, Mur- rill, Niven, Nicks, Palmer, Paschall, Potter, Rayner, Rosebro', Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thigpen, Thompson, Trull, Waugh, Webb, Williams and York.

Those who voted in the negative are:


Mr. McAden moved further to amend, by inserting after the word "business," in the 12th line of the bill, the following:

"The per diem of the members of the General Assembly shall be three dollars; and all laws and clauses of laws, coming in conflict with this section, be and the same are hereby re- pealed."

Pending discussion upon which amendment, the hour having arrived for the consideration of the special order, to wit:

"The bill to allow persons of Indian blood to bear testimony in controversies at law and in equity," the same was, on motion, postponed for the present.

Mr. Blackmer moved to amend the amendment by insert- ing "one dollar" in lieu of "three dollars." Lost.

Mr. Farrow moved that the bill be indefinitely postponed; which motion did not prevail.

Mr. Murphy moved to amend the amendment, by inserting "five dollars" in lieu of "three dollars." Lost.

The question then recurring upon the amendment of Mr. McAden, it was not carried.

Mr. Smith, of Hertford, moved to amend by striking out the second clause of the first section; and inserting as follows:

"The Councillors of State shall receive the same compensation which is allowed to a member of the General Assembly.
for every day he may attend on public business, and for every thirty miles' travelling to and from the City of Raleigh on public business."

Which was adopted.

Mr. Smith, of Hertford, moved further to amend, by striking out, in clause 3rd, sec. 1, after the words "twenty-five hundred dollars," the words "and for every extra term of the Superior Court, which a Judge may hold, one hundred dollars, and that one week shall constitute a term;" which was adopted.

Mr. Hoke moved further to amend by striking out "$2500," as the salary of the Superior Court Judges, and inserting "$2250" in lieu thereof. Lost.

Mr. Caldwell, of Guilford, moved to amend by substituting the following for the amended clause:

"The Judges of the Superior Courts $100 for every term of said court which they may hold, and one week shall constitute a term."

Which did not prevail.

Mr. McNair moved further to amend by striking out "$2500," as the salary of the Public Treasurer, and inserting "$2000" in lieu thereof; which was adopted,—yeas 52, nays 39,—the yeas and nays being demanded by Mr. Dickey.

Those who voted in the affirmative, are:

Messrs. Allison, Ashworth, Beasley, Black, Blythe, Bryson, Burton, Caldwell, Campbell, Carson, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Everett, Farrow, Flythe, Furr, Garland, Gidney, Hamilton, Hodnett, Houston, Jenkins, of Gaston, Jenkins, of Warren, Jones, Kenan, Kinney, Leigh, of Tyrrell, Logan, Lyon, Manly, MeEachern, McGuire, McIntosh, McNair, Moore, of Chatham, Moore, of Martin, Nicks, Palmer, Rayner, Rosebro, Shaw, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague, Trull, Waugh, Yellowley and York.

Those who voted in the negative, are:

Messrs. Barnett, Blackmer, Cameron, Candler, Chadwick,

Mr. Rayner moved further to amend, by striking out "$1500," as the salary of the Chief Clerk of the Treasurer, and inserting "$1000" in lieu thereof; which was adopted.

Mr. Marler moved further to amend by inserting "$1500," as the salary of the Secretary of State, instead of "$1000;" which did not prevail.

Mr. Jenkins, of Warren, moved further to amend, by striking out "$1000," as the salary of the Private Secretary of the Governor, and inserting "$500" in lieu thereof: which was adopted.

Mr. Rayner moved also to amend the same clause, by striking out the word "double" before the words "the fees;" which was adopted.

Mr. Hoke moved further to amend, by striking out, in clauses 8 and 9, section 1, concerning Attorney General and Solicitor, the word "thirty" and inserting "twenty" in lieu thereof. Carried.

Mr. Marler moved also to amend the same clauses, by striking out, in each, the words "fifty per cent. in addition to" before the words "the fees." Carried.

Mr. Rayner moved further to amend, by striking out "$1000," as the salary of the Reporter of the Supreme Court, and inserting "$600" in lieu thereof; which was adopted.

Mr. Rayner moved further to amend by striking out the last clause of the first section, relating to a Messenger in the Executive Office; which prevailed.

Mr. Smith, of Hertford, moved to amend the second section, by striking out all after the word "act," in line 3, and inserting "or with such provisions of chapter 102, Revised Code
as are not superseded by this act, be and the same are hereby repealed." Which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, after the word "Code" at the close of the 9th clause, sec. 1, the words "and, in cases of acquittal by the jury, the fees which would have been respectively taxed on conviction against the defendant shall be paid by the county to such Solicitor."

Pending debate upon which, Mr. Blackmer moved that the House adjourn until to-morrow morning, 10 o'clock.

Mr. Crawford moved to amend by inserting "7 o'clock this P. M." Lost.

The original motion then prevailed, and the House adjourned until to-morrow morning, 10 o'clock.

THURSDAY, February 15, 1866.

Prayer by Rev. Dr. Mason.

Leave of absence for an indefinite period, from and after to-day, was granted to Mr. Rayner.

An additional recommendation of magistrates for the county of Anson was submitted, approved and sent to the Senate for concurrence.

Mr. Manly, from the Judiciary Committee, reported favorably, with amendments, upon the "bill concerning Negroes, Indians and persons of color, or of mixed blood."

Mr. Jenkins, of Warren, submitted a report, on behalf of a minority of said Committee, adverse to the passage of the bill.

The bill, as amended in Committee of the Whole, together with the reports from the Judiciary Committee, were ordered to be printed.

Mr. Murrill, from the Committee on Propositions and Grievances, reported back the memorial of Justices of the Peace of
Orange county, praying compensation to magistrates, asking its reference to the Committee on Salaries and Fees; which was ordered accordingly.

Mr. Murrill, from the same Committee, reported unfavorably upon the memorial of Brodnax and Wilkins, relative to the ferry over the Roanoke, at Gaston, and asked to be discharged from its further consideration; which was so ordered.

Mr. Paschall, on behalf of a minority of the same Committee, submitted a counter report, accompanied by a bill, entitled "A bill to repeal an act authorizing the Raleigh and Gaston Railroad Company to establish a ferry at Gaston," which was read and placed on file.

Mr. Waugh, from the Special Committee appointed to collect certain papers in the Adjutant General's, and other, offices, and have them deposited in the State Capitol, reported that they had performed that duty, and asked to be discharged; which was so ordered.

The following resolutions and bills were introduced and severally disposed of as stated, viz:

By Mr. Waugh: Resolution in favor of R. W. Best, Secretary of State. Referred to Committee on Claims.

By Mr. Baxter: Resolution in regard to the Swamp Lands. Referred to the Committee on Swamp Lands.

By Mr. Blythe: Resolution of inquiry concerning the Attachment Law of 1861. Referred to Committee on the Judiciary.

By Mr. Hamilton: Bill to assist owners of real estate in securing the titles therefor. Same reference.

By Mr. Scoggin: Bill in favor of Martin Walker, Sheriff of Rutherford county. Same reference.

The unfinished business of yesterday, being the "Bill to regulate Salaries and Fees," was then taken up,—the pending question being on the amendment of Mr. Smith, of Hertford, to allow tax fees to Solicitors in cases of acquittal by a jury.

Mr. Jenkins, of Granville, moved to amend the amendment,
by striking out the 9th clause, and inserting, in lieu thereof: "Each Solicitor of the State $100 for every term of the Superior Court he may attend." Lost.

The question then recurring upon the amendment of Mr. Smith, it was not adopted.

Mr. Hoke moved to amend by striking out the whole of sec. 3, after the enacting clause, and inserting, in lieu thereof, the following:

"That this act shall be in force from its passage, and the legal effect and operation shall not be controlled by sec. 35, chap. 52, Rev. Code."

Which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, at the end of sec. 1, the following: "Public Librarian five hundred dollars." Which was adopted.

Mr. McNair moved to re-consider the vote by which, on yesterday, the fifth clause of sec. 1 was amended, by striking out "$1500," as the salary of the Chief Clerk of the Treasurer, and inserting "$1000" in lieu thereof; which motion prevailed.

The question then recurring on striking out, it did not prevail.

Mr. Marler moved to re-consider the vote by which, on yesterday, the first clause of sec. 1 was amended, by striking out "$4000," as the salary of the Governor, and inserting "$3000" in lieu thereof; which motion prevailed.

The question first recurring on striking out,—a division of the question having been demanded by Mr. Jenkins, of Warren—the same did not prevail; yeas 42, nays 65.

Mr. Rayner demanded the yeas and nays; and, the demand being sustained,

The following gentlemen voted in the affirmative:

Messrs. Allison, Ashworth, Beasley, Blythe, Bonner, Bryson, Burgess, Caldwell, Carson, Coates, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Farrow, Flythe, Garland, Ham-
iltoii, Hoke, Houston, Hutchison, Jenkins, of Gaston, Jones, Kinney, Leigh, of Tyrrell, Manly, McGuire, McNair, Melson, Moore, of Chatham, Moore, of Martin, Nicks, Page, Palmer, Paschall, Rayner, Smith, of Guilford, Stilley, Scoggin and Waugh.

And the following in the negative:


Mr. Waugh moved to postpone the further consideration of the bill, and to make it the special order for Monday next, 12 o'clock. Lost.

Mr. Horton moved to reconsider the vote by which, on yesterday, "$1000" was stricken out, in clause 7, sec. 1, as the salary of the Private Secretary of the Governor, and "$500" inserted; which motion did not prevail.

The bill, as amended, then passed its second reading; and, on motion of Mr. Thigpen, the rules were suspended, and it was put upon its third reading, when

Mr. McAden moved to amend by inserting, at the end of sec. 1: "Messenger in the Executive office, five hundred dollars;" which did not prevail,—yeas 31, nays 69; the yeas and nays being demanded by Mr. Jones.

Those who voted in the affirmative are:

Messrs. Allison, Barnett, Black, Burgess, Chadwick, Cox, Craig, Dargan, Donnell, Dunn, Fairecloth, of Wayne, Ferrell,
Foster, Harper, Horton, Judkins, Kenan, Manly, Marler, McAden, McDonald, McNair, Moore, of Alamance, Murphy, Murrill, Niven, Rosebro', Shaw, Smith, of Cumberland, Smith, of Hertford, and Wheeler.

Those who voted in the negative are:


The bill then passed its third reading, and was ordered to be engrossed.

Received a message from the Senate, transmitting an engrossed bill, entitled "A bill to extend the time allowed to widows to enter their dissent to the last wills and testaments of their husbands," and asking the concurrence of the House therein. Referred to Committee on Judiciary.

Also, announcing that they had passed, with amendments, the engrossed bills "To charter the High Shoals Railroad Company" and "To amend an act to incorporate the Macon County Turnpike Company," and asking the concurrence of the House in said amendments. Concurred in, and the Senate informed thereof by message.

Received a message from his Excellency, the Governor, announcing a vacancy in the Solicitorship of the 6th Judicial District, occasioned by the death of L. Q. Sharpe, Esq.; which was ordered to be sent to the Senate.

On motion of Mr. Smith, of Hertford, the bill "To author-
ize the Banks of the State to take stock in National Banks," which was passed over on Tuesday last, was made the special order for to-morrow, (Friday,) at 11 o'clock.

On motion of Mr. Manly, the bill, passed over on yesterday, "to allow persons of Indian blood to bear testimony in controversies at law and in equity," was referred to the Judiciary Committee.

The special order for the day, to wit: "Bill to authorize the reference of disputes by consent of parties," was then taken up, and the bill passed its second reading,—yeas 63, nays 30; the yeas and nays being demanded by Mr. Caldwell,

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Blythe, Cameron, Chadwick, Donnell, Dunn, Everett, Faircloth, of Wayne, Farrow, Foster, Furr, Harper, Henry, Hodnett, Hoke, Jenkins, of Granville, Leigh, of Tyrrell, Lyon, Manly, Marler, Melson, Moore, of Chatham, Murphy, Murrill, Smith, of Hertford, Thigpen, Thompson, Webb, Williams, Wilson and Yellowley.

Received a message from the Senate, proposing to raise a Joint Select Committee of two from the Senate and three from the House, to whom shall be referred the whole subject of supplying artificial limbs to soldiers disabled in the service of
the State; which was concurred in, and Messrs. Yellowley, Hutchison and Bryson designated as the House branch of said committee.

On motion of Mr. McAden, a message was sent to the Senate, proposing to vote forthwith for Solicitor of the 6th Judicial District, and announcing that Messrs. A. J. Dargan, W. P. Caldwell and D. M. Furches are in nomination; in which proposition the Senate subsequently refused to concur.

Mr. Harper (by leave) introduced a bill "to amend the act incorporating the town of Lenoir, in Caldwell county." Referred to the Committee on Corporations.

Mr. Nicks moved that the House do now adjourn until to-morrow morning, 10 o'clock.

Mr. Wilson moved to amend, by substituting "4 o'clock this P. M;" which did not prevail.

The motion was then adopted, and the House adjourned until to-morrow morning, 10 o'clock.

FRIDAY, FEBRUARY 16, 1866.

Prayer by Rev. Mr. Smedes.

Lewis Hilliard, member elect from the county of Pitt, appeared, produced his credentials, was qualified, and took his seat.

Leave of absence for one week was granted to Messrs. McEachern and Murphy; for one day to Messrs. Moore, of Chatham, and Smith, of Guilford; for five days to Mr. Paschall; until Thursday next to Mr. Allison, and, until Friday next, to Mr. Faison.

Additional recommendations of magistrates for the counties of Northampton, Burke, Halifax, Carteret and Onslow were submitted, approved, and sent to the Senate for concurrence.

Mr. Smith, of Hertford, from the Committee on Finance, to
whom was referred the resolution authorizing the Public Treasurer to pay the travelling expenses, in certain cases, of citizens entitled to artificial limbs under the act of this General Assembly, submitted a report thereon, and asked to be discharged from the further consideration of the subject; which was so ordered.

Mr. Blackmer, from the Committee on Corporations, reported favorably upon

Bill to incorporate the inhabitants of the town of Wilmington; and

Bill to amend the act incorporating the town of Lenoir in Caldwell county.

Mr. Manly, from the Committee on the Judiciary, to whom were referred sundry bills and resolutions on the subject of a Homestead, reported back, as a substitute for the whole, a bill, entitled "A bill to establish Freehold Homesteads for the citizens of the State;" which was read and ordered to be printed.

Mr. Manly, from the same committee, reported favorably upon

Bill in favor of George M. Green, Sheriff of Cleaveland county; and

Senate bill to prevent the sale of spirituous liquors in the town of Salem, Forsythe county.

Mr. Waugh, from the Joint Select Committee on the Stay Law, to whom were referred various resolutions of enquiry, reported a bill, entitled "A bill to change the jurisdiction of the Courts and the rules of pleading therein;" which was read, ordered to be printed, and made the special order for Tuesday next, 20th inst., 11 o'clock.

The following resolution and bills were introduced, and severally disposed of, as stated, viz:

By Mr. Yellowley: Resolution in favor of Mrs. Sarah Hanrahan, widow of Walter S. Hanrahan, deceased. Under a
suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. Moore, of Alamance: Bill to incorporate the North-Carolina Mining Company. Referred to the Committee on Corporations.

By Mr. Smith, of Cumberland: Bill to authorize the County Courts of Cumberland to appoint Inspectors of Naval Stores. Referred to the Committee on Propositions and Grievances.

On motion of Mr. Jenkins, of Warren, a message was sent to the Senate, proposing to vote forthwith for Solicitor of the 6th Judicial District; in which proposition the Senate subsequently refused to concur.

The calendar was then taken up, and the following bills, coming up on their second reading, were severally disposed of as follows, viz:

Bill to incorporate the Hiawassie Turnpike Company. Amendments recommended by the committee adopted, and passed.

Bill to punish vagrancy. Committee amendments adopted and passed.

Bill to prevent enticing servants from fulfilling their contracts or harboring them. Passed.

Bill to secure to agricultural laborers their pay in kind. Committee amendment adopted and passed.

Bill more effectually to secure the maintenance of bastard children, and the payment of fines and costs, on conviction in criminal cases. Passed.

The hour having arrived for the consideration of the special order, viz: "Bill to authorize the Banks of this State to take stock in National Banks," the same was taken up, and, after some time spent in debate thereon, it failed to pass its second reading,—yeas 44, nays 58; the yeas and nays being demanded by Mr. McDonald.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Barnett, Baxter, Blackmer, Blair,

Those who voted in the negative, are:

Messrs. Beasley, Black, Bryson, Burgess, Caldwell, Cameron, Candler, Carson, Chadwick, Coates, Crawford, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Everett, Faircloth, of Wayne, Flythe, Foster, Furr, Gaines, Henry, Hodnett, Holderby, Horton, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Jenkins, Kinney, Logan, Lyon, Matthews, McDonald, McGuire, McNair, Nelson. Murvill, Nicks, Page, Potter, Rayner, Rosebro', Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Thigpen, Thompson, Trull, Waugh, Wilson, Yellowley and York.

Received a message from the Senate, announcing that they had passed the engrossed bill "Further suspending the operation of the statute of Limitations," with an amendment, in which they asked the concurrence of the House; but the House refused to concur.

Also, announcing that they had passed the following engrossed resolution and bills, in which they asked the concurrence of the House, viz:

Resolution concerning Cherokee Indians;

Bill to authorize certain Cherokee Indians to remain permanently in North-Carolina; and

Bill to authorize the Wardens of the Poor, in case any indigent person becomes chargeable to a county, possessed of any estate, to subject the same to the indemnity thereof;

All of which were read and placed on file.

Also, a message announcing that they had passed "The
bill to regulate the terms of the Supreme Court, and for other purposes," with an amendment, in which they asked the concurrence of the House; but the House refused to concur.

Also, announcing that they had passed a substitute, proposed by the Committee of Conference, for the Senate resolution "to furnish copies of the Revised Code to clerks, &c., not already supplied." The House concurring, the same was ordered to be enrolled.

The following bills were introduced, by leave, viz:

By Mr. Hoke: Bill to re-enact sec. 4, ch. 102, Revised Code. Placed on file.

By Mr. Wilson: Bill relating to debts created during the late war. Referred to Committee on Judiciary.

From the Finance Committee: Bill entitled "Revenue." Read and ordered to be printed.

The consideration of the calendar was then resumed, and the following bills, coming up on their second reading, were severally disposed of as stated, viz:

Bill to incorporate the Union Mining Company. Passed.

Bill to appoint a tax collector for Jackson county. Lost.

Bill to prevent obstructions to the passage of fish in Caney River. Lost.

Bill to incorporate the inhabitants of the town of Wilmington. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

On motion of Mrs. Waugh, the House adjourned until tomorrow morning, 10 o'clock.

SATURDAY, FEBRUARY 17, 1866.

Additional recommendations of magistrates for the counties of Alexander, Gates, Lincoln, Chowan and Cleaveland were submitted, approved, and sent to the Senate for concurrence.
Leave of absence for one week was granted to Mr. Chadwick, until Thursday next to Mr. Holderby, until Tuesday next to Mr. Foster, and for one day to Messrs. Coates, Houston and Potter.

Mr. Murrill, from the Committee on Propositions and Grievances, reported favorably upon the bill "to allow the County Court of Cumberland to appoint an Inspector of Naval Stores."

Mr. Manly, from the Committee on the Judiciary, reported favorably upon

Bill to extend time for widows to enter their dissent to the last wills and testaments of their husbands;

Bill to establish work-houses or houses of correction in the several counties of the State;

Bill to punish seditious language, insurrections and rebellions in the State; and

Bill to empower Courts of Pleas and Quarter Sessions to authorize Executors and Administrators to sell for cash.

Mr. Manly, from the same committee, to whom was referred a resolution of enquiry as to the policy and expediency of perfecting and establishing a Mechanics' Lien Law, submitted a report thereon, and asked to be discharged from the further consideration of the subject; which was so ordered.

The following bills were introduced and severally disposed of, as stated, viz:

By Mr. Waugh: Bill to repeal so much of sec. 2, chap. 68, Revised Code, entitled "Marriages," as requires the Clerk to take bond. Referred to the Committee on the Judiciary.

By Mr. Stilley: Bill for relief of the President, Directors and Company of the Washington toll-bridge. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

Mr. Hutchison moved to re-consider the vote, by which, on yesterday, the bill "to authorize the Banks of the State to take stock in national banks" failed to pass its second reading.

Mr. Waugh moved to lay the motion on the table; which
did not prevail,—yeas 34, nays 48; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:

Messrs. Beasley, Black, Burgess, Caldwell, Cameron, Carson; Dargan, Davis, of Carteret, Davis, of Halifax, Everett, Faircloth, of Green, Faircloth, of Wayne, Ferrell, Flythe, Gaines, Henry, Hodnett, Jenkins, of Gaston, Judkins, Kinney, Leigh, of Tyrrell, Logan, McDonald, McGuire, Melson, Niven, Nicks, Page, Smith, of Columbus, Stilley, Scoggin, Thompson, Trull and Waugh.

Those who voted in the negative are:


Mr. Thompson moved to amend the motion, by proposing to make the bill the special order for Wednesday next, 12 o'clock; which was not carried.

