JOURNAL

OF THE

HOUSE OF COMMONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA,

AT ITS

SESSION OF 1866 '67.

RALEIGH:

WM. E. PELL, STATE PRINTER,

1867.
At a General Assembly of the State of North Carolina, begun and held at the Capitol, in the City of Raleigh, on Monday, the nineteenth day of November, in the year of our Lord, one thousand eight hundred and sixty-six, and in the ninety-first year of the Independence of the United States of America, being the day appointed by law for the meeting of the Legislature, the following members of the House of Commons appeared, exhibited their credentials and were duly qualified, viz:

Alamance—R. Y. McAden, A. H. Boyd.
Alexander—
Ashe and Alleghany—
Beaufort—John C. Gorham.
Bertie—J. W. Beasley.
Bladen—J. A. Richardson.
Brunswick—D. C. Allen.
Buncombe—Montraville Patton.
Burke—John R. Sudderth.
Cabarrus—John M. Long.
Caldwell—Jas. C. Harper.
Camden—W. J. Morrisett.
Carteret—John M. Perry.
Caswell—P. Hodnett, Wm. B. Bowe.
Catawba—W. P. Reinhardt.
Chatham—George W. May, George P. Moore, Thomas W. Womble.
Cherokee and Clay—H. H. Davidson.
Chowan—R. D. Simpson.
Columbus—J. M. McGougan.
Craven—S. W. Chadwick, A. C. Latham.
Cumberland—W. Mc. L McKay, T. S. Lutterloh.
Currituck—W. G. Granbery.
Davie—J. H. Clement.
Forsyth—P. A. Wilson, E. B. Teague.
Franklin—J. J. Davis.
Gastonia—D. A. Jenkins.
Greene—F. M. Rountree.
Halifax—D. C. Clark, W. A. Daniel.
Harnett—
Henderson and Transylvania—James Blythe.
Hertford—G. C. Moore.
Hyde—Peleg Spencer.
Jackson—Thadous D. Bryson.
Johnston—Perry Godwin, B. R. Hinnant.
Jones—Jacob F. Scott.
Lenoir—R. F. Bright.
Macon—J. G. Crawford.
Madison—N. Kelsey.
Martin—Abner S. Williams.
McDowell—J. M. Neal.
Mecklenburg—J. M. Hutchison.
Montgomery—Allen Jordan.
Moore—W. M. Black.
Northampton—E. A. Martin, R. B. Peebles.
Onslow—A. J. Murrill.
Orange—W. W. Guess, S. D. Umsted.
Person—W. A. Bradsher.
Pitt—W. R. Williams, John Galloway.
Randolph—Joel Ashworth, E. T. Blair.
Richmond—Peter McRae.
Robeson—Rory McNair, J. S. McArthur.
Rowan—O. G. Foard.
Rutherford and Polk—G. W. Logan, N. Scoggin.
Sampson—John Bardin, G. W. Autry.
Stanly—Levi C. Morton.
Stokes—Silas Westmoreland.
Surry—H. M. Waugh.
Tyrrell—N. W. Walker.
Union—Jonathan Trull.
Wake—J. P. H. Russ, C. J. Rogers, and R. S. Perry.
Washington—Chas. Latham.
Watauga—Wm. Horton.
Wayne—G. C. Garriss.
Wilkes—
Yadkin—J. M. Vestal.
Yancy and Mitchell—E. Williams.
A quorum of the whole number of members being present,
Mr. Hodnett, of Caswell, moved that the House proceed to
the election of Speaker; which was agreed to.
Mr. Waugh nominated R. Y. McAden, Esq., of the county
of Alamance.
Mr. Murrill nominated Col. Robert H. Cowan, of the county
of New Hanover.
Mr. Lyon nominated J. P. H. Russ, Esq., of the county
of Wake.
Mr. Williams, of Martin, nominated A. J. Dargan, Esq., of
the county of Anson.
Mr. Peebles nominated Godwin C. Moore, Esq., of the
county of Hertford.
Whereupon the House voted as follows, under the superin-
tendence of Messrs. Hutchison and Kenan:
For MR. McADEN: Messrs. Beasley, Boyd, Bowe, Bryson,
Crawford, of Macon, Davidson, Guess, Henderson, Hodnett,
Holderby, Houston, Latham, of Craven, Lowe, Lutterloh, May, Morehead, Morrisett, Patton, Perry, of Carteret, Reinhardt, Rosebro, Smith, of Guilford, Stevenson, Sudderth, Umsted and Waugh.—27.


For Mr. Dargan: Messrs. Chadwick, Cowan, Foard, Jordan, Judkins, Kendall, Long, McArthur, McNair, McRae, Morton, Trull, Turnbull, Westmoreland and Williams, of Martin.—15.

For Mr. Russ: Messrs. Ashworth, Black, Farrow, Freeman, Godwin, Hinnant, Jenkins, of Gaston, Jenkins, of Granville, Lyon, Moore, of Chatham, Perry, of Wake, Rogers, Rountree, Stone and Womble.—15.

For Mr. Patton: Messrs. Clement, Durham, Garrett Horton, of Watauga, Kelsey, McKay, Neal, Vestal, Whitfield and Williams, of Yancey.—10.

For Mr. Moore: Messrs. Granbery, Martin, Peebles and Simpson.—4.

For Mr. Logan: Messrs. Blair, Teague and Wilson.

For Mr. Davis: Messrs. Bright and Russ.

Mr. Blythe voted for Mr. Jenkins, of Gaston; Mr. Dargan for Mr. Williams, of Martin; Mr. Logan for Mr. Blythe; Mr. McAden for Mr. Waugh, and Mr. Scoggin for Mr. Moore, of Chatham.

No one having received a majority of the whole number of votes, there was no election.

Whereupon, on motion, the House proceeded to vote again, as follows:

For Mr. McAden: Messrs. Beasley, Blair, Boyd, Bowe, Bryson, Chadwick, Clement, Crawford, of Macon, Davidson, Granbery, Guess, Henderson, Hodnett, Holderby, Horton, Houston, Kelsey, Latham, of Craven, Lowe, Lutterloh, May, McKay, Morehead, Morrisett, Neal, Patton, Perry, of Carteret Reinhardt, Rosebro, Shelton, Simpson, Smith, of Guilford
Stevenson, Sudderth, Umsted, Waugh and Williams of Yancey.—37.


For Mr. Russ: Messrs. Bright, Farrow, Freeman, Godwin, Hinnant, Jenkins, of Granville, Lyon, Perry, of Wake, Rogers, Rountree, Stone, Wilson, of Forsyth, and Womble.—13.

For Mr. Dargan: Messrs. Black, Cowan, Foard, Judkins, Kendall, Long, Morton, Trull, Turnbull, Westmoreland and Williams, of Martin.—11.

For Mr. Logan: Messrs. Ashworth, Blythe, Garrett, Jenkins, of Gaston, Moore, of Chatham, Scoggin, Teague and Vestal.—8.

For Mr. Moore, of Hertford: Messrs. Martin and Peebles. Mr. McAden voted for Mr. Waugh; Mr. Logan for Mr. Jenkins, of Gaston; Mr. Dargan for Mr. Williams, of Martin, and Mr. Russ for Mr. Davis.

The Committee reporting no election, the House, on motion, proceeded to vote again at once, as follows: the names of Messrs. Russ and Moore, of Hertford, being with drawn from nomination:

For Mr. McAden: Messrs. Beasley, Blac, Boyd, Bowe, Bryson, Chadwick, Clark, Clement, Crawford, of Macon, Davidson, Guess, Henderson, Hodnett, Holderby, Horton, Houston, Jenkins, of Granville, Kelsey, Lowe, Latham, of Craven, Lyon, Lutterloh, May, McKay, Moore, of Chatham, Morehead, Morrisett, Neal, Patton, Perry, of Carteret, Reinhardt, Rogers, Rosebro, Shelton, Simpson, Smith, of Guilford, Stevenson, Sudderth, Umsted, Waugh, Westmoreland, Wilson, of Forsyth, Williams, of Yancy and Womble.—44.


For Mr. Waugh: Messrs. Ashworth and Scoggin.

Mr. Logan voted for Mr. Jenkins, of Gaston; Mr. Dargan for Mr. Williams, of Martin; and Mr. Freeman for Mr. Russ.

There being no election on this ballot, the House went at once into another election, on motion of Mr. Blair,—the name of Mr. Dargan being withdrawn from nomination:


For Mr. Logan: Messrs. Ashworth, Blair, Blythe, Garrett, Godwin, Hinnant, Jenkins of Gaston, Rountree, Scoggin, Tague and Vestal—11.

Mr. Logan voted for Mr. Blythe, and Mr. Cowan for Mr. Dargan.
The committee reporting no election, on motion of Mr. Stone the House forthwith proceeded to vote again, as follows:


For Mr. Logan: Messrs. Blythe, Hinnant, Rountree and Teague.

Mr. Cowan voted for Mr. Dargan; Mr. Scoggin for Mr. Blair, and Mr. Logan for Mr. Ashworth.

Mr. Hutchison, from the committee appointed to superintend the election, reported that the whole number of votes cast was 106,—necessary to a choice 54; that Mr. McAden had received 56, Mr. Cowan 43, Mr. Logan 4, and Messrs. Ashworth, Blair and Dargan one each; and that Mr. McAden, having received a majority of the whole, was duly elected Speaker of the House of Commons. Which report being concurred in,

The Speaker elect was conducted to the Chair by Messrs. Waugh and Murrill, whence he made his acknowledgments to the House.

Mr. Holderby moved that the House do now proceed to the election of a Principal Clerk, and nominated for that position Seaton Gales, Esq., of the county of Wake:
The motion was agreed to, and, no other nomination being made,

On motion of Mr. McNair, Mr. Gales was unanimously chosen Principal Clerk.

On motion of Mr. Dargan, W. M. Hardy, Esq., of the county of Buncombe, was unanimously elected Assistant Clerk of the House.

On motion of Mr. Russ, the House proceeded to vote for Principal Doorkeeper, under the superintendence of Messrs. Russ and Bryson,—the following nominations having first been made:

By Mr. Russ: Theo. N. Ramsay, of Wake.
By Mr. Williams, of Martin: Wm. H. Wyatt.
By Mr. Hodnett: Wallace Alexander, of Lincoln.
By Mr. Bryson: W. S. Webster, of Chatham.


For Mr. Webster: Messrs. Speaker, Autry, Barden, Black, Boyd, Bryson, Dargan, Farrow, Foard, Freeman, Garriss, Houston, Judkins, Kendall, Lutterloh, May, McKay, Moore of Chatham, Morehead, Smith of Duplin, Stone, Trull, Westmoreland, Womble and Woodard—25.

For Mr. Wyatt: Messrs. Gorham, Latham of Washington, Lee, Martin and Williams of Martin—5.

No election.
On motion of Mr. Waugh, the House proceeded to vote again for Principal Doorkeeper,—the name of Mr. Wyatt having been withdrawn:


For Mr. Webster: Messrs. Speaker, Allen, Autry, Barden, Black, Boyd, Bryson, Dargan, Farrow, Foard, Freeman, Garris, Houston, Judkins, Kenan, Kendall, Latham of Washington, Lee, Lutterloh, May, Martin, McKay, McRae, Moore of Chatham, Morehead, Peebles, Richardson, Smith of Duplin, Stone, Trull, Westmoreland, Williams of Martin, Womble and Woodard—34.

Mr. Houston moved that the House do now adjourn until to-morrow morning, 10 o'clock; which motion did not prevail.

The committee to superintend the election of Principal Doorkeeper reporting that there was no election, the House, on motion of Mr. Stone, proceeded to vote again, under the superintendence of Messrs. Morehead and Perry, of Carteret, as follows:


No election.

Whereupon, on motion of Mr. Waugh, the House proceeded to vote again, as follows:


For Mr. Ramsay: Messrs. Bright, Cowan, Galloway, Godwin, Gorham, Granbery, Hinnant, McNair, Morrissett, Mur
rill, Morton, Perry, of Wake, Rogers, Rountree, Russ, Smith, of Guilford—16.

The Committee reporting no election, the House, on motion of Mr. Russ, proceeded to vote again,—the name of Mr. Ramsay having been previously withdrawn:


For Mr. Webster: Messrs. Speaker, Allen, Autry, Baker, Barden, Black, Boyd, Bright, Bryson, Dargan, Daniel, Davis, Farrow, Foard, Freeman, Galloway, Guess, Godwin, Gorham, Granbery, Hinnant, Houston, Judkins, Kenan, Kendall, Latham, of Washington, Lee, Lutterloh, May, Martin, McClammy, McGougan, McKay, McNair, McRae, Moore, of Chatham, Morehead, Murrill, Peebles, Richardson, Rogers, Rountree, Smith, of Duplin, Stone, Trail, Turnbull, Walker, Westmoreland, Williams, of Martin, Williams, of Pitt, Womble and Woodard—53.

Mr. Morehead, from the Committee to superintend the foregoing election, reported that the whole number of votes cast was 107, and that Mr. Alexander, having received a majority thereof, was duly elected. Which report was concurred in.

Received a message from the Senate, announcing the due organization of that body by the election of Hon. M. E. Manly, as Speaker; J. A. Engelhard, as Principal Clerk; Quentin Busbee, as Assistant Clerk; James Page, as Principal Doorkeeper, and C. C. Tally, as Assistant Doorkeeper.

Mr. Dargan moved that the House do now proceed to the election of an Assistant Doorkeeper; which motion prevailed.
Mr. Dargan nominated John H. Hill, of Randolph, and Mr. Perry, of Wake, nominated Mr. W. H. Crabtree, of Wake.

The House voted as follows, under the superintendence of Messrs. Dargan and Perry:


For Mr. Crabtree: Messrs. Perry, of Wake, Rogers and Russ—3.

So Mr. Hill was declared duly elected.

On motion of Mr. Waugh, it was

Ordered, That a Committee of five be appointed by the Speaker to prepare rules of order for the government of this House, and that, in the mean time, the rules of the last session be continued.

Mr. Holderby moved that a message be sent to the Senate, informing that body of the due organization of this House; but withdrew the motion, upon an announcement that the Senate had adjourned.

On motion of Mr. Russ, the use of the Hall of the House for this evening was granted to the Young Men's Christian Association of Raleigh.
On motion of Mr. Foard, the House then adjourned until to-morrow morning, 10 o'clock.

TUESDAY, NOVEMBER 20th, 1866.

The House met at 10 o'clock, A. M.—Mr. Cowan in the Chair.

Prayer by the Rev. J. M. Atkinson, of the Presbyterian Church.

The following members elect appeared, presented their credentials, were qualified and took their seats, viz:

Alexander—J. M. Carson.
Beaufort—Henry Harding.
Harnett—B. C. Williams.
Mecklenburg—R. D. Whitley.
Pasquotank—Jos. S. Jones.
Rowan—W. H. Crawford.
Wilkes—Tyra York, Phineas Horton.

On motion of Mr. Holderby, it was

Ordered, That a message be sent to the Senate, informing that body of the due organization of this House, and its readiness to proceed to the dispatch of public business; and also proposing to raise a Joint Select Committee, of three on the part of the House and two on the part of the Senate, to wait upon his Excellency, the Governor, and inform him of the readiness of the two Houses to receive any communication he may have to make.

On motion of Mr. McNair, it was

Ordered, That a message be sent to the Senate, proposing to go into an election for Public Printer this day at 1 o'clock, P. M.

Mr. McNair put in nomination for that office the name of William E. Pell.

Mr. Waugh gave notice of his intention to offer, at some subsequent day, Resolutions of General Amnesty, and a Bill to repeal an Ordinance of the late Convention entitled "An
Ordinance to change the jurisdiction of the Courts and alter the rules of Pleading therein.”

Mr. Rogers nominated Thomas Badger, of Wake, as a Justice of the Peace for said County; which nomination was recommended by the House, and a message sent to the Senate asking its concurrence therein.

Received a message from the Senate, proposing to raise a Joint Committee of two, on the part of each House, to wait upon the Governor, and inform him of the organization of the two Houses, &c.

Concurred in; and Messrs. McCorkle and Cowles being announced as the Senate Committee, Messrs. Holderby and Russ were designated as the Committee on the part of the House.

Received a message from the Senate, concurring in the proposition to go into the election of Public Printer at 1 o’clock, stating that Messrs. Moore and Matthews would superintend the election, and that Messrs. Nichols, Gorman & Neathery were in nomination in that House.

On motion of Mr. Rogers, it was

Ordered, That a message be sent to the Senate, proposing to go forthwith into an election for three Engrossing Clerks.

The following nominations were thereupon made, and the Senate informed thereof by message, viz:

By Mr. Kenan: S. B. Taylor, of Stokes.
By Mr. Waugh: Jno. A. Hampton, of Yadkin.
By Mr. Davis: L. W. Joyner, of Franklin.
By Mr. Guess: A. S. Barbee, of Orange.
By Mr. Patton: R. V. Blackstock, of Buncombe.
By Mr. Lyon: S. M. Stone, of Franklin.
By Mr. Harper: Perrin Busbee, of Wake.
By Mr. May: J. B. Long, of Chatham.
By Mr. Daniel: E. B. Freeman, of Wake.
By Mr. McNair: Geo. M. Whiting, of Wake.

Mr. Holderby, from the Committee to wait on his Excellency, the Governor, reported that the Executive would send in a communication to the two Houses, at 12 o’clock, M.

Mr. Waugh presented a Report from the Comptroller and Secretary of State, concerning "Confederate Securities and
State Securities, issued during the war, now in the Treasury," prepared in obedience to an ordinance of the Convention; which, on his motion, was sent to the Senate, with a proposition to print the same.

Received a message from the Senate, concurring in the proposition to go forthwith into an election for three Engrossing Clerks.—Messrs. Battle and Willey constituting their Committee to superintend the same.

Also, proposing to raise a Joint Select Committee, of three on the part of the Senate and five on the part of the House, to prepare and report Joint Rules for the government of the two Houses; which was concurred in, and Messrs. Hutchinson, Logan, Latham, of Washington, McKay and Richardson announced as the House branch of said Committee.

Also, concurring in the recommendation of Thomas Badger as a Justice of the Peace for the county of Wake.

The House then proceeded to vote as follows, under the superintendence of Messrs. Rogers and Baker, for three Engrossing Clerks:


For Mr. Long: Messrs. Ashworth, Black, Blair, Blythe, Boyd, Bowe, Clement, Crawford, of Rowan, Dargan, Farlow, Foard, Garrett, Garriss, Guess, Houston, Jenkins, of Gaston, Jordan, Logan, Long, Lutterloh, May, McKay, Moore, of Chatham, Morton, Morrissett, Rosebro, Russ, Scogggin, Smith, of Duplin, Stevenson, Teague, Umsted, Whitley Wilson, of Forsyth, Williams, of Harnett, Williams, of Pitt, and Womble—37.


For Mr. Whiting: Messrs. Baker, Blair, Blythe, Bryson, Cowan, Daniel, Davis, Garrett, Gorham, Harding, Jenkins, of Granville, Jones, Kenan, Kendall, Lutterloh, Martin, McKay, McNair, McRae, Perry, of Carteret, Perry, of Wake, Rogers, Scogggin, Simpson and Vestal—25.

For Mr. Busbee: Messrs. Bright, Carson, Dargan, Godwin, Gorham, Harding, Harper, Hinnant, Horton, of Wilkes, Latham, of Craven, Latham of Washington, Perry, of Car-
teret, Perry, of Wake, Reinhardt, Rogers, Rountree, Shelton, Westmoreland, Williams, of Martin and York—20.


For Mr. Joyner: Messrs. Ashworth, Antry, Davis, Jenkins of Granville, Judkins, Lyon, Stone and Turnbull.—8.

For Mr. Blackstock: Messrs. Bryson, Crawford, of Macon, Davidson, Kelsey, Patton, and Williams, of Yancey.—6.

For Mr. Barbee: Messrs. Guess, Umsted, Westmoreland, and Wilson, of Forsyth.—4.

Received from his Excellency, the Governor, by the hands of his Private Secretary, W. H. Bailey, Esq., the following

MESSAGE:

To the Honorable, the General Assembly
of North Carolina:

Gentlemen:—The attention of this whole nation is now specially directed, to the anomalous condition of our national affairs. It seems fit, therefore, that our consideration should be primarily directed to the restoration of national order and harmony.

FEDERAL AFFAIRS.

Although we are now denied any legislative participation in the conduct of the Government of the United States, we should not be listless as to passing events, nor unmindful of the benefits to be derived from an occasional review of the past. More than eighteen months ago, a bloody sectional war was closed by the total overthrow of the weaker, by the stronger section. Its declared object, on the one side, was to break up the Union;—on the other, to preserve it. It ended as might have been expected. The commanders of the Southern armies, after the South was completely exhausted, as to everything which constitutes strength
in war, and after exhibitions of valor in the field which
astonished the world, surrendered on the stipulation of im-
parity to the surrendering forces. Arms had established the
supremacy of the Union. Not a guerilla party in the South
remained under arms. The whole people of the South, whether
they had favored the inception of the war or sympathized
with their section after it began, or not, gave every evidence
they could give, of their submission to the result of the con-
lict, and their willingness to obey the Constitution and laws
of the United States.

What was then in the way of an immediate restoration of
the Union? The machinery of government in the Southern
States was in the hands of those who had given their adhe-
sion to the rebellion. This was a state of things not contem-
plated by the Constitution of the United States. Precedent
furnished no guidance in altering the machinery of the
rebellious State governments, so as to work in harmony with
the national government. The President, who owed his
elevated position to his reputation for statesmanship, and the
consistent devotion of his life to the preservation of the
Union, held that he ought not to recognize the officers of the
States who had given their adhesion to the rebellion, even so
far as to make them the instruments of reorganization; that
while the States existed, and the Union had been preserved,
there were, in these States, no legislative, judicial or execu-
tive officers, lawfully constituted.

To enable the States to re-form their Constitutions, and the
machinery of their governments, he granted amnesty to the
people who had favored the rebellion,—with certain excep-
tions,—on the condition of their renewing allegiance to the
United States by taking an oath to support the Constitution,—
reserving the right to grant pardons, upon special petitions,
to such individuals of the excepted classes as he might deem
deserving of them. He appointed Provisional Governors,
under whose orders elections were held for delegates to State
Conventions, those only being allowed to vote at such elec-
tions, to whom general or special pardon had been granted.
The great body of the people complied with the conditions,
and voted at such elections.
When our Convention assembled, it was understood that the President, and the people of the dominant States, expected of us three amendments of our Constitution, as essential to harmonious Union, and permanent reconciliation, to-wit: the renunciation of the doctrine of secession; the abolition of slavery; and the repudiation of the debts contracted in the prosecution of the rebellion; and the ratification by the Legislature, thereafter to assemble, of an amendment to the Constitution of the United States, proposed during the war, abolishing slavery throughout the United States.

From all we could learn from the press, the avowals of representative men of the North, and all other sources of information, we entertained no doubt that these views of the President were approved by the great body of those who elected him.

Many of our people deemed some of these terms hard and injurious to the well-being of the State; but regarding them as the conditions to restored amity, prescribed by our conquerors, they were accepted with remarkable unanimity, and have since been observed with strict fidelity. One of them reduced from affluence to poverty a large number of our people, in nowise responsible for this sectional war. We accepted them, because we thought these terms were required by the victors from the vanquished, as all that was required of us, as preliminaries to the restoration of concord between the late belligerents. We elected Senators and Representatives to Congress, with all the qualifications prescribed in the Constitution.

We are not ignorant that Congress, during the war, had prescribed an oath of office, commonly known as the "test oath," which very few, if any, of our people, who had remained citizens of the State during the war, could conscientiously take. We regarded this act as unconstitutional. Article 6, Section 3, of the Constitution of the United States, provides that Senators and Representatives and other officers "shall be bound by an oath or affirmation, to support the Constitution of the United States." If Congress have the power to add to this oath such further oath as it may deem expedient, it is manifest that any party, having temporary ascendancy in
Congress, can prescribe an oath which will exclude from Congress all who do not agree in sentiment with the dominant party. This principle would destroy the very basis of our national government. It was never intended that a party, having temporary ascendency, should have authority to make its ascendency perpetual.

We believed, from the resolutions of Congress passed during the war, and the manifest requirements of enlightened policy, that the North was willing to restore friendly relations with the South, and nobody could expect any cordiality to be restored, while this statute was held to be in force. We expected it to be repealed, or to be declared unconstitutional and void by the Supreme Court of the United States, in which tribunal, fortunately for the cause of civil liberty, partizanship has as yet made but slight inroads. We believed that the constitutional guards, and the virtue and intelligence of the electors, were a sufficient protection against disloyal men finding their way into the national councils, or, if experience should indicate the necessity of others, they would be provided in amendments of the Constitution, and not in partizan legislation. In the matter of electing our Senators and Representatives to Congress, every citizen who had advocated the doctrine of secession before the war, or taken conspicuous part in the military conflict, delicately forbore to ask for a seat in Congress. Although human experience has taught that those who (right or wrong) have exhibited manly courage in military conflict, rarely disregard the terms of capitulation when conquered, in this State, no one who had favored the initiation of the war, or distinguished himself in the field during its progress, asked to be made a member of Congress. Every Senator and Representative elected had always opposed secession until the United States could no longer protect his person or property. Up to this time, we thought the wise and magnanimous policy of the President was about to produce, at an early day, the beneficent results he contemplated. A few days before the meeting of Congress, after we had complied with all these supposed preliminaries to national reconciliation, speeches of distinguished partizan leaders of the Congress, soon to assem
ble, gave us premonitions of the purposes of the dominant party. I need not remind you of the chilling shock we received when the action of the dominant party in Congress announced that our members, irrespective of their qualifications, would not be received—and that the Union, for the preservation of which so many lives had been lost, and so frightful a national debt had been created, should be practically dissolved until it should be the pleasure of the dominant party majority to restore it. Up to this time, this faction of the Congress contemplated by the Constitution of the United States exercise the legislative power, without declaring when, if ever, or upon what condition, the people of the other States they govern shall have representation, and the recent elections in the dominant States sanction this action. It is proper to refer to the actions of the people and the authorities of this State, in the interim of these extraordinary national movements. Not a guerrilla party existed in the late rebellious States. In this State not a single instance has occurred where a Sheriff has had occasion, since the surrender, to require a posse or other aid to execute civil process. Our bench of Judges have executed their duties in a manner which would have given lustre to the Judiciary of any period in the history of the world. The steadiness with which our Judges have held the scales of justice has at last extorted praise even from those who, at first, studied to malign them. A few of the agents of the Freedmen's Bureau, and I grieve to say, a few of our own people, who seek to propitiate the favor of our conquerors by furnishing aliment to their unjust prejudices, have sought to make the impression, at the North, that freedmen and Union men could not have justice at the hands of our Courts. To this end emissaries have been employed to traverse the country and record ex parte statements to cast odium on the administration of justice—petitions have been covertly got up by some of our own citizens and sent to the President of the United States, charging disloyalty to our people and favoritism to our Courts, to embitter against us the virtuous classes of the North. Amongst us these machinations are well understood. The virtuous and intelligent men of the North who have settled among us, and especially
the soldiers who stood in front of the fight, on both sides, in the late conflict of arms, despise these slanders. Through the agency of whole-souled men public opinion, it is hoped, will soon reach a healthy state. Our Judges, unmoved by these unworthy imputations and unawed by intimations that they would be suspended from the exercise of their functions, if their adjudications did not accord with the dominant power, have silenced slander itself. No murmur is now heard against the fairness with which justice is administered in our Courts. The fearful increase of crime, a natural sequent of a civil war in which disrespect for the rights of non-combatants was authoritatively countenanced, if not encouraged, is being rapidly repressed, and reverence for justice is having its natural triumph.

Our Legislative Department has been anxiously endeavoring to alter our Code to suit our novel situation, and to bring order out of the chaos produced by the late convulsion. This review of our national affairs brings us to the present period.

THE CONSTITUTIONAL AMENDMENT.

In June last, I received from the Hon. Wm. H. Seward, Secretary of State of the United States, a communication herewith transmitted to you, covering an attested copy of a joint resolution of Congress, proposing a fourteenth article, as an amendment to the Constitution of the United States. It proposes—First,—That "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." Second,—That "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States." Third,—That "no State shall deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction equal protection of its laws." Fourth,—That "representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But
when the right to vote at any election for the choice of electors for President and Vice-President of the United States, representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.” *Fifth,*—That “no person shall be a Senator, or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof; but Congress may, by a vote of two-thirds of each House, remove such disability.” *Sixth,*—That the validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned.” *Seventh,*—That “neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.” *Eighth,*—That “the Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.”

The Constitution provides that “the House of Representatives shall be composed of members, chosen every second year by the people of the several States,” and that “the Senate of the United States shall be composed of two Senators from each State.” This proposition is not made to us by a Congress so composed; this State, with ten others, being
denied representation in the body which proposed thus to amend the fundamental law. It was the clear intention of the Constitution that every State should have a right to representation in a Congress proposing alterations in the original articles of compact; and on this account, alone, no State, pretenting to have rights under the Constitution, can, with proper scrupulousness or dignity, ratify an amendment thus proposed.

It is remarkable that this proposed amendment contemplates, under one article, to change the Constitution in eight particulars, some of them altogether incongruous, to be ratified as a whole, or rejected as a whole. We are not allowed to ratify such of them as we approve, and reject those we disapprove. This is the first attempt to introduce the vice of omnibus legislation into the grave matter of changing the fundamental law. In 1789, Congress proposed to the States, pursuant to the 5th article of the original constitution, twelve new articles, as amendments. Ten of these were ratified by three-fourths of the States. The resolution, by which these articles was submitted to the States, authorizes the States to ratify "all or any of them." Ten of them were ratified—two were rejected. Each of the other three amendments which have been adopted, to-wit: the eleventh, recommended in 1794, the twelfth in 1803, and the thirteenth in 1865, was confined to one matter. To some of the provisions of this proposed fourteenth article, constitutionally submitted to us, there would probably be no objection. To others, or to the heterogeneous whole, it is hoped the State will never give her assent. A commentary on all the proposed amendments would make this document inordinately long. A few remarks, on one or two of them, may not be inappropriate.

Under our laws, made in conformity to the Constitution of the United States, every one of the following State officers, who entered on the discharge of his duties prior to the 20th day of May, 1861, took the oath to support the Constitution of the United States, viz: the Governor, Judges of the Supreme and Superior Courts, Public Treasurer, Secretary of State, Comptroller, Justices of the Peace, Sheriffs, Clerks of the County and
Superior Courts, Clerks and Masters in Equity, Clerk of the Supreme Court, Constables, County Trustees, Coroners, Registers, entry-takers, processioners, rangers, standard-keepers, surveyors, every officer of the militia, Attorney-General, State and County Solicitors, every member of the General Assembly, and every other officer holding any office of trust or profit in this State; every lawyer was likewise required to take it, though the right to practice law has not been held to be an office of trust or profit. The persons who had held these offices, prior to the war, comprise a vast proportion of the population of the State. All postmasters and others, who had held office under the United States, had also taken this oath. These classes embraced the great body of the intelligence of the State.

When war had been inaugurated,—when one section confronted the other in military conflict,—when personal security compelled obedience to those in de facto authority, who, of all these classes of officers, who remained in the State, did not join his own section in the fight, or give "aid and comfort" in the technical sense of this phrase, or in the sense which future interpretation may assign to it, to those who did join in it? Scarcely a man remained among us who can conscientiously say that he gave no "aid and comfort" to the Southern soldiers, during that conflict. But, strange to say! this amendment leaves eligible to office any one who went into a Convention and voted for the ordinance of secession, and any one who voluntarily took up arms and fought on the side of the South to the end of the war, or held a seat in the Confederate Congress, provided such person had never taken an oath to support the Constitution of the United States.

If it be held that a deeper shade of guilt attaches to those who had held office and taken this oath, than to others who owed like allegiance to the United States, is a lawyer who had taken the oath and afterwards joined in the rebellion, less guilty than a constable or a postmaster, or other inferior officer, who had taken the oath and afterwards given aid to the rebellion? If it be said that the dispensing power reserved to two-thirds of Congress may be relied on to prevent
any special hardship, it is inconceivable how so large a body, charged with so many more important duties, could exercise this power with justice or discretion. If this amendment should be ratified, it is believed that not a single one could be found in the State who was, before the war, a Governor, a Judge of the Supreme or Superior Court, a member of Congress, or member of the General Assembly of this State, who would be eligible as a county register or village postmaster, without this dispensation of two-thirds of Congress.

The advocates of this amendment urge that, if we ratify it, representation in Congress will be conceded to us; and that, if we reject it, we must expect, from the dominant party in Congress, calamities still more dire than we have yet felt. There is no warrant for either assertion. It would have been as unbecoming in Congress to offer it to us under any such promise, or such threat, as it would be degrading to us to ratify it under such circumstances. It should be considered solely in reference to its fitness to form a part of the fundamental law of a country claiming high position among enlightened and Christian nations.

The fifth section of this proposed article has the same import, and is intended to convey as much power, as if it were repeated at the end of each one of the four preceding sections. The original Constitution, in closing the catalogue of the powers of Congress, gives the authority “to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States or any department or officer thereof.” This authority has always been understood to apply to power conferred on the government of the United States, by amendments subsequently made, and has repeatedly received the consideration of the judiciary. If the design of this fifth section is simply to re-affirm the long established principle of power necessarily implied under the provision just recited, it is needless surplusage; but if, as its special insertion indicates, it is intended to amplify the various powers which would be reasonably implied from the sections which precede it, and to give to Congress a peculiar author-
ity over the subjects embraced in the proposed fourteenth article, it is mischievous and dangerous.

If there be any feature in the American system of freedom which gives to it practical value, it is the fact that a municipal code is provided under the jurisdiction of each State, by which all controversies as to life, liberty or property, except in the now limited field of Federal jurisdiction, are determined by a jury of the county or neighborhood where the parties reside and the contest arises; but if Congress is hereafter to become the protector of life, liberty and property in the States, and the guarantor of equal protection of the laws, and, by appropriate legislation, to declare a system of rights and remedies, which can be administered only in the Federal Courts, then the most common and familiar offices of justice must be transferred to the few points in the State where these courts are held, and to judges and other offices, deriving and holding their commissions, not from the authority and people of the State as heretofore, but from the President and Senate of the United States. The States, as by so much, are to cease to be self-governing communities as heretofore, and trespases against the person, assaults and batteries, false imprisonments and the like, where only our own citizens are parties, must be regulated by the Congress of the nation and adjudged only in its courts. I cannot believe that the deliberate judgment of the people of any State or any section will approve such an innovation, for although its annoyances may be ours to-day, they must expect them to be theirs to-morrow. The people of this State, with a singular approach to unanimity, are sincerely desirous of a restoration of their constitutional relations with the American Union, in the face of circumstances, rendering it nearly impossible, they have paid its government the taxes of former years, laid when another de facto government, whose powers they could not have resised, if they would, was making levies in money and in kind almost greater than they could bear; they acquiesced in the extinction of slavery, which annihilated more than half their wealth; they have borne with patience the exclusion of their Senators and Representatives from the halls of Congress, where they have had no one to contradict or
explain the most exaggerated misrepresentations, or even to make known their grievances. How long this unnatural condition of our relations is to continue, it seems we shall be allowed to have no share in determining. No time has been set, and no conditions proposed, on which it may be terminated. In the mean time, I trust we shall meet events as they arise with a reasonable and manly fortitude, ready at all times to fulfil our duties as patriotic citizens, but under no circumstances willing to sacrifice the honor and rights of the State, as a member of the Union; not in the sense of the advocates of secession, but as taught by Iredell and Marshall and Story and Kent and Webster, and in which moderate men everywhere, North and South, before the war, were supposed to concur. Anxious as I was to avert the late war, and have at all times been to compose our troubles on the basis of the Union as our fathers framed it, I can perceive in this proposed amendment nothing calculated to perpetuate the Union; but its tendency seems to me better suited to perpetuate sectional alienation and estrangement, and, I have, therefore, no hesitation in recommending that it be not ratified.

THE AFRICAN RACE.

Most of the African race among us were lately slaves. Their masters cared for their subsistence. Their habits ill fit them to provide for their indispensable daily wants. Nothing can be more absurd than the supposition that the great body of them can participate in governmental affairs with any discretion. A very few of them are discreet and virtuous, and have considerable intelligence; and when the State shall be left free to manage her internal affairs, without extraneous interference, I do not doubt that the question as to what share ought to be granted them in the elective franchise, will be candidly considered. To grant universal suffrage to them now is manifestly absurd.

What ought to be done in reference to this race, if its consideration could be approached apart from passion and party politics, would embarrass the wisest statesman and philan-
Unhappily, our present condition does not allow such calm consideration. At present, it blends itself with our national affairs. From the earliest period of our history under the National Union, it has been the cause, or the pretext, for sectional strife. Disunionists, North and South, have constantly used it to alienate one section of our country from the other. When these strifes at last culminated in war, and slavery was suddenly abolished, and the South thereby grievously impoverished and constrained to accommodate itself to a violent change, more suddenly introduced than the teachings of experience would seem to warrant, all patriotic men looked for national repose, as a set-off. The one great theory of our government, which was supposed to be settled, was that each State should manage its own internal affairs; but so far from the abolition of slavery having composed our sectional differences, it has only intensified them,—the negro being still the subject of strife. The North claimed that humanity required its interposition to protect the recently emancipated slaves from aggression on the part of the white people of the South, and new and strange tribunals were instituted among us to manage this race, claiming and exercising, long after hostilities had ceased, exclusive jurisdiction, civil and criminal, over whites and blacks, as to all matters to which a freedman was a party, and resting their decisions and modes of proceeding on no known rules. It behooves every patriotic mind to solve the problem, what is best to be done to avoid this sectional strife in relation to the negro. Is it possible, in entire consistency with the well being of the African race, to avoid this enduring source of animosity between the sections? It seems to me that the course to be pursued is obvious, if the parties to the controversy sincerely desire reconciliation. The cause of the trouble is the unequal distribution of the race between the sections. The plain and practical remedy is their more equal diffusion. Existing circumstances invite such diffusion. The people of the South (whether from prejudice or not is immaterial, to the view I take) do not regard the negro as their equal. He is not allowed the right of suffrage. The North insists that this prejudice of the South does cruel wrong to the African.
Among us they are very poor, and few of them have acquired local attachments by ownership of land. The results of emancipation and war have made the whites poor also; and the uncertain condition of our federal relations prevents the influx of capital or population. Enterprise is paralyzed. Few are able to employ laborers and pay them liberally. On the other hand the dominant States are rich. In all of them the wages of labor are much greater than we can pay. In many of them are public lands of great fertility which the laws give to the actual settler at a nominal price. In one of those States a portion of the people has given a substantial earnest of the principles they profess, by electing two Africans as members of their State Legislature. Everything seems to invite their emigration to the dominant States;—but most of them are too poor to pay the expenses of moving. This difficulty may be overcome by diverting the appropriation made to sustain the Freedman's Bureau, to defraying the traveling expenses of those who may choose to move, allowing each one to choose the State or territory to which he would go. When thus left free and aided to go where they may think their condition will be bettered, no grounds will be left for further sectional strife as to their government. Who that would avoid the rock on which our ship of State is threatened with wreck, will object to this scheme of reconciliation? It is clear that the Northern States will not object to it. It will place the negroes, voluntarily emigrating to them, under their immediate guardianship, where they can look after their personal protection and mental and moral culture, much more discreetly than they can by a Freedman's Bureau, or any other machinery while they remain here.

I am sure North Carolina will not object to this scheme. If it be objected that the emigration would be so universal as to leave us for a time, without a sufficiency of laborers, and if it be conceded that this would be the result, who would not prefer to perform servile labor until other labor could be procured, to the inquietude and humiliation to which we are now subjected? But such would not be the result. North Carolina means to treat her freedmen with justice and humanity. Very many of them retain the feelings of kindness and
confidence which they formerly felt towards their late masters, and these reciprocate the feeling and pay them fair wages, and give them every reasonable aid to better their condition; although we may be unable to perceive anything to encourage our efforts in the past history of the race. I respectfully recommend that you propose this plan of national reconciliation to the Congress of the United States. Whether this suggestion be carried out or not, it behooves us to consider what the welfare of the State requires us to do in special reference to the African race among us. The task which the sudden emancipation of so many slaves imposes, if we were allowed to undertake it without interference, would be a most difficult one. We must face it as it is, and do the best we can for the common weal of the white and black.

The most prominent subjects demanding new legislation are crime and pauperism. Our courts have been so occupied with the criminal side of the dockets that little attention could be given to civil suits, and our jails are still crowded. Stealing, formerly regarded as the meanest of crimes, and of infrequent occurrence in this State, from the manner in which the late war was conducted and other causes, came to be regarded as a rather venial offence. The action of our courts has done much to check it. It is still frightfully common. Negroes compose much the larger class of these offenders. Much the larger number of convicts, of all colors, are insolvents, and the expenses of their prosecution and imprisonment swell largely the frightful burden of taxation under which our impoverished people are laboring. This evil must be remedied, if possible.

Under our existing laws recently enacted, power is conferred on the Justices of the Peace to erect work-houses for their respective counties, in which insolvent convicts should work out the fines imposed and the costs of prosecution. The erection of proper buildings will cost much. Counties cannot bear the expense of erecting around them sufficient walls to prevent the escape of the prisoners. The salary of the Superintendent and other employees must be considerable. How can the convict be compelled to labor? What is he to work at? If a mechanic, is it contemplated to supply each county
work shop with the necessary tools and materials? Is leather to be provided for the shoemaker and saddler; coal, anvil, hammer and bellows for the blacksmith; plank and planes for the carpenter, &c.? If not, what is he to work at? Certainly not at farming. This would require the keeping of mules and horses, with uncertainty whether any, or how many, convicts would be sent to the work-house. The Superintendent could not pitch his crop in uncertainty whether he would have any hands, or how many he would have, and almost a certainty that when he put his convict in the field to work he would run away. I submit whether it would not be better to keep up our highways by taxation and to compel insolvent vagrants and others, convicted of misdemeanors, to work with ball and chain on the highways or other public works of the counties, allowing them, as provided in our county work-house act, to raise the fine and costs by apprenticing themselves.

PENITENTIARY.

As to convicts for the higher grades of crime, I think a Penitentiary should be erected. This mode of punishment has been in long use in most of the States. It has never been discontinued, so far as I am informed, in any State which has adopted it, and I regard this experience as decisive in favor of this plan. If this recommendation be approved, I further recommend that provision be made for employing convict labor, as far as practicable, in the construction of the necessary buildings, and that a proper commission be constituted to carry out the design in the best manner.

PAUPERISM.

The number dependent for subsistence on public charity is vastly greater than it ever was in any past period of our history. A benevolent feature of the Freedmen’s Bureau was the issuing of rations to indigent blacks. This, I understand, will be, or has been discontinued. Large numbers of them, too old or infirm to labor, and a still larger number of chil-
dren, too young to labor, and without parents, or with parents not providing for them, must be cared for. In addition to these is the large number made dependent by the loss or the maining of their fathers in the late war. As to the number of these last I cannot furnish the statistics, contemplated by the resolution of the General Assembly of the tenth of March last, the Chairmen of the County Courts of some three or four Counties, only, having sent me any returns, and these do not profess to be full and accurate. The pauper negroes formerly supported by the master, must now go to the poor houses. I recommend a revision of the poor laws. I am not prepared to suggest any specific alterations of them, but hope your wisdom may be able to devise some plan of lightening the heavy burden which the proper care of the poor must soon impose upon us.

APPRENTICESHIP.

I recommend a revision of our laws in relation to apprenticeship. The future well-being of the State depends much upon the manner in which our children and youth are brought up. Great numbers of the rising generation, white and black, are growing up without proper training in the habits of steady industry essential to make them moral and useful citizens. Some of them, children, having no father to guide them; many of them, (in the language of one of our statutes) where "the parents, with whom such child may live, do not habitually employ their time in some honest, industrious occupation." But to attain the proper ends of apprenticeship, no pains should be spared, in selecting the masters to whom the tutelage of such children is committed. In this, I think, the administration of our laws requires amendment. When a child is to be bound apprentice, I fear that our County Courts, to which this duty is confided, and which are expected to act in loco parentis, often neglect to look properly to the fitness of the master to bring up the child. Now, when the welfare of the State requires the exercise of this power much more extensively than formerly, it is well to inquire whether something may not be done for the better protection and rearing
of this class. In practice, I fear, that the eminently wise and beneficent provision of our Statute, Rev. Code, chap. 54, sec. 18, has not been sufficiently observed. It requires the Grand Jury of every County annually, at the orphan's court, to present to the Court, in writing, the names of all orphan children within their County, "that have not guardians, if not bound out to some trade or employment; and also all abuses, mismanagement and neglect of such guardians as are appointed by the Court of their County." I recommend that the provisions of this section be enlarged, so as to embrace all children whom you may declare fit subjects of apprenticeship, and that the Jury report at every term of the Court, and that it be made the duty of the County Attorney, at each term, to give the act in charge to the Grand Jury. I suggest further, that it would tend much to the security and proper care of apprentices, if it were made the special duty of the County Solicitor to attend to the binding of each apprentice and attest the indentures, with power in every case where he may deem it expedient, to carry the case, by appeal to the Superior Court, and that proper provision be made for his compensation for this service.

I have received from Thos. P. Devereux, Esq., an aged citizen, distinguished for his intelligence, and long the owner and manager of a large number of slaves, a letter on this subject, presenting many views and reflections, the result of his experience. I transmit his letter with this message, and commend his suggestions to your consideration.

It has been the policy of the General Assembly, since the ordinance of emancipation, to so reform our laws, as to personal rights, that no distinction should exist to the prejudice of the blacks. I find some distinction still exists as to apprenticeship, inadvertently overlooked, I presume. Our laws require the binding of white females to the age of eighteen, and colored females to the age of twenty-one years; and power is conferred on the Court to bind as apprentices, "the children of free negroes, when the parents with whom such children may live do not habitually employ their time in some honest, industrious occupation." There is no provision for binding white children so neglected by their parents. I
hope the law will be so altered as to abolish these discriminations, and all others, if any others be found to exist.

An embarrassing difficulty, as to the binding of negro children, has lately presented itself. I was lately notified by a citizen, to whom negro children had been bound as apprentices by the County Court, that he had been notified by an officer of the Freedman's Bureau, that such binding would not be respected, and that he was required to surrender such children, the indentures having been declared null by authority of the officers of the Bureau. I had had no previous notice that such interference was contemplated. In reply to a letter of inquiry, which I thereupon addressed to Brevet Major General Robinson, the Assistant Commissioner of the Freedman's Bureau in this State, he sent me a copy of the order under which his subordinate acted, in these words: "The civil Courts will not be allowed to make any discrimination between white and blacks, in the apprenticing of children. No child, whose parents are able and willing to support it, can be bound without the consent of the parents; children over fourteen years of age will not be bound out as apprentices under any circumstances. Col. Rutherford will see that the above rules are strictly carried out, and will, at once, cancel all indentures not in conformity therewith." This order, if carried into effect, substantially annuls, as I conceive, the powers of our Courts over minor children of color. The correspondence on the subject is not concluded. I hope the order will be revoked. As soon as a final decision shall be reached, I will communicate it to you.

ADMINISTRATION OF JUSTICE.

Soon after the adjournment of our Convention, I addressed a communication to General Robinson, calling his attention to the fact that our laws had been so reformed that no discrimination existed as to the administration of justice, to the prejudice of free persons of color. He promptly issued an order, a copy of which accompanies this communication, dated July 13th, 1866, restoring to our courts, with one exception, all cases to which freedmen are parties. This
order relieved our people from one source of great annoyance. It has been faithfully observed on the part of the bureau, and the powers so justly and wisely exercised by our courts, that nobody now doubts that the change of jurisdiction was a proper one.

Our anomalous condition, the boundaries of jurisdiction between the military and civil authorities being ill-defined, has led to much correspondence between the Executive and Military Commandants of the State. It is spread out on my letter book, subject to your inspection. It shows, as I think, a disposition, on both sides, to avoid unnecessary conflict.

For a time I was distressed by a portion of our people, who, by petitions addressed to the President and otherwise, charged upon our courts partiality and favoritism, to the prejudice of the United States' soldiers and negroes; and by reports tending to the same end, made to me by the military Commandant of the State, covering complaints made to him, by certain of our citizens, who represented that they could not have justice in our courts. Investigation has shown these complaints to have had no just foundation, and the manifest fairness with which our judicial officers have held the scales of justice, has won the admiration of all. At one time these complaints seemed alarming. I deemed it of vital importance to ascertain whether there was any just grounds for them, and, if they were found to be unfounded, to counteract their baneful influence. And, upon receiving from the military Commandant of the State, a complaint from a citizen of Wilkes county, imputing grossly disloyal conduct to certain persons being organized as State militia, I deemed it necessary to send an agent, in conjunction with one appointed by the military Commandant, to enquire into the truthfulness of these allegations. I appointed William S. Mason, Esquire, of this city. His report, as well as that of the officer sent with him by General Robinson, showed the groundlessness of the complaint. Mr. Mason bore his own expenses and performed this service, with the knowledge that I had no power to give a warrant for his compensation. His services were valuable to the State, and I trust you will have no hesitation in giving him suitable compensation.
ELECTION OF UNITED STATES SENATOR.