The motion to re-consider was then ordered to lie over.

Received a message from the Senate, transmitting recommendations of magistrates for the counties of Harnett and Rutherford; which were concurred in.

Also, other recommendations for the counties of Alamance and Cleaveland, which were ordered to lie on the table for the present.

Also, concurring in recommendations of Justices for the counties of Alexander, Gates, Ghowan, Cleveland, Halifax and Carteret.

Also, announcing that the Senate had refused to recede from its amendments to the engrossed bills, "further suspend-
ing the operation of the Statute of Limitations," and "To reg-
ulate the terms of the Supreme Court, and for other pur-
poses."

Whereupon, the House concurred in the amendments to
the former, but again disagreed to those to the latter, and in-
vited conference thereon,—Messrs. Smith, of Hertford, and
Manly being designated as the House branch of the Com-
mittee.

The calendar was then taken up, and the following bills,
&c., coming up on their second reading, were severally dis-
posed of as stated, viz:

Bill to repeal so much of sec. 20, act of 1861, "to change
jurisdiction of Courts," &c., as requires Executors to give se-
curity. Amendments recommended by Committee adopted,
and passed second reading.

Bill to incorporate Mystic-tie Lodge, No. 237, F. & A. M.
Under a suspension of the rules, passed its several readings,
and ordered to be engrossed.

Bill to incorporate Stokes Lodge, No. 32, F. & A. M. Passed
second reading.

Bill to incorporate Little River Select School. Passed sec-
ond reading.

Senate bill to incorporate Transylvania Seminary. Under
a suspension of the rules, passed its several readings and or-
dered to be enrolled.

Bill to repeal "act authorizing R. & G. R. R. Company to
establish a ferry at Gaston." Referred to Judiciary Committee.

Bill to amend "act incorporating the town of Lenoir." Rules suspended, passed several readings, and ordered to be engrossed.

Senate bill to prevent the sale of spirituous liquors in the
town of Salem. Laid on table for the present.

Bill to re-enact sec. 4, chap. 102, Revised Code. Under sus-
pension of the rules, passed its several readings, and ordered
to be engrossed.
Senate resolution concerning Cherokee Indians. Under suspension of the rules, passed its several readings, and ordered to be enrolled.

Senate bill to authorize certain Cherokee Indians to remain permanently in North Carolina. Passed several readings, and ordered to be enrolled.

Senate bill to authorize wardens of the poor, in case any indigent person becomes chargeable to a county, possessed of any estate, to subject the same to the indemnity thereof. Passed several readings, and ordered to be enrolled.

Bill to punish seditious language, insurrections and rebellions in the State. Passed several readings and ordered to be engrossed.

Bill for relief of Jesse B. Lee, late Sheriff of Currituck county. Amendments of Committee adopted, and passed second reading.

Bill to authorize County Court of Cumberland to appoint an Inspector of Naval Stores. Passed several readings, under a suspension of the rules, and ordered to be engrossed.

Bill to empower Courts of Pleas and Quarter Sessions to authorize Executors and Administrators to sell for cash.

Mr. Burgess moved to amend by striking out the word "Executors." Lost.

Mr. Garland moved to amend, by inserting, after the word "cash," at the end of sec. 1, the words "so far as is absolutely necessary to meet pressing demands on the estate." Lost.

Mr. Manly moved to amend, by adding the word "Guardians" after the word "Administrators;" which was adopted.

The bill, as amended, under a suspension of the rules, passed its several readings, and was ordered to be engrossed.

Bill to establish work-houses or houses of correction in the several counties of the State. Passed second reading.

Received a message from the Senate, transmitting the following engrossed bills, &c., and asking the concurrence of the House therein, viz:
Bill to outlaw felons who flee from justice. Referred to Judiciary Committee.

Bill concerning private acts of incorporations. Same reference.

Resolution concerning the collection of the State taxes in Beaufort county. Under a suspension of the rules, passed its several readings, and ordered to be enrolled. And,

Bill to authorize the Clerk of the Court of Pleas and Quarter Sessions of Chowan county to qualify the Sheriff elect of said county. Amended, on motion of Mr. Bonner, and, under a suspension of the rules, passed its several readings, and sent to the Senate for concurrence in the amendment.

Received a message from the Senate, concurring in the proposition to raise a Committee of Conference on the bill "to regulate the terms of the Supreme Court, and for other purposes," and announcing Messrs. Morehead and Carter as the Senate branch of said Committee.

Also, transmitting an engrossed resolution "in favor of Edward Sanders, Executor of Isaac N. Sanders," and asking the concurrence of the House therein. Under a suspension of the rules, passed its several readings and ordered to be enrolled.

Also, concurring in the House amendment to the bill "to authorize the Clerk of the Court of Pleas and Quarter Sessions of Chowan county to qualify the Sheriff elect of said county." So the bill was ordered to be enrolled.

On motion of Mr. Luke, the House adjourned until Monday morning, 10 o'clock.

MONDAY. February 19, 1866.

Prayer by Rev. Mr. Atkinson.

Leave of absence until Wednesday next was granted to Mr. Faircloth, of Wayne.

Recommendations of magistrates for the counties of Mc-
Dowell and Alamance were submitted, approved and sent to the Senate for concurrence.

The Speaker announced Messrs. Kenan, Houston, Jones, Campbell and Shaw as the Committee on Enrolled Bills for the week.

Mr. Hoke presented the Pension Certificate of Daniel Tucker, a citizen of Lincoln, which was referred to the Committee on Claims.

Mr. Yellowley, from the Committee on the Judiciary, to whom was referred a resolution of enquiry upon the subject of relief for Administrators, Guardians, &c., reported the same back and asked to be discharged from the further consideration of the same; which was so ordered.

Mr. Yellowley, from the same committee, reported unfavorably upon the bill "for the relief of Executors, Guardians, &c., and others, acting in a fiduciary capacity."

Mr. Manly, from the same committee, reported favorably the bill "concerning assignments." Made the special order for Thursday next, 22d inst., 12 o'clock.

Mr. Blackmer, from the same committee, reported a bill entitled "A bill for the relief of sheriffs and tax collectors," which was read and placed on file.

Mr. Jenkins, of Granville, from the Committee on Education, to whom was referred a bill for the benefit of the Public Schools of the State, reported back a substitute for the same, entitled "A bill for the benefit of the Common Schools;" which was read and ordered to be printed.

Mr. Wilson, from the same committee, reported back the bill "to amend section 26, chapter 66, Revised Code, entitled Literary Fund and Common Schools," and asked to be discharged from its further consideration; which was ordered accordingly.

The following resolution and bill were introduced and referred as stated, viz:
By Mr. Waugh: Resolution concerning official papers in the clerk's office. Finance.

By Mr. Logan: Bill to revive and amend an act to incorporate Sulphur Springs Camp Ground, in the county of Cleveland. Corporations.

The calendar was then taken up, and the following bills, coming up on their second reading, were severally disposed of as stated, viz:

- Bill to secure creditors in certain cases. Re-referred to the Judiciary Committee.

- Bill concerning Negroes, Indians, and persons of color, or of mixed blood. Made the special order for Wednesday, 21st inst., 12 o'clock.

- Senate bill to extend the time for widows to dissent from the last wills and testaments of their husbands. Under a suspension of the rules, passed its several readings and ordered to be enrolled.

- Bill for relief of Executors, Guardians, and others, acting in a fiduciary capacity. Rejected.

- Bill to amend sec. 26, ch. 66, Revised Code, entitled "Literary Fund and Common-Schools." Rejected.

And the following bills, coming up on their third reading, passed the same and were ordered to be engrossed:

- Bill to authorize the construction of toll-bridge across the Catawba river, near Rock Island Factory;

- Bill to punish persons pursuing and injuring horses, and other live stock, with intent to steal them;

- Bill to prevent wilful trespasses on lands, and stealing any kind of property therefrom;

- Bill to incorporate the Hiwassie Turnpike Company;

- Bill to punish vagrancy;

- Bill to prevent enticing servants from fulfilling their contracts, or harboring them;

- Bill to secure to agricultural laborers their pay in kind;

- Bill more effectually to secure the maintenance of bastard
children, and the payment of fines and costs, on conviction in criminal cases.

Bill to incorporate the Union Mining Company, in Rowan county.

Bill to repeal so much of section 20, act of 1861, "to change jurisdiction of courts," &c., as requires executors to give security;

Bill to incorporate Stokes Lodge, No. 32, Free and Accepted Masons;

Bill to incorporate Little River Select School;

Bill to establish work-houses or houses of correction in the several counties of the State; and

Bill to legalize the transfer of registered bonds to bearer.

And the following passed its third reading, and was ordered to be enrolled, viz:

Senate resolution in favor of Drury King.

On motion, the rules were suspended, and the bill "for the relief of sheriffs and tax collectors," this day reported from the Judiciary Committee, was placed upon its second reading; when

Mr. Blythe moved to amend by inserting "1865" at the end of sec. 1; which was adopted.

Mr. Jenkins, of Warren, moved the following, as an additional section; which was adopted, viz:

"Be it further enacted, That the time for collecting the taxes imposed by the recent Ordinance of the Convention be extended to the first day of April, 1866: And in those counties where there are no Provisional sheriffs, the sheriffs who have been recently qualified, shall proceed to collect said taxes and account to the Public Treasurer for the same."

Mr. Moore, of Martin, moved to amend by adding, at the close of sec. 1, after the figures "1865," the following:

"And like authority is granted from and since the year 1856 in those counties which, at any time during the war, were held in military occupation by the United States forces."
Which was adopted; and the bill, as amended, then passed its second reading:

Received a message from the Senate, concurring in the recommendations of Justices for the counties of McDowell and Alamance.

Also, announcing Messrs. Blount, Bullock and Hall as the Senate branch of the Committee on Enrolled Bills for the week.

Also, announcing that they had passed the following engrossed bill and resolution, and asking the concurrence of the House therein, to wit:

Bill to appoint a tax collector for the county of Lenoir. Filed.

Resolution to print the acts of the secret sessions of 1862-'3 and of 1864-'5.

On motion, the rules being suspended and this latter resolution being placed on its second reading:

Mr. Jenkins, of Warren, moved to indefinitely postpone the same; which was not agreed to,—yeas 39, nays 50.

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


Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Campbell, Candler, Carson, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Garland, Hamilton, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Logan, Lucas,
Mr. Hutchison moved to lay the resolution on the table; which did not prevail.

Mr. Smith, of Hertford, moved its reference to the Committee on the Judiciary, which was not carried,—yeas 44, nays 44; the Speaker voting in the negative.

Mr. McDonald demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Candler, Carson, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Hamilton, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, McGuire, Melson, Murrill, Newsom, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler and York.

Mr. Hutchison moved that the resolution be made the special order for Friday next, 11 o'clock; which was not agreed to,—yeas 40, nays 47; the yeas and nays being demanded by Mr. Dickey.

Those who voted in the affirmative, are:

Messrs. Baxter, Bonner, Bryson, Cameron, Campbell, Cowan, Cox, Crawford, Dargan, Davis, of Halifax, Farrow, Gaines,

Those who voted in the negative, are:

Messrs. Ashworth, Beasley, Blackmer, Blair, Blythe, Burton, Candler, Carson, Craig, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Hamilton, Hodnett, Hoke, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, Mcguire, Melsen, Murrill, Newsum, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler and York.

Mr. Jenkins, of Warren, moved that the resolution be made the special order for to-morrow, 11 o'clock; which did not prevail,—yeas 40, nays 48.

Mr. Jenkins demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Campbell, Candler, Carson, Craig, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Hodnett, Hoke, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, McGuire, Melsen, Murrill, Newsum, Palmer,
Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Teague, Thompson, Trull, Waugh, Wheeler and York.

Mr. McNair moved its reference to a special committee of three. Lost,—yeas 38, nays 48; the yeas and nays being demanded by Mr. McNair.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Campbell, Candler, Carson, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Hamilton, Hodnett, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, McGuire, Melson, Murrill, Newsun, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler and York.

Mr. Marler moved that the House do now adjourn until tomorrow morning, 10 o'clock. Lost,—yeas 27, nays 57; the yeas and nays being demanded by Mr. Moore, of Alamance.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe,
Bryson, Burgess, Burton, Campbell, Candler, Carson, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Hamilton, Hawes; Hodnett, Hoke, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lucas, Lyon, Matthews, McDonald, McGuire, McIntosh, Melson, Murrill, Newsum, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler, Williams, Wilson and York.

Mr. Jenkins, of Warren, moved the reference of the Resolution to a special committee of five; which did not prevail,—yeas 40, nays 45.

Mr. Jenkins demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Campbell, Candler, Carson, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Garland, Hamilton, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, McGuire, Melson; Murrill, Newsum, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Smith; of Guilford, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler and York.

Mr. Gidney moved an adjournment until to-morrow morning, 10 o'clock. Lost,—yeas 35, nays 50; the yeas and nays being demanded by Mr. Blythe.

Those who voted in the affirmative, are:

Those who voted in the negative are:

The question then recurring on the passage of the resolution, on its second reading, it was decided in the affirmative, yeas 48, nays 36; the yeas and nays being demanded by Mr. Wheeler.

Those who voted in the affirmative, viz:
Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Campbell, Candler, Carson, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Hamilton, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Logan, Lyon, Matthews, McDonald, McGuire, Melson, Murrill, Newsun, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Scoggin, Thompson, Trull, Waugh, Wheeler and York.

Those who voted in the negative, are:
of Gates, Leigh, of Tyrrell, Lucas, Luke, Manly, Marler, McAden, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Niven, Shaw, Smith, of Cumberland, Smith, of Hertford, Williams and Wilson.

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

TUESDAY, FEBRUARY 20, 1866.

Prayer by Rev. Mr. Cobb.

Additional recommendations of magistrates for the counties of Washington, Nash, Davidson and Bladen were submitted, approved, and sent to the Senate for concurrence.

On motion of Mr. Waugh, the engrossed resolution, which passed its second reading on yesterday, "to print the acts of the secret sessions of 1862-'63, and 1864-'65," was ordered to be referred to a Select Committee of three.

Whereupon, the Speaker designated Messrs. Waugh, Wheeler and Jenkins, of Warren, to constitute said Committee.

Mr. Hoke, from the Committee on the Judiciary, to whom was referred the bill "to repeal an act authorizing the R. & G. R. R. Company to establish a ferry at Gaston," with the accompanying papers, reported, in answer to the enquiry on that point, that the original act was in the nature of a public act.

Mr. Manly, from the same Committee, reported unfavorably upon

Bill to assist owners of real estate in securing the titles therefor;
And favorably, with amendments, upon
Bill improving the law of evidence.

Mr. Baxter, from the Committee on Swamp Lands, reported favorably upon the resolution "in regard to Swamp Lands."

M. S. Smith, of Hertford, to whom were referred:
Memorial of the Justices of Randolph County, praying the repeal of portions of the late Revenue Law;
Resolution of enquiry in reference to stamp taxes, &c.;
Resolution of enquiry as to the expediency of repealing the tax on spirituous liquors;
Resolution providing for collecting copies of laws, &c., and distributing to justices newly appointed;
Bill to increase the tax on the manufacture of spirituous liquors from grain;
Bill to authorize the exchange of stocks held by the State in certain railroads and canals, for bonds of the State, or the interest therein now due, and for other purposes; and
Resolution of enquiry concerning the stocks of the State in the different works of Internal Improvement,
Reported the same back to the House, and asked to be discharged from their further consideration; which was so ordered.

Mr. Thompson, from the same Committee, reported favorably upon the bill "to enable the Banks of the State to close business."

Mr. Waugh, from the Committee on the Stay Law, reported adversely to
Bill to stay executions, and for other purposes; and
Bill to alter the pleadings of the Superior Courts, and for the relief of the people.

The following resolution and bill were introduced and severally disposed of, as stated, viz:

By Mr. Smith, of Columbus: Resolution proposing a Joint Select Committee, of three from the House and two from the Senate, upon the subject of adjournment. Adopted, and message sent to the Senate accordingly.

By Mr. Burgess: Bill to authorize W. S. Grandy, and others, to construct a toll-bridge across Pasquotank river. Referred to Committee on Corporations.

Received a message from the Senate, transmitting recom-
mendations of magistrates for the counties of Cumberland and Camden; which were concurred in.

Also, proposing to vote forthwith for Solicitor of the 6th Judicial District; which proposition, on motion of Mr. Hutchison, was laid on the table.

The calendar was then taken up, and the following bills, coming up on their second reading; were severally disposed of, as stated, viz:

Bill to appoint a tax collector for the county of Lenoir. Referred to Committee on Judiciary.

Resolution providing for collecting of laws, &c., and distributing to justices newly appointed. Tabled.

Bill to repeal an act "authorizing the R. & G. R. R. Co. to establish a ferry at Gaston." Tabled.

Bill to assist owners of real estate in securing the titles therefor. Rejected.

Bill improving the law of evidence. Amendments of the Committee adopted, and passed second reading.

Bill to increase the tax on spirituous liquors manufactured from grain. Tabled.

The hour having arrived for the consideration of the special order, viz: Bill to change the jurisdiction of the courts and the rules of pleading therein,—the same was taken up.

Mr. Manly moved to amend, by inserting, after the word "law," in line 5, sec. 1, the words "arising out of contracts;" which was adopted.

The bill then passed its second reading; and its further consideration was made the special order of the day for Friday next, 23d inst., 11 o'clock.

The consideration of the calendar was then resumed, and the bill "to enable the Banks of the State to close business," coming up on its second reading.

Mr. McAden moved to amend the same, by striking out, in section 1, the words "for the equal benefit of all the creditors," and inserting, in lieu thereof, the words "according
to the laws of the State relative to assignments;" which did not prevail.

The bill then passed its second reading,—yeas 70, nays 19; the yeas and nays being demanded by Mr. Scoggin.

Those who voted in the affirmative, are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Bryson, Burton, Cameron, Campbell, Candler, Carson, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Donnell, Dunn, Faircloth, of Greene, Farrow, Flythe, Gaines, Garland, Gidney, Hamilton, Hilliard, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Kinney, Leigh, of Tyrrell, Logan, Lyon, Matthews, McAden, McDonald, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of Chatham, Murrill, Niven, Newsam, Page, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Whitley, Wilson, Yellowley and York.

Those who voted in the negative are:


The bill "for the relief of sheriffs and tax collectors" coming up on its third reading,

Mr. Melson moved to amend, by adding, at the close of section 1,

"Provided, That the provisions of this bill shall not apply to the county of Washington."

Pending the consideration of which amendment, Mr. Harper moved that the bill be referred to the Committee on Finance; which motion prevailed.

Received a message from the Senate, concurring in the House recommendations of magistrates for the counties of Washington, Nash, Bladen and Davidson.
Also, concurring in the House proposition to raise a Joint Select Committee on the subject of adjournment, and naming Messrs. Harriss, of Rutherford, and Covington, as the Senate branch of said committee.

Whereupon, the Speaker designated Messrs. Smith, of Columbus, Blackmer and Hoke, as the committee on the part of the House.

Also, transmitting the following engrossed resolution and asking the concurrence of the House therein, viz:

Resolution amendatory of the resolution for supplying artificial limbs to maimed soldiers, &c.;

Which, under a suspension of the rules, passed its several readings, and was ordered to be enrolled.

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

WEDNESDAY, FEBRUARY 21, 1866.

Prayer by Rev. Mr. Hardie.

Additional recommendations of magistrates for the counties of Rockingham, Polk and Gaston were submitted, approved and sent to the Senate for concurrence.

Mr. Holmes, from the Committee on Finance, reported favorably, with an amendment, upon the resolution concerning official papers in the clerk's office. The amendment of the committee was adopted, and, under a suspension of the rules, the resolution passed its several readings and was ordered to be engrossed.

Mr. Blackmer, from the Committee on Corporations, reported favorably upon

Bill to revive and amend an act to incorporate Sulphur Springs Camp Ground, in the county of Cleaveland; and

Bill to authorize W. S. Grandy, and others, to construct a toll-bridge across Pasquotank river.
The following bills were introduced and disposed of as stated, viz:

By Mr. Candler: Bill to amend the charter of the Ashville and Greenville Plank Road Company. Referred to the Committee on Corporations.

By Mr. McAden: Bill to authorize the Chairman of the County Court for Alamance to sell Real Estate. Placed on file.

The calendar of bills on their second reading was then taken up, and the following dispositions were made:

Bill to regulate pleadings in the Courts of Law of this State. Tabled.

Bill to consolidate the acts relating to the courts and for other purposes. Laid on the table for the present.

On motion of Mr. Waugh, a message was sent to the Senate, proposing to ballot forthwith for a Solicitor for the 6th Judicial District.

The Senate concurring, the House proceeded to vote as follows, under the superintendence of Messrs. Rosebro' and Jones:


For Mr. Dargan—Messrs. Arrington, Baxter, Black, Bonner, Bryson, Burgess, Burton, Cameron, Cowan, Cox, Dunn, Foster, Furr, Gaines, Hawes, Holderby, Hoke, Hyman, Jenkins, of Granville, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Luke, Manly, Marler, McAden, McNair, Melson, Moore, of Alamance, Moore, of Martin, Murrill, Niven,
Newsum, Shaw, Simmons, Smith, of Columbus, Stilley, Truth, Wheeler, Williams and Yellowley—43.

For Mr. Furches—Messrs. Holmes and Jones—2.

Mr. Hutchison voted for Mr. Dowd.

Mr. Rosebro', from the Committee appointed to superintend the foregoing election, reported that the whole number of votes cast was 125, necessary to a choice 63; that Mr. W. P. Caldwell had received 66, Mr. A. J. Dargan 56, Mr. Furches 2 and Mr. Dowd 1; and that Mr. Caldwell, having received a majority of the whole number of votes cast, was duly elected.

Received a message from the Senate, concurring in the recommendation of magistrates for the counties of Rockingham, Polk and Gaston.

The hour having arrived for the consideration of the special order, viz: Bill concerning Negroes, Indians and persons of color, or of mixed blood,—the same was taken up, when the amendments recommended by the Judiciary Committee were successively adopted.

Mr. Smith, of Hertford, moved to amend, by inserting, after the words "persons of color," in line 1, sec. 9, the words "not otherwise incompetent," which was adopted.

Mr. McNair moved that the bill be indefinitely postponed—which was decided in the negative,—yeas 27, nays 72.

Mr. McNair demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arrington, Burgess, Dalby, Dargan. Davis, of Halifax, Ferrell, Foster, Harrison, Hilliard, Hodnett, Jenkins, of Granville, Jenkins, of Warren, Judkins, Kenan, Lucas, Lake, Marler, McNair, Niven, Nicks, Shaw, Simmons, Smith, of Cumberland, Smith, of Guilford, Thigpen, Williams and York.

Those who voted in the negative are:

Messrs. Allison, Ashworth, Baxter, Beasley, Blackmer, Blake, Blythe, Bonner, Dryson, Burton, Caldwell, Cameron, Campbell, Candler, Carson, Cowan, Cox, Craig, Crawford, Davis, et
Mr. Hyman moved to amend, by adding, at the end of sec. 9, as follows:

"Provided, That this section shall not go into effect, until jurisdiction in matters relating to freedmen shall be fully committed to the Courts of the State."

Which was adopted,—yeas 60, nays 43; the yeas and nays being demanded by Mr. Hyman.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Ashworth, Blackmer, Blair, Blythe, Bryson, Caldwell, Campbell, Candler, Cox, Dalby, Davis, of Carteret, Faircloth, of Wayne, Ferrell, Flythe, Furr, Harper, Harrison, Henry, Hodnett, Holmes, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Luke, McDonald, McGuire, McIn-
tosh, Mott, Nicks, Newsum, Page, Palmer, Potter, Scoggin, Thompson, Trull, Waugh, Wheeler, Wilson, Yellowley and York.

Mr. Niven moved to amend by inserting, in line 11, sec. 5, after the word "office," the words "or before some Justice of the Peace;" in line 14, same section, after the word "purpose," the words "and, if the acknowledgment be made before a Justice of the Peace, such Justice shall report the same in writing to the Clerk of the Court of Pleas and Quarter Sessions, and the Clerk shall enter the same as though the acknowledgment had been made before him;" and, in line 2, sec. 6, after the words "County Court," the words "or some Justice of the Peace in the County in which they reside."

Which amendments were severally adopted.

Mr. Crawford moved further to amend, by striking out the word "May," in line 3, sec. 6, and inserting "September" in lieu thereof; which was carried.

Mr. Jenkins, of Warren, moved to strike out of the bill sections 5 and 6; which did not prevail.

Mr. McNair moved to strike out sec. 9. Lost; yeas 36, nays 64,—the yeas and nays being demanded by Mr. McNair.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Allison, Ashworth, Baxter, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Campbell, Candler, Carson, Cowan, Cox, Craig, Crawford, Davis, of Carteret, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Flythe, Furr, Gaines, Harper, Hawes, Hoke, Holmes,
Mr. Jenkins, of Warren, offered the following as a substitute for the entire bill, viz:

"Be it enacted, &c., That the slaves recently emancipated, by the Proclamation of the President of the United States, are entitled to all the rights and privileges of free negroes in this State."

Mr. Dargan moved that the House do now adjourn until tomorrow morning, 10 o'clock. Lost.

Mr. Jenkins, of Granville, moved to lay the proposed substitute on the table; which did not prevail.

Mr. Baxter moved that the House adjourn; which was decided in the negative,—yeas 30, nays 72.

Mr. Caldwell demanded the yeas and nays.

Those who voted in the affirmative are:


Messrs. Allison, Arrington, Ashworth, Beasley, Black, Blackman, Blair, Blythe, Bonner, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Cox, Crawford, Dalby, Davis, of Carr, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Furr, Harper, Harrison, Hawes, Hilliard, Hodnett, Holderby, Hoke, Holmes, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jones, Kinney, Lee, of Gates, Logan, Lucas, Manly, Marler, McAden, McDonald, McGuire, McIntosh, McElhinny, Melson, Moore, of Alamance, Murrill, Niven, Nickus, etc.
Mr. Jenkins, of Warren, moved to postpone the further consideration of the subject until the 4th of July next. Lost.

The question then recurring upon the substitute offered by Mr. Jenkins, it was not adopted,—yeas 40, nays 61.

Mr. Jenkins demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arrington, Black, Burgess, Coates, Dalby, Dargan, Dickey, Farrow, Ferrell, Foster, Gidney, Hamilton, Harrison, Hawes, Henry, Hilliard, Horton, Jenkins, of Granville, Jenkins, of Warren, Jones, Judkins, Kenan, Leigh, of Tyrrell, Lucas, Luke, Lyon, Marler, McDonald, McNair, Murrill, Niven, Nicks, Shaw, Simmons, Smith, of Cumberland, Scoggin, Thigpen, Waugh, Williams and York.

Those who voted in the negative are:


Mr. McNair moved that the House do now adjourn. Lost.

The bill then passed its second reading,—yeas 54, nays 45.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Baxter, Beasley, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Campbell, Candler, Carson, Cowan, Cox, Crawford, Davis, of Carteret,

Those who voted in the negative, are:

Messrs. Arrington, Black, Burgess, Coates, Craig, Dalby, Dargan, Dickey, Farrow, Ferrell, Flythe, Foster, Gaines, Garland, Hamilton, Harrison, Henry, Hilliard, Hodnett, Holdersby, Horton, Jenkins, of Granville, Jenkins, of Warren, Jones, Judkins, Kenan, Leigh, of Tyrrell, Lucas, Luke, Marler, McNair, Moore, of Chatham, Murrill, Niven, Nicks, Shaw, Simmons, Smith, of Cumberland, Smith, of Guilford, Scoggins, Thigpen, Trull, Waugh, Williams and York.

Received a message from the Senate, transmitting the following engrossed bills, &c., and asking the concurrence of the House therein, viz:

Bill to amend an act, entitled "An act for the relief of Landlords;"

Resolution making an appropriation for the Governor's Mansion;

Bill to incorporate the Carolina Joint Stock Insurance and Trust Company;

Bill to provide for collection of the taxes of 1865, in counties where the sheriff, or other officer, was qualified under the Revenue Ordinance of the Convention;

Resolution instructing the Public Treasurer to pay over to the County Trustee of Randolph two hundred and fifty dollars;

Bill to give original jurisdiction to the Supreme Court in certain cases;

Bill for relief of Wm. B. Campbell, former sheriff of Beau-
fort county; George Dill, former sheriff of Carteret; and A. C. Latham, former sheriff of Craven,—

All of which were respectively placed on file.

Also, bill concerning indictments in the Courts of Over and Terminer; which, under a suspension of the rules, passed its several readings, and was ordered to be enrolled.

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

THURSDAY, February 22, 1866.

Prayer by Rev. Dr. Mason.

Additional recommendations of magistrates for the counties of Yancey, Gates and Catawba were submitted, approved and sent to the Senate for concurrence.

Mr. Manly, from the Committee on the Judiciary, reported adversely to

Bill to repeal so much of section 2, chapter 68, Revised Code, entitled "Marriages," as requires the clerk to take bond;

Senate bill to appoint a Tax Collector for Lenoir county;

Senate bill concerning private acts of incorporation.

And, favorably, upon Senate bill to outlaw felons who flee from justice.

Mr. Manly, from the same committee, to whom was referred bill "in relation to Landlords," reported back a substitute for the same, entitled "A bill for the relief of owners of lands and houses," which was read and placed on file.

Mr. Blackmer, from the Committee on Corporations, reported favorably upon

Bill to incorporate the North-Carolina Mining Company; and

Bill to amend the charter of the Asheville and Greenville Plank Road Company.
Received a message from the Senate, announcing that they had passed the engrossed bill "to regulate Salaries and Fees," with sundry amendments, in which they asked the concurrence of the House. The House refused to concur, and the Senate were informed thereof by Message.

Mr. McDonald offered the following resolution, which was not adopted, viz:

Resolved, That this House adjourn 'til 10 o'clock to-morrow morning, from respect and honor for the memory of George Washington, the Father of his country.

The following resolutions and bills were introduced and disposed of as stated, viz:

By Mr. Waugh: Resolution precluding, from and after today, the consideration of recommendations of Justices of the Peace. Lies over under the rules.

By Mr. Allison: Resolution proposing a Joint Select Committee, of four from the House and two from the Senate, to consider the policy and practicability of establishing a National Bank, based upon a mortgage of Real Estate, on the part of individuals, and the hypothecation of stocks, on the part of the State. Adopted, and the concurrence of the Senate asked by message.

By Mr. Waugh: Resolution requesting the Governor to communicate whether any action is necessary, on the part of the General Assembly, in closing the business engaged in by the State for producing salt during the recent war. Adopted.

By Mr. Gidney: Resolution (accompanied by Memorial) in favor of J. L. & W. S. Alexander. Referred to the Committee on Claims.

By Mr. Lucas: Bill to amend the act of 1862-3, concerning Justices of the Peace. Placed on file.

By Mr. Hutchison: Bill to incorporate the Mayor and Aldermen of the town of Charlotte. Referred to Committee on Corporations.

Received a message from the Senate, announcing that they
had passed, with amendments, the bill "authorizing the County Court of Cumberland to appoint an Inspector of Naval Stores," in which they asked the concurrence of the House. The House concurred, and the Senate were informed thereof by message.

The calendar of bills on their second reading was then taken up, and the following dispositions made, to wit:

Bill to authorize the exchange of the stocks held by the State in certain railroads and canals, for bonds of the State or the interest thereon now due, and for other purposes. Rejected.

Bill to stay executions, and for other purposes. Tabled.

Bill to alter pleadings of the Superior Court, and for the relief of the people. Tabled.

Bill to revive and amend an act, entitled "An act to incorporate Sulphur Springs Camp Ground, in the county of Cleaveland." Under a suspension of the rules, passed its several readings and ordered to be engrossed.

Bill to authorize W. S. Grandy, and others, to construct a toll-bridge across Pasquotank river. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

Bill to authorize the Chairman of the County Court of Alamance to sell Real Estate. Passed second reading.

The hour having arrived for the consideration of the special order, to wit: Bill concerning assignments,—the same passed its second reading.

Received a message from the Senate, announcing that that body would adjourn, at 12 o'clock, out of respect for the memory of George Washington.

Whereupon, on motion of Mr. Smith, of Columbus, the House adjourned until to-morrow morning, 10 o'clock.
FRIDAY, FEBRUARY 23, 1866.

Prayer by Rev. Dr. Smedes.

Additional recommendations of magistrates for the counties of Lenoir, Brunswick and Edgecombe were submitted, approved, and sent to the Senate for concurrence.

Mr. Blackmer, from the Committee on Corporations, reported favorably, with amendments, upon the bill to incorporate the Mayor and Aldermen of Charlotte.

Mr. Waugh, from the Select Committee to whom was referred the engrossed resolution "to print the acts of the special sessions of 1862-'63, and also of 1864-'65," submitted a report thereon, and asked to be discharged from the further consideration of the same; which was so ordered.

Under a suspension of the rules, the resolution was put up on its third reading, when

Mr. McDonald moved to amend, by inserting the words "and Journals" after the word "Acts."

Mr. Waugh moved to lay the amendment upon the table, which was not carried,—yeas 45, nays 57; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Campbell, Candler, Carson, Coates, Craig, Crawford, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Flythe, Furr, Hamilton, Henry, Hilliard, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of

The question recurring upon the amendment, it was adopted.

And the resolution, as amended, then passed its third reading and was ordered to be sent to the Senate for concurrence in the amendment,—yeas 59, nays 43; the yeas and nays being demanded by Mr. Scoggin.

Those who voted in the affirmative are:


Those who voted in the negative are:


The following resolutions and bills were introduced, and severally disposed of, as stated, viz:

By Mr. Jenkins, of Warren: Resolutions of thanks to the President of the United States. Under a suspension of the
rules, passed their several readings, and ordered to be engrossed.

By Mr. Hodnett: Joint resolution requesting the Governor to have the National Flag hoisted over the Capitol during the sessions of the Legislature. Adopted,—yeas 95, nays none; the yeas and nays being demanded by Mr. Hodnett.

Those who voted in the affirmative are:


By Mr. Moore, of Chatham: Resolution instructing the Judiciary Committee to enquire into the expediency of passing a law extending a general amnesty to persons charged with misdemeanors prior to June 1, 1865.

By Mr. Wheeler: Resolution reducing per diem and mileage of the officers and members of the General Assembly.

On motion of Mr. Gaines, laid on the table.

By Mr. Baxter: Resolution declaring that it is not obligatory on members of the Legislature to receive the compensation now allowed, provided they deem it wrong or inexpe-
diement to do so. Indefinitely postponed, on motion of Mr. Paschall.

By Mr. Wilson: Resolution prescribing compensation of the officers and members of the General Assembly.

On motion of Mr. Hoke, laid on the table.

By Mr. Manly: Bill supplemental to, and amendatory of, an act to re-organize the Corporation Government of the City and Academy of Newbern, passed at this session of the General Assembly. Referred to the Committee on Finance.

By Mr. Farrow: Bill to authorize the sheriff of Hyde county to collect taxes due in 1861. Placed on file.

By Mr. Lucas: Bill to amend section 64, chap. 40, Revised Code. Placed on file.

On motion of Mr. Harper, the "Revenue" bill was made the special order for Tuesday next, 27th inst., 11 o'clock, and for the same hour each day thereafter until disposed of.

On motion of Mr. Faircloth, of Wayne, the engrossed bill "to appoint a Tax Collector for the County of Lenoir," was re-committed to the Judiciary Committee.

Received a message from the Senate, concurring in the House resolution requesting the Governor to cause the U, S. Flag to be raised over the Capitol.

Also, recommending certain appointments of magistrates for the counties of Person, Pitt, Catawba and Union; which were concurred in.

Also, concurring in the proposition to raise a Joint Select Committee on the subject of Real Estate Bank, &c., and announcing Messrs. Carter and Covington as the Senate branch of said committee. Whereupon, the Speaker designated Messrs. Allison, Thompson, Manly and Murphy as the committee on the part of the House.

Also, insisting upon their amendments to the House bill "to regulate Salaries and Fees," and proposing a committee of Conference: Which was concurred in, and Messrs. Hoke,
Henry, Blackmer and Kenan announced as the committee on the part of the House.

The resolution, introduced, on yesterday, by Mr. Waugh, precluding the consideration of recommendations of magistrates from and after to-day, was, on motion, laid on the table.

Received a message from his Excellency, the Governor, transmitting two memorials from Cherokee Indians in this State; which, together with the message, were ordered to be sent to the Senate.

Mr. Smith, of Hertford, from the Committee on Finance, by leave, reported a bill, entitled "A bill for the collection of Revenue," and recommended its passage. Placed on file and ordered to be printed.

Mr. Smith, from the same committee, to whom was referred a bill "For the relief of Sheriffs and Tax Collectors," reported, as a partial substitute, a bill "to extend the time for collecting taxes under the Revenue Ordinance of the Convention;" which was read and placed on file.

Received a message from the Senate, refusing to concur in the amendments of the House to the engrossed resolution "to print the acts of the secret sessions of 1862–3, and also of 1864–5." Whereupon, on motion, the House receded from its amendments, and the resolution was ordered to be enrolled.

Also, transmitting a report from the Joint Standing Committee on Finance, as to the books and vouchers in the office of the Comptroller.

The hour having arrived for the consideration of the special order, viz: Bill to change the jurisdiction of the courts and the rules of pleading therein,—the same was taken up.

Mr. Smith, of Hertford, moved to amend, by striking out lines 5 and 6, sec. 1, and inserting, in lieu thereof, after the word "nature," the words "not cognizable before a Justice of the Peace and arising out of contracts entered into before
the first day of May, 1865, except where the proceeding shall be by attachment." Which was adopted.

Mr. Manly moved to amend by striking out of lines 1 and 2, sec. 2, the words "sounding in contract," and inserting, in lieu thereof, the words "committed to the exclusive jurisdiction of the Superior Courts of Law by sec. 1 of this Act;" which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, after the word "and" in line 16, sec. 3, the words "shall issue;" and by striking out, in line 17, the words "sum recovered," and inserting, in lieu thereof, the word "judgment." Which were adopted.

Mr. Blythe moved further to amend by inserting the words "County or" before the words "Superior Court," in line 3, sec. 3; which did not prevail.

On motion of Mr. Manly, the section was further amended, by striking out, in lines 1 and 2, the words "sounding in contract," and inserting "as aforesaid pending in the Superior Courts."

Mr. Smith, of Hertford, moved further to amend by striking out in line 4, sec. 4, the words "twelve months from the test of such execution," and inserting, instead thereof, "twelve months from the term to which such execution was returned;" which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, after the word "repealed," in line 5, sec. 5, the words "except as provided in this act;" which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, at the end of sec. 6, the following:

"Provided, however, That where there is no personal property, or not sufficient to satisfy the plaintiff's demand, it shall be the duty of such officer to levy the execution on the defendant's land, and, where there is no personal property, or the same shall have been exhausted by sales as herein directed, to return the same to the next Superior Court of the county,
where the same preceedings shall be had as in cases of original jurisdiction, in enforcing payment by execution.”

Which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, after the words “Justices of the Peace,” in line 2, sec. 7, the words “where the proceeding is not by attachment;” which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, at the end of sec. 7, the following:

“Provided, however, That all proceedings before any Justice or Justices for any forcible entry or detainer, or against any tenant or other person holding over against a landlord, or in any other case founded in tort, where jurisdiction has heretofore been, or may hereafter be, given to one or more justices by existing law, shall not be subject to the provisions of this section, but all such cases may be prosecuted to judgment and execution in the manner prescribed by law, prior to Sept. 18, 1861, or as provided in any act or acts touching such wrongs and conferring such jurisdiction.”

Mr. Crawford moved to amend the amendment, by adding, at its close:

“Provided, further, That sums less than ten dollars shall not be so sub-divided;” which did not prevail.

The amendment was then adopted.

Mr. Blackmer moved further to amend by striking out the first proviso in sec. 9; which was not carried.

Mr. Jenkins, of Warren, moved to strike out sec. 9. entire; which was decided in the negative,—yeas 46, nays 53; the yeas and nays being demanded by Mr. Crawford.

Those who voted in the affirmative are:

Messrs. Allison, Baxter, Blackmer, Bonner, Bryson, Burgess, Burton, Campbell, Coates, Cox, Craig, Davis, of Halifax, Faircloth, of Wayne, Foster, Gaines, Harper, Harrison, Hawes, Hilliard, Holderby, Hoke, Hutchinson, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Lucas, Manly, McAden,
McIntosh, McNair, Moore, of Martin, Murphy, Murrill, Niven, Rosebro', Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen, Trull, Webb, Whitley, Williams and Yellowley.

Those who voted in the negative, are:


Mr. Smith, of Hertford, moved the following as a substitute for sec. 9, viz:

"That all judgments confessed to secure priority in the payment of debts, and all mortgages and deeds in trust hereafter executed, unless it is therein declared that the proceeds of sale thereunder shall be applied to the payment pro rata of all the debts and liabilities of the party making the same, shall be void as to creditors: Provided, that this section shall not apply to conveyances made by Sheriffs, or other public officers, for the indemnity of sureties to official bonds, nor to mortgages nor deeds in trust taken at the time of sale of land, or other property, to secure the purchase money due therefor, or to secure from loss sureties to any bond or note given at the time of such sale for such purchase money, nor to deeds conveying any crop or crops growing upon land leased in order to secure to the lessor payment of the rent reserved."

Which was adopted.

Mr. Manly moved to amend the substituted section, by adding, at the end thereof, the following:

"Provided, further; That the provisions of this section shall not apply to conveyances made by a guardian for the security of his ward, or for the security of his sureties."
Which was adopted.

Mr. Cameron then moved to strike out the 9th section, as substituted for; which was decided in the affirmative,—yeas 55, nays 48; the yeas and nays being demanded by Mr. Crawford.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Ashworth, Beasley, Blair, Blythe, Caldwell, Cameron, Carson, Crawford, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Farrow, Flythe, Furr, Henry, Hodnett, Hoke, Holmes, Horton, Houston, Jenkins, of Gaston, Jones, Kinney, Leigh, of Tyrrell, Logan, Matthews, McDonald, McEachern, McGuire, Melson, Moore, of Chatham, Mott, Nicks, Newsum, Palmer, Paschall, Potter, Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Waugh and York.