The term for which the Honorable John Pool was elected United States Senator will expire on the fourth of March next. Although we have no indications how long it will be the pleasure of the dominant party in Congress, to exclude us from any participation in national legislation, we ought, as I think, to continue to perform, on our part, all our constitutional duties, among which is the election of a Senator, with all the qualifications prescribed in the Constitution; and I, therefore, deem it proper to call your attention to an act of Congress, approved July 25th, 1866, entitled "An Act to regulate the time and manner for holding elections for Senators in Congress," a copy of which accompanies this message.

ARTIFICIAL LIMBS.

Under the resolutions authorizing the furnishing of maimed soldiers with artificial legs, passed at the last session of the General Assembly, devolving on the Governor the duty of carrying the same into execution, I addressed a letter to the Sheriff of each county of the State, requesting him to report to me at an early day the number in his county who had lost limbs, distinguishing those who had lost legs from those who had lost arms. I also addressed letters to a number of manufacturers of artificial limbs, whose patents had been approved, and who were manufacturing limbs for the maimed soldiers of the United States, requesting them to send me samples of their manufacture, and to submit proposals for supplying the State. Many specimens were sent and proposals made. After a careful examination and extensive inquiry, I closed a contract with Jewett & Co., at seventy dollars for each leg, and fifty dollars for each arm, to be supplied. To insure an easy fit, it was necessary that the soldier should be in the shop and there have the leg fitted to the stump, and the contract, therefore, required the manufacturer to make them in a shop in this city. To enable the soldiers to
come here without cost, I wrote to the Presidents of each of the railroads and transportation companies, requesting free passage for them, coming and going, to which all of them promptly assented. I caused to be fitted up a house with suitable bedding, &c., for such of them to occupy as might choose to do so, they being at no expense except for provisions, which they could bring with them or otherwise procure. I employed Mr. S. G. Ryan to attend to the details, whose report to me accompanies this message. The Sheriffs, without exception, have given me their prompt cooperation.

The government of the United States pays the same contractors seventy-five dollars for each leg. It will not cost the State more than this sum, including all the incidental expenses. The manufacturers are executing their undertaking faithfully, and giving, so far as I have heard, entire satisfaction to the maimed soldiers. I am much gratified with the successful and satisfactory manner in which this work is progressing, which gave me much anxiety and solicitude in the selecting of the patent, and arranging the beginning of the work. I refer you for further particulars to the accompanying report of Mr. Ryan, who has faithfully and diligently kept the books and attended to all the details.

LUNATIC ASYLUM.

The close of the war left the Lunatic Asylum in a most deplorable condition. On the occupation of this city by the United States army, the benevolent designs of this Institution did not protect it from spoliation. The fencing which enclosed its grounds, some —— acres, was torn away and used for fuel, or other purposes. The orchard and garden were exposed. Its stock of milk cows, hogs, corn, pork, &c., was seized and taken away. It is just to the United States officers in command here, to say, that they prevented the disbanding of the Institution and the turning out of the poor madmen by furnishing the needful supplies until, by the partial restoration of the civil authorities, the State could resume her guardianship over it.
Under the act ratified the tenth day of March last, "to secure a better government for the Insane Isylum," vesting the government of the Institution in five supervisors, to be biennially appointed by the Governor, and the Governor to be ex officio Chairman of the Board, I solicited and obtained the consent of five gentlemen, distinguished for capacity and benevolence, and all resident in Raleigh, to serve as supervisors, to wit: Thos. Bragg, Geo. W. Mordecai, Dr. E. Burke Haywood, T. H. Selby, and C. Dewey, and, upon the resignation of Dr. Haywood, after a few months service, I obtained the consent of Dr. Charles E. Johnson, and appointed him to fill the vacancy. These gentlemen are entitled to the thanks of the State for their diligent effort, requiring much of their time, often upon sudden call, in the discharge of their duties. The journal of our proceedings are open for your inspection. We have endeavored to do every thing we deemed compatible with the laws and consistent with enlightened benevolence, to diminish the expenses of the Institution. Your attention is invited to the report of the Superintendent, Dr. E. C. Fisher, which I herewith transmit to you, indicating the particulars as to which we deem additional legislation necessary. It is believed that it presents a full and fair showing of the management of this great charity, and its future wants. The whole of the appropriation for its support has been exhausted. A further appropriation will be needed at an early day to lay in supplies for the coming year. We did not construe the act making the appropriation for the support of the Institution this year, as contemplating the payment of sundry debts contracted for supplies, salaries, &c., towards the close of the war and afterwards. We have had much trouble in scaling these debts, mostly contracted on the basis of Confederate money. If adjusted according to the scale of depreciation established by the General Assembly, some of them would get much more and others much less, than we deemed equitable. We submit a report of the amount which we think ought to be paid to each of these creditors—and I recommend that an appropriation be made for their payment.
It will be seen by the able report of our Public Treasurer, which I herewith transmit, that we received, some months ago, the scrip for one hundred and seventy thousand (170,000) acres of Public lands, being our share of a donation of Public lands, by Congress, to aid in establishing colleges in the several States and territories, to impart instruction in Agriculture and the Mechanic Arts. By the second section of an Act of the General Assembly, ratified the fifth day of March, 1866, the Public Treasurer is empowered, by and with the advice of the Governor, to sell this land and invest the proceeds in stocks of the United States, or of the States, or other safe stocks, yielding not less than five per centum interest. Owing to the Homestead law, which grants limited quantities of the Public lands to actual settlers, at a nominal price, our scrip, if now put in market, will bring little more than fifty (50) cents per acre. If sold at this price, the endowment of the proposed college would be very small, and in the present unsettled condition of our country, the election of the Stocks in which the investment should be made is most embarrassing. The low price of our \textit{ante bellum} bonds invites investment in them, if the State shall be allowed to recuperate and keep faith with her creditors, which I hope and believe will be the case; but, in the painful uncertainty which clouds the future, as no damage could be foreseen from a little delay, we have declined the responsibility of making a sale, and deciding in what stocks the proceeds should be invested; and we respectfully ask for more specific instructions from your honorable body. I am sure the State will heartily co-operate in adopting the most efficient means of carrying out the designs of Congress, to wit: giving the aids of science to the chief elements of American strength and prosperity.—The inquiry arises, how can this object be most efficiently carried out in this State?

Our University, which our Constitution requires us to sustain, has lost the bulk of its endowment, by the insolvency of the Bank of North Carolina. It has buildings adapted to the accommodation of four hundred (400) students on a tract
of land containing many hundred acres of good agricultural land, with only about one hundred students, with large libraries, a very extensive Geological Cabinet, and other facilities for imparting scientific knowledge. It appears to me that the best mode of carrying out the will of Congress, will be the engrafting on our University of an Agricultural and Mechanical Department. A like course has been adopted, or is under consideration, in several of the Northern States. — Our indefatigable Public Treasurer has corresponded with the Treasurers of many of these States on the subject, and will take pleasure in giving to any committee, to whom you may give this matter in charge, the benefit to be derived from the action of other States. The subject deserves your special consideration.

INTERCHANGE OF LAWS, SUPREME COURT REPORTS, &C.

Our statutes and the decisions of our Supreme Court, since the re-organization of the State government, have been forwarded to the several States and territories; and have received, and are constantly receiving, large numbers of volumes in exchange. New York sent us one hundred and fifteen (115) volumes, and many of the other States a considerable number. Massachusetts, and some other States, through their proper officers, have asked us to make their sets of our Supreme Court Reports complete, by sending them the reports of the decisions made by our Court during the war. We have been unable to comply with these requests, because, if they were printed in sufficient numbers, they have been lost. Many of them were unbound and poorly printed on bad paper. I suggest the expediency of re-printing new editions of them.

PUBLIC LIBRARY.

I learn from the Librarian that he will soon require more space for the reception of books. Besides the annual addition of literary, historical and scientific works being made under the law appropriating five hundred dollars ($500) a
for the increase of the Public Library, we are continually receiving large accessions by our interchanges with the States and the National government. Additional space should be provided for them. As to how this may be best effected, I have no specific recommendation to submit.

The old arsenal building, at an inconsiderable expense, (now entirely useless) might be made available for some public purpose.

GOVERNOR'S MANSION.

I call your attention to the condition of the buildings and grounds, provided by law as the residence of the Governor. They have been occupied as the head-quarters of the Military Commandant of the State, since the capture of the city by Gen. Sherman's army, in April, 1865. The fencing has been removed, the garden, the fruit trees and shrubbery are exposed to stock, some of the ornamental trees cut down and the buildings damaged and defaced. I have not asked to occupy these buildings. They require essential repairs to make them a suitable residence, and nearly all the furniture has been lost or destroyed, and no appropriation has been made to repair and re-furnish the premises.

WEIGHTS AND MEASURES.

On entering upon the discharge of my official duties, I found that the standards of weights and measures, belonging to the State, were missing. Many counties which had lost a part or all of their standards of weights and measures heretofore supplied by the State, were applying for new ones. On application to the Secretary of the Treasury, a new supply was sent; and in the meantime, I addressed a circular to the Chairman of each County Court in the State, to ascertain what measures it would be my duty to provide for them, under the provisions of chapter 117, Revised Code.

I could not contract, with discretion, for the manufacture of these measures, until I knew the whole number to be supplied. Very many of the Chairmen did not respond.
sent a second circular to the County Court Clerks, and have now an answer from nearly all of them. I respectfully submit that the details of this duty ought not to be imposed on the Governor, or that he should be authorized to employ and pay a suitable agent to attend to it. I refer you to a letter on this subject from Prof. A. D. Bache, which accompanies this message.

MILITIA.

A well regulated militia is essential to the administration of the State government; as well as to the discharge of her duties as a member of the Union. At the beginning of my administration, total disorganization of the militia existed. Under the Act of the General Assembly, passed the 12th day of March last, I appointed John A. Gilmer, Jr., Adjutant General, with instructions to carry out the provisions of said act. The duties to be performed were twenty times greater than they were before the war. Nearly five thousand officers had to be elected, commissioned and qualified—proper records to be kept—a correspondence to be conducted with every county in the State, and innumerable other difficulties to be overcome. The salary allowed to this officer, when the services were comparatively light, was two hundred dollars ($200) a year. This was not altered by the act of last March. Believing that this was an oversight, and that you would make him adequate compensation, he entered zealously upon the discharge of his duties. I herewith submit his report and commend it to your careful consideration.

AUDITOR AND COMPTROLLER.

By an act of the General Assembly these officers were consolidated and no Clerk allowed. The duty of auditing claims, imposed on this officer, his decisions being final, and subject to no supervision, requires an officer of firmness and capacity, and the extensive book-keeping, and methodical arrangement of the papers pertaining to his duties as Auditor and Comptroller, require much labor. I recommend an inquiry whether
judicious economy does not require an increase of salary and the aid of a Clerk.

COURTS OF OYER AND TERMINER.

I have considered it my duty in a few instances, under existing laws, to designate Judges to hold Courts of Oyer and Terminer; but after full inquiry and careful examination of the laws, I am in doubt as to what is the legislative will in reference to the compensation of a Judge for such special service. I ask such action on your part as shall leave no grounds for doubt.

REPAIRS OF THE STATE HOUSE.

Under the provisions of the resolution passed by the General Assembly, in March last, authorizing the Governor to make needful repairs on the State House, and under the powers conferred upon the Governor, Secretary of State, Public Treasurer and Comptroller, by chapter 103 of the Revised Code, we have caused such repairs to be made to the Capitol, and such additional furniture supplied to the Halls and offices as we deemed necessary; and the Governor and Public Treasurer, in obedience to a resolution of the Convention of the 20th of June, 1866, have had the necessary gas fixtures put up for the lighting of the Halls and rooms of the Capitol. We have executed these duties with as much economy as possible.

HILLSBORO' MILITARY ACADEMY.

I have received a communication from Gen. R. E. Colston, Superintendent of the Hillsboro' Academy, which accompanies this message, generously offering, gratuitously, one scholarship in his Academy to one young man from each Congressional District in the State, and one scholarship to one young man from the State at large, to be designated by the Governor. The Institution asks no pecuniary aid from the State. Poor young men will be unable to avail them-
selves of this opportunity to acquire scientific and military education in this distinguished Seminary of learning, without aid to pay their board. I submit this subject to you, in the hope that you may be able to offer some aid or encouragement to this generous design.

**ASYLUM FOR DEAF MUTES AND THE BLIND.**

It should be a matter of just pride that, in spite of the exhausting drafts of the war and its impoverishing results, the State has never ceased to care for the unhappy inmates of her Asylums, and that both are still performing their works of beneficence. The Reports of the President, Directors, Principal, Auditor and Treasurer, of our Asylum for deaf mutes and the blind, which I herewith transmit to you, exhibit this Institution as steadily executing, with undiminished vigor, the benevolent purposes for which it was created. I commend their reports to your careful consideration.

**PUBLIC SCHOOLS AND INTERNAL IMPROVEMENTS.**

As President of the Boards of Literature and of Internal Improvements, I shall submit to you additional messages, at as early a day as practicable, touching the matters committed to the charge of these board.

**FINANCES, CURRENCY, &C.**

I have not commented on our finances, the expediency of establishing Banks, or other means of supplying a currency and relieving the debtor class of our people, because my administrative duties have so fully engrossed my time, that I have been unable to mature any plans on these subjects which I could confidently recommend as proper to be adopted. As to our finances, I have nothing to add to the suggestions of the Public Treasurer, which I endorse.

For the large number of persons reduced from affluence to poverty, without fault of theirs, and still oppressed with debt, and the still larger class, who still have a moderate compe-
But are beset to find the means of supplying their indispensable wants, and meeting the inexorable demand of the tax collector, I feel the most profound sympathy, but I fear you can do little for their relief. They should place their great reliance upon individual industry, and economy and sobriety, and arrangements and compromises between debtor and creditor, and expect little from the government beyond the protection of their rights. The mutual interest of debtor and creditor generally indicate the proper basis of settlement. In the ease of a "Shylock" creditor, the existing law furnishes the debtor with a remedy, by a deed of trust and otherwise, for bringing the creditor to terms by preferring the more lenient ones. The peculiar circumstances of each case will indicate the best adjustment between debtor and creditor. — The wholesome provision of the Constitution of the United States, which forbids a State to pass any law impairing the obligation of a contract, should be faithfully observed, as should be all our constitutional obligations; and in the end, the State and individuals will reap the reward which always follows a steadfast adherence to duty. Let us so act, that hereafter, as heretofore, our hearts may swell with pride at the mention of the "good old North State."

**CONCLUSION.**

There is much to occasion the gloom prevailing throughout the State. It has been exhibited in various ways. The growing indifference of our people, in all the elections which have lately occurred, is greatly to be deplored. Let us never despair of the Republic. Our time-honored axiom "that all political power is vested in and derived from the people only," will have become an unprofitable declaration of principle, when the people shall cease to take an interest in the elections. There is much in the review of the recent past to forbid despondency and encourage hope. Our State has not been afflicted with war, or pestilence, or famine. Although we have not been blest everywhere with propitious seasons, in much the larger part of the State the toils of the farmer have been abundantly rewarded, our courts for months, have been exercising full jurisdiction, without interference by the
military of the United States, (except in the matter of apprenticing colored children, which it is hoped will be soon satisfactorily arranged,) and, as a consequence, crime is being repressed, and the orderly citizen feels the protection of the law. Time and the action of the courts have done much to moderate the animosities, and restore the good feeling which existed among us. We have made much advance towards restoring the respect for law and order, which formerly distinguished our people, and all classes are becoming more steadily industrious. Our institutions of learning are reviving, and their increasing number of pupils is highly encouraging. We should be profoundly thankful for the blessings we enjoy, and endeavor, by mutual forgiveness and charity, and in all our actions, to deserve the future favor and guidance of Divine Providence.

JONATHAN WORTH.

APPENDIX.

CHAPTER CCXLV. AN ACT TO REGULATE THE TIMES AND MANNER OF HOLDING ELECTIONS FOR SENATORS IN CONGRESS.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislature of each State, which shall be chosen next preceding the expiration of the time for which any Senator was elected, to represent said State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress, in the place of such Senator going out of office, in the following manner: Each house shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from said State, and the name of the person so voted for, who shall have a majority of the whole number of votes cast in each house shall be entered on the Journal of each house by the Clerk or Secretary thereof; but if either house shall fail to give such majority to any person on said day, that fact shall be entered on the Journal.
At twelve o'clock, meridian, of the day following that on which proceedings are required to take place, as aforesaid, the members of the two houses shall convene in Joint Assembly and the Journal of each house shall then be read, and if the same person shall have received a majority of all the votes in each house, such person shall be declared duly elected Senator to represent said State in the Congress of the United States; but if the same person shall not have received a majority of the votes in each house, or if either house shall have failed to take proceedings as required by this act, the Joint Assembly shall then proceed to choose, by a viva voce vote of each member present a person for the purpose aforesaid, and the person having a majority of all the votes of the said Joint Assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected; and in case no person shall receive such majority on the first day, the Joint Assembly shall meet at twelve o'clock, meridian, of each succeeding day during the session of the Legislature, and take at least one vote until a Senator shall be elected.

Sec. 2. And be it further enacted, That whenever, on the meeting of the Legislature of any State, a vacancy shall exist in the representation of such State in the Senate of the United States, said Legislature shall proceed, on the second Tuesday after the commencement and organization of its session, to elect a person to fill such vacancy, in the manner hereinafore provided for the election of a Senator for a full term; and if a vacancy shall happen during the session of the Legislature, then on the second Tuesday after the Legislature shall have been organized and shall have notice of such vacancy.

Sec. 3. And be it further enacted, That it shall be the duty of the Governor of the State from which any Senator shall have been chosen as aforesaid, to certify his election, under the seal of the State, to the President of the Senate of the United States, which certificate shall be countersigned by the Secretary of State of the State.

Approved July 25th, 1866.
Pending the reading of which, the hour having arrived for the execution of the Joint Order, viz: the election of Public Printer.

On motion of Mr. McNair, the further reading of the message was dispensed with.

Mr. McNair moved that the Message and accompanying Documents be transmitted to the Senate, with a proposition to print the same. Agreed to; and, on further motion by Mr. Waugh, the proposition was amended so as to provide for printing ten (10) copies of the message for each member of the two Houses and one hundred (100) copies for the use of the Governor.

Mr. Baker, from the Committee appointed to superintend the election of three Engrossing Clerks, reported that the whole number of votes cast was 162,—necessary to a choice 82; that Mr. Stone had received 100, Mr. Ramsay 97, Mr. Hampton 61, Mr. Long 50, Mr. Freeman 46, Mr. Busbee 37, Mr. Whiting 29, Mr. Joyner 17, Mr. Taylor 17, Mr. Barbee 9 and Mr. Blackstock 7; and that Messrs. Stone and Ramsay, each having received a majority, were duly elected. Which report was concurred in.

The House then proceeded to vote for Public Printer, under the superintendence of Messrs. McNair and Waugh,—the name of W. B. Smith having been previously put in nomination by Mr. Williams, of Martin:


Mr. Williams, of Martin, voted for Mr. Smith.

Mr. Moore, of Hertford, moved, and it was carried, that a message be sent to the Senate, proposing to vote, at once, for one Engrossing Clerk, and announcing that the names of Messrs. Blackstock, Freeman and Joyner were withdrawn from those in nomination.

Mr. McNair, from the Committee appointed to superintend the election of Public Printer, reported that the whole number of votes cast was 157,—necessary to a choice 79; that Mr. Pell had received 115, Messrs. Nichols, Gorman & Neathery 37, and Mr. Smith 5; and that Mr. Pell, having received a majority of the whole number, was duly elected. Which report was concurred in.

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

WEDNESDAY, November 21st, 1866.

The House was called to order at 10 o'clock,—the Speaker in the Chair.

Robert Gambri, member elect from the county of Alleghany, appeared, produced his credentials, was qualified and took his seat.

Leave of absence for one day was granted to Mr. Morehead.

The Speaker announced Messrs. Waugh, Kenan, Holderby, Harper and Perry, of Carteret, as the Committee to prepare

On motion of Mr. Kenan, it was

Ordered, The Senate concurring, that the 2nd Saturday in December next be set apart for the election of Justices of the Peace; and that no motion for that purpose shall be entertained until that day.

Mr. Waugh introduced a Bill (H. No. 1) "To grant a general Amnesty and Pardon to all persons guilty of violating the criminal laws of North Carolina, except in certain cases;" which passed its first reading, and, on motion of Mr. Cowan, was ordered to be printed.

On motion of Mr. Moore, of Hertford, it was

Ordered, That a message be sent to the Senate, proposing to refer, to a Joint Select Committee of five members from the House and three from the Senate, so much of his Excellency the Governor's Message, as relates to the African race and Apprenticeships; and that, in addition, all matter on the same subjects brought to the attention of the two bodies, during the continuance of the Legislature, be also referred to said Committee; and that they report by bill or otherwise.

On motion of Mr. Lowe, it was

Ordered, That a message be sent to the Senate, proposing to go into the election of an Engrossing Clerk at 11½ o'clock.

Received a message from the Senate, concurring in the proposition of the House, to print the Message of the Governor and accompanying Documents; and, also, announcing Messrs. Wiggins, Covington and Leach as their branch of the Joint Committee on Joint Rules.

On motion of Mr. Waugh, it was

Ordered, That a message be sent to the Senate, proposing to set apart Tuesday next, 12 o'clock, as the day and hour for electing a United States Senator.

Received a message from the Senate, concurring in the proposition to vote, at 11½ o'clock, for one Engrossing Clerk, and announcing Messrs. Cowles and Ferebee as their Committee to superintend the election.

And, the hour having arrived, the House proceeded to vote as follows, under the superintendence of Messrs. Hutchison
and Kenan,—the name of Mr. Barbee having been withdrawn from nomination:


For Mr. Busbee: Messrs. Bright, Perry of Carteret, Roan-tree and Sudderth.—4.

For Mr. Taylor: Messrs. Teague, and Wilson, of Forsythe.—2.

Mr. Kenan, from the Committee appointed to superintend the foregoing election, reported that the whole number of votes cast was 158,—necessary to a choice 80; that Mr. Hampton had received 76, Mr. Long 41, Mr. Whiting 21, Mr. Busbee 18, and Mr. Taylor 2; and that no one having received a majority, there was no election. Which report was concurred in.

On motion of Mr. Stone, a message was sent to the Senate proposing to vote again forthwith for Engrossing Clerk. And the Senate concurring, the House proceeded to vote as follows, under the superintendence of Messers. Ashworth and
Smith, of Guilford.—The names of Messrs. Barbee and Whit-thing having been withdrawn from nomination:


Mr. Ashworth, from the Committee appointed to superin-tend the above election, reported that the whole number of votes cast was 157.—necessary to a choice 79; that Mr. Hampton had received 103, Mr. Long 53, and Mr. Busbee 1; and that Mr. Hampton, having received a majority, was duly elected. Which report was concurred in.

On motion of Mr. Holderby, a message was sent to the Senate, proposing to vote forthwith for Secretary of State, and stating that R. W. Best, Esq., was in nomination.

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

For Mr. Best: Messrs. Speaker, Allen, Ashworth, Autry, Barden, Beasley, Black, Blair, Blythe, Boyd, Bowe, Bradsher, Bright, Brown, Bryson, Carson, Chadwick, Clement, Cowan, Crawford, of Macon. Crawford, of Rowan, Daniel, Davis,
Mr. Rogers, from the Committee to superintend the foregoing election, reported that the whole number of votes cast was 148, all of which had been cast for Mr. Best, and that he was, therefore, unanimously elected. Which was concurred in.

On motion of Mr. Hutchison, a message was sent to the Senate, proposing to vote at once for Comptroller of Public Accounts.

Mr. Hutchison nominated for that office Pulaski Cowper, of Wake.

Mr. Rosebro nominated C. H. Brogden, of Wayne.

The Senate declining to concur in the proposition,

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

THURSDAY, NOVEMBER 2ND, 1826.

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

Mr. Waugh, from the Committee appointed to prepare Rules of Order for the government of the House, reported the following:
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 as 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 the 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 OR 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 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 questions, or addressing the House, no person shall speak, stand up, or walk out or across the House, nor, when a member is speaking, enter, maintain 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 motion, when made by a member, shall be deemed and taken to be in possession of the House, and shall not be withdrawn without leave of the House.

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 on 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 a 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, unless 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 much 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 the Hall.
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. Eight 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, a Committee on Corporations, and a Committee on Private Bills. Each of said Committees shall consist of eleven members, one from each Congressional District, and four at large, to be appointed by the Speaker.

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 person, first named on any Committee to cause the members of the Committee to convene when necessary, 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 pre-
amble 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.

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

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.