Pending the further consideration of the bill,

On motion of Mr. Craig, the House adjourned until tomorrow morning, 10 o'clock.

SATURDAY, FEBRUARY 24, 1866.

James S. Harrington, member elect from the county of Harnett, appeared, produced his credentials, was qualified, according to law, and took his seat.

Additional recommendations of magistrates for the counties
of Cumberland, Orange and Currituck were submitted, approved and sent to the Senate for concurrence.

Leave of absence until Thursday next was granted to Messrs. McGuire and Dunn, and, for an indefinite period, to Mr. Smith, of Hertford.

Mr. Cameron presented a memorial from Geo. Cole, a citizen of Richmond county, which was ordered to be transmitted to the Senate.

Mr. Manly, from the Committee on the Judiciary, to whom was referred a resolution of enquiry as to the expediency of passing a law extending a general amnesty to persons charged with misdemeanors prior to June 1, 1865, submitted a report adverse thereto, and asked to be discharged from the further consideration of the subject; which was so ordered.

Mr. Manly, from the same committee, reported favorably, with amendments, upon the bill "to allow persons of Indian blood to bear testimony in controversies at law and in equity;" and

Bill relating to debts created during the war.

Mr. Harper, from the Committee on Finance, to whom was referred the bill "for the relief of Sheriffs and Tax Collectors," reported the same back, with amendments, and asked to be discharged from the further consideration of the subject; which was ordered accordingly.

Mr. Smith, of Columbus, from the Joint Select Committee upon the subject of adjournment, reported the following resolution, and asked the concurrence of the House therein, viz:

"Resolved. (the Senate concurring,) That the General Assembly adjourn sine die on Monday, the 12th day of March next, at 7 o'clock, A. M."

Mr. York moved to amend, by inserting "th 5th day of March next," in lieu of the "12th day of March next," which did not prevail.

The resolution was then passed and sent to the Senate for concurrence therein.
The following resolutions and bills were introduced and severally disposed of as stated, viz:

By Mr. McIntosh: Resolution providing for night sessions. Lies over under the rules.

By Mr. McDonald: Resolution providing for earlier morning meeting of the House. Lies over under the rules.

By Mr. Jenkins, of Gaston: Resolution concerning repairs to the State Capitol. Placed on file.

By Mr. McNair: Bill to authorize registers to appoint deputies. Referred to Judiciary Committee.

By Mr. Blythe: Bill for relief of constables. Referred to Committee on Salaries and Fees.

By Mr. Burgess: Bill to incorporate the Business Exchange of Elizabeth City, N. C., and vicinity. Referred to the Committee on Corporations.

Received a message from his Excellency, the Governor, in reply to the enquiry of the House concerning the State's interest in the manufacture of salt; which was read and ordered to be transmitted to the Senate.

Received a message from the Senate, transmitting recommendations of magistrates for the counties of Nash and Washington; which were concurred in.

Also, proposing to vote forthwith for one Trustee of the University; and

The House concurring, it proceeded to ballot at once, under the superintendence of Messrs. Kenan and Hilliard.

Mr. Kenan, from the committee appointed to superintend the election, reported that the whole number of votes cast was 128,—necessary to a choice 65; that Mr. Bynum had received 89, Mr. Hoke 38, and Mr. Haughton 1; and that Mr. Bynum, having received a majority of the whole number of votes cast, was duly elected. Which report was concurred in.

The unfinished business of yesterday, viz: The "Bill to change the jurisdiction of the courts and the rules of pleading therein," was resumed.
Mr. Blair moved to amend by striking out lines 5 and 6, sec. 10; which was adopted.

Mr. Waugh moved further to amend by inserting, at the end of sec. 13, the following:

"But proceedings may be instituted and prosecuted to judgment and execution in all respects as is provided in the said chapter, or any act or acts since passed concerning attachments."

Which was adopted.

Mr. Waugh moved further to amend, by inserting, as an additional section, between sections 13 and 14, as follows:

"Sec. 14. Be it further enacted, That any action or suit heretofore brought, under any existing law, returnable to the next Fall term of any Superior Court of Law or Equity, shall be deemed to have been properly brought to said courts, as if instituted after the next Spring term of said courts, and shall be proceeded with according to the provisions of this act."

Which was adopted.

Mr. Waugh moved further to amend, by striking out sec. 14, (printed bill.) and inserting the following in lieu thereof, viz:

"Sec. 15. Be it further enacted, That an act, entitled "An act to change the jurisdiction of the courts and the rules of pleading therein," ratified Sept. 11, 1861, and also an act entitled "An act to restore the courts and for other purposes," ratified Dec. 14, 1863, be and the same are hereby repealed, and, except as herein otherwise provided, full jurisdiction, civil and criminal, as conferred in the County Courts, and the said Superior Courts of Law and Equity, in the Revised Code, shall be and the same is hereby restored."

Which was adopted.

Mr. Thompson moved further to amend, by adding, at the end of the substituted section, the following, viz:

"Provided, That no one of the provisions of this act, save sec. 1 thereof, shall apply to suits upon the official bonds of
Sheriffs, Coroners, Constables, Clerks of the County and Superior Courts, and Clerks and Masters in Equity; but the remedy in such cases shall remain as it existed in the year 1860."

Which was adopted.

Mr. Blackmer moved further to amend, by inserting, at the close of sec 1, the following:

"Provided, That nothing herein contained shall prevent a Court of Pleas and Quarter Sessions from empanneling a jury to try controversies respecting wills upon issues of devisavit vel non."

Which was adopted.

Mr. Baxter moved to strike out all after the enacting clause, and insert the following, as a substitute for the entire bill, viz:

"That an act entitled "An act to change the jurisdiction of the courts and the rules of pleading," ratified Sept. 11, 1861, and an act entitled "An act to restore the courts and for other purposes," ratified Dec. 14, 1863, be and the same are hereby declared to be continued in full force and effect until Jan. 1, 1868, and that the said acts, from and after that day, shall be repealed and case to operate, and the law existing before the passage of said acts, or repealed or modified by said acts, shall, after the said Jan. 1, 1868 be restored and be in full force and effect."

Mr. Wilson moved to lay the substitute on the table; which was not adopted,—yeas 18, nays 79; the yeas and nays being demanded by Mr. Wilson.

Those who voted in the affirmative are:

Messrs. Blackmer, Campbell, Carson, Coates, Cox, Crawford, Faircloth, of Greene, Faircloth, of Wayne, Furr, Hoke, Hutchinson, Jenkins, of Gaston, Jenkins, of Granville, McEachern, Simmons, Whitley, Williams, and Wilson.

Those who voted in the negative are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell,

The question recurring on the substitute, and a division of the question being demanded by Mr. Waugh, the motion to strike out was put, and decided in the negative,—yeas 23, nays 75; the yeas and nays being demanded by Mr. Baxter.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Allison, Arrington, Ashworth, Beasley, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Cowan, Cox, Craig, Crawford, Davis, of Carteret, Davis, of Halifax, Dickey, Farrow, Faison, Ferrell, Flythe, Foster, Gaines, Gidney, Harrington, Harper, Harrison, Hawes, Hilliard, Hodnett, Holderby, Holmes, Horton, Houston, Hyman, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Matthews, McDonald, McIntosh, McNair, Melson, Moore, of Martin, Murrill, Niven, Nicks, Newsum, Page, Paschall, Potter, Russell, Smith, of Columbus, Smith, of Guilford,

Mr. Lucas moved to amend, by inserting in line 22, sec. 4, after the word "land," the words "and other property;" which was not adopted.

The bill, as amended, then passed its third reading; yeas 74, nays 23,—the yeas and nays being demanded by Mr. Wilson,—and was ordered to be engrossed.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Black, Blackmer, Campbell, Crawford, Davis, of Carteret, Faircloth, of Greene, Faircloth, of Wayne, Garland, Gidney, Henry, Hoke, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Melson, Mott, Shaw, Simmons, Smith, of Cumberland, Whitley, Williams, Wilson and Yellowley.

Received a message from the Senate, concurring in the House proposition to adjourn sine die on the 12th prox.

Also, announcing that they had passed the following engrossed bills, etc., in which they asked the concurrence of the House, viz:

Bill to repeal so much of chap. 68, sec. 2, Revised Code, as relates to requiring bonds for marriage licenses. Referred to Committee on Judiciary.
Bill to amend sec. 4, chap. 35, Revised Code, Relative to fugitives from Justice. Placed on file.

Bill to authorize the President of the Western North-Carolina Railroad Company to borrow money on the faith and credit of the State. Placed on file.


Also, concurring in recommendations of magistrates for the counties of Orange, Cumberland and Currituck.

Mr. Melson moved to re-consider the action of the House, by which they had concurred in the Senate recommendation of magistrates for the county of Washington; which motion did not prevail.

On motion of Mr. Waugh, the House adjourned until Monday morning, 10 o’clock.

MONDAY, FEBRUARY 26, 1866.

Prayer by Rev. Mr. Atkinson.

Leave of absence for one week was granted to Mr. Smith, of Cumberland, and, until Wednesday next, to Mr. Holmes.

The Speaker announced Messrs. Wilson, Webb, Mott, Blair and Farrow as the Committee on enrolled bills for the week.

Mr Blackner, from the Committee on Corporations, reported favorably upon bill “to incorporate the Business Exchange of Elizabeth City, and vicinity.”

Mr. Blackner, from the Joint Committee of Conference on the bill “to regulate Salaries and Fees,” submitted a report, with sundry recommendations; which were concurred in, and the report ordered to be transmitted to the Senate.

The following resolutions and bills were introduced and referred, or otherwise disposed of, as follows:

By Mr. Manly: Resolutions in favor of a general Amnesty. Placed on file and ordered to be printed.
By Mr. Smith, of Columbus: Resolution instructing the Judiciary Committee to enquire into the propriety and expediency of reducing the amount of the penal bonds of sheriffs, and other public officers. So referred.

By Mr. Manly: Bill to incorporate the Newbern Savings Institution. Referred to Committee on Corporations.

By Mr. Ferrell: Bill to authorize the sale of a public lot to the City of Raleigh, for a burial ground. Same reference.

By Mr. Jenkins, of Gaston: Bill to authorize the sheriff of Gaston and Lincoln counties to collect the tax laid by the Provisional magistrates. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Harrington: Bill to prevent the amalgamation of the white and colored races. Referred to the Judiciary Committee.

By Mr. Davis, of Carteret: Bill to amend ch. 104, Revised Code, entitled "Salaries and Fees." Referred to Committee on Salaries and Fees.

By Mr. Jenkins, of Warren: Bill to authorize the sale of the Roanoke Valley Railroad. Referred to the Committee on Internal Improvements.

By Mr. Hawes: Bill to amend an act entitled "An act to promote and encourage the planting of oysters and clams." Referred to the Committee on Agriculture.

The resolution, introduced on Saturday, providing for night sessions of the House, was, on motion of Mr. Waugh, laid on the table; and

The resolution for the earlier morning meeting of the House was, also, on motion of Mr. Henry, laid on the table.

On motion of Mr. Hoke, the Revenue bill was made the special order for to-morrow 12 o'clock, instead of 11 o'clock, as heretofore agreed upon.

On motion of Mr. Thompson, the rules were suspended, and priority was given for the day to the consideration of the cal-
endor of bills on their third reading: when the following dis-
positions were made, to wit:

Bill concerning negroes, and persons of color, or of mixed 
blood:

Mr. Allison, moved to amend, by inserting, at the end of 
sec. 9, the following:

"Provided, further: That no person shall be deemed incom-
petent to bear testimony in such cases because of being a 
party to the record or in interest."

Which was adopted.

Mr. Holderby moved further to amend, by inserting, at the 
end of sec. 5, the following:

"For making such entry, and giving a certificate of the 
same, the clerk shall be entitled to a fee of fifty cents to be paid 
by the party for whom the services are rendered."

Mr. Hutchison moved to amend the amendment, by stri-
kling out "fifty cents" and inserting "twenty-five cents;" 
which was adopted, and the amendment, as amended, was 
than agreed to.

Mr. McAden moved to amend section 1, by substituting 
the word "is" for the words "shall be," and by striking out 
all in the same section after the word "color;" which were 
adopted.

Mr. McNair moved to strike out sec. 9, which was not 
agreed to,—yeas 44, nays 53; the yeas and nays being de-
manded by Mr. McNair.

Those who voted in the affirmative are:

Messrs. Arrington, Barnett, Black, Burgess, Carson, Craig, 
Dalby, Dickey, Everett, Farrow, Ferrell. Foster: Gaines, Gar-
land, Hamilton, Harrington, Harrison, Henry, Hilliard, Hod-
nett, Holderby, Horton, Jenkins, of Granville, Jenkins, of 
Warren, Joyner, Kenan, Leigh, of Tyrrell, Lucas, Luke, Mat-
thews, McEachern, McNair, Murrill, Nicks, Potter, Russell, 
Shaw, Simmons, Smith, of Cumberland, Smith, of Guilford, 
Scoggin, Thigpen, Webb and York.

Those who voted in the negative are:
Messrs. Allison, Ashworth, Baxter, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Campbell, Candler, Chadwick, Cox, Crawford, Davis, of Carteret, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Furr, Harper, Hawes, Hoke, Holmes, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jones, Kinney, Lee, of Gates, Logan, Lyon, Manly, McAden, McDonald, McIntosh, Melson, Moore, of Alamance, Moore, of Martin, Mott, Newsum, Palmer, Paschall, Smith, of Columbus, Stilley, Teague, Thompson, Wheeler, Whitley, Wilson and Yellowley.

(When the name of Mr. Waugh was called, he stated that he had paired off with Mr. Rosebro', who was absent, and he was accordingly excused from voting.)

The bill then passed its third reading, and was ordered to be engrossed,—yeas 51, nays 50; the yeas and nays being demanded by Mr. Simmons.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Baxter, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Campbell, Candler, Chadwick, Cox, Crawford, Davis, of Carteret, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Furr, Harper, Hawes, Hoke, Holmes, Houston, Hutchison, Hyman, Jenkins, of Gaston, Kinney, Lee, of Gates, Logan, Manly, McAden, McDonald, McIntosh, Melson, Moore, of Alamance, Moore, of Martin, Mott, Newsum, Palmer, Paschall, Smith, of Columbus, Stilley, Teague, Thompson, Wheeler, Whitley, Wilson and Yellowley.

Those who voted in the negative are:

Shaw, Simmons, Smith, of Cumberland, Smith, of Guilford, Scoggin, Thigpen, Webb and York.

Bill to authorize the reference of disputes by consent of parties: Mr. Donnell moved to lay the bill upon the table; which was decided in the affirmative,—yeas 50, nays 45.

Mr. Caldwell demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Arrington, Ashworth, Black, Blair, Blythe, Burtom, Caldwell, Carson, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Flythe, Gidney, Hamilton, Harrington, Hawes, Hilliard, Holderby, Holmes, Houston, Jenkins, of Warren, Jones, Joyner, Judkins, Logan, Lucas, Matthews, McDonald, Meachern, McIntosh, Moore, of Chatham, Mott, Newsum, Palmer, Paschall, Shaw, Smith, of Cumberland, Smith of Guilford, Stilley, Teague, Waugh, Wheeler and Whitley.

Bill improving the law of evidence: Mr. Jenkins, of Warren, moved to amend by striking out the words “or crime” in line 5, sec. 1; which was adopted.

Mr. Henry moved to lay the bill upon the table; which motion prevailed.

Bill to enable the banks of the State to close their business: Mr. Waugh moved to amend, by striking out, in sec. 1, the words “for the equal benefit of all its creditors,” and inserting, in lieu thereof:
"For the equal benefit of all its creditors, citizens of North Carolina at the date of assignment, and who were bona fide creditors to the bank at the date of assignment, to be verified on affidavit before the Trustee."

Mr. Hyman moved that the bill be indefinitely postponed; which did not prevail.

The amendment was then lost,—yeas 15, nays 81; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:
Messrs. Black, Craig, Faison, Harrison, Hawes, Hilliard, Horton, Kenan, Leigh, of Tyrrell, McAden, McNair, Moore, of Alamance, Teague, Waugh and York.

Those who voted in the negative are:

The bill then passed its third reading, and was ordered to be engrossed.

Received a message from the Senate, announcing Messrs. Isbell, Keener and Latham as their branch of the Committee on Enrolled Bills for the week.

Also, transmitting the following engrossed bills, and asking the concurrence of the House therein, viz:
Bill to extend the limits of the town of Swansboro', and for other purposes;
Bill to incorporate the Rock Island Manufacturing Company, in the county of Mecklenburg;
Which were respectively placed on file.
On motion of Mr. Paschall, the House adjourned until tomorrow morning, 10 o'clock.

TUESDAY, FEBRUARY 27, 1866.

Additional recommendations of magistrates for the counties of Pitt, Sampson, Buncombe, Stokes, Jones and Yadkin were submitted, approved and sent to the Senate for concurrence.

Mr. Hoke, from the Committee on the Judiciary, to whom was referred a resolution of enquiry as to the expediency of reducing the penal bonds of Sheriffs, and other officers, reported back a bill entitled "A bill to reduce the bonds of sheriffs, and other officers," and recommended its passage. Placed on file.

Mr. Manly, from the same committee, reported adversely to the bill "to authorize registers to appoint deputies."

The following resolutions and bills were introduced, and referred, or otherwise disposed of, as follows:

By Mr. Caldwell: Resolution instructing the Judiciary Committee to enquire into the propriety of repealing the act establishing a Medical Board, in this State, or of reviving the same, as in their judgment may be expedient. So referred.

By Mr. Niven: Resolution proposing to raise a Select Committee of five, to enquire into the condition of the suffering poor in those regions of country that were devastated by the Federal armies. Adopted; and Messrs. Niven, McNair, Shaw, Faison and Beasley announced as said Committee.

By Mr. McAden: Bill to require a deposit of securities to
be made by foreign Insurance Companies doing business in this State. Referred to Committee on Judiciary.

By Mr. Wheeler: Bill to amend chap. 75, Rev. Code, entitled "Notaries." Same reference.

By Mr. Faircloth, of Wayne: Bill in relation to the town of Goldsboro', in the county of Wayne. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Paschall: Bill authorizing the renewal of certain State bonds in the hands of the Chatham R. R. Company. Referred to the Committee on Internal Improvements.

On motion of Mr. McNair, the bill "improving the law of evidence," laid on the table on yesterday, was ordered to be taken therefrom and replaced on the calendar.

The bill "to amend sec. 64, chap. 60, Revised Code," entitled "Inspections," passed its second reading and was then referred, on motion of Mr. Russell, to a special Committee of three; and the Speaker designated Messrs. Russell, Shaw and Chadwick as constituting said Committee.

The bill "concerning assignments" passed its third reading, and was ordered to be engrossed,—yeas 49, nays 46; the yeas and nays being demanded by Mr. Dickey.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Ashworth, Blair, Blythe, Bryson, Burgess, Campbell, Craig, Crawford, Dalby, Davis, of Carteret. Dickey,
Received a message from the Senate, transmitting an engrossed bill to amend an act, entitled "An act to amend the charter of the town of Salisbury." Under a suspension of the rules, passed its several readings and ordered to be enrolled.

The hour having arrived, the special order, viz: The bill entitled "Revenue," was taken up.

[Schedule A.]

Mr. Blythe moved to amend by substituting "fifty cents," as poll-tax, in lieu of "one dollar," in line 1, sec. 2.

Mr. Thigpen moved to amend the amendment by substituting "two dollars" in lieu of "one dollar;" which did not prevail. And,

The amendment was then disagreed to.

Mr. Simmons moved to amend, by inserting, in line 8, sec. 2, after the word "house," the words "by consent of the owner of said land;" which was adopted.

Mr. Hoke moved to strike out, in lines 7 and 8, sec. 2, the words "or living on his land or in his house." Lost.

Mr. Yellowley moved to strike out all after the word "exemption," in line 4, sec. 2. Lost.

Mr. Gidney moved to amend by striking out all after "tax" in line 6, sec. 2, to "shall," in line 8, except the words "in his employment." Lost.

Mr. Cameron moved to amend, by striking out, in line 3, sec. 3, "ten dollars," and inserting "twenty dollars," in lieu thereof; which was adopted.

Mr. Garland moved further to amend by substituting the word "received" for the word "due" in line 2, sec. 6. Lost.

Mr. Jones moved to strike out, from lines 2 and 3, sec. 7,
the words "except Judges of the Supreme and Superior Courts;" which was adopted.

Mr. Lucas moved further to amend by adding, at the end of line 33, sec. 8, the words "except buildings erected in place of those burned by the United States forces during the war." Lost.

Mr. Dickey moved to strike out the whole of lines 30 and 31, sec. 8. Lost.

Mr. Jenkins, of Warren, moved to substitute "four dollars" in lieu of "one dollar," in line 5, sec. 11; which was adopted.

Mr. Moore, of Alamance, moved further to amend, by striking out, after the word "sale," in line 15, sec. 12, the words "fifteen per cent," and inserting, in lieu thereof, "twenty per cent."

Mr. Marler moved to amend the amendment, by substituting "fifty per cent;" which did not prevail. And,

The amendment was then adopted.

Mr. McNair moved to strike out sec. 13 entire; which did not prevail.

Mr. Yellowley moved to amend, by adding, at the close of sec. 13, the following; "And it shall be the duty of the Clerk of the Court of Pleas and Quarter Sessions to furnish the Sheriff with the names of the Executors and Administrators who make such returns, after each and every term of his Court."

Which was adopted.

Pending the further consideration of the bill,

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

WEDNESDAY, February 28, 1866.

Prayer by Rev. Mr. Hardie.

An additional recommendation of magistrates for the county of Mecklenburg was submitted, approved, and sent to the Senate for concurrence.
Mr. Manly, from the Committee on the Judiciary, reported favorably, with an amendment, upon the bill "to amend sec. 2, chap. 68, Revised Code;"

Unfavorably, upon the bill "to prevent the amalgamation of the white and colored races;"

And asking to be discharged from the further consideration of the resolution of enquiry concerning the Medical Board in this State; which was ordered accordingly.

Mr. Yellowley, from the same committee, reported favorably upon the Senate bill to repeal so much of chap. 68, sec. 2, Revised Code, as relates to requiring bonds for marriage licenses.

Mr. Hoke, from the same committee, reported favorably upon the bill "in relation to the Judiciary."

Mr. Blackmer, from the Committee on Corporations, reported favorably upon

Bill to incorporate the Newbern Savings Institution; and
Bill to authorize the sale of a public lot to the city of Raleigh for a burial ground.

Mr. Simmons, from the Committee on Agriculture, reported favorably, with an amendment, upon the bill to amend an act entitled "An act to promote and encourage the planting of oysters and clams."

Mr. Wheeler, from the Committee on Claims, reported favorably upon

Bill in favor of Chas. Keuster & Bro.; and
Bill in favor of R. W. Best,—

Which bills, under a suspension of the rules, passed their several readings, and were ordered to be engrossed.

The following resolution and bills were introduced and referred, or otherwise disposed of, as follows:

By Mr. York: Resolution concerning night sessions. Lies over under the rules.

By Mr. Caldwell: Bill to amend "An act to incorporate the
Trustees of Greensboro Female College." Referred to the Committee on Corporations.

By Mr. Shaw: Bill to enable the Fayetteville & Florence Railroad Company to establish a National Bank in Fayetteville. Same reference.


By Mr. Blackmer: Bill regulating fees in the Supreme Court. Placed on file.

The calendar of bills on their second reading was then taken up, and the following passed the same, and, under a suspension of the rules, passed their third reading, and were ordered to be enrolled, viz:

Senate bill to outlaw felons who flee from justice;

Senate bill to provide for collection of taxes of 1865, in counties where no sheriff or other officer was qualified under the Revenue Ordinance of the Convention; and

Senate bill to amend sec. 4, chap. 35, Rev. Code, relating to fugitives from justice.

The bill "for the relief of sheriffs and tax collectors" coming up on its third reading;

Mr. Wilson moved to amend, by inserting the following as additional section, viz:

"Be it further enacted, That the provisions of this act shall not be so construed as to give authority to sheriffs or tax collectors to collect any arrearages of taxes which were levied for the purpose of carrying on the late war against the United States."

Which was not adopted.

The amendments recommended by the Committee on Finance were then adopted; when

Mr. Melson moved to amend, by adding the following to the bill as an additional section, viz:

"Be it further enacted, That the provisions of this bill shall not extend to the county of Washington."
Which did not prevail.

Mr. Henry moved that the bill be indefinitely postponed; which was decided in the affirmative,—yeas 49, nays 49; the Speaker voting in the affirmative.

Mr. Henry demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arrington, Ashworth, Beasley, Black, Blair, Blythe, Bryson, Campbell, Candler, Carson, Coates, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Fairecloth, of Greene, Flythe, Harrington, Harrison, Hawes, Henry, Hilliard, Hodnett, Jenkins, of Gaston, Jenkins, of Granville, Joyner, Kenan, Kinney, Leigh, of Tyrrell, Lucas, Lake, Lyon, Melson, Moore, of Chatham, Murrill, Niven, Nicks, Newsum; Palmer, Shaw, Simmons, Smith, of Columbus, Stilley, Teague, Thompson, Webb, Wilson and York.

Those who voted in the negative are:


Received a message from the Senate, concurring in the recommendations of magistrates for the counties of Jones, Sampson, Stokes, Pitt, Buncombe and Mecklenburg; and refusing to concur in the recommendation for the county of Yadkin.

Mr. Dickey gave notice that he would hereafter move to re-consider the vote, by which the bill for the relief of Sheriffs and Tax Collectors had just been indefinitely postponed.

The special order,—being the Revenue Bill,—was then taken up.
Mr. Caldwell moved to amend by striking out sec. 4, and inserting the following in lieu thereof, viz:

"Every Insurance Company incorporated by this State, who take no policy out of the State, two per cent. on their gross receipts."

Which was not adopted.

Mr. Jones moved to amend, by adding, at the end of sec. 5: "And every Gas Company and every Telegraph Company one per cent. on gross receipts." Adopted.

Mr. Campbell moved further to amend, by adding, at the end of sec. 6, as follows: "And ten dollars for every county in which said company may have an agency." Adopted.

Mr. Jones moved further to amend, by adding, at the close of section 13: "And every bagatelle table twenty dollars." Adopted.

Mr. Dickey moved further to amend by inserting "twenty-five" instead of "fifty" in line 3, sec. 15. Lost.

Mr. Houston moved to amend by inserting "seventy-five," in lieu of "fifty," in line 2, sec. 16.

Mr. Yellowley moved to amend the amendment by inserting "one hundred;" which did not prevail. And,

The amendment was then lost.

Mr. Dickey moved to amend by striking out "ten," in line 3, sec. 17, and inserting "twenty." Lost.

Mr. Dickey also moved to amend by striking out "one per cent." in line 3, sec. 19, and inserting "two per cent." instead thereof. Adopted.

Mr. Houston moved further to amend by striking out the words "for each county" in line 4, sec. 29. Adopted.

Mr. Cameron offered the following as a substitute for sec. 30, viz:

"On every gallon of whiskey, or other spirituous liquors distilled from grain, for his own use, or for sale, by the owner or person using any distillery, fifty cents, and the like sum on every gallon distilled for other persons or delivered in ex-
change for grain to other persons, to be paid by the person by whom it was distilled. On every gallon of brandy, or other spirituous liquors, distilled from fruit, or other substances, for his own use or for sale by the owner, or person using any distillery, twenty-five cents, and the like sum on every gallon distilled for other persons or delivered in exchange for grain to other persons, to be paid by the person by whom it was distilled. And the sheriff may collect the same at any time, and shall collect at least quarterly, on the first day of April, July, October and January of each year."

Mr. Houston moved to amend the substitute by striking out "fifty cents" and inserting "thirty-five cents" in lieu thereof; which did not prevail.

The substitute was then lost,—yeas 44, nays 58; the yeas the yeas and nays being demanded by Mr. Niven.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Ashworth, Barnett, Black, Blair, Bryson, Burgess, Burton, Campbell, Candler, Coates, Craig, Dalby, Davis, of Carteret, Farrow, Furr, Gaines, Garland, Gidney, Hamilton, Harrington, Harrison, Henry, Hilliard, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Marler, McAden, McDonald, McIntosh, Melson, Moore, of Alamance, Mott, Murrill, Nicks, Palmer, Paschall, Potter, Rosebro', Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Trull, Waugh, Webb Wheeler, Whitley and York.
Mr. Jenkins, of Gaston, moved to amend by adding, after the word "same" in line 5, sec. 30, as follows:

"Provided, That any person who shall still, without having previously obtained a license therefor from the special County Court, shall pay a tax of ten dollars for every day or part of day in which he may so still; and it shall be the duty of the sheriff to distrain the still and fixtures for the payment of such tax: Provided, further, That this provision shall not be in force until thirty days from the ratification of this act."

Mr. Caldwell offered the following as a substitute for the amendment, viz:

"Provided, That no person shall be permitted to distil any grain, fruit, or other substance, in any county in this State, under a penalty of $500, unless they shall have obtained a license from the Court of Pleas and Quarter Sessions in said county; which said courts are authorized to issue, or not, at their discretion, upon the applicant paying a tax of $10 on each still named in the license issued to the applicant."

Which was not adopted.

Mr. Arrington moved to amend the amendment, by adding, at its close:

"Provided, further, That this provision shall only apply to persons distilling spirituous liquors from grain."

Which was adopted; and

The amendment, as amended, was then agreed to.

Mr. Furr moved further to amend, by adding, after the word "same," in line 5, sec. 30: "Provided, That each person shall have permission to distil ten gallons for his own use free of tax." Lost.

Mr. Jenkins, of Warren, moved to amend, by striking out "twenty-five cents," in line 3, sec. 30, (tax on each gallon of spirituous liquors manufactured,) and inserting "forty cents," in lieu thereof; which was not adopted,—yeas 31, nays 67.

Mr. Jenkins demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative, are:


Mr. McDonald moved to strike out the whole of section 30. Lost.

Mr. Cameron moved to add the following; as an additional section at the end of Schedule B., viz:

"Sec. 32. On every dog kept or owned by any person, one dollar: Provided, That every head of a family shall be allowed to keep one dog, that shall not be subject to this tax: Provided, also, That animals of the canine species under the age of eight months shall not be regarded as dogs within the meaning of this section."

Which was not adopted.

(Schedule C.)

Mr. Caldwell moved to amend by inserting "five dollars," in line 3, sec. 4, in lieu of "one dollar." Lost.

The bill, as amended, then passed its second reading.

On motion of Mr. Murrill, the House adjourned until tomorrow morning, 10 o'clock.
Mr. Rosebro' presented a memorial of certain citizens of Iredell county, praying the appointment of sundry magistrates; which, on motion of Mr. Hoke, was laid on the table.

Recommendations of Justices for the counties of Harnett, Macon and Lenoir were submitted, approved and sent to the Senate for concurrence.

Mr. Manly, from the Committee on the Judiciary, reported unfavorably upon

Senate bill to appoint a tax collector for the county of Lenoir;

and

Bill to amend chap. 75, Revised Code, entitled "Notaries;" and

Bill to require a deposit of securities to be made by foreign Insurance Companies, doing business in this State.

Mr. Caudler, from the same Committee, to whom was referred a resolution of enquiry concerning the attachment law of 1861, reported that said law is still in force, and asked to be discharged from the further consideration of the subject; which was so ordered.

Mr. Cameron, from the Committee on Federal Relations, reported adversely to the bill "concerning Attorneys at Law."

Mr. Blackmer, from the Committee on Corporations, reported favorably upon

Bill to amend the act "to incorporate the Trustees of Greensboro' Female Seminary;" and

Bill to enable the Fayetteville and Florence R. R. Company to establish a National Bank in the town of Fayetteville.

Mr. Bryson, from the Committee on Internal Improvements, reported favorably upon the bill to authorize the sale of the Roanoke Valley Railroad. And.

Mr. Hoke, from the same Committee, reported favorably
upon the bill authorizing the renewal of certain State bonds in the hands of the Chatham R. R. Company.

The following bills were introduced, and referred, or otherwise disposed of, as follows, viz:

By Mr. McDonald: Bill to amend the charter of the Governor's Creek Steamboat, Transportation and Mining Company. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Mott: Bill to amend the act of incorporation of the town of Newton, in Catawba county. Referred to the Committee on Corporations.

The resolution relative to night sessions, introduced on yesterday, coming up,

Mr. Faircloth, of Wayne, moved to substitute therefor the following, viz:

"Resolved. That this House hereafter meet daily at 9½ o'clock, A. M., and adjourn at 3 o'clock, P. M., unless the business on the calendar is sooner disposed of."

On motion of Mr. Ferrell, the resolution was ordered to lie on the table.

The calendar of bills on their second reading was then taken up, and the following dispositions made, to wit:

Bill to amend the act to incorporate the Trustees of the Greensboro' Female College. Passed its several readings, and ordered to be engrossed.

Bill to establish Homestead Freeholds for the citizens of this State: Mr. Caldwell moved to amend by adding, at the end of sec. 1,

"Provided, That said Homestead shall not exceed in value five thousand dollars, at the time the Homestead is laid off."

Which was not adopted.

Mr. Waugh moved to amend, by striking out, in sec. 1, "fifty acres," and inserting, in lieu thereof, "one hundred;" which was adopted.
The bill then passed its second reading, and, under a suspension of the rules, coming up on its third,

Mr. Jenkins, of Gaston, moved to amend, by striking out, in sec. 1, "one hundred acres," and inserting "two hundred acres;" which did not prevail.

The bill then passed its third reading, and was ordered to be engrossed.

Received a message from the Senate, transmitting recommendations of magistrates for the counties of Duplin and Alamance,—the latter of which, on motion of Mr. Moore, of Alamance, were laid on the table. The former were concurred in.

Also, concurring in the House recommendations for the counties of Macon and Harnett.

Also, transmitting the following engrossed resolutions, and asking the concurrence of the House therein, viz:

Resolution in favor of Cherokee Indians. Under a suspension of the rules, passed its several readings and ordered to be enrolled. And,

Resolutions in favor of disabled soldiers. Placed on file.

The special order,—the Revenue Bill on its third reading,—was then taken up, when

Mr. Moore, of Martin, moved to amend, by adding, at the end of line 33, sec. 8, Schedule A, as follows: "Unless such buildings be to replace those burned by the United States forces." Which did not prevail.

Mr. Dickey moved to amend, by striking out "four dollars," same line and section, and inserting "one dollar" in lieu thereof. Lost.

On motion of Mr. McAden, the vote by which the House refused to strike out "four dollars" and insert "one dollar" was reconsidered, when

The amendment was adopted.

Mr. Bryson moved to amend, by adding the following proviso to sec. 11: "Provided. This tax shall not apply to arms.
used or worn previous to the ratification of this act.” Which
was adopted.

Mr. Garland moved to amend, by adding, at the close of
the same section, as follows: “And any person who shall wear
said weapons, and fail to list the same, and pay the tax, shall
be guilty of a misdemeanor.” Which was adopted.

Mr. Thigpen moved further to amend by striking out
“twenty,” in line 5, section 12, and inserting “fifteen;” which
prevailed.

Mr. Jones moved further to amend, by adding to sec. 12,
Schedule B, as follows: “And on the gross earnings of every
Railroad Company received, though not realized, a tax of one-
half of one per cent.” Which was not adopted.

Mr. McAden moved to strike out the amendment offered
on yesterday by Mr. Jenkins, of Gaston, and adopted by the
House; which motion did not prevail,—yeas 20, nays 78.

Mr. McAden demanded the yeas.

Those who voted in the affirmative are:

Messrs. Barnett, Black, Bryson, Candler, Craig, Furr, Gar-
land, Harrington, Jenkins, of Granville, Jones, Lyon, Mat-
thews, McAden, McDonald, McIntosh, Moore, of Alamance,
Nicks, Paschall, Waugh, and York.

Those who voted in the negative are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley,
Blair, Blythe, Bonner, Burgess, Burton, Caldwell, Cameron,
Campbell, Carson, Chadwick, Coates, Cowan, Cox, Crawford,
Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Wayne,
Farrow, Faison, Flythe, Gidney, Hamilton, Harrison, Hawes,
Henry, Hilliard, Hodnett, Holderby, Hoke, Holmes, Horton,
Houston, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of
Warren, Joyner, Judkins, Kenan, Kinney, Lee, of Gates,
Leigh, of Tyrrell. Logan, Lucas, Manly, Marler, McNair, Mel-
son, Moore, of Chatham. Moore, of Martin. Mott, Murrill,
Niven. Newsum. Page, Palmer, Potter, Russell, Shaw, Sim-
mons. Smith, of Columbus, Smith of Guilford. Scoggin, Thig-
pen, Thompson, Trull, Webb, Whitley, Williams, Wilson and Yellowley.

Mr. McAden then moved to amend, by adding the following as a proviso to sec. 30, viz:

"Provided, That in any county in which there is no Court in session at the time when this act shall go in force, the license may be obtained from any seven Justices of the Peace for said county."

Which was adopted.

Mr. Arrington moved that the following be added, as an additional section, at the end of Schedule B, viz:

"Sec. — Every license granted under the provisions of this act shall be for twelve months from the issuing of the same."

Which was adopted.

Mr. Hutchison moved the following as an additional section to Schedule B, viz:

"A tax of one dollar upon every dog in the State, of the age of eight months, or over: Provided, That one shall be exempted for every head of a family."

Which was not adopted,—yeas 33, nays 54; the yeas and nays being demanded by Mr. Hutchison.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Allison, Arrington, Ashworth, Barnett, Blythe, Bonner, Bryson, Burton, Carson, Chadwick, Coates, Craig, Crawford, Dalby, Davis, of Carteret, Everett, Flythe, Furr, Garland, Gidney, Hamilton, Harrington, Harrison, Hawes, Hilliard, Hodnett, Horton, Jenkins, of Gaston, Joyner, Leigh, of Tyr-
rell, Luke, Marler, McDonald, McIntosh, McNair, Melson,
Murrill, Niven, Nicks, Newsum, Palmer, Paschall, Russell,
Shaw, Simmons, Smith, of Columbus, Stilley, Scoggin, Trull,
Waugh, Whitley, Williams, Yellowley and York.

Mr. Dickey moved the following as an additional section to
Schedule B, viz:

"On every bale of cotton, and on each one hundred pounds
of tobacco, one dollar, to be paid by the producer."

Which was not adopted.

Mr. Jones offered the following, as an addition to sec. 5,
Schedule C, viz:

"On the probate of every will, or grant of administration,
on every writ of attachment or other action at law or in equi-
ity, and on every appeal, writ of error, recordari or certiorari,
a tax of one dollar."

Which did not prevail.

The bill, as amended, then passed its third reading; and
was ordered to be engrossed.

On motion of Mr. Furr, the House adjourned until to-mor-
row morning, 10 o'clock.

FRIDAY, March 2, 1866.

Prayer by Rev. Dr. Smades.

Leave of absence was granted to Messrs. Hilliard, Flythe,
Manly and Newsum.

An additional recommendation of magistrates for the county
of Granville was submitted, approved and sent to the Senate
for concurrence.

Mr. Harper, from the Committee on Finance, to whom was
referred a communication from the Public Treasurer concern-
ing the custody of the public funds, reported back a bill en-
titled "A bill to authorize the Public Treasurer to make
special deposits," and recommended its passage. Placed on
file.
The following resolutions and bills were introduced, and referred, or otherwise disposed of, as follows, viz:

By Mr. Kinney: Resolution precluding leaves of absence for the remainder of this session. Lies over under the rules.

By Mr. Blackmer: Resolution in favor of R. H. Bradley, Keeper of the Capitol. Referred to the Committee on Claims.

By Mr. Blackmer: Bill to extend relief to Robert Christy, and others. Placed on file.

By Mr. Hutchison: Bill to legalize the Courts of Pleas and Quarter Sessions held by the Provisional Justices in the county of Mecklenburg. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Hoke: Bill to raise a Sinking Fund. Referred to the Committee on Judiciary.

By Mr. Moore, of Martin: Bill to amend the charter of the Williamston and Tarboro' Railroad Company, and for other purposes. Referred to the Committee on Internal Improvements.

The calendar of bills on their second reading was then taken up, and the following dispositions made, viz:

Bill for the benefit of the Common Schools: The amendment of the committee was adopted; when

Mr. Wilson moved further to amend by inserting, after the word "taxes," in line 10, sec. 1, the words "for the year 1867 and thereafter." Which was not adopted.

Mr. Crawford moved to amend, by inserting the words "and county" after the word "State," in line 10, sec. 1. Adopted.

Mr. Blythe moved further to amend by inserting, in line 8, sec. 1, before the word "five." the words "one, two;" which was adopted.

Mr. Moore, of Martin, moved to strike out all in sec. 4, after the word "authorized," and insert, in lieu thereof, "to borrow for the benefit of the Common Schools by the hypothecation of stocks, &c., belonging to the Literary Fund, money to
the amount of $200,000 per annum, at not more than eight per cent. interest;" which was not adopted.

Mr. Smith, of Hertford, offered a substitute for the bill; which was not adopted.

Mr. Dalby offered as a substitute Senate bill 109; which was not adopted.

The bill then passed its second reading,—yeas 57, nays 47; the yeas and nays being demanded by Mr. Caldwell.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Arrington, Barnett, Blair, Bonner, Bryson, Campbell, Carson, Chadwick, Cowan, Dalby, Dargan, Everett, Faircloth, of Wayne, Farrow, Flythe, Furr, Harper, Harrington, Hawes, Hoke, Holmes, Hutchison, Jenkins, of Gaston, Leigh, of Tyrrell, Lucas, Lake, Lyon, McAden, McDonald, McEachern, Melson, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Murrill, Niven, Rosebro', Simmons, Smith, of Columbus, Smith, of Hertford, Scoggin, Thompson, Trull, Webb, Wheeler, Whitley and Yellowley.

Senate resolution in behalf of disabled soldiers. Referred to the Committee on Claims.

Bill to authorize sale of a public lot to the City of Raleigh for a burial ground. Passed its several readings, and ordered to be engrossed.