R. Y. McAIDEN,
Speaker House of Commons.

By order: SEATON GALES, Clerk.

Which were adopted by the House.

On motion of Mr. Foard, it was

Order, That a message be sent to the Senate, proposing 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 Agricultural and Mechanical College; and that they report by bill or otherwise.

Mr. Durham offered a Resolution, which was adopted, requesting the Governor to ascertain whether the whole amount of National currency, authorized by the laws of the United States, has been issued; and whether, if this Legislature shall establish any system of National Banking, National currency for such purposes can be obtained.

Mr. Cowan offered the following Joint Resolution, which was adopted, and sent to the Senate for concurrence, viz:

Resolved, (the Senate concurring,) that the Governor be requested, hereafter, to cause to be printed, for the use of the General Assembly, in advance of the session, ten copies of his message for each member thereof, and two hundred copies
for the use of the Executive Department; and that the Public Treasurer be instructed in like manner to cause to be printed his report a like number of copies.

The following bills were introduced, passed their first readings, and were otherwise disposed of as stated, viz:

By Mr. McKay: Bill (H. No. 2,) "To enable the Western Rail Road Company to complete its road from the Coalfields in Chatham County, to some point on the North Carolina Rail Road." Referred to the Committee on Internal Improvements and ordered to be printed.

By Mr. Richardson: Bill (H. No. 3,) "To punish persons who knowingly entice or persuade minors to leave the service of their parents, guardians or masters." Referred to Committee on Judiciary.

By Mr. Allen: Bill (H. No. 4,) "To amend the 5th Sec. Chapter 43, Revised Code." Same reference.

By Mr. Whitfield: Bill, (H. P., No. 1,) "To incorporate Union Camp Ground in the County of Cleveland." Referred to the Committee on Private Bills.

By Mr. Long: Bill (H. No. 5,) "For the relief of the people." Referred to the Committee on Finance.

By Mr. McClammy: Bill(H.No.5,) "To empower the County Courts to levy a tax for repairing roads." Referred to the Committee on the Judiciary.

By Mr. Durham: Bill (H. No. 7,) "To construe an Act entitled "An Act to establish a scale of depreciation of Confederate currency." Placed on file.

By Mr. Jordan: Bill (H. No. 8,) "Providing a Homestead." Placed on file.

By Mr. Ashworth: Bill (H. No. 9,) "To exempt preachers and ministers of the Gospel from working on the public roads." Referred to the Committee on Propositions and Grievances.

Mr. Whitfield gave notice of intention to introduce a bill to amend section 2, chapter 39, of an Act, ratified March 12, 1866, "To establish a scale of depreciation of Confederate currency."

Received a message from the Senate, proposing to raise a Joint Select Committee, of five on the part of the Senate, and
eight on the part of the House, to consider and report on so much of the Governor's Message as refers to a Joint Resolution of Congress, proposing an amendment to the Constitution of the United States; which was concurred in.

Also, a message concurring in the proposition to raise a Joint Select Committee on so much of the Governor's message as relates to the African race and apprentices, and announcing Messrs. Berry, Thornton and Covington as the Senate branch of the Committee.

Messrs. Moore, of Hertford, Logan, Waugh, Davis and McKay were designated as the Committee on the part of the House.

Also, a message concurring in the proposition to go into the election of United States Senator on Tuesday next, at 12, M.; and announcing Messrs. Harris, of Rutherford, and Ethridge as the Senate Committee to superintend the election.

Messrs. Crawford, of Rowan, and Blair, were designated as the Committee on the part of the House.

Mr. Clark moved that a message be sent to the Senate, proposing to vote at once for Comptroller.

Mr. Crawford, of Macon, moved to amend by substituting, in lieu of "at once," "Monday next at 11 o'clock;" which did not prevail.

The motion was adopted and the message sent,—in which the Senate subsequently refused to concur.

Received a message from the Senate, announcing that they had passed the House Resolution in regard to printing, in advance of the meeting of the Legislature, the message of the Governor and the report of the Public Treasurer.

Also, concurring in the proposition to raise a Joint Select Committee on so much of the Governor's message as relates to an Agricultural and Mechanical College, and announcing Messrs Clark and Gash as the Senate branch of said Committee.

The Speaker announced Messrs. Foard, Blair and Boyd as the Committee on the part of the House.

Received a message from the Senate, announcing the pas.
sage of the following engrossed bill, and asking the concurrence of the House therein, viz:

Bill (S. No. 1) "To extend the present term of the Court of Pleas and Quarter Sessions of the County of Wake."

On motion of Mr. Rogers, the rules were suspended, the bill put upon its several readings, passed and ordered to be enrolled.

On motion of Mr. McKay, Bill (H. No. 1,) on the subject of General Amnesty was referred to the Committee on the Judiciary.

Received a message from the Senate, proposing to go into the election of Comptroller on Monday next, at 12 o'clock, M.; which was not concurred in.

On motion of Mr. Hutchison, a message was sent to the Senate, proposing to vote forthwith for Comptroller.

Mr. Freeman nominated William F. Collins, of Warren.

Mr. Crawford, of Macon, nominated Donald W. Bain, of Wake.

Mr. Hodnett nominated J. Holderby, of Rockingham.

Mr. Carson nominated C. H. Brogden, of Wayne.

Mr. Hutchison, from the Joint Committee on Joint Rules, by leave, submitted a report embodying rules for the government of the two Houses;

The question being on concurring in which, it was decided in the negative, Yeas 44, Nays 67,—the Yeas and Nays being demanded by Mr. Scoggin.

Those who voted in the affirmative were:


Those who voted in the negative were:

Messrs. Ashworth, Antry, Barden, Beasley, Black, Blair, Blythe, Bradsher, Bright, Bryson, Carson, Chadwick, Clark, Clement, Daniel, Farrow, Freeman, Galloway, Gambril, Gar-

Mr. Logan moved to reconsider the vote by which the House had just refused to concur in the Report of the Committee; which motion prevailed.

Mr. Logan then moved to strike out Rule 17* from the series reported by the Committee; which motion also prevailed.

And then the report of the Committee was concurred in, as amended, and ordered to be transmitted to the Senate.

Received a message from the Senate, refusing to concur in the proposition to go forthwith into the election of Comptroller.

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

FRIDAY, NOVEMBER 23, 1866.

The House was called to order at 11 o'clock.

Messrs McNair, Whitley, Blythe, Lyon and Rogers were an-

*[Note.—This Rule reads as follows: "There shall be a Joint Committee of three from the Senate and five from the House of Commons, to whom all recommendations of Justices of the Peace, in either House, shall be referred; and that Committee shall make their report, first, to the House of Commons, stating the number of Justices in each county, the necessity of the appointment and the worthiness of the candidate; and the House of Commons, after acting upon these recommendations, shall transmit the report of the Committee, with their action on it, to the Senate for concurrence; and the Clerks of the two Houses shall jointly certify to the Governor the names of such persons thus recommended for commission."
ounced as the Committee on Enrolled Bills for the remainder of the week.

The Speaker announced the following standing Committees:


Mr. Cowan presented a Petition of John A. Taylor, of New Hanover, praying the reduction of the State tax on the gross receipts of his Ferry and Causeway. Referred to the Committee on Finance.

Mr. Russ presented a Memorial from Rufus H. Jones, Esq. Executor of Alfred Jones, deceased, praying that a duplicate State Bond, in lieu of one abstracted from his late testator by soldiers of the Federal army, may be issued by the Public Treasurer. Referred to the Committee on Claims.

Mr. Stevenson offered the following resolution:

Resolved, That a message be sent to the Senate, asking the concurrence of that body in the appointment of a Joint Select Committee of five members,—two from the Senate and three from the House of Commons,—to draft and report a memorial to the Congress of the United States, praying that body to call a Convention of all the States of the American Union, to take into consideration the present Constitution, and, if need be, to amend the same.

Which did not prevail.

On motion of Mr. Kenan, it was

Ordered, That a message be sent to the Senate, proposing to raise a Joint Committee, of two on the part of the Senate and three on the part of the House, to make the necessary arrangements for the purpose of opening the returns and counting the votes for Governor of the State.

On motion of Mr. Hutchison, it was
Ordered, That a message be sent to the Senate, proposing to refer so much of the Governor's Message, as relates to a Penitentiary, to a Joint Select Committee, of three on the part of the House and two on the part of the Senate; and that they report by bill or otherwise.

Received a message from the Senate, announcing their branches of the Joint Standing Committees.

Mr. Carson introduced a resolution, which was adopted, instructing the Committee on the Judiciary to report a bill making provision, by a Board of Valuation, or otherwise, that property sold under execution shall bring a fair value in the currency of the United States.

Mr. McNair offered a resolution, instructing the Secretary of State to furnish the members of the two Houses with printed copies of the Ordinances of the second session of the late Convention; which was adopted and sent to the Senate for concurrence.

The following Bills were introduced, passed their first readings, and were referred, or otherwise disposed of, as stated, viz:

By Mr. Richardson: Bill (H. No. 11), "To incorporate the Bladen Manufacturing Company." Referred to the Committee on Corporations.

By the same: Bill (H. No. 12), "To incorporate the Bladen Land Company." Same reference.

By Mr. Crawford, of Macon: Bill (H. No. 13), "To repeal an Act entitled " An Act to provide hands to work on the public roads," and to re-enact sec. 40, ch. 101 Rev. Code." Referred to the Committee on the Judiciary.

By Mr. Clark: Bill (H. No. 14), "For the relief of the People." Referred to the Committee on Finance.

By Mr. Bowe: Bill (H. No. 15), "Concerning Working on the Public Roads." Referred to the Committee on Internal Improvements.

By Mr. Moore, of Chatham: Bill (H. No. 16), "For the relief of the People of Chatham Co." Referred to the Committee on Finance.

By Mr. Granbery: Bill (H. No. 17), "To amend 'An
Act to improve the law of evidence,' passed at the session of 1866." Referred to the Committee on the Judiciary.

By Mr. Rogers: Bill (H. No. 18) "Defining the property in captured horses or mules, now in the possession of citizens." Referred to the Committee on Propositions and Grievances.

By Mr. Durham: Bill (H. No. 19,) "To exempt from taxation the polls and property of disabled soldiers and the property of widows in certain cases." Referred to the Committee on the Judiciary, and ordered to be printed.

By Mr. Blair: Bill (H. No. 20) "To repeal an Act ratified February 7, 1866." Placed on file.

By Mr. McRae: Bill (H. No. 21) "To charter the South Union Manufacturing Company." Referred to the Committee on Corporations.

By Mr. Scott: Bill (H. No. 22) "To provide a Freehold Homestead." Referred to the Committee on the Judiciary, and ordered to be printed.

By Mr. Waugh: Bill (H. No. 23) "To provide more effectually for the punishment of horse-stealing." Same reference.

Received from the Senate a message announcing Messrs. Leach, McLean, Covington, Clark and Jones, as their Committee on so much of the Governor's message as refers to the Joint Resolution of Congress, proposing an amendment to the Constitution of the United States.

Whereupon, the Speaker designated Messrs. Perry, of Carteret, Davis, Morehead, Kenan, Wilson, of Forsyth, Russ, Waugh and Hodnett, as the Committee on the part of the House.

On motion of Mr. Waugh, it was

Ordered That a message be sent to the Senate, proposing to print, for each member and officer of the General Assembly, one copy of the Rules adopted for the government of the two Houses, together with a copy of the Constitutions of the State and of the United States.

Received a message from his Excellency, the Governor, covering a communication from Col. J. V. Bomford, Assistant Commissioner of the Bureau of Refugees, Freedmen, &c.,
relative to the issue of rations to destitute persons in the State; which was ordered to be sent to the Senate, with a proposition to refer the matters involved to a Joint Select Committee of three from the Senate and five from the House.

Also, a message from the Governor, inclosing the report of Jacob Siler, State Agent of Cherokee Lands; which was ordered to be transmitted to the Senate, with a proposition to refer the same to the Committee on Cherokee Lands and Western Turnpike.

On motion of Mr. Crawford, of Rowan,

A message was sent to the Senate, proposing to vote forthwith for Comptroller of Public Accounts;—in which proposition the Senate refused to concur.

On Motion of Mr. Waugh, the House adjourned until tomorrow morning, 11 o'clock.

SATURDAY, NOVEMBER 24th, 1866.

Prayer by the Rev. Dr. Smedes, of the Episcopal Church.

The Speaker announced the following Standing Committees:

Propositions and Grievances: Messrs. Waugh, Jones, Williams, of Pitt, Barden, Daniel, Ashworth, Trull, Gambrill, Rosebro, Womble and Kendall.

Education: Messrs. Jenkins, of Granville, Lee, Bright, Beasley, McRae, Hinnant, Wilson, of Forsyth, Williams, of Martin, Brown, Bowe and Harding.

Claims: Messrs. Perry, of Carteret, Smith, of Guilford, Boyd, Murrill, Cranbery, Allen, Rogers, Long, Lyon, Reinhardt and Williams, of Yancey.


Privileges and Elections: Latham, of Craven, Henry, Simpson, Garriss, Williams, of Harnett, Judkins, Teague, Bradsher, Vestal, Garrett and Gorham.

Private Bills: Messrs. Morrisett, McClammy, Martin, Rountree, Black, Lyon, Westmoreland, Morton, Godwin, Moore, of Chatham, and Woodard.

Swamp Lands: Latham, of Washington, Murrill, Harding, Chadwick and Farrow.


Deaf, Dumb and Blind: Messrs. Hutchison, McGougan, Moore, of Hertford, and Woodard.

Military Affairs: Messrs. Morehead, Davis, Turnbull, Kenan and Davidson.


Library: Messrs. Long, Williams, of Martin and Umsted.

Cherokee Lands, &c.: Messrs. Bryson, Crawford, of Macon, Sudderth, Davidson and Kelsey.

The following Resolutions were introduced and severally adopted, viz:

By Mr. Waugh: Instructing the Judiciary Committee to inquire into the expediency of changing the criminal law as to give the Courts the power, in cases of conviction for misdemeanors, to compel the parties convicted to work on the public roads in payment of fine and costs.

By Mr. Gorham: Instructing the Judiciary Committee to consider the expediency and constitutionality of reporting a bill for extending the insolvent debtor laws, so that any debtor may, by petition, after notice, summon all his creditors, and, upon assigning his estate for their benefit, be discharged from further liability, &c.

By Mr. Baker: Instructing the Judiciary Committee to enquire into the expediency of a Mechanic's Lien Law.

By the same: Instructing the same Committee to enquire into the expediency of a bill to more effectually secure landlords their rents, by securing them a lien upon the products grown or made by their tenants.
By Mr. Teague: Instructing the same Committee to examine into the necessity of enlarging the jurisdiction of Justices of the Peace on debts contracted prior to May 1, 1865, to sums of $100 principal, and the interest thereon.

By Mr. Whitfield: Proposing to the Senate to raise a Joint Select Committee, to be entitled the Committee on Salaries and Fees, to fix the *per diem* of members of Assembly and the salaries and fees of the officers of State.

By Mr. Ashworth: Providing for a Special Committee to take into consideration the Act of March 2, 1866, "to more effectually secure the maintenance of bastard children," and report such changes and modifications as may be necessary.

By Mr. Jones: Instructing the Committee on Propositions and Grievances, to enquire into the expediency of enacting more stringent laws upon the subject of hunting.

The following Bills were introduced, passed their first readings, and were referred, or otherwise disposed of, as stated, viz:

By Mr. Waugh: Bill (H. No. 24.) "To repeal sec. 1 of an Ordinance of the late Convention to change the time of elections in North Carolina." Judiciary.

By Mr. Allen: Bill (H. No. 25.) "To amend an act 'to regulate Salaries and Fees,' ratified Feb. 27, 1866." Same reference.

By Mr. Chadwick: Bill (H. P. No. 2.) "To incorporate the Newbern Steam Fire Engine Company, No. 1." Corporations.

By Mr. Richardson: Bill (H. No. 26.) "For the benefit of the poor of Bladen county, and for other purposes." Agriculture.

By the same: Bill (H. No. 27.) "To repeal section 9, chapter 40, of the Acts of the Legislature of 1866." Judiciary.

By the same: Bill (H. P. No. 3.) "To authorize R. P. Melvin, late Sheriff of Bladen, to collect arrears for taxes." Private Bills.

By Mr. Williams, of Martin: Bill (H. No. 28.) "To give the Mayor and Commissioners of the town of Williamston the sole authority to issue 'license to retail spirituous liquors in said town." Finance.
By Mr. Shelton: Bill (H. No. 29.) "To repeal section 2 of an Ordinance of the Convention 'to change the jurisdiction of the Courts and the rules of pleading therein.'" Judiciary.

By Mr. Latham, of Craven: Bill (H. No. 30) "To change the present jurisdiction of Justices of the Peace, and for the relief of poor debtors." Referred to the Committee on the Judiciary, and ordered to be printed.

By Mr. Kenan: Bill (H. No. 31) "To prevent the sacrifice of Real Estate in certain cases." Judiciary.

By Mr. Davis: Bill (H. No. 32) "To amend section 30, chapter 54 of the Revised Code, entitled 'Guardians and Wards.'" Judiciary.

By Mr. Horton, of Watauga: Bill (H. No. 33) "To extend the time for the collection and return of taxes in certain counties."

Mr. Horton moved a suspension of the rules in order that this bill might be put at once upon its several readings; which was decided in the negative,—Yeas 55, Nays 51,—two-thirds not voting in the affirmative.

Mr. Logan demanded the Yeas and Nays.

Those who voted in the affirmative were:

Those who voted in the negative were:

On motion of Mr. Latham, of Washington, the bill was then referred to the Committee on Finance, with instructions to report by Tuesday next.

By Mr. Durham: Bill (H. No. 34,) "To repeal clauses 1 and 2 of Schedule C, of an Act entitled 'Revenue.' " Placed on file.

By Mr. Williams, of Martin: Bill (H. No. 35,) "To declare the Roanoke River a sufficient fence or protection for the sides of all lands lying immediately on its banks in Martin county." Propositions and Grievances.

Received a message from the Senate, concurring in the proposition to raise a Joint Select Committee to whom shall be referred the message from the Governor, covering a communication from the Assistant Commissioner of the Freedmen's Bureau, and announcing Messrs. Cowles, Cunningham and Respass as the Senate branch of the Committee.

Also, concurring in the proposition to raise a Joint Select Committee on so much of the Governor's message as relates to the subject of a Penitentiary, and naming Messrs. Gash and McCorkle as the Committee on the part of the Senate.

Also, concurring in the proposition to raise a Joint Select Committee to make the necessary arrangements for opening the returns and counting the votes for Governor, and announcing Messrs. Kelly and Robins as the Senate branch of the Committee.

Also, announcing that the Senate had adopted the Joint Rules of Order, proposed by the House, with certain amendments, in which they asked the concurrence of the House.

The amendments were concurred in and the Senate informed thereof by message.

The following are the

JOINT RULES OF BOTH HOUSES.

1. Each House shall perfect and finally act on all bills, resolutions and orders, before the same shall be communicated to the other for its concurrence; and if amended in the House
to which it is transmitted, it shall be communicated to the House in which it originated, asking the concurrence of that House in 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 Engrossed Bills, as passed in the two Houses, and to correct any errors that may be discovered in the enrolled bills, and make their report of the said bills to the House.

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

9. All orders, resolutions and votes of the House shall be examined, engrossed and signed in the same manner as bills.
10. When a bill or resolution, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

11. The Committee in each House shall in all cases make 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 Speakers 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 first to the House of Commons, stating the number of votes in each House, and the number given to each person voted for, and the House of Commons, after acting upon it, shall transmit it to the Senate, for its concurrence. The Speakers shall make a joint certificate of all elections thus made to the Governor; \textit{Provided}, that this rule shall not apply to the election of United States Senators, but that such elections shall take place in conformity to the Act of Congress prescribing the mode of conducting the same.

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

The Speaker presented a communication from the State Librarian, which, on motion, was sent to the Senate, with a proposition to print the same; and, also, a communication from the Comptroller of Public Accounts, which was likewise ordered to be transmitted to the Senate.

Mr. M: Kay, from the Committee on the Judiciary, by leave, reported back

H. No. 40, To amend section 6, chapter 48, Revised Code, with a recommendation that the same do pass.

The Calendar of Bills on their second reading was then taken up, and the following dispositions made:

H. 4. To amend section 6, chapter 48 Revised Code; passed 2d reading.

H. No. 7. To construe an Act "To establish a scale of depreciation of Confederate currency," under a suspension of the rules passed its several readings, and ordered to be engrossed.

H. No. 8. Providing a Homestead; referred to the Committee on the Judiciary.
H. No. 20. To repeal an Act ratified February 7, 1866; referred to the Committee on Internal Improvements.

Received a message from the Senate, proposing, in lieu of the proposition originally sent from the House, to print, in pamphlet form, the Rules of each House, the Joint Rules, together with the names of the officers and members of the General Assembly, their counties and post offices; also a list of the Standing, Select and Joint Standing Committees of each House; with a copy of the Constitution of the United States, and the Bill of Rights and Constitution of North Carolina.

Which was concurred in.

Received a message from the Senate, refusing to concur in the proposition of the House to raise a Joint Select Committee on Salaries and Fees.

Mr. McNair moved that a message be sent to the Senate, proposing to go forthwith into an election of Comptroller; which motion did not prevail.

Mr. Waugh moved that the House do now adjourn until Monday morning, 11 o'clock; which was not carried.

Mr. Latham, of Washington, by leave, offered a resolution, which did not prevail, instructing the Committee on Internal Improvements to enquire into the expediency of so amending chapter 101, Revised Code, "Roads, Ferries and Bridges," as to require that any person, who shall have any one subject to work on the public Roads living on his land or in his employment, shall be responsible for the work of the one so liable, at the time the work may be required.

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

MONDAY, NOVEMBER 26, 1866.

The Speaker announced Messrs. Allen, Ashworth, Autry, Baker and Bardin as the Committee on Enrolled Bills for the week.
The Speaker announced the following gentlemen as composing the House branch of the Joint Select Committees on the subjects named, viz:


On so much of the Governor's Message as refers to the Freedmen's Bureau: Messrs. Moore, of Hertford, Daniel, Jenkins, of Gaston, Rogers and Blythe.

On counting and comparing the vote for Governor: Messrs. Kenan, Crawford, of Rowan, and Black.

James H. Everitt, member elect from the County of Wayne, appeared, produced his credentials, was qualified and took his seat.

The following Memorials were presented and referred as stated, viz:

By Mr. Russ: The Memorial of E. A. Crudup and H. W. Montague, Executors of Seth Jones, deceased, praying the issue of new bonds in lieu of certain bonds abstracted from their late testator in May, 1865. Claims.

By Mr. McRae: The Memorial of Robt. S. Ledbetter, to the same effect. Same reference.

By Mr. Long: The Memorial of Thos. H. Robinson, Chairman of Cabarrus County Court, in behalf of the Magistracy of said County, in favor of the speedy establishment of a Penitentiary. Referred to the Select Committee on that subject.

Mr. Jenkins, of Gaston, from the Committee on Corporations, reported favorably on

H. No. 11, Bill to incorporate the Bladen Manufacturing Co.;

H. No. 12, Bill to incorporate the Bladen Land Co.; and

H. No. 21, Bill to incorporate the South Union Manufacturing Company, of Richmond county.

Mr. Logan offered the following resolution, viz:

Resolved, That it is the sense of this House, that the article proposed by the Congress of the United States, as an amendment to the Constitution of the same, known as the Howard Amendment and Article XIV., should be ratified by the General Assembly of North Carolina now in session.

Mr. Waugh moved its reference to the Select Committee on the subject; which was decided in the affirmative,—Yeas 92, Nays 16.
Mr. Scoggin demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative are:


The following Bills were introduced, passed their first readings, and were referred and otherwise disposed of as stated, viz:

By Mr. Waugh: Bill (H. No. 36) "To repeal an Ordinance of the Convention, entitled 'An Ordinance to change the jurisdiction of the Courts and the rules of pleading therein.'" Judiciary.

By Mr. Whitfield: Bill (H. No. 37) "For the relief of Administrators, Executors, Guardians, Sheriffs, Constables, Clerks and other persons." Referred to the Committee on the Judiciary and ordered to be printed.

By Mr. McKay: Bill (H. No. 38) "To authorize the President and Directors of the Blount Creek Manufacturing Company, of Fayetteville, to re-build their Factory." Corporations.
By Mr. Davis: Bill (H. No. 39) "To amend sec. 12, ch. 118, Rev. Code, entitled 'Widows.'" Judiciary.

By Mr. Williams, of Pitt: Bill (H. P. No. 4), "For the relief W. H. Perkins, late Tax Collector of Pitt County," Propositions and Grievances.

By Mr. Morehead: Bill (H. No. 40,) to be entitled "An Act to prevent fraud." Judiciary.

By Mr. Bryson: Bill (H. No. 41) "To amend the Charter of the Western North Carolina Rail Road Company, passed at the session of the Legislature of 1854-'55, and amended at the session of 1858-'59 and 1860-'61." Referred to the Committee on Internal Improvements and ordered to be printed.

By, Mr. Granbery: Bill (H. No. 42,) "To enable Executors and Administrators to pay the debts of insolvent Testators or intestates pro rata." Judiciary.

By Mr. Kenan: Bill (H. No. 43,) "To change the rules of evidence concerning mortgage-deeds and for other purposes," Referred to the Committee on the Judiciary, and ordered to be printed.

By Mr. Scott: Bill (H. No. 44,) "To authorize Sheriffs and Tax Collectors to grant license to Auctioneers in incorporated towns and cities," Finance.

By Mr. Allen: Bill (H. P. No. 5,) "To authorize the Sheriff of Brunswick County to collect arrears of taxes," Propositions and Grievances.

By Mr. Bryson: Resolution (H. R. 45,) "In favor of persons who may pay for Cherokee Lands." Committee on Cherokee Lands and Western Turnpike.

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

TUESDAY, NOVEMBER 27th, 1866.

Prayer by the Rev. Mr. Atkinson, of the Presbyterian Church.

The Speaker announced the following additional members of Standing Committees, viz:
Judiciary: Messrs. Woodard, Long and Williams, of Martin.

Insane Asylum: Mr. Westmoreland.

The following Memorials were presented:

By Mr. Black: From the President and Directors of the Cheraw and Coalfields Rail Road Company, respectfully asking for aid. Referred to the Committee on Internal Improvements and ordered to be printed.

By Mr. Jordan: An auxiliary Memorial from citizens of Montgomery on the same subject. Same reference.

By Mr. Dargan: An auxiliary Memorial from citizens of Anson upon the same subject. Same reference.

Mr. Latham, of Craven, moved that a message be sent to the Senate, proposing to vote forthwith for Comptroller; which did not prevail.

Mr. Perry, of Carteret, from the Committee on Claims, to whom was referred the Memorial of Rufus H. Jones, reported back, with the recommendation that it do pass.

A Resolution (H. P. R. No. 6,) in favor of Rufus H. Jones, Executor; which was placed on file.

Mr. Waugh, from the Committee on Propositions and Grievances, reported favorably on

Bill (H. No. 35,) to declare the Roanoke River a sufficient fence or protection for the sides of all lands lying immediately on its banks in Martin county.

Mr. McKay, from the Committee on the Judiciary, reported favorably on

Bill (H. No. 32,) to amend section 30, chapter 54. of the Revised Code, entitled "Guardian and Ward."

Also, a substitute (H. No. 46,) entitled "A Bill to grant a general amnesty and pardon to all officers and soldiers of the State of North Carolina, or of the late Confederate States armies, or of the United States, for offences committed against the criminal laws of North Carolina," for Bill (H. No 1,) to grant a general amnesty and pardon to all persons guilty of violating the criminal laws of North Carolina, except in certain cases; which was read and ordered to be printed.

Mr. Morrissett, from the Committee on Private Bills, reported favorably on
Bill (H. P. No. 1) to incorporate Union Camp-ground in the county of Cleveland.

And unfavorably on
Bill (H. P. No. 3,) to authorize R. P. Melvin, late Sheriff of Bladen, to collect arrears of taxes.

Mr. Harper, from the Committee on Finance, reported unfavorably on
Bill (H. No. 5,) for the relief of the people:
Bill (H. No. 16,) for the relief of the people of Chatham county; and
Bill (H. No 14,) for the relief of the people.

And favorably, with amendments, on
Bill (H. No. 33,) to extend the time for the collection and return of taxes in certain counties.

Mr. Kenan, from the Special Joint Committee to make arrangements for counting the vote for Governor, reported: That the two Houses should assemble in the hall of the House of Commons, on Tuesday, the 4th. proximo, at 12 o’clock, M., and then and there compare the votes cast; which report was adopted and ordered to be transmitted to the Senate for concurrence therein.

Received a message from the Senate, proposing to raise a Joint Committee of three from each House, to take into consideration the proper construction of the Act of Congress, directing the mode of electing United States Senator, and prepare suitable regulations for conducting the same; and that said Committee report as soon as possible.

The House concurring, Messrs. Clark, Wilson and Love were announced as the Senate branch of the Committee, and Messrs. Dargan, Kenan and Beasley as the Committee on the part of the House.

Mr. Long moved that the rules be suspended, in order to take up the Bill (H. No. 5,) for the relief of the people; which did not prevail.

The following Resolutions were offered and respectively adopted, viz:

By Mr. Waugh: Referring so much of the Governor’s message as relates to the Executive Mansion to the Committee on Public Buildings and Grounds.
By Mr. Horton, of Watauga: Proposing to the Senate to raise a Joint Select Committee, of two on their part and three on the part of the House, to take into consideration that part of the Governor's Message relating to Weights and Measures.

By Mr. Holderby: Proposing to the Senate, that, when the Legislature adjourns to-morrow, it shall adjourn to 11 o'clock, A. M., on Friday, that the members may have the privilege of observing Thanksgiving Day, as recommended by the Governor of the State and the President of the United States.

By Mr. Waugh: Granting the use of the Hall, this evening, to the State Agricultural Society.

Mr. Hinnant offered the following Resolution, which, on motion of Mr. Latham, of Washington, was laid on the table, viz:

Resolved, That, if it be necessary to the despatch of public business, the Principal Clerk of this House is hereby authorized to employ a 2nd Assistant Doorkeeper.

The following Bills were introduced, passed their first readings, and were referred as stated, viz:

By, Mr. Davidson: Bill, (H. No. 47,) accompanied by a Memorial, "Concerning the County Site of Clay County." Judiciary.

By Mr. McRae: Bill (H. P. No. 7,) "To authorize John A. Long, Sheriff of Richmond county, to collect arrears of taxes." Claims.

By Mr. Latham, of Washington: Bill (H. No. 48,) "To repeal chapter 12, Acts of 1861 and chapter 11, Acts of 1862, relative to the powers of County Courts, and for other purposes." Finance.

By Mr. Davidson: Bill (H. No. 49) "Providing for the construction of a bridge across Notla River, in the county of Cherokee, and for other purposes." Committee on Cherokee Lands.

By Mr. Walker: Bill (H. P. No. 8) "In favor of Henry B. Norman, late Sheriff of Tyrrell." Propositions and Grievances.

By Mr. Blythe: Bill (H. No. 50) "To revive the 9th, 10th, and 11th sections of an Act, entitled "An Act to change the
jurisdiction of the Courts and the rules of pleading therein,"
ratified September 11th 1861.” Judiciary.

By Mr. Whitley: Bill (H. No. 51) “Allowing fees to Justices of
the Peace.” Propositions and Grievances.

On motion of Mr. Woodard, a message was sent to the
Senate, announcing that, the hour having arrived, the House
would proceed to vote for United States Senator.

Whereupon, the following nominations were made:
By Mr. Bryson: Hon. John Pool, of Bertie.
By Mr. Latham, of Craven: Hon. M. E. Manly, of Craven.
By Mr. McRae: Hon. Thos. S. Ashe, of Anson.
By Mr. Latham, of Washington: Hon. W. N. H. Smith, of
Hertford.
By Mr. Peebles: M. W. Ransom, Esq., of Northampton.
By Mr. Williams, of Martin: P. H. Winston, Esq., of
Bertie.
By Mr. Clark: Mason L. Wiggins, Esq., of Halifax.
By Mr. Jones: D. D. Ferebee, Esq., of Camden.
By Mr. Baker: Hon. George Howard, of Wilson.

Mr. Dargan, from the Committee appointed to consider the
construction of the Act of Congress regulating the mode of
election of Senator, asked to be discharged from the further
consideration of the subject; which was granted.

The House then proceeded to vote, under the superintendence
of Messrs. Peebles and Beasley:

For Mr. Pool:
Messrs. Beasley, Bryson, Carson, Freeman, Gambril, Hinn-
nant, Horton, of Watauga, Horton, of Wilkes, Jenkins, of
Gaston, Jenkins, of Granville, Lowe, Lyon, Moore, of Chat-
ham, Morton, Morrissett, Rogers, Rountree, Russ, Scoggin,
Scott, Shelton, Teague, Vestal, Wilson, of Forsyth, Williams,
of Yancey, Womble and York.

For Mr. Smith:
Messrs. Autry, Barden, Black, Davis, Farrow, Galloway,
Gorham, Harper, Henderson, Holderby, Latham, of Wash-
ington, Lee, McKay, Moore, of Hertford, Neal, Reinhardt,
Smith, of Guilford, Walker and Williams of Pitt.

For Mr. Ashe:

For Mr. Manly:
Messrs. Chadwick, Hutchison, Latham, of Craven, Luttrell, Murrill, Perry, of Carteret, Simpson, Smith, of Duplin, Stone, Waugh and Williams, of Harnett.

For Mr. Howard:

For Mr. Ransom:
Messrs. Granbery, Judkins, Martin, Peebles, Turnbull and Westmoreland.

For Mr. Settle:

For Mr. Phillips:
Messrs. Crawford, of Macon, Perry, of Wake, Rosebro and Stevenson.

For Mr. Turner:
Messrs. Speaker, Guess and Umsted.

For Mr. Winston:
Messrs. Brown, Hodnett and Williams, of Martin.

For Mr. Wiggins:
Messrs. Clark and Daniel.

For Mr. Ferree:
Messrs. Jones and Morehead.

For Mr. Vance:
Messrs. Durham and Whitfield.

For Mr. McAden:
Messrs. Everett and Houston.

Mr. Bradsher voted for Hon. E. G. Reade.

Mr. Peebles, from the Committee to superintend the election, reported that 114 votes had been cast: That Mr. Pool had received 27, Mr. Smith 20, Mr. Ashe 18, Mr. Manly 11, Mr. Howard 7, Mr. Ransom 6, Mr. Settle 6, Mr. Phillips 4, Messrs. Winston and Turner 3 each, Messrs. Vance, McAden,
Wiggins and Ferebee 2 each, and Mr. Reade; and that no one had received a majority of the votes of the House.

Received a message from his Excellency, the Governor, transmitting a report from the Public Treasurer, covering a Bill for Revenue, prepared in compliance with an Act of Assembly; which,

On motion of Mr. Harper, was ordered to be sent to the Senate, with a proposition to print five copies for the use of each member, and two hundred for the Treasury Department.

Received a message from the Governor, transmitting the Report of the Secretary of State and Comptroller, made in pursuance of an Act of Assembly of December 20th, 1864; which,

On motion of Mr. Latham, of Washington, was sent to the Senate, with a proposition to print.

On motion of Mr. Russ, the House again proceeded to vote for U. S. Senator,—as follows:


For Mr. Pool: Messrs. Beasley, Bryson, Carson, Freeman, Gambril, Garrett, Hinnant, Horton, of Watauga, Horton, of Wilkes, Houston, Jenkins, of Gaston, Jordan, Moore, of Chatham, Morton, Morrissett, Perry, of Wake. Rogers, Rosebro Rountree, Russ, Scoggin, Scott, Stevenson, Teague, Vestal, Wilson, of Forsythe, Williams, of Yancey, Womble and York.

For Mr. Ashe: Messrs. Allen, Boyd, Brown, Clement, Crawford, of Macon, Crawford, of Rowan, Dargan, Davidson, Foard, Kelsey, Kendall, May, McArthur, McGougan, McRae, Patton, Reinhardt, Richardson and Trull.

For Mr. Manly: Messrs. Chadwick, Garriss, Latham, of Craven, Murrill, Smith, of Duplin, Stone and Waugh.

For Mr. Ransom: Messrs. Durham, Granbery, Judkins, Martin, Peebles, Turnbull and Westmoreland.
For Mr. Howard: Messrs. Baker, Hutchison, Kenan, Long, McClammy and Woodard.

For Mr. Wiggins: Messrs. Clark, Daniel and Everett.

Mr. Ashworth voted for Mr. Dick; Mr. Whitfield for Mr. McAden; Mr. Blythe for Mr. Settle; Mr. Logan for Mr. Lewis, Thompson; and Mr. Blair for Mr. Dockery.

Mr. Peebles, from the Committee to superintend the election, reported that no one had received a majority of all the votes, viz.: 111; that Mr. Smith had obtained 35, Mr. Pool 29, Mr. Ashe 19, Messrs. Ransom and Manly 7 each, Mr. Howard 6, Mr. Wiggins 3, and Messrs. Dockery, McAden, Settle, Thompson and Dick one each.

On motion of Mr. Whitfield, the House again proceeded to vote,—as follows:


For Mr. Pool: Messrs. Ashworth, Beasley, Blair, Blythe, Bryson, Freeman, Gambril, Garrett, Hinnant, Horton, of Watauga, Horton, of Wilkes, Jenkins, of Gaston, Jordan, Moore, of Chatham, Morton, Morrissett, Perry, of Wake, Rogers, Rosebro, Rountree, Russ, Scoggin, Scott, Stevenson, Teague, Vestal, Wilson, of Forsyth, Williams, of Yancey, Womble and York.


For Mr. Manly: Messrs. Chadwick, Judkins, Latham, of Craven, Murrill, Stone and Waugh.

For Mr. Ransom: Messrs. Durham, Martin, Peebles, Turnbull and Westmoreland.
For Mr. Howard: Messrs. Garriss, Whitfield and Woodard.
For Mr. Wiggins: Messrs. Clark and Daniel.
Mr. Logan voted for Mr. T. R. Caldwell.

Mr. Peebles, from the Committee to superintend the election, reported that 107 votes had been cast; that Mr. Smith had received 44, Mr. Pool 30, Mr. Ashe 16, Mr. Manly 6, Mr. Ransom 5, Mr. Howard 3, Mr. Wiggins 2, and Mr. T. R. Caldwell 1; and that no one had received a majority of the whole number.

On motion of Mr. Latham, of Craven, the House again proceeded to vote, as follows—the names of Messrs. Ransom, and Howard having been previously withdrawn from nomination:


For Mr. Pool: Messrs. Ashworth, Beasley, Blair, Blythe, Bryson, Carson, Freeman, Gambril, Garrett, Hinnant, Horton, of Watauga, Horton, of Wilkes, Jenkins, of Gaston, Jordan, Logan, Moore, of Chatham, Morton, Morrissett, Perry, of Wake, Rogers, Rosebro, Rountree, Russ, Scoggin, Scott, Stevenson, Teague, Trull, Vestal, Wilson, of Forsyth, Williams, of Yancey, Womble and York.

For Mr. Manly: Messrs. Allen, Chadwick, Durham, Hutchison, Judkins, Kenan, Martin, Murrill, Stone, Turnbull, Waugh, Whitfield and Woodard.

Mr. Peebles, from the Committee appointed to superintend the election, reported that the whole number of votes cast was 110; that 56 constituted a majority; that Mr. Smith had
received 65, Mr. Pool 33, and Mr. Manly 12; and that the Hon. W. N. H. Smith, of Hertford, had received a majority of all the votes given in the House. Which report was concurred in.

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

WEDNESDAY, NOVEMBER 28TH, 1866.

Prayer by the Rev. Dr. Skinner, of the Baptist Church.

Received a message from the Senate, declining to concur in the proposition of the House, that the two Houses adjourn over from Wednesday to Friday, 11 o'clock, A. M.

Mr. McKay, from the Committee on the Judiciary, reported back:

Resolution of instruction to report a bill "providing that property, sold under execution, shall bring a fair value in the currency of the United States;"

Resolution of instruction to report a bill for the relief of insolvent debtors, upon assignment of their estates for the benefit of creditors;

Resolution of enquiry as to the expediency of passing Mechanic's Lien law; and

Resolution of enquiry as to the necessity of enlarging the jurisdiction of Justices of the Peace;

Asking to be discharged from their consideration; which was so ordered.

Mr. McKay, from the same Committee, reported unfavorably on

Bill (H. No. 23,) to provide more effectually for the punishment of horse-stealing.

On motion of Mr. Waugh, the Bill was then referred to the Committee on Propositions and Grievances.

Mr. Perry, of Carteret, from the Committee on Claims, reported back:

Bill (H. P. No. 7,) to authorize John A. Long, Sheriff Richmond County, to collect arrears of taxes,
Asking its reference to the Committee on Propositions and Grievances; which was ordered accordingly.

Mr. Dargan offered a Resolution, instructing the Committee on the Judiciary to enquire into the expediency and necessity of reforming the Judicial system of the State; which did not prevail.

Mr. Holderby offered a Resolution, instructing the Committee on the Judiciary to enquire into the expediency and propriety of enacting a State Bankrupt Law; which did not prevail.

The following Bills were introduced, passed their first readings and were referred, and otherwise disposed of, as follows:

By Mr. Waugh: Bill (H. No. 52) "To provide for including the value of stamps in the taxation of costs." Judiciary.

By Mr. Latham, of Craven: Bill (H. No. 53) "To abolish imprisonment for debt." Same reference and ordered to be printed.

By Mr. McClammy: Bill (H. No. 54) "To amend an Act, entitled 'An Act to establish work-houses and houses of correction in the counties of the State,' ratified March 2d, 1866." Same reference and ordered to be printed.

By Mr. Perry, of Carteret: Bill (H. No. 55) "To amend the Charter of the Oceanic Hook and Ladder Company, of the town of Beaufort." Corporations.

Received a message from the Senate, transmitting the following report of the Joint Committee on the subject, proposing rules regulating the Joint Assembly of the two Houses in the election of U. S. Senator, and asking the concurrence of the House therein, viz:

"The Joint Committee, appointed to take into consideration the proper construction of the Act of Congress regulating the manner of electing Senators in that body, and also to report rules for the government of the Joint Assembly, in carrying out the provisions of said Act, ask leave to report: That, as each House proceeded to elect before it was practicable for the Committee to consider and report the proper con-
struction thereof, they asked to be discharged from the further consideration of that duty:

That as to the mode of procedure in Joint Assembly, the Committee ask leave to report the following Rules for the government of the Joint Assembly, and recommend their adoption, to-wit:

1. That provision be made for the accommodation of the Senate in the Hall of the House of Commons, where the Joint Assembly shall be held.

2. That at 12 o'clock, meridian, on this day, the Senate, with its officers, shall proceed to the Hall of the House of Commons; that the Speaker of each House occupy the Speaker's rostrum—the Speaker of the Senate occupying the position to the right of the Speaker of the House; that the Speaker of the Senate shall be the President of the Joint Assembly; that the Clerks of each House shall occupy the Clerk's desk; that so much of the Journal of each House, as relates to the election of Senator on yesterday, shall be read.

If it is ascertained that no person voted for has received a majority of all the votes in each House, such result to be ascertained by the appointment of a committee of four members, consisting of two on the part of the Senate, and a like number on the part of the House, to be appointed by the President of the Joint Assembly; then it shall be the duty of the President to announce such result: Whereupon, the Joint Assembly shall then proceed to elect in the following manner, to-wit:

The roll of the Senate shall be first called by the Clerk thereof, and Senators required to vote; that after such call is completed, the roll of the House of Commons shall be called by the Clerk thereof, and the members of that House required to vote; that the committee, appointed as aforesaid, shall superintend the election, and report the result to the Joint Assembly; that in case any person, thus voted for, shall have received a majority of all the votes thus given, the President shall announce such person duly elected. In case of failure to give such majority, the Joint Assembly shall proceed to vote in conformity to the provisions of said act, until such election is completed; that when such election is completed,
the President of the Joint Assembly shall certify the result to the Governor of the State.

3. That any question which may arise, in relation to the performance of the duty or duties required of the Joint Assembly, by virtue of said act, shall be considered by each House in their respective Halls, and the result of such consideration communicated to each House by message from one to the other.

4. That motions necessary to be made in Joint Assembly, in discharge of the subjects thereof, accompanied by a statement on the part of the mover, shall be in order, but it shall not be in order to discuss the same in Joint Assembly.

5. That the proceedings of the Joint Assembly shall be recorded by the Clerks of each House, upon the respective Journals thereof.

All of which is respectfully submitted,

J. H. WILSON,
for the Committee."

Which report was concurred in and the Senate informed thereof by message.

And the hour of 12, M., having arrived, the Senators, preceded by their Speaker, were received in the Hall of the House of Commons by the members thereof, standing; and the Speaker of the Senate having taken his seat on the right of the Speaker of the House, as President of the Joint Convention, the following proceedings were had:

PROCEEDINGS IN JOINT ASSEMBLY.

The Clerk of the House of Commons, and the Clerk of the Senate, having respectively read so much of their journals of the day previous, as related to the election of United States Senator,

The Presiding Officer designated Messrs. Harris, of Rutherford, and Etheridge, on the part of the Senate, and Messrs. Beasley and Peebles, on the part of the House, as a committee to ascertain and declare the result.
Mr. Harris, of Rutherford, on behalf of the Committee, reported:

"That the whole number of votes cast in the House was 110, and that the Hon. W. N. H. Smith, of Hertford, had received a majority of that number:

"And that in the Senate, no person had received a majority of the whole number of votes cast."

Whereupon, the Presiding Officer announced that no election having been effected, the Convention would proceed to vote for Senator, in manner and form prescribed by the Act of Congress.

FIRST BALLOT.

The Senate voted as follows:

For Mr. Manly: Messrs. Avery, Battle, Brown, Clark Cunningham, Edwards, Hall, Harriss, of Franklin, Kelly' Koonce, Love, Moore, Thompson, Thornton and Wiggins—15.

For Mr. Smith: Messrs. Adams, Barnes, Berry, Ferebee, Hill, Matthews, Paschal, Perkins, Robins, Spencer, Willey and Williams—12.

For Mr. Pool: Messrs. Bullock, Cowles, Etheridge, Gash Harriss, of Rutherford, Jones, Respass, Richardson and Sneed—9.

For Mr. Ashe: Messrs. Speaker, Covington, Johnston, Lloyd, Marshall, McCorkle, McLean and McRae—8.

Mr. Speed voted for Mr. Gilmer and Mr. Wilson for Mr. William A. Wright.

The members of the House of Commons voted as follows:


For Mr. Manly: Messrs. Speaker, Allen, Autry, Baker, Barden, Clark, Clement, Cowan, Daniel, Durham, Everett.
For Mr. Pool: Messrs. Ashworth, Beasley, Blythe, Bright, Bryson, Carson, Freeman, Gambril, Garrett, Godwin, Hinnant, Horton, of Watauga, Horton, of Wilkes, Jenkins, of Gaston, Jenkins, of Granville, Jordan, Logan, Lyon, Moore, of Chatham, Morton, Morrissett, Perry, of Wake, Rogers, Rountree, Russ, Scoggin, Stevenson, Teague, Vestal, Wilson, of Forsyth, Williams of Yancey, Womble and York.—33.

Mr. Peebles, from the Committee appointed to superintend the election, reported that the whole number of votes cast was 159,—necessary to a choice 80; that Mr. Smith had received 50, Mr. Manly 49, Mr. Pool 42, Mr. Ashe 1, and Messrs. Gilmer and Wright 1 each; and that no one having received a majority there was no election.

A second ballot was then had, as follows:

SECOND BALLOT.

The Senators voted as follows:


For Mr. Smith: Messrs. Adams, Barnes, Berry, Ferebee, Hill, Johnston, Matthews, McCorkle, McLean, Paschal, Perkins, Robins, Spencer, Willey and Williams.—15.

For Mr. Pool: Messrs. Bullock, Cowles, Etheridge, Gash, Harris, of Rutherford, Jones, Respass, Richardson and Snead.—9.

The Speaker voted for Mr. Ashe.

The members of the House of Commons voted as follows:

For Mr. Smith: Messrs. Boyd, Bowe, Bradsher, Clement, Crawford, of Macon, Davis, Davidson, Galloway, Gorham,


Mr. Peebles, from the Committee to superintend the election, reported that the whole number of votes cast was 159,—necessary to a choice 80; that Mr. Manly had received 60, Mr. Smith 56, Mr. Pool 42 and Mr. Ashe 1.

No one having received a majority of all the votes cast, the Convention proceeded to vote again,—as follows:

**Third Ballot.**

The Senators voted as follows:


For Mr. Smith: Messrs. Speaker, Barnes, Berry, Ferebee, Hill, McLean, Perkins, Robins, Spencer, Willey and Williams—11.
For Mr. Pool: Messrs. Bullock, Cowles, Etheridge, Gash, Harris of Rutherford, Jones, Matthews, Respass, Richardson and Snead—10.