Senate resolution in reference to "Sketches of Lower North-
Carolina.” Passed its several readings, and ordered to be enrolled.

Bill to authorize the sale of the Roanoke Valley Railroad. Passed its several readings, and ordered to be engrossed.

Resolution providing for repairs to the Capitol. Passed its several readings, and ordered to be engrossed.

Bill to require a deposit of securities to be made by foreign Insurance Companies doing business in this State. Passed its several readings, and ordered to be engrossed.

Bill to prevent amalgamation of the white and colored races. Tabled.

Bill to authorize Registers to appoint deputies. Tabled.

Bill to reduce the penal bonds of sheriffs and other officers. Passed several readings, and ordered to be engrossed.

Bill to incorporate the Business Exchange of Elizabeth City, and vicinity. Passed its several readings, and ordered to be engrossed.

Senate bill to incorporate the Rock Island Manufacturing Company. Passed its several readings, and ordered to be enrolled.

Senate bill concerning private acts of incorporation. Tabled.

Bill concerning Attorneys at Law. Indefinitely postponed.

The following resolutions were introduced by leave, viz:

By Mr. Niven: Resolution in favor of D. W. Chambers. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. McNair: Resolution in favor of Theodore N. Ramsay. Referred to the Committee on Claims.

On motion of Mr. Smith, of Hertford, the bill for the collection of Revenue was made the special order for Monday next, 5th inst., 11 o’clock.

Received a message from the Senate, concurring in the House recommendation of magistrates for the county of Lenoir.
Also, transmitting sundry recommendations for the counties of Hertford and Wayne; which were concurred in.

Also, transmitting the following engrossed bill and resolution, and asking the concurrence of the House therein, viz:

Bill to extend the operation of an ordinance appointing a Judge to determine State claims to property; and

Resolution in favor of S. R. Bunting, Administrator of W. T. J. Vann, late sheriff of New Hanover,—

Which were respectively placed on file.

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

SATURDAY, MARCH 3, 1866.

Additional recommendations of magistrates for the counties of Wake, Wilkes and Catawba were submitted, approved and sent to the Senate for concurrence.

The Speaker presented a memorial from citizens of Chatham county, praying a change in the time of holding the Courts of Pleas and Quarter Sessions of said county; which was referred to the Committee on Propositions and Grievances.

Mr. Cowan, from the Committee on Finance, reported favorably upon the bill supplemental to, and amendatory of, an act to re-organize the Corporation Government of the City and Academy of Newbern.

Mr. Wheeler, from the Committee on Claims, reported favorably upon

Resolution in favor of R. H. Bradley, Keeper of the State Capitol; and

Resolution in favor of Theodore N. Ramsay.

Mr. Niven, from the same Committee, reported unfavorably upon

Resolution in favor of J. L. & W. S. Alexander; and

Memorial of Daniel Tucker;
Both of which were ordered to lie upon the table.

Mr. Webb, from the Committee on Military Affairs, reported "A bill to re-enact chap. 70, Revised Code, entitled "Militia," and to amend the same; which was placed on file.

Mr. Hoke, from the Committee on the Judiciary, to whom was referred a bill "to raise a Sinking Fund," reported a substitute for the same, entitled "A bill to raise revenue from taxing Railroad receipts," which was placed on file and ordered to be printed.

Mr. Chadwick, from the Special Committee to whom was referred "A bill to amend sec. 64, chap. 60, Revised Code," reported adversely to the same.

Mr. McNair, from the Special Committee to whom was referred a resolution of enquiry "as to the condition of the suffering poor in those regions of country devastated by the Federal armies," submitted a report thereon, accompanied by the following resolution, viz:

"Resolved, That the Public Treasurer be authorized to loan to the Chairmen of the County Courts of those counties, that have been devastated by the Federal armies, a sum of money not exceeding five thousand dollars,—first taking bond, with approved security, payable within two years after date."

Which was placed on file.

The following resolutions and bills were introduced, and disposed of, as follows, viz:

By Mr. Blair: Resolution restricting debate. Lies over under the rules.

By Mr. Leigh, of Tyrrell: Bill for relief of Henry B. Norman, late Sheriff of Tyrrell county. Filed.

By Mr. McGuire: Bill to incorporate County Line Lodge, No. 224, A. Y. M. Filed.

By Mr. Hoke: Resolutions calling for information from the Governor and Public Treasurer relative to cotton and rosin belonging to the State.

The resolution, introduced on yesterday, precluding leaves
of absence from and after to-day, was, on motion of Mr. Kinney, laid on the table.

Received a message from the Senate, transmitting the following engrossed resolutions and bills, and asking the concurrence of the House therein, viz:

Resolution in favor of John True, and others. Referred to the Committee on Claims.

Bill to authorize the Public Treasurer to receive and invest the land scrip donated to this State by Congress, for endowment of Agricultural College, &c. Under a suspension of the rules, passed its several readings, and ordered to be enrolled.

Bill to authorize the Wil., Char. & Ruth. R. R. Company to extend said road from Rutherfordton, &c. Referred to the Committee on Internal Improvements.

Resolution in relation to the Public Printing and Binding. Placed on file.

On motion of Mr. Waugh, the vote by which the bill "for the relief of Sheriffs and Tax Collectors" was heretofore indefinitely postponed, (and of a motion to re-consider which notice had previously been given,) was re-considered; and, after some time spent in discussion thereon,

The bill was, on motion of Mr. Moore, of Martin, laid on the table.

On motion of Mr. Jenkins, of Warren, the bill "in relation to the Judiciary" was made the special order for Monday next, 5th inst., 12 o'clock.

The calendar of bills on their second reading was then taken up, when the following passed their several readings and were ordered to be engrossed, viz:

Bill to extend time for the collecting of taxes under the Revenue Ordinance of the Convention;

Bill to incorporate the North-Carolina Mining Company;

Bill to extend relief to Robert Christy, and others;

Bill for relief of owners of lands and houses; and,
Bill to amend act concerning Justices of the Peace.
And the following were ordered to be enrolled, viz:
Senate bill to amend an act entitled "An act for the relief of landlords;"
Senate bill to incorporate the Carolina Joint Stock Insurance and Trust Company; and
Senate bill to extend the limits of the town of Swansboro.
The following additional dispositions were made of bills on their second reading, viz:
Senate bill to give original jurisdiction to the Supreme Court in certain cases. Referred to the Committee on the Judiciary.
Bill to authorize the President of the Western North-Carolina Railroad Company to borrow money on the faith and credit of the State. Referred to the Committee on Internal Improvements.
The following bills, coming up on their third reading, passed the same and were ordered to be engrossed, viz:
Bill to authorize the Chairman of the County Court of Alamance to sell Real Estate; and
Bill to amend ch. 75 Revised Code, entitled "Notaries."
On motion of Mr. Smith, of Hertford, the vote, by which the bill "for the collection of Revenue" was made the special order for Monday, 5th inst., 11 o'clock, was reconsidered, and the same was taken up; when
Mr. Caldwell moved to amend by inserting the words "or tax" after the word "Captain's," in line 8, sec. 1. Lost.
Mr. Smith, of Columbus, moved to amend by striking out the word "Captain's," same line and section, and inserting the word "election." Lost.
Mr. Harper moved to amend by striking out all after the word "made" in line 11, sec. 5, Schedule A, and inserting "for the present year on the basis of the valuation of real estate in 1860, and, thereafter, on the basis of the last preceding valuation." Adopted.
Mr. Harper moved further to amend by adding, at the close of the bill, the following as an additional section, viz:

"That it shall be the duty of the Public Treasurer to prepare instructions and forms for assessors, tax collectors, and others charged with the execution of this act, and the act of the present session entitled "Revenue," for their direction and guidance in performing their several duties, and, in case of doubt or difficulty, to obtain the opinion of the Attorney General as to the true intent and meaning of said act: And that the Treasurer cause to be printed, as soon as practicable, and distributed to the several counties, not less than ten copies for each member of the House of Commons, to which any county is entitled, of the aforesaid acts, and instructions, and such additional number as, in his judgment, may be required for the use of his office."

Which was adopted.

The bill then passed its second and third readings and was ordered to be engrossed.

Received a message from the Senate, transmitting recommendations of magistrates for the counties of Moore and Rutherford; which were concurred in.

On motion of Mr. Waugh, the House adjourned until Monday morning, 10 o'clock.

MONDAY, MARCH 5, 1866.

Prayer by Rev. Mr. Atkinson.

Leave of absence for the remainder of the session was granted to Messrs. Burgess, Hawes, Simmons and Crawford.

An additional list of magistrates for the county of Davidson was submitted, approved, and sent to the Senate for concurrence.

The Speaker announced Messrs. Paschall, Thigpen, Ash-
worth, Leigh, of Tyrrell, and Foster as constituting the Committee on enrolled bills for the week.

The following resolutions were introduced, and referred, or otherwise disposed of, as follows:

By Mr. Smith, of Columbus: Instructing the Judiciary Committee to enquire whether chaps. 16, 21, 23, 25 and 26, Acts of 1864-'65, are still in force. So referred.

By Mr. Gidney: Resolution in behalf of disabled soldiers. Referred to Committee on Finance.

By Mr. Jones: Resolution in favor of Catherine Kendall. Same reference.

By Mr. Scoggin: Resolution prescribing compensation of officers and members of the General Assembly. Propositions and Grievances.

Mr. Blackmer, from the Committee on Corporations, reported favorably upon bill to amend the act of incorporation of the town of Newton; and

Bill to amend the charter of the Williamston and Tarboro' Railroad Company; which, under a suspension of the rules, passed its several readings and was ordered to be engrossed.

Mr. Murrill, from the Committee on Propositions and Grievances, to whom was referred a memorial from citizens of Wadesboro', reported back a bill, embodying the prayer of the memorialists; which was read and filed.

Mr. Wheeler, from the Committee on Claims, to whom was referred a resolution in behalf of certain disabled soldiers, reported a substitute for the same.

Sundry amendments were offered; when Mr. McNair moved an indefinite postponement of the whole subject; which was not agreed to,—yeas 44, nays 51.

Mr. Barnett demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Beasley, Black, Blair, Blythe, Bryson, Cameron, Candler, Cowan, Craig, Crawford, Davis, of Carteret, Dickey, Fairecloth, of Wayne, Gidney, Hamilton, Harper, Harrington,
Hawes, Henry, Hodnett, Jenkins, of Gaston, Jones, Kinney, Logan, Lucas, Matthews, McDonald, McIntosh, McNair, Melson, Palmer, Potter, Rosebro; Russell, Simmons, Smith, of Columbus, Smith, of Cumberland, Scoggin, Teague, Thompson, Waugh, Williams, Wilson, and York.

Those who voted in the negative are:

Mr. Russell moved to commit the resolution to the committee on Finance. Which was agreed to,—yeas 56, nays 40,—the yeas and nays being demanded by Mr. Barnett.

Those who voted in the affirmative, are:
Messrs. Allison, Ashworth, Beasley, Black, Blair, Blythe, Bonner, Bryson, Burton, Cameron, Campbell, Candler, Chadwick, Craig, Crawford, Dalby, Davis, of Carteret, Faircloth, of Wayne, Farrow, Ferrell, Furr, Hamilton, Harrington, Henry, Hodnett, Holderby, Holmes, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, McDonald, McEachern, McGuire, McIntosh, McNair, Melson, Moore, of Alamance, Moore, of Chatham, Murrill, Palmer, Paschall, Potter, Rosebro, Russell, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Scoggin, Teague, Thompson, Waugh, Webb, Wilson and Yellowley.

Those who voted in the negative, are:
Mr. Wheeler introduced a bill to regulate the sale of spir-ituouliquors in the town of Salem; which, under a suspension of the rules, passed its several readings and was ordered to be engrossed.

Mr. Everett, by leave, introduced a resolution in favor of C. H. Brogden; which was referred to the Committee on Claims.

The special order, to wit: "Bill concerning Judiciary," was then taken up; and, after some time spent in debate thereon, the bill passed its second reading,—yeas 53, nays 46.

Mr. Jenkins demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


Received a message from the Senate, announcing that they
had passed the following engrossed resolution and bills, and asking the concurrence of the House therein, viz:

Resolution in favor of W. E. Mann. Referred to Committee on Claims.

Bill to incorporate the Fayetteville Iron Works Company. Corporations.

Bill to charter the City of Raleigh. Same reference.

Also, a message announcing that they had passed the following engrossed bills, with amendments, and asking the concurrence of the House in the same, viz:

Bill to authorize W. S. Grandy to continue a toll bridge across Pasquotank river; and

Bill to authorize construction of a toll bridge across Catawba river, at or near Rock Island Factory.

The calendar of bills on their second reading was then taken up, when the following dispositions were made, viz:

Senate bill to repeal part of sec. 2, ch. 68 Revised Code. Re-referred to Committee on Judiciary.

Bill to incorporate the town of Charlotte. Amendments of Committee on Corporations adopted, and then referred to Committee on Judiciary.

Bill to authorize the Public Treasurer to make special deposits. Passed its several readings and ordered to be engrossed.

Bill to extend operation of an Ordinance appointing a Judge to determine State claims to property. On motion of Mr. Hoke, laid on table.

Senate bill in favor of Trustee of Randolph county. Passed second reading.

Bill regulating fees in the Supreme Court. Passed second reading.

Bill to amend the charter of the Ashville and Greenville Plank Road Company. Passed second reading.

Bill relating to debts created during the war. Mr. Craig moved to amend by striking out "$1000" and inserting
Which was adopted,—yeas 55, nays 42; the yeas and nays being demanded by Mr. Craig.

Those who voted in the affirmative are:


The bill then passed its second reading; and, under a suspension of the rules, being put upon its third reading,

After sometime spent in further amendment and discussion, it passed the same, and was ordered to be engrossed,—yeas 76, nays 10.

Mr. Dargan demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Beasley, Black, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Campbell, Candler, Carson, Coates, Cox, Craig, Crawford, Dalby, Davis, of Carteret, Dunn, Everett, Faircloth, of Wayne, Furr, Garland, Gidney, Hamilton, Harper, Harrington, Hawes, Hodnett, Holderby, Hoke, Holmes, Houston, Hutchison, Jenkins, of

Those who voted in the negative, are:

Messrs. Cameron, Chadwick, Dargan, Gaines, Jenkins, of Granville, Kenan, Luke, Lyon, McNair and Yellowley.

Received a message from the Senate, announcing Messrs. Boyd, Taylor and Stanford as the Senate branch of the Committee on enrolled bills for the week.

Also, transmitting recommendations of magistrates for the counties of Alleghany and Yadkin; in which the House concurred.

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

TUESDAY, March 6, 1866.

Leaves of absence, from and after to-morrow, were granted to Messrs. Mott, York, Hoke, Hamilton, Williams and Lee, of Gates.

Additional recommendations of magistrates for the counties of Harnett, Edgecombe, Robeson and Tyrrell were submitted, approved, and sent to the Senate for concurrence.

Mr. Smith, of Hertford, from the Committee on Finance, reported unfavorably upon the resolution in favor of Catherine Kendall.

Mr. Luke, from the Committee on Claims, unfavorably upon the resolution in favor of C. H. Brogden.

Mr. Bryson, from the Committee on Internal Improvements,
favorably on the bill to amend the charter of the Wilmington, Charlotte and Rutherford R. R. Company; and

Mr. Everett, from the same Committee, favorably upon the bill to authorize the President of the Western N. C. R. R. Company to borrow money on the faith and credit of the State.

The following bills were introduced, and disposed of as stated, viz:

By Mr. Jenkins, of Warren: Bill to encourage immigration and protect immigrant labor. Referred to Judiciary Committee.

By Mr. Dunn: Bill to consolidate Atlantic and N. C. R. R. Companies. Internal Improvements.

The calendar of bills, &c., on their second reading, was then taken up, when the following failed to pass the same, viz:

Resolution in favor of S. R. Bunting, Administrator.
Bill in favor of H. B. Norman, late Sheriff of Tyrrell.
Bill in favor of W. W. Perkins, of Pitt.
Bill in favor of C. A. Boone, of Guilford.
Bill in favor of Sheriff of Hyde.
Bill in favor of sureties of J. R. White, deceased.
Bill in favor of Hiram Hunter, of Madison.
Bill in favor of J. A. Oates, late sheriff.
Bill in favor of Robt. McFarland, of Polk.
Bill in favor of Wm. Haymore, of Surry.
Bill in favor of Michael Spainhour, of Burke.
Bill in favor of Geo. M. Green, of Cleveland.
Bill in favor of Aden Wiseman, of Mitchell.
Bill in favor of J. N. Benners, and others.
Bill in favor of R. B. Paschall, of Chatham.
Bill in favor of A. J. McBride, sheriff.
Bill in favor of Jesse B. Lee, of Currituck.

And the following were indefinitely postponed, viz:

Bill authorizing Public Treasurer to loan $5,000 to counties devastated by the Federal armies;
Bill for relief of W. B. Campbell, former sheriff, and others; 
Bill in favor of Walker Smith, former sheriff. 
And the following tabled, viz:
Bill to amend sec. 64, ch. 40 Revised Code; and 
Senate bill to appoint a Tax Collector for Lenoir. 
And the following, under a suspension of the rules, passed 
their second and third readings and were ordered to be en- 
grossed, viz:
Bill to incorporate County Line Lodge, Ancient York Ma-
sons; 
Bill to re-enact chapter 70, Revised Code, entitled "Militia,"—
amended, on motion of Mr. Kenan, so as "to authorize the 
officers appointed under the Ordinance of the Convention to 
uel the militia according to the provisions of this act." And 
Resolution in favor of disabled soldiers. 
The Senate resolution concerning the Public Printing and 
Binding passed its second and third readings, under a sus-
pension of the rules, and was ordered to be enrolled. 
Mr. Manly (by leave) introduced a bill in favor of the estate 
of L. O'B. Branch; which was referred to the Committee on 
the Judiciary. 
Mr. Thigpen (by leave) from the Committee on Claims, re-
ported favorably on resolution in favor of W. E. Mann. 
Mr. McAden moved that the resolution be postponed in-
definitely. Agreed to. 
On motion of Mr. Hutchison, the House reconsidered the 
vote by which was rejected the bill to authorize the Banks of 
the State to subscribe for stock in the National Banks. 
The question recurring on the passage of the bill on its 
second reading, the yeas and nays were ordered, on motion 
of Mr. Henry. 
Those who voted in the affirmative are: 
Messrs. Allison, Barnett, Baxter, Beasley, Blackmer, Blair, 
Blythe, Bonner, Bryson, Burton, Campbell, Candler, Cowan, 
Cox, Craig, Crawford, Dalby, Davis. of Carteret, Davis, of

Those who voted in the negative are:

Messrs. Ashworth, Black, Caldwell, Carson, Coates, Dunn, Everett, Faircloth, of Wayne, Farrow, Furr, Harrington, Henry, Hodnett, Holderby, Houston, Jenkins, of Gaston, Jenkins, of Granville, Kinney, Leigh, of Tyrrell, Lyon, McDonald, McGuire, Melson, Moore, of Chatham, Nicks, Page, Paschall, Rayner, Rosebro', Smith, of Columbus, Smith, of Guilford, Stilley, Seoggin, Thompson, Trull and Yellowley—36.

Mr. Cameron paired off with Mr. Niven.

So the bill passed its second reading:

On motion of Mr. Jenkins, of Warren, the rules were suspended and the bill was put on its third reading.

Mr. Harper offered the following amendment, viz: insert in 1st section, after the words "subscribed for," the words "or deal in." Adopted.

The bill, as amended, passed its third reading:

The engrossed bill concerning salaries and fees passed its several readings, and was ordered to be enrolled.

A message was received from the Senate, transmitting, for concurrence, nominations of Justices of the Peace for Franklin and Currituck counties.

On motion of Mr. Baxter, the list for Currituck county was tabled. List for Franklin concurred in.

On motion of Mr. Hoke, the bill to raise a Sinking Fund was made the special order for eleven o'clock A. M., to-morrow.

On motion of Mr. Wilson, the bill for the benefit of the Common Schools, was taken up for consideration.
Mr. Hutchison offered a substitute for the bill; when
Mr. Cameron moved to amend, by substituting, in — sec-
tion, "§100,000" for "§50,000." Adopted.
Mr. Allison moved that the House adjourn. Not agreed to.
Mr. Harper moved the indefinite postponement of the bill.
Mr. Luke moved that the House adjourn. Not agreed to.
The question recurring on the motion for indefinite post-
oponement, the yeas and nays were ordered; and it was decided in the negative,—yeas 36, nays 55.
Those who voted in the affirmative are:
Messrs. Black, Blair, Campbell, Carson, Cowan, Dalby, Everest, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Fais-
on, Furr, Harper, Harrington, Henry, Holmes, Horton, Jen-
kins, of Gaston, Kenan, Leigh, of Tyrrell, Lucas, Luke, Marler, McAden, McEachern, Melson, Moore, of Alamance, Moore, of Martin, Murrill, Rayner, Russell, Smith, of Columbus, Thompson; Webb, Whitley and Yellowley.
Those who voted in the negative are:
Messrs. Allison, Ashworth, Baxter, Beasley, Blackmer, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Cox, Craig, Crawford, Davis, of Carteret, Dickey, Foster, Garland, Gidney, Hamilton, Harrison, Hodnett, Holderby, Houston, Hutchison, Hyman, Jenkins, of Warren, Jones, Joyner, Jud-
kins, Kinney, Logan, Manly, McDonald, McGuire, McIntosh, McNair, Niven, Nicks, Page, Palmer, Paschall, Potter, Rose-
On motion of Mr. Hyman, the House adjourned until to-
morrow morning, 10 o'clock.
WEDNESDAY, MARCH 7, 1866.

Prayer by Rev. F. P. Brewer.

Additional recommendations of magistrates for the counties of Surry, Alamance, Orange and Stanly were submitted, approved, and sent to the Senate.

Mr. Yellowley, from the Judiciary Committee, reported favorably on the bill to repeal so much of chap. 68, sec. 2, Revised Code, as relates to requiring bonds for marriage licenses.

Mr. Manly, from the same Committee, reported back favorably, with amendment, a bill to amend the second section of the 68th chapter, Revised Code.

Mr. Blackmer, from the same, reported the bill to incorporate the Mayor and Board of Aldermen of the City of Charlotte.

Mr. Smith, of Hertford, from the Committee on Finance, reported a resolution to authorize the publication of sundry acts heretofore passed, with the acts of the present session.

On motion of Mr. Smith, of Hertford, the rules were suspended, and the resolution passed its several readings. Engrossed.

Mr. Harper, from the same Committee, reported a resolution in favor of certain disabled soldiers, heretofore referred, with a substitute, recommending its passage.

Leave of absence, from and after to-day, was granted Mr. Dargan.

Received a message from the Senate, transmitting an engrossed bill to amend chap. 40, Revised Code, entitled "Draining and Damming Lowlands," asking concurrence.

On motion of Mr. Hyman, the rules were suspended, and the bill passed its several readings. Enrolled.

On motion of Mr. Manly, the House took up a bill supplemental to, and amendatory of, an act to re-organize the corporate government of the City and Academy of Newbern, passed at this session of the General Assembly.
The rules were suspended, and the bill passed its second and third readings, and was ordered to be engrossed.

On motion of Mr. Craig, the Senate bill to authorize the President of the Western North Carolina Railroad Company to borrow money, on the faith and credit of the State, was taken up. The bill passed second and third readings, under a suspension of the rules, and was ordered to be enrolled.

At 11 o'clock, A. M., the special order for that hour was taken up, viz: The bill to raise a Sinking Fund, and a substitute therefor, reported from the Judiciary Committee, viz: "A bill to raise revenue from taxing railroad receipts."

Mr. Cowan moved that the bill be indefinitely postponed.

Mr. Jenkins, of Warren, moved that it be laid on the table; which was not agreed to.

The question recurring on the motion to postpone indefinitely, the yeas and nays were ordered, on motion of Mr. Dickey, and the motion prevailed,—yeas 47, nays 46.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Allison, Arrington, Ashworth, Baxter, Blackmer, Blair, Blythe, Bryson, Carson, Coates, Craig, Dalby, Davis, of Halifax, Dickey, Dunn, Fairecloth, of Greene, Garland, Hamilton, Harrison, Hodnett, Hoke, Holmes, Horton, Hutchison, Jenkins, of Gaston, Jones, Kinney, Lyon, McAden, McDonald, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of
Chatham, Murrill, Nicks, Palmer, Potter, Rosebro', Russell, Simmons, Stilley, Scoggin, Teague, Webb and Yellowley.

The ensuing special order was then taken up; viz: The bill improving the law of evidence, on its third reading.

The yeas and nays were ordered, on motion of Mr. Jenkins, of Warren, and the bill passed its third reading,—yeas 66, nays 38.

Those who voted in the affirmative are:


Those who voted in the negative, are:

Messrs. Arrington, Ashworth, Black, Bryson, Burton, Campbell, Candler, Coates, Craig, Everett, Farrow, Garland, Harrison, Harrington, Henry, Hodnett, Holderby, Hutchison, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Leigh, of Tyrrell, Lyon, McNair, Melson, Newsam, Palmer, Russell, Simmons, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Thigpen, Thompson, Waugh and Yellowley.

Received a message from His Excellency, the Governor, transmitting, in response to a resolution of the House, the correspondence relative to certain cotton belonging to the State.

On motion of Mr. Hoke, the message and accompanying papers were sent to the Senate, with a proposition to refer
them to a select committee, to consist of three on the part of
the House and two on the part of the Senate.

Received a message from the Senate, transmitting the fol-
lowing resolution, asking concurrence, viz:

Resolved, That a message be sent to the House of Commons,
proposing to go into an election of Solicitor for the 4th Judi-
cicial District, as that office is now vacant, the person elected
holding an office incompatible therewith.

The message also announced the nomination of Hon. Thos.
Settle in the Senate.

Mr. Baxter nominated Hon. A. M. Scales.

The House concurring, proceeded to vote as follows, Messrs.
Baxter and Holderby superintending the election:

For Mr. Settle—Messrs. Speaker, Ashworth, Barnett, Beas-
ley, Black, Blackmer, Blair, Blythe, Bryson, Burton, Caldwell,
Cameron, Campbell, Candler, Carson, Coates, Craig, Dalby,
Dargan, Davis, of Carteret, Dickey, Donnell, Duñn, Everett,
Faircloth, of Greene, Faircloth, of Wayne, Furr, Gaines, Gar-
land, Hamilton, Harper, Harrison, Harrington, Henry, Hodnett,
Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jen-
kins, of Granville, Jones, Joyner, Kinney, Logan, Lucas, Lyon,
Matthews, McAden, McDonald, McEachern, McGuire, McIn-
tosh, Melson, Moore, of Alamance, Moore, of Chatham, Mur-
rill, Nicks, Newsom, Palmer, Potter, Rosebro', Russell, Sim-
mons, Smith, of Columbus, Smith, of Guilford, Seoggin,
Teague, Thompson, Waugh, Wheeler and Wilson.—72.

For Mr. Scales—Messrs. Allison, Arrington, Baxter, Bon-
er, Chadwick, Cowan, Cox, Farrow, Faison, Foster, Gidney,
Hoke, Hyman, Jenkins, of Warren, Judkins, Kenan, Leigh,
of Tyrrell, Luke, Maury, Marler, McNair, Moore, of Martin,
Niven, Smith of Cumberland, Smith, of Hertford, Thigpen,
Trull, Whitley, Williams and Yellowley—30.

Mr. Baxter, from the committee to superintend the election,
reported subsequently as follows: Whole number of vote cast
146. Necessary to a choice 74. Mr. Settle received 106 votes; and Mr. Scales 40. Mr. Settle elected.

Mr. Dunn (by leave) introduced "a bill to extend the corporate limits of the town of Kinston and for other purposes." Referred to the Committee on Corporations.

The House resumed the unfinished business, viz: "A bill for the benefit of the Common Schools," and the question recurring on the substitute offered by Mr. Hutchison, Mr. Smith, of Hertford, moved to amend by striking out the 9th section of the proposed substitute, and inserting the following:

"Be it further enacted, That the Public Treasurer be authorized to pay to the President and Directors of the Literary Fund, on their warrant, from time to time, seventy-five thousand dollars, for the support of the Common Schools for the present year: Provided, That not more than twenty-five thousand dollars shall be payable before the 1st day of January, A. D., 1867.

Which motion prevailed.

The question recurring on the adoption of the substitute, as amended, the yeas and nays were ordered, on motion of Mr. Jenkins, of Warren, and it was adopted,—yeas 57, nays 31.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Baxter, Beasley, Blackmer, Blair, Burton, Caldwell, Coates, Craig, Dalby, Dickey, Dunn, Faircloth, of Greene,

The question recurring on the passage of the bill, as amended, the yeas and nays were ordered, on motion of Mr. Jenkins, of Warren, and it passed,—yeas 49, nays 40.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Baxter, Beasley, Blackmer, Blair, Caldwell, Coates, Craig, Dalby, Dunn, Everett, Faircloth, of Greene, Furr, Harper, Harrison, Harrington, Holmes, Jenkins, of Gaston, Jenkins, of Warren, Judkins, Leigh, of Tyrrell, McAden, McEachern, McGuire, McNair, Melson, Nicks, Newsom, Rayner, Rosebro, Russell, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Teague, Trull, Waugh, Whitley, Wilson and Yellowley.

Mr. Faircloth entered a motion to reconsider bills for the relief of the sheriffs of Beaufort, Carteret and Craven counties.

Mr. Baxter entered a motion to reconsider a bill for the relief of the sheriff of Currituck county.

On motion of Mr. Dargan, the House adjourned until ten o'clock to-morrow.
THURSDAY, MARCH 8, 1866.

Mr. Blackmer, from the Committee on Corporations, reported favorably, with amendment, upon "a bill to extend the corporate limits of the town of Kinston and for other purposes."

On motion of Mr. Jenkins, of Warren, the bill "in relation to the Judiciary" was taken up and laid on the table.

The Senate resolution, "in favor of disabled soldiers," was taken up, on motion of Mr. Wheeler. The resolution was amended, by the adoption of a substitute reported from the Committee on Claims.

The rules were suspended, on motion of Mr. Manly, and it passed, as amended, its second and third readings, and was ordered to be enrolled.

On motion of Mr. Russell, bill to amend chapter 60, Revised Code, was taken from the table.

Mr. Lucas offered a substitute therefor, bearing the same title.

Mr. Caldwell moved that the bill be postponed indefinitely; which was not agreed to.

The substitute was then adopted, and the bill, as amended, passed second and third readings, under a suspension of the rules, and was ordered to be engrossed.

The following bills and resolutions, coming up on their second reading, were severally disposed of, as stated:

Bill to repeal so much of section second, chapter sixty-eight, Revised Code, as relates to requiring bonds for marriage licenses;

Bill to incorporate a Savings Institution in the city of Newbern; and

Resolutions in favor of R. H. Bradley and Theo. N. Ramsey, Passed second and third readings, under a suspension of the rules, and were ordered to be engrossed.

The following were laid on the table, viz:

Resolution in favor of Catherine Kendall;

Resolution in favor of C. H. Brogden;
Resolution concerning Swamp Lands; and
Bill to enable the Fayetteville and Florence Railroad Company to establish a National Bank in the town of Fayetteville.

On motion of Mr. Blackmer, the engrossed bill to amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company was then taken up, when the rules were suspended and the bill passed its second and third readings, and was ordered to be enrolled.

Senate bill to amend chapter 68, Revised Code, was put on its second reading.

Mr. Waugh moved that it be laid on the table. Not agreed to.

Mr. Jenkins, of Granville, moved that it be indefinitely postponed. Not agreed to.

Amendments reported from the Judiciary Committee were then adopted, and the bill passed second reading; and, being read the third time,

Mr. Niven moved to amend the bill, by striking out the word "eighteen" and inserting "seventeen," before the word "years" in the 16th line of sec. 1. Not agreed to.

Mr. Dalby moved to amend by striking out "eighteen" and inserting "sixteen" instead. Not agreed to.

Mr. Farrow moved that the bill be laid on the table, which was not agreed to.

The bill then passed its third reading. Enrolled.

A message was received from the Senate, announcing its concurrence in the proposition to refer the message and correspondence relative to cotton belonging to the State, to a Joint Select Committee; also, proposing that the papers be printed. The House concurred.

A bill to regulate fees in the Supreme Court, passed third reading.

A resolution in favor of the Trustee of Randolph county, coming up on its third reading.
Mr. McNair moved to lay it on the table. Not agreed to. The bill then passed and was ordered to be enrolled.

Bill to amend the charter of the Asheville and Greenville Turnpike Company. Amended, on motion of Mr. Jenkins, of Warren, by striking out the words “one hundred per cent.” and inserting “fifty per cent.” as the increase on tolls here-tofore allowed. Passed third reading, as amended, and ordered to be engrossed.

Received a message from the Senate, asking concurrence in nominations of Justices of the Peace for the counties of Jones, Orange and Northampton. Concurred in.

Received a message from the Senate, announcing concurrence in House nominations of Justices of the Peace for the counties of Surry, Stanly, Orange and Alamance.

Resolution in favor of John True and others—disabled soldiers—being called up on second reading, the substitute reported from the Judiciary Committee was amended, on motion of Mr. Russell, by striking out, in the first resolution, the words “and required,” after the word “authorized.” It then passed, as amended.

Bill authorizing the renewal of certain State Bonds in the hands of the Chatham Railroad Company, was rejected on second reading, but was subsequently reconsidered, on motion of Mr. Wheeler, and passed second and third readings.

Bill to amend an act to encourage and promote the planting of oysters and clams passed second reading. The rules were subsequently suspended, and the bill put on its third reading.

Mr. Davis, of Carteret, moved to amend the bill, by inserting a proviso that the operation of this act shall not extend to the counties of Carteret and Hyde. Adopted.

The bill, as amended, passed third reading, and was ordered to be engrossed.

A resolution making appropriation for the Governor's Mansion" was put on its second reading.
On motion of Mr. Bryson, the yeas and nays were ordered on its passage, and it failed,—yeas 7, nays 85.

Those who voted in the affirmative are:

Messrs. Barnett, Blackmer, Cameron, Cowan, Dunn, Faircloth, of Wayne and Horton.

Those who voted in the negative are:


Mr. Smith, of Hertford, entered a motion to re-consider this vote.

Received a message from the Senate, transmitting "a bill to change the jurisdiction of the courts and the rules of pleading therein," with amendments, in which they ask concurrence.

The amendments are as follows:

1st. Insert in the 1st section, line 3, after the word "that," the words "from and after the 1st day of July," A. D. 1866. Add at the end of said section as follows: "Provided, further, That all writs of debt, assumpsit, covenant and account issued to Spring Term, 1866, shall be returned to Fall Term, 1866. Provided, further, That in all suits ex contractu, the
defendant or defendants shall be allowed six months from the return term to plead or demurr.

2nd. Add to sec. 3 as follows: "Provided, Nothing contained in this section shall be held to revive dormant judgments."

3rd. Add to section 9 as follows: "That all deeds of trust and mortgages hereafter made, and judgments confessed to secure debts, shall be void as to creditors, unless it expressly declares therein that the proceeds of sale thereunder shall be appropriated to the payment of all the debts and liabilities of the trustor or mortgagee equally pro rata. Provided, That the provisions of this section shall not apply to sheriffs or other public officers who may make a mortgage or deed in trust to secure sureties to their official bonds: And provided further, That this act shall not apply to sales of land or other property, where the deed of trust or mortgage is taken at the time of sale to secure any part of the purchase money thereof, nor to any such deed made by a lessee of land for any crop growing upon the same for the purpose of securing the rent reserved for the lease of said land.

4 Insert in line 12, section 14, the words "and ninth" after the words "first."

5. In line 15, section 14, insert after the word "Equity" as follows: "nor debts contracted since first day of May, 1865."

6th. Add section 15, as follows:

"Sec. 15. Be it further enacted, That in all suits brought by any bank of the State, or by any assignee or endorsee of said bank, or any officer of said bank, that it shall and may be lawful for the defendant or defendants to set off by plea, or on trial, any note issued by said bank or its branches, whether the same has been presented for payment or not, any law or usage to the contrary notwithstanding: but said plea of set off, or set off on trial, shall not avail to carry costs against the plaintiff, unless there has been a tender of such payment before suit has been brought; Provided, That this act shall
not apply to any debt reduced by the scale of depreciation of Confederate currency."

The House concurred in the amendments to the first and third sections.

On the question of concurring in the amendment to section 9, the yeas and nays were ordered, on motion of Mr. Jenkins, of Warren.

Mr. Blackmer moved to lay the amendment on the table; which was not agreed to.

The question recurring, the House refused to concur in said amendment,—yeas 43, nays 51.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Allison, Arrington, Baxter, Black, Blackmer, Bonner, Bryson, Burton, Campbell, Candler, Chadwick, Coafes, Cowan, Cox, Dalby, Davis, of Halifax, Everett, Faircloth, of Wayne, Farrow, Foster, Furr, Garland, Harrington, Harrison, Hilliard, Hutchison, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Leigh, of Tyrrell, Luke, Lyon, Manly, McAden, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Murrill, Niven, Nichols, Rosebro', Smith, of Cumberland, Smith, of Hertford, Teague, Thigpen, Trull, Wilson and Yellowley.

The House also refused to concur in the amendment proposed to the 12th line of section 14.

The other amendments were concurred in.

Bill to incorporate the Mayor and Aldermen of the City of
Charlotte passed second and third readings, (amendments proposed by the Committee on Corporations having been first adopted,) and it was ordered to be engrossed.

Bill to charter the City of Raleigh passed second and third readings, with like amendment. Engrossed.

Mr. Lucas submitted additional nominations of Justices of the Peace for Bladen county. Approved and transmitted to the Senate.

Received a message from the Senate, transmitting an engrossed bill for the relief of the people of the several counties of the State, asking concurrence.

The bill passed first and second readings, when the rules were suspended, and it was read a third time.

Mr. Nicks moved that it be referred to the Committee on Propositions and Grievances. Not agreed to.

On motion of Mr. Faircloth, of Wayne, it was referred to the Committee on the Judiciary.

Mr. Joyner (by leave,) introduced a bill to incorporate the Weldon Publishing Company, which passed its several readings, under a suspension of the rules.

On motion of Mr. Dunn, the bill to extend the corporate limits of the town of Kinston was taken up. The rules were suspended, and the bill passed second and third readings.

On motion of Mr. McNair, the House adjourned until 10 A. M. to-morrow.

FRIDAY, March 9, 1866.

Prayer by Rev. Dr. Smedes.

Mr. Manly, from the Committee on the Judiciary, reported favorably on Senate bill for the relief of the people of the several counties of the State.

Mr. Allison, from the Joint Select Committee on Banking, submitted the following report, which was sent to the Senate:
The Joint Select Committee, to whom was referred the resolution to take into consideration the policy and practicability of establishing a National Bank in the State of North-Carolina, to aid the State in its financial operations, and to supply the people thereof with a healthy currency, based upon a mortgage of real estate on the part of individuals, and the hypothecation of stock on the part of the State, in order to raise a sufficient fund for the establishment of said Bank, and to report by bill or otherwise, have had the same under consideration and make the following report:

The State is now suffering from one of those political convulsions, which rarely happen, but when they do, most generally leave the people poor in property and exhausted in energy—the State crippled in finances, and its public credit impaired. This may be said to be the condition of North-Carolina to-day. To stimulate the energy of the people, and restore the credit of the State, is the duty of the Legislature. This, we think, can be done by wise and prudent legislation. The want of a healthy currency, and the difficulties the State has to encounter in its financial operations, is admitted by all; to produce a sound and healthy currency, time and confidence are required.

To aid the State in its finances, and to supply a sound circulating medium, a well regulated system of banking is needed. How these Banks shall be established, and where the money is to come from, is easier asked than answered. Previous to the war no State had a better currency than North-Carolina; and there was no difficulty then in getting money to start a Bank under State authority. Now such Banks are impracticable, and not to be thought of. The National Banking system is the settled policy of the country.

The question arises, what scheme is practicable to put this system in operation in this State, in its present impoverished condition? Shall it be by the State or individuals, or by both together? If the State should desire to raise funds for this
purpose, it could only be done by borrowing upon the faith of the State, or by a pledge of stocks. On either of these, money might be raised; but as this would be attended with risk and of doubtful practicability, the Committee recommend that the State should not attempt it at this time.

The Committee are then to consider the other part of the resolution—that is, raising funds on the part of individuals, by a mortgage on real estate. This, we think, might be done, and managed in such a way as to be both practicable and profitable, and would, therefore, recommend that a company be incorporated by the Legislature, authorizing the raising of one million, five hundred thousand dollars, to be invested in National Banks as the banking capital of the State, to be located at different points—that this amount be subscribed by individuals in such sums as they may desire, for which they should give a bond payable to the corporation, and a mortgage on real estate ample in value to secure said bond, the land to be estimated at its cash value for tax, and to be free from incumbrance. The Company to have power to open books of subscription; to take bonds; to receive and hold mortgages on real estate; to subscribe for stock in a National Bank in the name of each individual stockholder to the amount of his subscription; to receive money on the mortgages, to cancel the same when paid, and re-invest the money for the security of the original bondholder in government or other securities; and as a further security require a certain per cent., say three per cent., to be set apart annually as a sinking fund for the payment of any losses that may occur, and for the better security and payment of the original capital.

This may be considered by some as a wild, visionary scheme. It is, certainly, a new feature in finance in North Carolina. It has some intricacies, but, at the same time, it is believed to be practicable. As an illustration of how it will work, A. has a house and lot worth $2000, or a tract of land worth the same. Either of these are mortgaged for the payment of
$1000, the amount of his subscription, which is considered the best of security. The money so borrowed is invested in bank; he occupies his house or land and gets the benefit from the same. The money is used by the bank, and he draws whatever profit the bank may make after paying interest and expenses. The amount of capital suggested is perhaps too small, though it will give two banks, with a capital of three hundred thousand dollars, and nine with a capital of one hundred thousand dollars each. These would be located by the Board of Directors.