The members of the House of Commons voted as follows:


For Mr. Pool: Messrs. Ashworth, Beasley, Blythe, Bright, Bryson, Carson, Freeman, Gambril, Garrett, Godwin, Hinnant, Horton, of Watauga, Horton, of Wilkes, Jenkins, of Gaston, Jenkins, of Granville, Jordan, Lyon, Moore, of Cata- ham, Morton, Morrissett, Perry, of Wake, Rogers, Rountree, Russ, Scoggin, Teague, Vestal, Wilson, of Forsyth, Williams, of Yancey, Womble and York.—31.

Mr. Logan voted for Mr. R. W. Lassiter.

Mr. Peebles, from the Committee appointed to superintend the election, reported that the whole number of votes cast was 159.—necessary to a choice 80; that Mr. Manly had received 69, Mr. Smith 48, Mr. Pool 41 and Mr. Lassiter 1.

No one having received a majority, the Convention proceeded to vote again as follows:
The Senate voted as follows:


For Mr. Pool: Messrs. Bullock, Cowles, Gash, Harriss, of Rutherford, Jones, Matthews, Respass, Richardson and Snead.—9.

For Mr. Smith: Messrs. Speaker, Hill, Perkins, Robins, Spencer and Willey.—6.

The members of the House of Commons voted as follows:


Mr. Logan voted for Mr. C. R. Thomas.
Mr. Peebles, from the Committee to superintend the election, reported that the whole number of votes cast was 160,—necessary to a choice 81; that Mr. Manly had received 91, Mr. Pool 41, Mr. Smith 27, and Mr. Thomas 1; and that Mr. Manly had received a majority of the whole number. Which report was concurred in.

And the Presiding Officer, having declared the Hon. Mathias E. Manly duly elected United States Senator from the State of North Carolina for six years from the 4th day of March next, declared the Joint Assembly dissolved.

Whereupon, the Senators retired to their Chamber.

Received a message from the Senate, refusing to concur in the House proposition to raise a Joint Select Committee on so much of the Governor's message as relates to Weights and Measures.

On motion of Mr. Waugh, a message was transmitted to the Senate, proposing that when the two Houses adjourn this day, they adjourn until Friday, 11 o'clock, A.M.,—to-morrow being the day recommended by the National and State authorities as a day of Thanksgiving.

Received a message from the Senate, concurring in the foregoing proposition.

When, on motion of Mr. Waugh, the House adjourned until Friday morning, 11 o'clock.

FRIDAY, NOVEMBER 30TH, 1866.

Prayer by the Rev. Henry Hardie, of the Presbyterian Church.

The Speaker announced Mr. Allen as an additional member of the Committee on the Judiciary, and Mr. Reichardt as a member of the Committee on the Asylum for the Deaf, Dumb and the Blind.
Leave of absence, until Monday next, was granted to Messrs. Barden, Clark, Lowe, Turnbull and Womble.

Mr. Waugh, from the Committee on Propositions and Grievances, reported favorably on Bill (H. No. 18,) defining property in captured horses and mules.

Mr. Jenkins, of Gaston, from the Committee on Corporations, reported favorably on Bill (H. P. No. 2,) to incorporate the Newbern Steam Fire Engine Company No 1 ; and

Bill (H. No. 38,) to authorize the President and Directors of Blount's Creek Manufacturing Company, of Fayetteville, to re-build their Factory.

Mr. Perry, of Carteret, from the Committee on Claims, to whom was referred the Memorial of E. A. Crudup and H. W. Montague, Executors, reported back a Resolution granting the prayer of the petitioners, viz:

Resolution (H. P. R. No. 9,) for the relief of Seth Jones' estate; which was placed on file.

Mr. Cowan, from the Committee on Internal Improvements, reported favorably on Bill (H. No. 20,) to repeal an Act ratified February 7, 1866 ;

And unfavorably on Bill (H. No. 15,) concerning working on Public Roads.

The following Resolutions were offered and disposed of, as stated, viz:

By Mr. Durham: Instructing the Judiciary Committee to enquire into the expediency of re-forming the Judicial system of the State, and, if necessary, to report a bill for that purpose. Adopted.

By Mr. Moore, of Hertford: Providing for a Committee of eight, to be appointed by the Speaker, to whom shall be referred all Bills proposing pecuniary relief to the people; and that said Committee be instructed to prepare and report such a Bill as will most effectually accomplish this object. Adopted.

By Mr. York: Proposing to send a message to the Senate,
asking their concurrence in an adjournment sine die, on Monday, the 10th proximo.

On motion of Mr. Waugh, laid on the table.

By Mr. Williams, of Pitt: Resolution (H. R. 56) "For the relief of wounded and disabled soldiers." Referred to the Committee on Propositions and Grievances.

By Mr. Williams, of Martin: Resolution (H. R. 57) "To declare an Act of 1860, entitled 'An Act to incorporate the Williamston and Tarboro Railroad Company,' to be now, and to have been since its passage, in full force and effect." Referred to the Committee on Internal Improvements.

Bills, of the titles named, were introduced, referred and otherwise disposed of, as follows:

By Mr. Richardson: Bill (H. No. 58) "To exempt certain personal property therein named from seizure under execution or attachment." Judiciary.

By Mr. Woodard: Bill (H. No. 59) "For revising and digesting the public Statute Laws of this State." Same reference.

By Mr. Russ: Bill (H. No. 60) "For the relief of the people." Referred to the Select Committee on the subject and ordered to be printed.

By Mr. Garrett: Bill (H. No. 61) "To amend the Charter of the Jonathan's Creek and Tennessee Mountain Turnpike Road in the County of Haywood." Cherokee Lands.

By Mr. Simpson: Bill (H. No. 62) "To postpone the Special Term appointed for the County of Chowan on the second Monday of December, 1866." Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Autry: Bill (H. No. 63) "To raise Revenue." Finance.

By Mr. Harding: Bill (H. No. 64) "To incorporate the Albemarle Swamp Land Company." Corporations.

By Mr. Vestal: Bill (H. No. 65) "To change the time of holding the Courts of Pleas and Quarter Sessions of Yadkin." Under a suspension of the rules, passed its several readings and ordered to be engrossed.
By Mr. Gorham: Bill (H. No. 66,) "To allow fees to Clerks of County Courts in certain cases." Propositions and Grievances.

By Mr. Chadwick: Bill (H. No. 67,) "To diminish costs in certain cases. Judiciary.

On motion of Mr. Russ, the following Resolutions were called up:

Resolution (H. P. R. No. 6,) in favor of R. H. Jones, Executor;

Resolution (H. P. R. No. 9,) for the relief Seth Jones' Estate;

And, under a suspension of the rules, respectively passed their several readings, and were ordered to be engrossed.

On motion of Mr. Ashworth, the resolution of enquiry, on the subject of the Bastardy Law, heretofore directed to be referred to a Special Committee, was referred to the Committee on the Judiciary.

The Calendar of Bills on their second reading was taken up, and the following proceedings had:

Bill (H. No. 1,) to grant a general amnesty and pardon to all persons guilty of violating the criminal laws of North Carolina, except in certain cases:

The question being on the adoption of the substitute (H. No. 46,) reported by the Committee on the Judiciary, the same was adopted.

Mr. Crawford, of Macon, moved to amend, by striking out, in section 1, the words "January 1, 1866," and inserting, in lieu thereof, the words "June 1, 1865;" which did not prevail.

Mr. Blair offered the following, as additional sections:

"Sec. 5. Be it further enacted, That no person shall be liable to indictment, or subject to any civil action for damages, for any offence, committed prior to the 1st day of January, 1866, against the person or property of any person in the civil or military service of the State, or of the late Confederate States, or in the service of the United States.

Sec. 6. Be it further enacted, That any person mentioned in section 5, against whom any action is now pending, civil or criminal, committed prior to the first day of January, 1866,
shall be entitled to full and complete amnesty and pardon upon the payment of costs of such action."

Which were rejected.

The bill then passed its second reading,—Yeas 81, Nays 23.

Mr. Waugh demanded the Yeas and Nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blair, Blythe, Carson, Freeman, Godwin, Hinnant, Horton, of Wilkes, Jenkins, of Gaston, Jenkins of Granville, Jordan, Lyon, Moore, of Chatham, Morton, Morrissett, Scoggins, Teague, Trull, Vestal, Wilson, of Forsyth, and York.

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

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

Resolved, (the House concurring,) That this General Assembly will adjourn sine die on Monday, the 17th day of December next, at 6 o'clock, A. M.

Mr. Patton moved to lay the same upon the table; which was decided in the affirmative,—Yeas 64, Nays 38.

Mr. Hodnett demanded the Yeas and Nays.

Those who voted in the affirmative are:

Those who voted in the negative, are:


Mr. Kenan offered the following resolution:

Resolved, (the Senate concurring,) That this General Assembly adjourn, sine die, on Monday, the 24th day of December next, at 10 o'clock, A. M.

Which did not prevail.

Received a message from his Excellency, the Governor, covering his correspondence with the Treasury Department of the United States, in response to the resolution of enquiry upon the subject of National Currency, passed by the House on the 23rd inst.; which was ordered to be sent to the Senate with a proposition to print.

On motion of Mr. Latham, of Craven, the House adjourned until to-morrow morning, 11 o'clock.
Prayer by Rev. Dr. Craven, of the Methodist Church.

Leave of absence until Thursday next was granted to Mr. Woodard; until Monday to Mr. Bradsher; and from the 5th to the 10th inst., to Mr. Martin.

The Speaker announced the following gentlemen as the Committee of eight, to whom all bills "for the relief of the people" shall be referred, viz: Messrs. Moore, of Hertford, Russ, Davis, McKay, Jenkins, of Granville, Latham, of Washington, Waugh and Richardson.

Mr. Richardson requesting to be excused from service on the Committee, Mr. Bryson was designated in his stead.

Received a message from the Senate, proposing to vote at 12 o'clock, M., for seven Councillors of State, which was concurred in.

Whereupon, the following nominations were made and information thereof transmitted to the Senate, viz:

By Mr. Whitfield: Gilbreth Dickson, of Cleaveland; by Mr. Kenan: W. A. Wright, of New Hanover; by Mr. Boyd: Giles Mebane, of Caswell; by Mr. Lyon: Eugene Grissom, of Granville; by Mr. Crawford, of Rowan: J. F. Foard, of Iredell; by Mr. Richardson: T. D. McDowell, of Bladen; by Mr. Latham, of Craven: W. B. Wadsworth, of Craven; by Mr. Morehead: Samuel F. Rankin, of Guilford; by Mr. Moore, of Hertford: J. J. Yeates, of Hertford; by Mr. Dargan: J. A. Leak, of Anson; by Mr. Westmoreland: J. E. Poindexter, of Stokes; by Mr. Rosebro: R. F. Simonton, of Iredell; by Mr. Granbery: W. F. Martin, of Pasquotank; by Mr. Blythe: T. R. Caldwell, of Burke; by Mr. Allen: D. L. Russell, Sr., of Brunswick; by Mr. Guess: S. F. Phillips, of Orange; by Mr. Martin: W. W. Peebles, of Northampton; by Mr. Woodard: J. S. Bridgers, of Edgecombe; by Mr. Daniel: Messrs. H. Joyner and R. H. Smith, of Halifax; by Mr. Brown: J. F. Hoke, of Lincoln; by Mr. Perry, of Carteret: Jasper Stowe, of Gaston; by Mr. Latham, of Washington: P. H. Winston, of Bertie; by Mr. Williams, of Martin: D. W. Bagley, of Martin; by Mr. Jenkins, of Gaston: W. J. Yates, of Mecklenburg; by Mr. Neal: Gen. A. Burgin.
of McDowell; by Mr. Horton, of Wilkes: E. W. Jones, of Caldwell; by Mr. Davidson: R. B. Vance, of Buncombe; by Mr. Cowan: Wm. Eaton, Jr., of Warren; and by Mr. Russ: C. B. Root, of Wake.

And the hour of 12 o'clock having arrived, the House proceeded to vote as follows, under the superintendence of Messrs. Allen and Latham, of Craven:


For Mr. Phillips: Messrs. Ashworth, Beasley, Blair, Bright, Bryson, Chadwick, Durham, Everett, Freeman, Galloway,


For Mr. Grissom: Messrs. Ashworth, Beasley, Blair, Blythe, Bright, Carson, Freeman, Galloway, Gambril, Garrett, God-
win, Hinnant, Horton, of Watauga, Horton, of Wilkes, Jenkins, of Granville, Jones, Lyon, Murrill, Scoggin, Shelton, Simpson, Umstead, Vestal, Williams, of Yancey and York—25.

For Mr. Wadsworth: Messrs. Chadwick, Clement, Dargan, Everett, Farrow, Foard, Galloway, Granbery, Harding Horton, of Wilkes, Kendall, Latham, of Craven, May, McKay, Murrill, Perry, of Carteret, Richardson, Russ, Waugh, Westmoreland, Whitfield, Williams, of Harnett, Williams, of Martin, and Woodard—24.


For Mr. Caldwell: Messrs. Autry, Beasley, Black, Blair, Blythe, Freeman, Garrett, Godwin, Hinnant, Jenkins of Gaston, Jenkins, of Granville, Jordan, Morton, Morrissett, Scoggin, Teague, Vestal, Wilson, of Forsyth and Williams, of Yancey—19.

For Mr. Yeates: Messrs. Speaker, Beasley, Black, Blair, Clement, Cowan, Crawford, of Macon, Horton, of Watauga, Lee, May, McClammy, McGougan, McKay, Moore, of Hertford, Morton, Richardson, Waugh, Williams, of Harnett, and Williams, of Pitt—19.

For Mr. Yates: Messrs. Ashworth, Autry, Beasley, Crawford, of Rowan, Farrow, Foard, Freeman, Garrett, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jones, Lyon, Scoggin, Smith, of Duplin, Trull, Vestal, Waugh, Whitley—19.


For Mr. Bridges: Messrs. Allen, Brown, Galloway, Garriss, Hutchison, Judkins, Kenan, McArthur, McGougan, Mc-
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Rae, Morehead, Reinhardt, Smith, of Duplin, Stone, Whitfield, Whitley, Williams, of Pitt, and Woodard—18.

For Mr. Winston: Messrs. Ashworth, Beasley, Bowe, Bright, Durham, Foard, Freeman, Galloway, Harding, Hodnett, Jenkins, of Granville, Latham, of Washington, Murrill, Richardson, Stone, Sudderth, Walker and Williams, of Martin.—18.

For Mr. Hoke: Messrs. Autry, Black, Brown, Bryson, Durham, Farrow, Garriss, Hutchison, Judkins, Kenan, Lee, May, Moore, of Hertford, Reinhardt, Simpson, Stone, and Trull.—17.

For Mr. Martin: Messrs. Ashworth, Daniel, Granbery, Jones, Judkins, Lyon, Lutterloh, Martin, McKay, Morrissett, Perry, of Carteret, Simpson, Sudderth, Whitfield, and Williams, of Martin.—15.

For Mr. Pericles: Messrs. Dargan, Farrow, Granbery, Jones, Judkins, Kendall, Lee, Lutterloh, May, Martin, Moore, of Hertford, Morrissett, Simpson, Waugh and Williams, of Martin—15.


For Mr. Joyner: Messrs. Chadwick, Cowan, Dargan, Daniel, Horton, of Watauga, Judkins, McClammy, Morehead—8.

For Mr. Russell: Messrs. Speaker, Allen, Bright, Davidson, Lutterloh, Murrill, Neal, and Perry, of Carteret.—8.

For Mr. Stowe: Messrs. Brown, Chadwick, Everett, Granbery, Latham, of Craven, McClammy and Perry, of Carteret—7.

For Mr. Shepherd: Messrs. Latham, of Craven, Martin, McArthur, McKay, McRae and Williams, of Harnett.—6.

For Mr. Lemley: Messrs. Crawford, of Macon, Harper, Lee, Rosebro and Stevenson.—5.

For Mr. Logan: Messrs. Blythe, Godwin, Jordan, Teague and Wilson, of Forsyth.—5.

For Mr. Smith: Messrs. Boyd, Daniel, Kelsey, Patton and Umsted—5.

For Mr. J. T. Leach: Messrs. Jordan, Teague and Wilson of Forsythe.

For Mr. Parrott: Messrs. Bright, Everett and Lyon.

For Z. B. Vance: Messrs. Farrow and Lutterloh.

For Mr. J. D. Williams: Messrs. Lutterloh and Simpson.

For Loverd Eldridge: Messrs. Blythe, Hinnant and Williams, of Yancey.

For T. Ruffin, Jr.: Mr. Boyd.

For Mr. Bagley: Mr. Williams, of Martin.

For Mr. Cnwles: Mr. Hodnett.

For Mr. Settle: Mr. Scoggin.

For Mr. R. W. Lassiter: Mr. Russ.

For Mr. Carson: Mr. York.

For Mr. D. M. Carter: Mr. Scoggin.

For Mr. E. C. Yellowley: Mr. Bright.

For Mr. S. L. Love: M. Martin.

Received a communication from his Excellency, the Governor, covering the report of the President of the Western N. C. R. R. Co.; which was ordered to be transmitted to the Senate, with a proposition to print.

Mr. Jones presented the memorial of citizens of Pasquotank, remonstrating against the extension of the corporate limits of the town of Elizabeth City; which was referred to the Committee on Corporations.

Mr. Cowan, from the Committee on Internal Improvements, reported favorably, with amendments, on

Bill (H. No. 2,) to enable the Western Railroad Company to complete its Road from the Coalfields in Chatham county to some point on the N. C. R. R.
Also, a substitute (H. No. 68,) "To enhance the value of the bonds to be issued for the completion of the Western N. C. R. R., and for other purposes," in lieu of Bill (H. 40,) to amend the charter of the Western N. C. R. R., &c.

Mr. Jenkins, of Gaston, from the Committee on Corporations, reported favorably on

Bill (H. No. 55,) to amend the charter of the Oceanic Hook and Ladder Co., of the town of Beaufort.

Mr. Davidson, from the Committee on Cherokee Lands, reported favorably, with an amendment, on

Bill (H. No. 49,) to provide for the construction of a bridge across Notla River, and for other purposes.

Mr. Rosebro, from the Committee on Propositions and Grievances, reported a substitute (H. No. 69,) "Allowing fees to Justices of the Peace and regulating the same," in lieu of

Bill (H. 51)—same title. Ordered to be printed.

Mr. Waugh, from the same Committee, to whom was referred a resolution of enquiry on the subject of trespasses in hunting, reported the same back and asked to be discharged from its further consideration; which was so ordered.

The following Resolutions were offered and disposed of as stated, viz:

By Mr. McClammy: Directing a message to the Senate, proposing a Joint Committee, of three from each House, to take into consideration and report the earliest practicable day on which this General Assembly can adjourn, and whether said adjournment shall be sine die.

Mr. Lyon moved to lay on the table; which did not prevail, and the Resolution was adopted.

By Mr. Whitfield: Resolution upon the subject of memorializing Congress as to removing the negroes from this State.

On motion of Mr. Waugh, laid on the table.

By Mr. Waugh: Instructing the Committee on Public Buildings and Grounds to enquire into the expediency of selling the various public squares, including the present Executive Mansion, and of appropriating the proceeds to the erection of a suitable Executive residence, &c.

On motion of Mr. Dargan, laid on the table.
By Mr. McGougan: Resolution (H. R. No. 70,) "In favor of certain maimed soldiers." Propositions and Grievances.

By the same: Resolution (H. P. R. No. 10,) "In favor of William S. Mason." Claims.

The following Bills were introduced, referred, or otherwise disposed of, as stated, viz:

By Mr. Guess: Bill (H. No. 71,) "For the relief of the People." Referred to the Special Committee.

By Mr. Dargan: Bill (H. No. 72,) "In favor of William S. Mason." Claims.

The following Bills were introduced, referred, or otherwise disposed of, as stated, viz:

By Mr. Guess: Bill (H. No. 71,) "For the relief of the People." Referred to the Special Committee.

By Mr. Dargan: Bill (H. No. 72,) "In favor of William S. Mason." Claims.

The following Bills were introduced, referred, or otherwise disposed of, as stated, viz:

By Mr. Guess: Bill (H. No. 71,) "For the relief of the People." Referred to the Special Committee.

By Mr. Dargan: Bill (H. No. 72,) "In favor of William S. Mason." Claims.

Judiciary.

By Mr. Latham, of Washington: Bill (H. No. 73,) "To amend section 71, chapter 31, Revised Code." Filed.

By Mr. Whitfield: Bill (H. No. 74,) "To enable the Wilmington, Charlotte and Rutherford Rail Road Company to complete its road, pay its debt to the State, and extend its road to the Tennessee line." Internal improvements.

By Mr. Harding: Bill (H. No. 75,) "To amend section 52, chapter 60, Revised Code." Judiciary.

By Mr. Garrett: Bill (H. No. 76,) "To prevent the felling and cutting of timber in Pigeon River, in Haywood County, above Killian's Bridge." Filed.

By Mr. Bowe: Bill (H. No. 77,) "To incorporate the Yanceyville and Milton Rail Road Company." Internal Improvements.

By Mr. Perry, of Carteret: Bill (H. No. 78,) "In relation to Set-off." Judiciary.

By Mr. Chadwick: Bill (H. No. 79,) "To facilitate the adjudication and settlement of disputed boundaries." Judiciary.

By Mr. Patton: Bill (H. No. 82,) "To prevent the destruction of Ginseng in the mountains of North Carolina." Filed.

By Mr. Harding: Bill (H. No. 83,) "To amend the charter of the Washington Toll Bridge Company." Judiciary.

Mr. McKay, from the Committee on the Judiciary, to whom was referred Bill (H. No. 17) to amend an act to improve the law of evidence, passed at the session of 1866, reported back a substitute for the same, viz:

Bill (H. No. 80,) "To amend section 2, chapter 43, of an Act, ratified March 12, 1866, entitled 'An Act to improve the law of evidence.'"
Mr. McKay, from the same Committee, to whom was referred Bill (H. No. 13,) to repeal an act entitled "An Act to provide hands to work on the public roads," and to re-enact section 40, chapter 101, Revised Code, reported back a substitute for the same, viz: Bill (H. No. 81,) "To repeal an Act entitled 'An Act to provide hands to work on public roads.'"

Received a message from the Senate, announcing that they had passed the Engrossed Bill (H. No. 62,) to postpone the Special Term appointed for Chowan County, with an amendment, in which they asked the concurrence of the House. Concurred in and the Senate informed thereof by message.

Also, a message, announcing their concurrence in the House proposition to print the correspondence between the United States Treasury Department and his Excellency, the Governor.

The Calendar of Private Bills on their second reading was then taken up, as follows:

Bill (H. P. No. 1,) to incorporate Union Camp Ground in Cleaveland County. Passed its second, and, under a suspension of the rules, its third reading, and ordered to be engrossed.

Bill (H. P. No. 2,) to incorporate Newbern Steam Fire Engine Co., No. 1. Passed second reading.

Bill (H. P. No. 3) to authorize R. P. Melvin, late Sheriff of Bladen, to collect arrears of taxes. On motion of Mr. Waugh, referred to the Committee on Propositions and Grievances.

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

MONDAY, DECEMBER 3, 1866.

Prayer by the Rev. Dr. Mason, of the Episcopal Church.
Leave of absence until Wednesday was granted to Mr. McGougan.
The Speaker announced Messrs. Beasley, Black, Blair, Blythe and Boyd as the Committee on Enrolled Bills for the week.

On motion of Mr. McKay, the use of the Hall was granted to Dr. T. P. Atkinson, of Danville, Va., on Tuesday evening, for the delivery of a Lecture.

Mr. Crawford, of Rowan, presented a memorial from the Rowan Immigration Society; which was referred to the Committee on Propositions and Grievances.

Mr. Waugh, from the Committee on Propositions and Grievances, reported favorably on

Bill (H. No. 23) to provide more effectually for the punishment of horse-stealing.

Mr. Patton, from the Committee on Internal Improvements, reported favorably on

Bill (H. No. 74) to enable the Wilmington, Charlotte and Rutherford Rail Road Company to complete its road, pay its debt to the State and extend the road to the Tennessee line.

Mr. Latham, of Craven, from the Committee appointed on Saturday to superintend the election of seven Councillors of State, reported that the House vote was 101 and Senate vote 41,—total 142, and necessary to a choice 72; that Mr. Wright had received 84, Mr. Eaton 70, Mr. Jones 50, Mr. Phillips 43, Mr. Simonton 42, Mr. Rankin 39, Mr. Leak 34, Mr. Poindexter 33, Mr. Mebane 32, Mr. Foard 30, Mr. Grissom 29, Mr. Wadsworth 29, Messrs. McDowell, R. B. Vance, J. J. Yeates and W. J. Yates 27 each, Mr. Winston 25, Mr. Caldwell 24, Mr. Bridgers 23, Mr. Martin 22, Messrs. Hoke and Joyner 20 each, Mr. Shepherd 19, Mr. Shober 18, Messrs. Peebles and Ruffin 17 each, Mr. Burgin 16, Messrs. Dickson and Root 13 each, Messrs. Russell and Love 12 each, Mr. Dick 11, Mr. Thompson 10, Mr. Logan 8, Messrs. Stowe and Smith 7 each, Mr. Lemly 5, Mr. J. D. Williams 5, Mr. Parrott 4, Messrs. J. T. Leach, Eldridge and Bagley 3 each, Messrs. Z. B. Vance, Cowles and W. D. Jones 2 each, and Messrs. Settle, Carson, Lassiter, Carter, Yellowley, Arendell, Brown, J. M. Leach, Dancy, and Puryear 1 each; and that Mr. William A. Wright, alone, having received a majority of the whole num-
ber of votes, was duly elected. Which report was concurred in and transmitted to the Senate.