While the Committee view with favor the scheme proposed, they respectfully suggest that, in view of the advanced stage of the session, the care and time required to prepare and perfect the plan, no further action be taken in the matter at this time, and therefore pray to be discharged from the further consideration of the subject.

Respectfully submitted.

R. W. ALLISON, Chmn.

Recommendations for the appointment of magistrates for the counties of Pitt, Edgecombe, Granville, Yancey, Craven, Northampton and Forsythe, were submitted, approved and sent to the Senate for concurrence.

Received messages from the Senate, concurring in House recommendations for the appointment of additional magistrates for the counties of Bladen, Craven, Northampton, Granville, Yancey, Edgecombe and Pitt; also, messages recommending the appointment of additional magistrates for the counties of Bertie, Chatham and Johnston. Concurred in.

Received a message from the Senate, transmitting an engrossed bill to establish a scale of depreciation of Confederate currency, asking concurrence. The bill was read, when

Mr. Jenkins, of Warren, moved that it be rejected. On this question the yeas and nays were ordered, on motion of Mr. Henry; and

The House refused to reject the bill,—yeas 23, nays 74.
Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Ashworth, Beasley, Blair, Bonner, Bryson, Burton, Cameron; Campbell, Candler, Carson, Coates, Cowan, Cox, Craig, Dalby, Davis, of Carteret, Davis, of Halifax, Dunn, Everett, Fairecloth, of Greene, Fairecloth, of Wayne, Farrow, Faison, Flythe, Foster, Furr, Gaines, Garland, Harper, Harrison, Harrington, Henry, Hilliard, Hodnett, Holderby, Holmes, Horton, Hutchison, Hyman, Jenkins, of Granville, Jones, Joyner, Kenan, Kinney, Leigh, of Tyrrell, Lucas, Luke, Lyon, Marler, Matthews, McDonald, McGuire, McIntosh, McNair, Melson, Moore, of Chatham, Murrill, Niven, Nicks, Newsum, Palmer, Paschall, Russell, Smith, of Columbus, Smith, of Cumberland, Smith, of Hertford, Stilley, Scoggin, Thigpen, Thompson, Trull, Waugh, Whitley and Yellowley.

So the bill passed first reading.

On motion of Mr. McNair, the rules were suspended, and the bill put on its second reading.

Mr. McAden moved to amend the bill, by substituting a scale of depreciation of Confederate currency, reported by Mr. Caldwell, from a minority of "the committee to prepare a scale of depreciation of the Confederate Treasury Notes during the late war."

The scale proposed to be substituted being as follows:
This amendment did not prevail,—yeas 38, nays 53—the yeas and nays having been ordered, on motion of Mr. Niven.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Arrington, Baxter, Bonner, Carson, Chadwick, Cox,
Mr. Hutchison offered the following amendment:

"Be it further enacted, That the provisions of this act shall apply only to contracts where the consideration was Confederate currency." Not agreed to.

Mr. Blythe offered the following amendment:

"Be it further enacted, That this act shall not be considered as binding on parties, but is intended as a recommendation to settle disputes between parties." Not agreed to.

The question recurring, the bill passed its second reading, and was read a third time.

Mr. Smith, of Hertford, offered the following amendments, which were adopted, viz:

(1.) Strike out all of the first section down to, and inclusive of, the words "measure of value," and insert, in lieu thereof, as follows:

"Whereas, By an Ordinance of the Convention entitled; "An ordinance declaring what laws and ordinances are in force. and for other purposes," ratified on the 18th day of October, A. D., 1865, it is made the duty of the General Assembly to provide a scale of depreciation of Confederate currency from the time of its first issue to the end of the war; and it is further therein declared, that "all executory contracts, solvable in money, whether under seal or not, made after the depreciation of said currency, before the first day of May, 1865, and yet unfilled, (except official bonds and penal bonds payable to the State,) shall be deemed to have been
made with the understanding that they were solvable in money of the value of said currency," subject, nevertheless, to evidence of a different intent of the parties to the contract; therefore,

*Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,*

That the following scale of depreciation be and the same is hereby adopted and established as the measure of value of one gold dollar in Confederate currency for each month, and the fractional parts of the month of December, 1864, from the 1st day of November, 1861, to the 1st day of May, 1865, to wit: Scale of depreciation of Confederate currency, the gold dollar being the unit and measure of value from November 1st, 1861, to May 1st, 1865."

(2.) Strike out all after the schedule down to, and including the words "and pleads to issue," immediately before the words "and whereas," so as to retain the section beginning with the last recited words.

(3.) Strike out the last section of the bill beginning with the words "*Be it further enacted, that the scale of depreciation.*"

Mr. Russell moved that the bill be laid on the table. Not agreed to.

The bill then passed third reading, as amended, and was ordered to be enrolled,—yeas 66, nays 25.

Those who voted in the affirmative are:

Messrs. Arrington, Ashworth, Barnett, Baxter, Black, Blair, Bonner, Bryson, Cameron, Campbell, Candler, Carson, Chadwick, Coates, Cox, Craig, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Flythe, Foster, Furr, Harper, Harrington, Harrison, Henry, Hodnett, Holmes, Horton, Hyman, Jenkins, of Granville, Jones, Joyner, Judkins, Kenan, Kinney, Leigh, of Tyrrell, Lucas, Luke, Lyon, Manly, McDonald, McEachern, McGuire, McIntosh, McNair, Moore, of Chatham, Murrill, Niven, Nicks, Newsum, Palmer, Paschall, Smith, of Columbus,
Smith, of Cumberland, Scoggin, Thompson, Trull, Waugh, Whitley and Yellowley.

Those who voted in the negative are:


On motion of Mr. Smith, of Hertford, the motion he had entered on yesterday, to reconsider "a resolution making an appropriation to repair the Governor's Mansion," was taken up.

On motion of Mr. Waugh, the motion to reconsider was laid on the table.

Received a message from the Senate, transmitting "a resolution authorizing the signature of the Public Treasurer to be engraved on the coupons of the State," and "a resolution to provide for a possible deficiency in the Treasury," asking concurrence.

The first of these passed its several readings, under a suspension of the rules; the latter was laid on the table, on motion of Mr. Thompson.

Mr. Faircloth, of Wayne, called up a motion, entered by himself on yesterday, to reconsider bills for the relief of sundry sheriffs.

On motion of Mr. Waugh, the motion to reconsider was laid on the table.

Mr. Smith, of Hertford, from the Committee of Conference on the Senate bill to regulate the terms of the Supreme Court, submitted a report, recommending that the House recede from its amendments to said bill. Report concurred in.

Mr. Ashworth (by leave) introduced "a bill to abolish the office of Superintendent of Common Schools."

Mr. Jenkins, of Warren, moved that it be referred to the Committee on Education. Not agreed to.
Mr. McDonald moved that the rules be suspended and the bill put on its second and third readings.

On this question the yeas and nays were ordered, on motion of Mr. Jenkins, of Warren, and

The House refused to suspend,—yeas 54, nays 30.

Those who voted in the affirmative are:

Messrs. Arrington, Ashworth, Barnett, Black, Blair, Blythe, Bryson, Campbell, Candler, Carson, Coates, Dalby, Dickey, Dunn, Faircloth, of Greene, Farrow, Flythe, Furr, Garland, Harrington, Harron, Henry, Hodnett, Holmes, Horton, Jenkins, of Gaston, Jones, Kinney, Leigh, of Tyrrell, Lyon, Marler, McAden, McDonald, McEachern, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of Chatham, Murrell, Nicks, Palmer, Paschall, Potter, Rosebro, Russell, Smith, of Columbus, Scoggin, Teague, Thompson, Trull, Waugh, Whitley, and Yellowley.

Those who voted in the negative are:


Received a message from the Senate, transmitting the following bills, with amendments, in which they asked concurrence, viz:

H. bill, 235, for collecting Revenue.

H. bill, 200, to be entitled "Revenue."

H. bill, 236, to extend the time for collecting taxes under the Revenue ordinance of the Convention.

H. R. 48, making an appropriation for the Insane Asylum, with a substitute.

H. R. 19, to prevent the discontinuance of causes in certain cases, with a substitute.
The House concurred in the Senate amendments to bills 235, 200 and 236; and refused to concur in the amendment proposed as a substitute for House resolution 19.

For House resolution 48, the Senate proposed to substitute a bill to be entitled "an act to secure a better government for the Insane Asylum."

The question being on concurrence in this amendment, Mr. Jenkins, of Warren, moved to amend by adding to the substitute the following section, viz:

"Be it further enacted, That no free person of color shall be admitted as a patient in the Asylum."

Adopted.

The substitute, as amended, was then adopted.

Received a message from the Senate, transmitting "a bill for establishing a College for the education of Teachers and Ministers of the Gospel of the colored race," asking concurrence.

Mr. Jenkins, of Warren, moved that it be referred to the Committee on Corporations. Not agreed to.

Mr. Caldwell moved that the rules be suspended, and the bill put on its second and third readings.

Mr. Jenkins, of Warren, moved that the House adjourn. Not agreed to.

The question recurring on the motion to suspend the rules, it was not agreed to.

Bill to amend the charter of the town of Newton passed second and third readings, under a suspension of the rules, and was ordered to be engrossed.

Mr. Blackmer (by leave,) introduced "a bill for the relief of Sheriffs and for other purposes." Filed.

A bill to allow persons of Indian blood to bear testimony in controversies at law and in equity, was laid on the table, on its second reading, on motion of Mr. Manly.

A bill for the relief of the people of the several counties of the State, being put on its third reading,
The same was amended, by the addition of the following proviso, on motion of Mr. Jenkins, of Granville:

"Provided, That nothing herein contained shall apply to debts or obligations created or incurred, directly or indirectly, in aid of the late rebellion."

The question recurring on the passage of the bill, as amended, it was laid on the table, on motion of Mr. McAden.

A bill to authorize the corporate authorities of the town of Wadesboro' to tax retailers of spirituous liquors, passed third reading, and was ordered to be engrossed.

On motion of Mr. Manly, resolutions in favor of a General Amnesty were taken up.

Mr. Scoggin moved that they be laid on the table, and, on his motion, the yeas and nays were ordered. The House refused to lay on the table as follows,—yeas 21, nays 48.

Those who voted in the affirmative are:


Those who voted in the negative are:


On motion of Mr. Waugh, the resolutions were made the special order for the hour of eleven to-morrow.

On motion of Mr. Smith of Hertford, the House took a recess until 7½ o'clock, P. M.
On motion of Mr. Jones, a resolution in favor of Catherine Kendall was taken from the table. Passed second and third readings, under suspension of the rules. Engrossed.

Received messages from the Senate, announcing concurrence in House amendments to "a bill to establish a scale of depreciation of Confederate currency;" and in House amendments to Senate resolution in favor of certain disabled soldiers; also a message announcing that the Senate recedes from its amendment to a bill to prevent discontinuance of causes.

Mr. Dunn introduced a resolution in favor of the Engrossing Clerks.

Mr. Murrill moved that it be laid on the table. Not agreed to.

Mr. Niven moved to amend by inserting the words "at his own expense, after the word "clerk."

Mr. McAden moved to lay the resolution on the table; which motion prevailed.

Received a message from the Senate, transmitting "a bill to abolish the office of Superintendent of Public Schools, Treasurer of Literary Fund, and for other purposes," asking concurrence.

On motion of Mr. McAden, the rules were suspended, and the bill passed second reading, and, being put on its third reading;

Mr. Hutchison offered the following amendment; which did not prevail:

"Be it further enacted, That the sum of $50,000 be, and the same is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be distributed among the different counties in this State for the support of Common Schools."

The bill then passed third reading,—yeas 62, nays 15; the yeas and nays being demanded by Mr. Caldwell.
Those who voted in the affirmative, are:

Messrs. Ashworth, Blair, Blythe, Bonner, Bryson, Candler, Carson, Chadwick, Coates, Dalby, Davis, of Carteret, Dickey, Dunn, Everett, Fairecloth, of Greene, Fairecloth, of Wayne, Farrow, Faison, Flythe, Furr, Garland, Gidney, Harper, Harrison, Harrington, Henry, Hilliard, Hodnett, Holmes, Jenkins, of Gaston, Jones, Joyner, Kinney, Leigh, of Tyrrell, Lucas, Luke, Lyon, Manly, Marler, McAden, McDonald, McGuire, Melson, Moore, of Chatham, Moore, of Martin, Murrill, Niven, Nicks, Newsom, Paschall, Potter, Russell, Smith, of Columbus, Smith, of Hertford, Scoggin, Teague, Thigpen, Thompson, Trull, Waugh, Whitley and Yellowley.

Those who voted in the negative are:

Messrs. Blackmer, Burton, Caldwell, Cox, Foster, Holderby, Houston, Hutchison, Jenkins, of Granville, Jenkins, of Warren, Judkins, McIntosh, McNair, Smith, of Guilford, and Wilson.

Received a message from the Senate, transmitting "A bill to establish the rate of interest and to repeal chap. 114, Revised Code," asking concurrence. Being read,

Mr. Moore, of Martin, moved a suspension of the rules. Not agreed to.

Mr. Hutchison, from the Committee on the subject, submitted the following report:

"The Joint Select Committee, to whom was referred "the correspondence and papers of Cyrus P. Mendenhall and others" in relation to the cotton belonging to the State, have carefully examined and considered the same, and ask leave to make the following report:

That the imperfect state of the evidence contained in the papers, the gravity and importance of the subject, and the brief time allowed for investigation, induce them to recommend the adoption of the accompanying resolution, and to
ask to be discharged from the further consideration of the matter.

Respectfully submitted.

J. M. HUTCHISON, Chair'n.

"Resolved, The Senate concurring, that the correspondence and papers in relation to the cotton belonging to the State be deposited with the Public Treasurer; and that he be, and he is hereby, required to prosecute the investigation, to the end that the interests of the State may be subserved."

Adopted.

A message was sent to the Senate, recommending additional names for appointment as magistrates for Craven and Caldwell counties.

Mr. Dickey introduced a resolution in favor of the doorkeepers.

Mr. Blackmer moved its reference to the Committee on Claims. Lost, no quorum voting.

Received a message from the Senate, concurring in House resolution in regard to cotton transaction, and also in recommendations of Justices of the Peace for Craven and Caldwell counties.

On motion of Mr. Smith, of Columbus, the House adjourned until 11 o'clock, A. M., to-morrow.

SATURDAY, March 10, 1866.

Received a message from the Senate, refusing concurrence in the House amendment to the resolution making appropriation to the Lunatic Asylum; whereupon the House receded from said amendment.

Received a message from the Senate, transmitting "a bill to extend the terms of office of certain county officers."
bill passed its several readings, under a suspension of the rules, and was ordered to be enrolled.

At eleven o'clock, A. M., the House proceeded to consider the special order, viz: "Resolutions in favor of a general Amnesty."

Mr. Blythe moved to amend the 4th resolution of the series, by inserting the following proviso:

"Provided, That nothing herein contained shall be understood as applying to any of the leaders in the late rebellion."

Mr. Coates moved to amend by substituting the following:

Whereas, During the late rebellion, Union men were proscribed and held as disloyal, and regarded and treated as unworthy of any official position, civil or military;

Be it Resolved, That no man known as an original secessionist, or latter day war man, should hold any office, or place of trust or profit, under the government of North-Carolina, and the President is hereby requested to declare all such offices vacant, so that they may be filled by true and loyal men.

Mr. Lyon moved an indefinite postponement of the whole subject. The yeas and nays were ordered, on motion of Mr. Lyon, and the motion prevailed,—yeas 49, nays 32.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Baxter, Black, Cameron, Chadwick, Cox, Dunn, Everett, Farrow, Foster, Gaines, Harrington, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Luke, Manly,
Marler, McAden, McIntosh, McNair, Moore, of Martin, Mur- 
rill, Niven, Page, Smith, of Columbus, Smith, of Hertford, 
Thigpen, Whitley and Wilson.

Received a message from the Senate, concurring in House 
amendments to the bill to charter the City of Raleigh; and 
transmitting a resolution in favor of the Doorkeepers, in which 
it asked the concurrence of the House.

The resolution having been read, was laid on the table, on 
motion of Mr. Waugh.

Received a message from the Senate, asking concurrence in 
certain amendments to the bill to prohibit the sale of spiritu-
ous liquors in the town of Salem, and recommending addi-
tional Justices of the Peace for Yancey county. The House 
concurred.

Received a message from the Senate, transmitting a sub-
stitute for the House bill, entitled "a bill to enable the Banks 
of the State to close their business;" in which the House con-
curred.

Received a message from the Senate, asking concurrence 
the appointment of sundry Justices of the Peace for the 
county of Yadkin.

Mr. Nicks moved that the question of concurrence be in-
definitely postponed. Not agreed to.

"The House concurred in the appointment.

Additional nominations of magistrates for the counties of 
Martin, Currituck, Rowan and Anson, were submitted, ap-
proved and sent to the Senate.

Mr. Wilson (by leave,) introduced a resolution of thanks to 
Rev. C. H. Wiley, which was unanimously adopted.

A bill to legalize the official acts of sheriffs passed second 
and third readings, under a suspension of the rules.

A bill to establish a college for the education of Teachers 
and Ministers of the Gospel of the colored race passed its sec-
ond reading,—yeas 41, nays 28; the yeas and nays being de-
manded by Mr. Jenkins, of Warren.
Those who voted in the affirmative are:


Those who voted in the negative are:


Mr. Blackmer moved that the rules be suspended, and the bill put on its third reading; which prevailed,—yeas 44, nays 34; the yeas and nays being demanded by Mr. Jenkins, of Warren.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Ashworth, Blair, Burton, Caldwell, Dalby, Everett, Furr, Gaines, Harrington, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Granville, Jones, Kinney, Leigh, of Tyrrell, Lyon, McDonald, McGuire, Melson, Murrill, Niven, Nicks, Palmer, Potter, Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Trull and Waugh.

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A bill to establish the rate of interest, and repeal Chapter 114, Revised Code, passed second reading; and the rules being suspended, passed its third reading—yeas 50, nays 24; the yeas and nays being demanded by Mr. Burton.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Cameron, Chadwick, Foster, Gaines, Gidney, Harrington, Henry, Horton, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Leigh, of Tyrrell, Manly, Melson, Moore, of Martin, Niven, Scoggin, Thigpen, Waugh, Webb and Whitley.

Received a message from the Senate, transmitting a resolution in favor of Wm. Thompson, of Wake county, asking concurrence. Passed its several readings, under a suspension of the rules, and ordered to be enrolled.

Received a message from the Senate, asking concurrence in an amendment to House bill to legalize the official acts of sheriffs. The House concurred.

Received a message from the Senate, transmitting an engrossed resolution in favor of C. Kuester and Brother, with an amendment, reported as a substitute therefor by the Committee on Claims, and adopted by the Senate.

The resolution and substitute were referred, on motion of Mr. Waugh, to the Committee on Claims.

On motion of Mr. Blair, the House took a recess until 4 o'clock, P. M.
Recommendations for the appointment of additional magistrates for the counties of Columbus and Brunswick were submitted, approved and sent to the Senate for concurrence.

Mr. Jenkins, of Warren, introduced the following resolution, which was unanimously adopted.

Resolved, That the thanks of the House are hereby tendered to the Hon. Samuel F. Phillips, Speaker of the House of Commons, for the able, impartial and dignified manner in which he has discharged the arduous and responsible duties of his office during the sessions of this General Assembly.

The Speaker, resuming the chair, briefly addressed the House in acknowledgment of the compliment conferred.

Received a message from the Senate, transmitting a resolution in regard to the report of Dr. Curtis, asking concurrence. The resolution passed first reading. Mr. Smith, of Hertford, moved that the rules be suspended and the resolution be put on its second and third readings. Not agreed to.

Received a message from the Senate, transmitting a bill for the better protection of the mining and manufacturing interest of the State, asking concurrence. The bill passed its several readings, under a suspension of the rules.

Mr. Wheeler, from the Committee on Claims, reported, recommending that the House concur in Senate substitute for the resolution in favor of Chas. Kuester and Brother.

Mr. Waugh moved that the bill and substitute be laid on the table. Not agreed to.

The House concurred in the report, and adopted the Senate substitute.

Received a message from the Senate, transmitting a bill concerning the Dismal Swamp Canal Company, asking concurrence. The bill passed first reading.

Mr. Wilson introduced the following resolution, which was unanimously adopted.
Resolved, That the ministers of the Gospel of this city are hereby tendered the thanks of this General Assembly for their services at the opening of its daily sessions.

On motion of Mr. Gaines, the House adjourned until 6 o'clock, A. M., on Monday next.

MONDAY, March 12, 1866.

The House met at 6 o'clock, A. M.

The Speaker appointed Messrs. Wilson, Gidney and Houston as the House branch of the Committee on Enrolments.

Sundry enrolled bills and resolutions were reported for ratification, and signed by the Speaker.

On motion of Mr. Wilson, a message was sent to the Senate, proposing that the two Houses execute the joint order for adjournment.

Received from the Senate the following message:

"The Senate is prepared to execute the joint order in regard to adjournment, and will adjourn upon the return of the messenger."

The Speaker then, at 7 o'clock, A. M., declared the House of Commons adjourned sine die.

S. F. PHILLIPS, Speaker.

By order:

Seaton Gales, Clerk.
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