Mr. Williams, of Harnett, offered the following Resolution:

Resolved, That the Committee appointed to take into consideration the sine die adjournment of this Legislature, be requested to take into consideration the propriety and the importance of adjourning at an early day, to be fixed by them, to meet again on the first Monday in March next.

Which did not prevail.

Mr. Horton, of Wilkes, offered a Resolution (H. P. R. No. 11) "In favor of R. F. Armfield." Referred to the Committee on Claims."

The following bills were introduced, read and disposed of as stated, viz:

By Mr. Latham, of Craven: Bill (H. No. 84) "To enable the County Court of Craven to extend its sessions."

On motion of Mr. Latham, the rules were suspended and the bill put upon its second reading; when

Mr. Hutchison moved to amend by inserting, after the word "Craven," the word "Mecklenburg." Carried.

Mr. McKay moved further to amend, by inserting after the word "Mecklenburg," the words "and Cumberland." Carried.

Mr. Clark moved further to amend by adding "and all the other counties of the State," which did not prevail.

The bill then passed its second reading; and, being read the third time,

Mr. Hutchison offered, as an amendment, an additional section, to come in as section 2; which was adopted, and the bill then passed its 3rd reading and was ordered to be engrossed.

From the Senate: Resolution (S. 20,—H. 85) "Fixing the per diem and mileage of officers and members of the General Assembly."

Which, being read, Mr. Dargan moved that the rules be suspended and the Resolution put upon its second reading; which motion prevailed.

Mr. Blythe offered the following as a substitute, and demanded the Yeas and Nays thereon:
Resolved, That the Speakers of the two Houses of this General Assembly receive seven dollars per day; each member four dollars per day; principal and assistant Clerks seven dollars per day; enrolling Clerks four dollars per day; and that, in addition thereto, each member and officer shall be entitled to receive twenty cents per mile, coming from and returning to his residence by the most direct route.

The demand for the Yeas and Nays was not sustained, and the substitute did not prevail.

Mr. Whitfield moved to amend, by striking out "six dollars" and inserting "three dollars in gold, to be paid in currency at the rates of premium prevailing in Raleigh," and asked the Yeas and Nays thereon.

The call was not sustained, and the amendment did not prevail.

The Resolution then passed its 2nd and 3rd readings and was ordered to be enrolled.

By Mr. Carson: Bill (H. No. 86,) "To change the time of holding the Courts of Pleas and Quarter Sessions of Alexander county." Under a suspension of the rules passed its several readings and ordered to be engrossed.

By Mr. Ashworth: Bill (H. No. 87,) "To protect honest debtors." Referred to the Judiciary Committee and ordered to be printed.

By Mr. Granbery: Bill (H. No. 88,) "To prohibit citizens of other States from fishing in Currituck Sound." Private Bills.

Received a message from the Senate, announcing their concurrence in the House proposition to raise a Joint Select Committee, to take into consideration the question of adjournment sine die, and also announcing Messrs. Clark, Adams and Love as the Committee on their part.

The Speaker designated Messrs. McClammy, Crawford, of Rowan, and Carson, as the House branch of the Committee.

On motion of Mr. Lowe, a message was sent to the Senate, proposing to go forthwith into the election of Comptroller. And the Senate concurring, the House proceeded to vote as follows, under the superintendence of Messrs. Lowe and Boyd,—the name of Mr. J. R. Love having been added to,
and that of Mr. D. W. Bain withdrawn from, the list of those previously put in nomination:


For Mr. Cowper: Messrs. Allen, Clark, Cowan, Galloway, Harding, Hutchison, Kenan, Latham, of Washington, Lee, Martin, McClammy, McKay, Moore, of Hertford, Morrissett, Neal, Russ, Sudderth, Walker, Whitfield, Williams, of Martin, and Williams, of Pitt—22.


For Mr. Love: Messrs. Bryson, Crawford, of Macon, Davidson, Durham, Garrett, Kelsey and Patton—7.

Mr. Richardson voted for Mr. C. B. Root.

Mr. Lowe, from the Committee appointed to superintend the election, reported that the House vote was 101 and Senate vote 42,—total 143, and necessary to a choice 72; that Mr. Brogden had received 50, Mr. Cowper 36, Mr. Holderby 28, Mr. Collins 20, Mr. Love 7 and Mr. Root 1; and that there was no election. Which report was concurred in and transmitted to the Senate.

On motion of Mr. Whitfield, a message was sent to the Senate, proposing to vote again forthwith for Comptroller.

The Senate concurring, the House voted as follows,—the name of Mr. Love having been withdrawn from, and that of Mr. Bain added to the list of the nominees:

For Mr. Brogden: Messrs. Autry, Barden, Beasley, Black, Blair, Blythe, Bright, Carson, Clement, Crawford, of Rowan,


M. Lowe, from the Committee appointed to superintend the election, reported that the House vote was 100 and Senate vote 39,—total 139, and necessary to a choice 70; that Mr. Brogden had received 56, Mr. Cowper 32, Mr. Holderby 23, Mr. Collins 17, Mr. Bain 10, and Mr. Martin 1. Which report was concurred in and transmitted to the Senate.

On motion of Mr. Dargan, a message was sent to the Senate, proposing to proceed at once to an election of Public Treasurer.

Mr. Dargan nominated Kemp P. Battle, Esq.

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

For Mr. Battle: Messrs. Allen, Ashworth, Autry, Barden, Beasley, Black, Blythe, Boyd, Bowe, Bright, Brown, Bryson, Carson, Clark, Clement, Cowan, Crawford, of Macon, Crawford, of Rowan, Dargan, Daniel, Davis, Davidson, Durham, Everett, Farrow, Foard, Galloway, Gambril, Garris, Godwin, Granbery, Guess, Harding, Harper, Henderson, Hinnant, Hodnett, Holderby, Horton, of Watauga, Horton, of Wilkes,
Mr. Dargan, from the Committee appointed to superintend the election, reported that the House vote was 97 and Senate vote 40,—total 137, and necessary to a choice 69; that Mr. Battle had received 134, and Mr. Geo. W. Mordecai 2 and Mr. Bain 1; and that Mr. Battle was elected. Which report was concurred in and transmitted to the Senate.

On motion of Mr. Crawford, of Rowan, a message was sent to the Senate, proposing to vote forthwith for six Councillors of State; in which proposition the Senate subsequently refused to concur.

On motion of Mr. Horton, of Watauga,

Bill (H. No. 33,) to extend the time for the collection and return of taxes in certain counties, was taken from the Calendar of Bills on their 2nd reading and considered.

The amendments recommended by the Committee on Finance were adopted; when

Mr. Kenan moved to amend by striking out the words, in the 1st section, "composing the Seventh Congressional District, together with the counties of Wilkes and Alexander."

The amendment was adopted, when

On motion of Mr. Davis, the Bill, as amended, was referred to the Committee on Finance.

Mr. Waugh moved that the House do now adjourn until to-morrow morning, 11 o'clock.

Mr. York moved to amend by substituting 10 A. M., to-morrow.

The motion of Mr. Waugh prevailed, and the House adjourned until to-morrow morning, 11 o'clock.
TUESDAY, DECEMBER 4th, 1866.

Prayer by Rev. Mr. Atkinson, of the Presbyterian Church.

Mr. Russ presented a Memorial from the Mayor and Commissioners of the city of Raleigh, relative to the subscription to the Capital Stock of the Chatham Rail Road Company; which was read and referred to the Committee on Propositions and Grievances.

Received a message from the Senate, proposing that the daily sessions of each House shall begin at 10½ o'clock A.M., until further orders; which was concurred in.

Also proposing to increase the Joint Select Committee on the Agricultural and Mechanical College to five in each House; which was also concurred in.

Mr. Waugh, from the Committee on Propositions and Grievances, reported back House Private Bills Nos. 3, 4, 5, 7 and 8, for the relief of sundry Sheriffs and Tax Collectors, and recommended the passage of a general substitute therefor, viz:

Bill (H. No. 89,) “For the relief of Sheriffs and Tax Collectors.”

Also, unfavorably on Bill (H. No. 66,) to allow fees to Clerks of County Courts in certain cases.

Mr. Russ, from the Committee on Agriculture, reported favorably on

Bill (H. No. 26,) for the benefit of the poor of Bladen county, and for other purposes.

Mr. Harper, from the Committee on Finance, reported back, with an amendment.

Bill (H. No. 33,) to extend the time for the collection and return of taxes in certain counties.

And unfavorably on

Bill (H. No. 63,) to raise Revenue.

On motion of Mr. Richardson, said bill was referred to the Special Committee on Bills of Relief.

The following Resolutions were introduced and disposed of as stated, viz:

By Mr. Harper: Referring so much of the Governor's Message, as relates to artificial limbs, and the accompanying report of the Superintendent of the Artificial Limb Depart-
ment, to the Committee on Propositions and Grievances. Adopted.

By Mr. McNair: Resolution (H. P. R. No. 12,) "In favor of Neill McNeill." Claims.

By Mr. Horton, of Wilkes: Resolution (H. P. R. No. 13,) "In favor of A. J. Adkins, and others." Propositions and Grievances.

The following Bills were introduced, referred and otherwise disposed of, viz:

By Mr. Whitfield: Bill (H. No. 90,) "To revive and amend the charter of the Shelby and Broad River Railroad." Internal Improvements.

By Mr. Smith, of Duplin: Bill (H. No 91,) "To exempt certain articles from execution." Special Committee on Bills of Relief.

By Mr. Patton: Bill (H. No. 92,) "To incorporate Hoover Hill Mining Company." Corporations.

By the same: Bill (H. No. 93) "Giving debtors, whose lands have been sold under execution, a right of redemption." Judiciary.

By Mr. Davis: (Bill No. 94) "To incorporate Collins Gold Mining Company, in Franklin County." Corporations.

By the same: Bill (H. No. 95) "To incorporate Sturgis Gold Mining Company, in Franklin County." Same reference.

By the same: Bill (H. No. 96) "To incorporate Thomas Gold Mining Company, in Franklin county." Same reference.

By Mr. McKay: Bill (H. No. 97) "To give to married women one-third interest in the real estate of their husbands." Judiciary.

By Mr. Clark: Bill (H. No. 98) "To repeal section 2, chapter 34, Revised Code." Same reference.

By Mr. Blythe: Bill (H. No. 99) "To authorize administrators to pay for the schooling of minor heirs." Education.

By Mr. Davidson: Bill (H. No. 100) "To repeal an Act for the better regulation of the Western Turnpike Road." Cherokee Lands.

By Mr. McNair: Bill (H. No. 101) "To amend section 12, chapter 52, Revised Code." Judiciary.

By Mr. Crawford, of Macon: Bill (H. No. 102) "To abolish
Jury trial in the County Court of Macon county." Judiciary.

Mr. Hutchison moved to re-consider the vote by which Bill (H. No. 84) to enable the County Courts of Craven, Mecklenburg and Cumberland to extend their sessions, was finally passed on yesterday: which motion prevailed.

Mr. Hutchison then moved to amend, by striking out the word "Mecklenburg," in section 1, and the whole of section 2; which was carried.

And the bill passed its 3rd reading and was ordered to be engrossed.

At 12 o'clock, on motion of Mr. Kenan, a message was sent to the Senate, informing that body that the hour, heretofore jointly agreed on, for counting the votes for Governor in Oct. last, had arrived, and the House waited to receive them.

Immediately after which the Senate, preceded by their Speaker, arrived in the Hall and were received by the House standing. The Speaker of the Senate took his seat on the right of the Speaker of the House, and, having announced the business of the Convention, proceeded to open the returns in the alphabetical order of counties, reading them aloud. The tellers appointed recorded the votes as pronounced by the presiding officer, and, when all the returns had been ascertained and recorded, retired, and, soon after returning, made the following report, through Mr. Kenan:

"The Joint Committee, on the part of the Senate and House of Commons to superintend the counting of the votes cast for Governor in October last, have discharged their duty, and beg leave to report that the Hon. Jonathan Worth, of Randolph, received 34,250 votes, the Hon. Alfred Dockery, of Richmond, 10,759 votes, and that there were scattering 117 votes. Hon. Jonathan Worth, having received a majority of all the votes cast, is duly elected."

Which, being read, the Speaker of the Senate announced the result, and, in the presence and hearing of all, declared Jonathan Worth Governor of North Carolina for two years from and after the first day of January next.

There being no dissent, the Speaker of the Senate dissolved the Convention, and, followed by the Senate, withdrew.

The following is the list of votes, as recorded by the tellers, viz:
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<td>Yadkin,</td>
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<td>Yancey,</td>
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<td>34,250</td>
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On motion of Mr. Williams of Martin, a message was sent to the Senate, proposing to vote forthwith for Comptroller.

The Senate concurring, the House voted as follows, under the superintendence of Messrs. Williams, of Martin, and Perry, of Carteret,—the name of Mr. Bain having been withdrawn from the list of nominees:

For Mr. Broodden: Messrs. Ashworth, Autry, Barden, Beasley, Black, Blair, Blythe, Bright, Bryson, Carson, Clement, Crawford, of Rowan, Foard, Galloway, Garrett, Garriss, Godwin, Hinnant, Horton, of Watauga, Horton, of Wilkes, Jenkins, of Gaston, Jenkins, of Granville, Jordan, Kelsey, Kendall, Lowe, McArthur, McGougan, McNair, Morton, Murrill, Perry, of Carteret, Reinhardt, Richardson, Rogers, Roseboro, Romtree, Scoggin, Shelton, Simpson, Smith, of Duplin, Stevenson, Trull, Vestal, Williams, of Yancey, Womble and York—47.

For Mr. Cowper: Messrs. Allen, Bradsher, Clark, Coan, Hutchison, Kenan, Latham, of Craven, Latham, of Washington-
ton, Lee, Lutterloh, Martin, McClammy, McKay, Moore, of Hertford, Neal, Patton, Russ, Sudderth, Walker, Whitfield, Williams, of Martin, and Williams, of Pitt—22.


For Mr. Collins: Messrs. Boyd, Chadwick, Dargan, Daniel, Davis, Durham, Farrow, Freeman, Granbery, Judkins, Long, May, Marrissett, Turnbull and Williams, of Har. nett—15.

Mr. Holderby voted for Mr. Boyd.

Mr. Williams, from the Committee appointed to superintend the foregoing election, reported that the House vote was 106 and Senate vote 44,—total 150, and necessary to a choice 76; that Mr. Brogdon had received 59, Mr. Cowper 32, Mr. Holderby 27, Mr. Collins 26, Mr. Bain 4, Mr. J. G. Martin 1, and Mr. Boyd 1, and that there was no election. Report concurred in and transmitted to the Senate.

Mr. Horton, of Wilkes, moved to take from the Calendar Bill (H. No. 33,) to extend the time for the collection and return of taxes in certain counties; which motion prevailed.

The amendment of the Committee on Finance was adopted, and the Bill, as amended, passed its second reading.

The rules being suspended and it placed on its third reading,

Mr. Waugh moved to strike out the word "Surry." Carried.

The Bill then passed and was ordered to be engrossed and sent to the Senate.

Mr. Williams, of Martin, moved that a message be sent to the Senate, proposing to vote again forthwith for Comptroller; which motion prevailed.

The Senate concurring, the House voted as follows under the superintendence of Messrs Morehead and Daniel:

For Mr. Brogden: Messrs. Ashworth, Autry, Bar den Beasley, Black, Blair. Blythe, Bright, Brown, Bryson, Carson, Clement, Crawford, of Rowan, Everett, Foard, Galloway,


Mr. Holderby voted for Mr. Boyd.

On motion of Mr. Waugh, a message was sent to the Senate, proposing to increase the Committee on Public Buildings and Grounds to five from the House and three from the Senate.

Mr. Waugh moved that the House do now adjourn. Lost.

Mr. Hutchison moved that a message be sent to the Senate, proposing to go, at once, into the election of six Councillors of State; which motion did not prevail.

And then, on motion of Mr. Dargan, the House adjourned until to-morrow morning, 10½ o'clock.

WEDNESDAY, DECEMBER 5th, 1866.

Thomas Wilson, Commoner elect from the county of Perquimans, appeared, produced his credentials, was qualified and took his seat.
The Speaker announced Messrs. Dargan and Latham, of Washington, as additional members, on the part of the House, of the Joint Select Committee on the Agricultural College.

Mr. Bowe presented a Memorial from citizens of Caswell, in favor of the passage of a Fence Law. Referred to the Committee on Agriculture.

Mr. Waugh, from the Committee on Propositions and Grievances, to whom was referred Bill (H. No. 9,) to exempt Preachers, &c., from working on the Public Roads, reported back a substitute, viz :

Bill (H. No. 103,) "To exempt Justices of the Peace and Ministers of the Gospel from working on the public roads."

Mr. Perry, from the Committee on Claims, reported unfavorably on

Bill (H. P. No. 12,) in favor of Neill McNeill.

Mr. Perry, from the same Committee, to whom was referred Resolution (H. P. No. 10,) in favor of W. S. Mason, reported back a substitute for the same and recommended its passage.

Mr. McNair, from the Committee on Corporations, reported favorably on

Bill (H. No. 92,) to incorporate the Hoover Hill Mining Company;

Bill (H. No. 94) to incorporate Collins' Gold Mining Company;

Bill (H. No. 95,) to incorporate Sturg's Gold Mining Company; and

Bill (H. No. 96,) to incorporate Thomas' Gold Mining Company.

Mr. Daniel, from the Committee appointed on yesterday to superintend the election of Comptroller, reported that the House vote was 108 and Senate vote 44,—whole number 152 and necessary to a choice 77; that Mr. Brogden had received 65, Mr. Cowper 34, Mr. Holderby 33, Mr. Collins 18, Mr. Bain 1 and Mr. Boyd 1; and that there was no election. Which report was concurred in and transmitted to the Senate.

The following Resolutions were offered and respectively adopted, viz :

By Mr. Williams, of Harnett: Resolution instructing the Committee on Adjournment to consider the propriety of ad-
journing at an early day, to meet again on some day after the 15th prox.

By Mr. Horton, of Watauga: Referring so much of the Governor's Message, as relates to Weights and Measures, to a Select Committee of five.

The following Bills, &c., were introduced, and referred, or otherwise disposed of, as stated, viz:

By Mr. Davis: Bill (H. No. 104,) "To amend an Act, 'For the Relief of Landlords,' ratified January 26, 1863, and An Act amendatory of the same, ratified May 28, 1864." Judiciary.

By Mr. Hinnant: Bill (H. No. 105,) "To abolish imprisonment for all debts contracted prior to May 1, 1863." Same reference.

From the Senate: Bill (Sen. No. 7—H. No. 106) To repeal an Ordinance of the Convention." Filed.

From the Senate: Resolution, (S. No. 9—H. No. 107,) "In regard to Confederate Soldiers from North Carolina, detained in Northern prisons." Passed and ordered to be enrolled.

From the Senate: Bill (S. No. 30—H. No. 108,) "In relation to the County Courts of Hyde." Under a suspension of the rules passed its several readings and ordered to be enrolled.

By Mr. Allen: Bill (H. No. 109,) "To incorporate Pythagoras Lodge, No. —, in the town of Smithville." Corporations.

By Mr. Perry, of Carteret: Bill (H. No. 110,) "To incorporate Franklin Lodge, No. 109, F. and A. M., in the town of Beaufort." Same reference.

Received a message from the Senate, proposing to raise a Joint Committee, of two from each House, to wait upon the Governor elect, and ascertain when it will be convenient for him to appear before the two Houses and take the oaths of office.

Which was concurred in; and Messrs. Love and Moore having been subsequently announced as the Senate branch of the Committee, Messrs. Morhead and Vestal were designated as the Committee on the part of the House.
On motion of Mr. Rogers, a message was sent to the Senate, proposing to vote at once for Comptroller; and, the Senate concurring, the House voted as follows, under the superintendence of Messrs. Kelsey and Davidson:


For Mr. Collins: Messrs. Bright, Chadwick, Dargan, Daniel, Davis, Durham, Farrow, Granbery, Jones, Judkins, May, Morrissett, Rountree, Turnbull, and Williams, of Har- nett.—15.

Mr. Holderby voted for Mr. Boyd.

Mr. Davidson, from the Committee appointed to superintend the foregoing election, reported that the House vote was 106 and the Senate vote 45,—whole number 151 and necessary to a choice 76; that Mr. Brogden had received 62, Mr. Cowper 37, Mr. Holderby 31, Mr. Collins 19, Mr. Boyd 1 and Mr. Lenoir 1; and that there was no election. Which report was concurred in and transmitted to the Senate.

On motion of Mr. Latham, of Craven, a message was sent to the Senate, proposing to vote again forthwith for Comptroller.
The Senate concurring, the House proceeded to vote as follows, under the superintendence of Messrs. Bright and Clark:


For Mr. Collins: Messrs. Chadwick, Dargan, Durham, Farrow, Granbery, Jones, Judkins, Morrissett, Turnbull and Williams, of Harnett.—10.

Mr. Holderby voted for Mr. Boyd.

Mr. Clark, from the Committee appointed to superintend the foregoing election, reported that the whole number of votes cast was 152,—106 in the House, and 46 in the Senate; that Mr. Brogden had received 69, Mr. Cowper 35, Mr. Holderby 34, Mr. Collins 12, Messrs. Boyd and Lenoir 1 each; and 77 being necessary to a choice, that there was no election. Which report was concurred in and sent to the Senate.

The Calendar of bills on their second reading was then taken up:
Bill (H. No. 2) to enable the Western North Carolina Rail Road Company, to complete its road from the Coalfields in Chatham County, to some point on the North Carolina Rail Road:

Mr. McKay moved to amend the amendment recommended by the Committee on Internal Improvements, by substituting "$100" in lieu of "$500;" which prevailed, and the amended amendment was then adopted.

The bill then passed its second reading.

Bill (H. No. 5) for the relief of the People: Laid on the table, on motion of Mr. Latham, of Washington.

Bill (H. No. 9) to exempt preachers, &c., from working on the public roads:

The substitute, viz: Bill (H. No. 103) to exempt Justices of the Peace, and Ministers of the Gospel, from working on the public roads,—reported from the Committee,—was adopted, when

Mr. Williams, of Harnett, moved to amend the same, by adding, after the words "Ministers of the Gospel," the words "all regular practising Physicians;" which did not prevail.

Mr. Latham, of Washington, moved to amend, by inserting, after the word "Gospel," the words "and all Civil officers of the State;" which did not prevail.

Mr. Richardson moved to amend, by inserting, after the word "Gospel," the words "having pastoral charges."

Mr. Whitfield moved to amend the amendment, by adding, after the words "charges," the words "of regular congregations."

Mr. Dargan moved to lay the Bill on the table; and the motion prevailed.

On motion of Mr. Richardson, a message was sent to the Senate, proposing to go at once into the election of Comptroller, and announcing that the name of William F. Collins was withdrawn from nomination.

The Senate concurred, and announced by message that James R. Love had been placed in nomination in that body.

Whereupon, the House voted as follows, under the superintendence of Messrs. Turnbull and York:
For Mr. Brogden: Messrs. Ashworth, Autry, Barden, Beasley, Black, Blair, Blythe, Bright, Brown, Carson, Clement, Everett, Farrow, Galloway, Gambril, Garrett, Garriss, Godwin, Hinnant, Horton, of Watauga, Horton, of Wilkes, Jenkins, of Granville, Jordan, Kendall, Lowe, Lyon, McArthur, McGougan, McNair, Morton, Murrill, Perry, of Carteret, Perry, of Wake, Reinhardt, Rogers, Rosebro, Rountree, Scott, Shelton, Smith, of Duplin, Stevenson, Trull, Vestal, Wilson, of Perquimans, Williams, of Yancey, Womble and York—46.

For Mr. Holderby: Messrs. Speaker, Boyd, Bowe, Bradsher, Chadwick, Dargan, Freeman, Guess, Henderson, Hodnett, Houston, Judkins, May, Morehead, Neal, Patton, Russ, Smith, of Guilford, Stone, Teague, Umsted, Waugh, Westmoreland, Whitley, Wilson, of Forsyth, and Williams, of Harnett—27.


For Mr. Love: Messrs. Allen, Bryson, Crawford of Macon, Davidson, Durham, Kelsey and Whitfield—7.

Mr. Holderby voted for Mr. Boyd.

Mr. York, from the Committee appointed to superintend the foregoing election, reported that the House vote was 105 and the Senate vote 44. total 149 and necessary to a choice 75; that Mr. Brogden received 62, Mr. Cowper 47, Mr. Holderby 33, Mr. Love 15, and Messrs. Bain and Boyd 1 each and that there was no election. Which report was concurred in and transmitted to the Senate.

The consideration of the Calendar was resumed:

Bill (H. No. 11,) to incorporate the Bladen Manufacturing Company: Under a suspension of the rules, passed its several readings and ordered to be engrossed.

Bill (H. No. 12,) to incorporate the Bladen Land Company: Under a suspension of the rules, passed its several readings and ordered to be engrossed.
Bill (H. No. 13,) to repeal an Act "To provide hands to work on the Public Roads," and to re-enact section 40, chapter 101, Revised Code:

The question being on the adoption of the substitute, reported from the Judiciary Committee, viz. Bill (H. No. 81,) to repeal an Act "to provide hands to work on the public roads,"

Mr. Dargan moved to lay the same on the table; which was decided in the negative—Yea 30, Nay 81.

Mr. Crawford, of Macon, demanded the Yeas and Nays.

Those who voted in the affirmative were:


These who voted in the negative were:


The substitute was then adopted, and the same passed its second reading.

On motion of Mr. Garriss, a message was sent to the Senate, proposing to vote at once for six Councillors of State.
The following additional nominations were made and information thereof transmitted to the Senate, viz:

By Mr. Williams, of Pitt: James Parrott, of Lenoir; By Mr. Long: D. M. Barringer, of Wake; By Mr. Rogers: W. H. Hood, of Wake.

The name of D. W. Bagley and Alney Burgin were withdrawn from nomination.

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


For Mr. E. W. Jones: Messrs. Ashworth, Beasley, Blair, Blythe, Bright, Carson, Chadwick, Clement, Crawford, of Macon, Dargan, Everett, Freeman, Galloway, Gambril, Godwin, Granbery, Harding, Harper, Henderson, Hinnant, Holderby, Horton, of Watauga, Horton, of Wilkes, Jenkins, of Granville, Jones, Kelsey, Latham, of Craven, Lyon, Morehead, Morton, Morrissett, Murrill, Neal, Patton, Perry, of Wake, Rogers, Rosebro, Rountree, Russ, Scott, Shelton.
Smith, of Guilford, Stevenson, Sudderth, Waugh, Westmoreland and York—47.

For Mr. MERRANE: Messrs. Speaker, Boyd, Bowe, Bradsher, Clark, Crawford, of Macon, Crawford, of Rowan, Daniel, Davis, Farrow, Garriss, Guess, Hodnett, Holderby, Kendall, Latham, of Washington, Lee, May, McArthur, McRae, Moore, of Hertford, Patton, Reinhardt, Richardson, Russ, Smith, of Guilford, Stone, Sudderth, Umsted, Walker, Wilson, of Perquimans, Williams, of Harnett, and Womble—33.


For Mr. PARROTT: Messrs. Ashworth, Beasley, Blair, Chadwick, Clark, Everett, Freeman, Galloway, Guess, Harper, Horton of Wilkes, Houston, Kelsey, Lyon, Morton, Murrill, Perry of Wake, Rogers, Rosebro, Hornitree, Scott, Smith of Duplin, Smith of Guilford, Stevenson, Vestal, Williams of Pitt and York—27.


For Mr. Martin: Messrs. Allen, Baker, Bradsher, Clark, Clement, Cowan, Gambril, Granberry, Harding, Jones, Judkins, Lutterloh, McKay, McNair, Morrissett, Neal, Perry, of Carteret, Simpson, Stevenson, Sunderth, Walker, Wilson, of Perquimans, Williams, of Harnett, and Williams, of Pitt—24.

For Dr. E. Grissom: Messrs. Ashworth, Beasley, Blair, Blythe, Bright, Carson, Freeman, Galloway, Garrett, Godwin, Hinnant, Horton, of Wilkes, Jenkins, of Granville, Jones, Lyon, Murrill, Rogers, Rountree, Scott, Umsted, Vestal, Williams, of Yancey, and York—23.

For Mr. T. R. Caldwell: Messrs. Ashworth, Autry, Barden, Beasley, Black, Blair, Blythe, Freeman, Garrett, Godwin, Hinnant, Houston, Jenkins of Gaston, Jordan, Kelsey, Lyon, Moore, of Chatham, Morrissett, Scoggin, Teague, Wilson, of Forsyth, and Williams, of Yancey—22.

For Mr. McDowell: Messrs. Allen, Autry, Barden, Black, Brown, Davidson, Henderson, Hutchison, Kenan, Kendall, May, McClammy, McGougan, McRae, Moore, of Chatham, Moore, of Hertford, Morehead, Richardson, Smith, of Duplin, Trull, Whitfield, and Whitley.—22.

For Mr. Dickson: Messrs. Allen, Autry, Barden, Black, Boyd, Bryson, Daniel, Davis, Davidson, Durham, Everett, Foard, Kelsey, McRae, Moore, of Chatham, Patton, Reinhardt, Richardson, Stone, Whitfield, Williams, of Martin and Williams, of Yancey.—21.

For Mr. Philips: Messrs. Black, Bradsher, Bright, Freeman, Gambril, Guess, Houston, Latham, of Washington, Lyon, Moore, of Chatham, Morton, Murrill, Neal, Rosebro. Rountree, Scott, Shelton, Stevenson, Umsted and Westmoreland.—20.

For Mr. Jesse Yeates: Messrs. Autry, Beasley, Black, Farrow, Horton, of Watauga, Jones, Lee, Lowe, McKay, McNair, Moore, of Chatham, Moore, of Hertford, Richardson,

For Mr. Shepherd: Messrs. Bowe, Bradsher, Clark, Daniel. Kendall, Lutterloh, May, McArthur, McKay, McNair, McRae, Moore, of Hertford, Richardson, Simpson, Walker, Westmoreland, and Williams, of Harnett—17.


For Mr. Shoiber: Messrs. Speaker, Chadwick, Crawford, of Rowan, Foard, Henderson, Holderby, Lowe, Patton, Rosebro, Shelton, Trull and Wilson, of Perquimans.—12.

For Mr. Leake: Messrs. Bryson, Dargan, Durham, Horton, of Wilkes, Judkins, Kendall, May, Morton, Richardson, Trull, and Williams, of Martin.—11.


For Mr. R. P. Dick: Messrs. Ashworth, Beasley, Blair, Garrett, Jenkins, of Gaston, Jordan, Lyon, Scoggin, Teague, Vestal and Wilson, of Forsyth.—11.

For Mr. W. J. Yates: Messrs. Ashworth, Barden, Blair, Brown, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Trull, Waugh and Whitley.—10.

For Mr. Hoke: Messrs. Autry, Barden, Black, Brown, Durham, Moore, of Chatham, Morton, Reinhardt and Trull—9.

For Mr. Barringer: Messrs. Baker, Bowe, Galloway, Hutchison, Perry, of Wake, Reinhardt, Rogers and Stone—8.

For Mr. Hood: Messrs. Crawford, of Macon, Galloway, Godwin, Hinnant, Perry, of Wake, Rogers and York—7.


For Mr. Thompson: Messrs. Jenkins, of Gaston, Jordan, Morrissett, Scoggin, Teague, Vestal, and Wilson, of Forsyth—7.

For Mr. Russell: Messrs. Speaker, Davidson, Harding, Horton, of Watauga, Murrill, Rountree and Scott—7.
For Mr. Logan: Messrs. Blythe, Godwin, Jordan, Teague, and Wilson, of Forsyth—5.
For Mr. Williams: Messrs. Bright, Garrett, Vestal and Waugh—4.
For Mr. Peebles: Messrs. Morrissett, Simpson and Suddarderh.
For Mr. Leach: Messrs. Jordan, Teague and Wilson, of Forsyth.
For Mr. J. J. Davis: Messrs. Crawford, of Macon, Perry of Wake, and York.
For Mr. Stone: Messrs. Brown and Perry, of Carteret.
For Mr. W. F. Green: Mr. Davis.
For Mr. Lamb: Messrs. Whitfield and Williams, of Martin.
For Mr. Eldridge: Messrs. Blythe and Godwin.
For Mr. J. D. Williams: Messrs. Bradsher and Lutterloh.
For Mr. Settle: Messrs. Garrett and Scoggin.
For Mr. Thos. Ruffin, Jr.: Mr. Boyd.
For Mr. Henly: Mr. Garrett.
For Mr. R. Don Wilson: Mr. Williams, of Yancey.
For Mr. Dockery: Mr. Jordan.
For Mr. Carter: Mr. Scoggin.
On motion of Mr. Perry, of Carteret, the House then adjourned.

THURSDAY, DECEMBER 6TH, 1866.

Prayer by the Rev. Mr. Hudson, of the Methodist Church.
Leave of absence until Monday next was granted to Messrs. Foard and Wilson, of Forsyth, and until Tuesday next to Mr. Latham, of Craven.

The Speaker announced Messrs. Horton, of Watauga, Walker, Turnbull, May and Guess as the Special Committee
on so much of the Governor's Message as refers to Weights and Measures.

Mr. Long presented a Memorial from citizens of Stanly and Union counties, praying for relief. Referred to the Committee on Propositions and Grievances.

Mr. Russ presented a Memorial from the Colored Deacons of the Baptist Church, in Raleigh, praying the use of part of one of the public lots to erect a Church on. Referred to the Committee on Public Buildings and Grounds.

Mr. Waugh, from the Committee on Propositions and Grievances, to whom was referred a Memorial from the Mayor and Commissioners of the city of Raleigh, reported the same back and asked its reference to the Committee on Internal Improvements; which was ordered accordingly.

Mr. Waugh, from the same Committee, reported favorably on Bill (H. P. No. 13,) in favor of A. J. Adkins and others.

Mr. McKay, from the Committee on the Judiciary, reported unfavorably on

Bill (H. No. 22,) to provide a Freehold Homestead;
Bill (H. No. 8,) to provide a Homestead;
Bill (H. No. 43,) to change the rule of evidence concerning mortgage deeds and for other purposes;
Bill (H. No. 21,) to prevent the sacrifice of Real Estate in certain cases;
Bill (H. No. 87,) to protect Honest Debtors;
Bill (H. No. 40,) to prevent Fraud; and
Bill (H. No. 102,) to abolish Jury Trials in the County Courts of Macon.

Favorably on the following:
Bill (H. No. 101,) to amend section 12, chapter 52, Revised Code;
Bill (H. No. 39,) to amend section 12, chapter 118, Revised Code, entitled "Widows."
And favorably, with amendment of title, on
Bill (H. No. 97,) to give to married women one-third interest in the real estate of their husbands; and
Bill (H. No. 52,) to provide for including the value of stamps in the taxation of costs.
Mr. Garris, from the Committee appointed on yesterday to superintend the election of six Councillors of State, reported that the House vote was 108 and the Senate vote 46.—total 154 and necessary to a choice 78; that Mr. Eaton had received 99, Mr. Joyner 74, Mr. Jones 73, Mr. Mebane 45, Mr. Simonton 39, Mr. Parrott 33, Mr. Shepherd 33, Messrs. Rankin, Phillips and Yeates 32 each, Mr. Root 31, Mr. Martin 30 Messrs. Poindexter and Foard 29 each, Messrs. McDowell Grissom and Caldwell 26 each, Mr. Shober 23, Mr. Dickson 21, Messrs. Vance and Thos. Rufin, Sr., 20 each, Mr. Leak 19, Mr. Winston 14, Messrs. W. J. Yates and Wadsworth 13 each, Mr. Dick 11, Mr. Hoke 9, Mr. Barringer 8, Messrs. Hood, Thompson, Russell, Logan an. N. S. Williams 7 each, Messrs. Bridgers and Peebles 5 each, Messrs. J. T. Leach and Davis 3 each, Messrs. Stowe, Lamb, Eldridge, J. D. Williams, Settle, J. M. Leach, Arendell, W. D. Jones, Cowles and Thos. Wilson 2 each, and Messrs. W. F. Green, T. Rufin, Jr., R. M. Henry, R. Don. Wilson, Dockery, Carter, Burgin and Bagley 1 each; and that William Eaton, Jr. alone, having received a majority, was duly elected. Which report was concurred in and sent to the Senate.

On motion of Mr. Waugh, the Revenue Bill, accompanying the Public Treasurer's Report, was referred to the Committee on Finance.

The following Resolutions were introduced and disposed of as stated, viz:

By Mr. Davis: Resolution (H. P. R. No. 14,) "In favor of A. S. Merrimon." Claims.

By Mr. Latham, of Craven: Instructing the Military Committee to enquire into the practicability of collecting the remains of North Carolina soldiers, of the late civil war, who died in captivity, and into the expediency of re-interring them in some suitable place or places and marking the spots by appropriate memorials. Adopted.

The following Bills, &c., were introduced, read, referred, or otherwise disposed of, as stated, viz:

From the Senate: Resolution (H. R. No. 111) "Authorizing the Governor to accept the aid proffered by the United States Government." Passed and ordered to be enrolled.
By Mr. Latham, of Washington: Bill (H. No. 112) "To amend section 1, chapter 29, Acts of 1865-'6, relative to Roads, Ferries and Bridges." Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Bright: Bill (H. No. 113) "To allow persons convicted of crimes and misdemeanors, who are unable to pay the costs, to work them out on the public roads." Judiciary.

By Mr. Durham: Bill (H. No. 114) "To amend section 1, chapter 7, Revised Code." Judiciary.

By Mr. Allen: Bill (H. No. 115) "To incorporate Black Rock Lodge, No. 135, in the county of Brunswick." Corporations.

By Mr. Davis: Bill (H. No. 116) "To amend an Act, entitled 'An Act to prevent wilful trespass on lands and stealing any kind of property therefrom.'" Judiciary.

By Mr. Guess: Bill (H. No. 117) "To extend the jurisdiction of Justices of the Peace, and for other purposes." Special Committee on Relief.

By Mr. Black: Bill (H. No. 118) "To prevent litigation and the ruinous sacrifice of the property of honest debtors." Filed and ordered to be printed.

By Mr. Everett: Bill (H. No. 119) "Concerning Dormant Judgments." Judiciary.

By Mr. Baker: Bill (H. No. 120) "To make valid the sale of the old jail lot by the County Court of Edgecombe, and to secure the title to the purchaser, and to sell and purchase other lands for certain purposes." Propositions and Grievances.

By Mr. Hutchison: Bill (H. No. 121) "To empower the County Court of Mecklenburg to hold extra terms." Filed.

On motion of Mr. Lowe, a message was sent to the Senate, proposing to go forthwith into the election of Comptroller. Mr. Dargan withdrew the name of Joseph Holderby and nominated Winslow Burgin, of Buncombe. Mr. Morehead nominated William Cowles, of Yadkin. Mr. Whitfield withdrew the name of J. R. Love and Mr. Hutchison that of Pulaski Cowper. The Senate concurring, the House voted as follows, under
the superintendence of Messrs. Lowe and Crawford, of Macon:


For Mr. Brogden: Messrs. Ashworth, Autry, Barden, Beasley, Black, Blair, Blythe, Bright, Brown, Caron, Everett, Farrow, Galloway, Garris, Godwin, Hinnant, Jenkins, of Gaston, Jenkins, of Granville, Jordan, Kendall, Long, Lowe, Lyon, McArthur, McGougan, McNair, Moore, of Chatham, Morton, Murrill, Perry, of Wake, Rogers, Rosebro, Rountree, Scoggin, Scott, Shelton, Smith, of Duplin, Teague, Trull, Vesta, Westmoreland, Wilson, of Forsyth, Wilson, of Perquimans, Williams, of Martin, Williams, of Yancey, Womble-and York—47.

For Mr. Cowles: Messrs. Chadwick, Gambril, Horton, of Watauga, Horton, of Wilkes, Lutterloh, Moore, of Hertford, Smith, of Guilford, and Waugh—8.

Mr. Lowe, from the Committee to superintend the foregoing election, reported that the House vote was 110 and Senate vote 48,—total 158, and 80 necessary to a choice; that Mr. Burgin had received 62, Mr. Brogden 60, and Mr. Cowles 36; and that there was no election. Which report was concurred in and sent to the Senate.

The Calendar of Bills on their second reading was then taken up:

Bill (H. No. 8,) providing a Homestead. Rejected.

Bill (H. No. 14) for the relief of the People. On motion of Mr. Latham, of Washington, laid on the table.

Bill (H. No. 15,) concerning working of public roads:

Mr. Durham moved to amend, by adding a section, to the
effect that the provisions of the Bill should only apply to the County of Caswell; which prevailed.

The Bill failed to pass its second reading.

On motion of Mr. Latham, of Craven, a message was sent to the Senate, proposing to vote again for Comptroller.

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


For Mr. Brogden: Messrs. Ashworth, Autry, Barden, Beasley, Black, Blair, Blythe, Brown, Carson, Everett, Farrow, Galloway, Garris, Godwin, Hinnant, Jenkins, of Gaston, Jenkins, of Granville, Jordan, Kendall, Long, Lowe, Lyon, McArthur, McGougan, McNair, Moore, of Chatham, Morton, Murrill, Perry, of Wake, Rogers, Rosebro, Rountree, Scogggin, Scott, Shelton, Teague, Trull, Wilson, of Forsyth, Wilson, of Perquimans, Williams, of Yancey and Womble—41.

For Mr. Cowles: Messrs. Bright, Chadwick, Horton, of Watauga, Horton, of Wilkes, Houston, Lutterloh, Moore, of Hertford, Morehead, Russ, Smith of Duplin, Smith, of Guilford, Stevenson, Stone, Waugh, Westmoreland and York—16.

Mr. Dargan, from the Committee appointed to superintend the foregoing election, reported that the House vote was 109 and the Senate vote 46.—total 155, and necessary to choice 78; that Mr. Burgin had received 62, Mr. Brogden 53 and Mr. Cowles 40; and that there was no election. Which report was concurred in and sent to the Senate.

On motion of Mr. Jenkins, of Gaston, a message was sent to the Senate, proposing to vote again for Comptroller; and,
the Senate concurring, the House voted as follows, under the superintendence of Messrs. Kenan and Lutterloh:


For Mr. BROGDEN: Messrs. Ashworth, Autry, Barden, Beasley, Black, Blair, Blythe. Everett, Farrow, Galloway Garris, Godwin, Hinnant, Jenkins, of Gaston, Jenkins, of Granville, Jordan, Kendall, Long, Lowe. Lyon, McArthur, McKay, McNair, Moore, of Chatham, Morton, Murril, Perry, of Wake, Rogers, Rountree, Scoggin, Scott, Shelton, Teague, Trull, Vestal, Westmoreland, Wilson, of Forsyth, Wilson, of Perquingham, Williams, of Martin, Williams, of Yancey, and Womble—41.

For Mr. COWLES: Messrs. Bright, Carson, Chadwick, Gambril, Horton, of Watauga, Horton. of Wilkes, Moore, of Hertford, Rosebro, Smith, of Duplin, Smith, of Guilford, Stevenson, Waugh, and York—13.

Mr. Houston voted for Mr. Collins.

Mr. Kenan, from the Committee appointed to superintend the foregoing election, reported that the House vote was 111 and the Senate vote 48,—total 159 and necessary to a choice 80; that Mr. Burgin had received 70, Mr. Brogdan 57, Mr. Cowles 31 and Mr. Collins 1; and that there was no election. Which report was concurred in and sent to the Senate.

Bill (H. No. 2) to enable the North Carolina Rail Road Company to complete its road, from the Coalfields in Chatham to some point on the North Carolina Rail Road, was taken up.

And the question being “Shall the Bill pass its third reading?” it was decided in the negative,—Yea 45, Nays 58.
Mr. Lowe demanded the Yeas and Nays.
Those who voted in the affirmative were:

Those who voted in the negative were:

On motion of Mr. Dargan, a message was sent to the Senate, proposing to vote again for Comptroller.
Mr. Morehead withdrew the name of Mr. Cowles.

The Senate concurring, the House voted as follows, under the superintendence of Messrs. Williams, of Pitt, and Reinhardt:

Whitfield, Whitley, Williams, of Harnett, Williams, of Martin, and Williams, of Pitt—61.

For Mr. Brogden: Messrs. Ashworth, Autry, Barden, Beasley, Black, Blair, Blythe, Bright, Carson, Everett, Farrrow, Galloway, Garris, Godwin, Himant, Horton, of Watauga, Horton, of Wilkes, Houston, Jenkins, of Gaston, Jenkins of Granville, Jordan, Kendall, Lowe, Lyon, McArthur, McGougan, McNair, Moore, of Chatham, Morton, Murrill, Perry, of Wake, Rogers, Rosebro, Rountree, Scoggin, Scott, Shelton, Smith, of Duplin, Smith, of Guilford, Teague, Trull, Vestal, Wilson, of Forsyth, Wilson, of Perquimans, Williams, of Yancey, Womble and York.

Mr. Lutterloh voted for Mr. Colins.

Mr. Williams, from the Committee appointed to superintend the foregoing election, reported that the House vote was 109 and Senate vote 48,—total 157 and necessary to a choice 79; that Mr. Burgin had received 89, Mr. Brogden 67 and Mr. Collins 1; and that Mr. Burgin, having received a majority, was duly elected. Which was concurred in and transmitted to the Senate.

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

FRIDAY, DECEMBER 7, 1866.

Prayer by Rev. Dr. Smedes, of the Episcopal Church.

On motion of Mr. Kenan, the use of the Hall, for to-morrow evening, was granted to the Young Men's Christian Association, for the delivery of a Lecture by the Hon. Z. B. Vance.

Mr. Moore, of Hertford, presented the Memorial of John H. Wheeler, of Washington, D. C., asking compensation for services rendered in obtaining the land scrip for North Carolina, donated by the Congress of the United States. Referred to the Committee on Claims.

Mr. McKay, from the Committee on the Judiciary, reported favorably on
Bill (H. No. 6,) to empower the County Courts to levy a tax for repairing roads; and

Bill (H. No. 83.) to amend the charter of the Washington Toll Bridge.

On motion of Mr. McKay, the rules were suspended, and this latter Bill taken up; when

Mr. Williams, of Pitt, moved an amendment; which, being adopted, the Bill passed its several readings and was ordered to be engrossed.

The following Resolutions were offered and disposed of, severally, as stated, viz:

By Mr. Holderby: Proposing to the Senate, by message, to raise a Joint Select Committee, to take into consideration so much of the Governor's message as relates to the office of Comptroller. Adopted.

By Mr. Davis: Instructing the Committee on Agriculture to enquire whether any changes in the laws of North Carolina are necessary to insure a better system of labor, and whether any additional legislation is necessary to perfect the laws against Vagrancy; and that they report by bill or otherwise. Adopted.

By Mr. York: Proposing to the Senate, by message, that on and after Monday next, the two Houses shall hold two sessions daily,—the morning session commencing at 10 o'clock, A. M., and adjourning at 2 o'clock, P. M.; the evening session commencing at 7 o'clock, P. M., and adjourning at 9 o'clock, P. M. Not carried.

The following Bills were introduced and severally referred, as stated:

By Mr. Jenkins, of Granville: Bill (H. No. 122) "To incorporate the Henderson and Western Rail Road Company." Internal Improvements.

By Mr. Rountree: Bill (H. No. 123,) "To place Physicians' services and accounts on an equal dignity with Bonds." Judiciary.

By Mr. Everett: Bill (H. No. 124,) "To regulate and change the fees of County Court Solicitors." Judiciary.

By Mr. Moore, of Hertford: Bill (H. No. 125,) "In aid of the Literary Fund." Special Committee on Relief.
By Mr. Baker: Bill (H. P. No. 15,) "For the relief of Henry Williams." Propositions and Grievances.

By Mr. Jordan: Bill (H. No. 126,) "Concerning Surveyors." Judiciary.

Received a message from the Senate, refusing to concur in the proposition to refer so much of the Governor's Message, as relates to the Comptroller, to a Joint Select Committee.

Also, announcing Messrs. Avery, McLean and Edwards as the additional members of the Senate branch of the Committee on the Agricultural College.

Also, transmitting the Report of the Joint Committee appointed to wait on his Excellency, the Governor, announcing that he had designated Saturday, the fifteenth day of December, as the time for his inauguration.

Also, proposing to refer so much of the Governor's Message, as relates to the Comptroller, to the Committee on Finance. Concurred in.

Also, proposing to alter the 12th Joint Rule of the House as to place four members of each House on the Committee on Public Buildings and Grounds; which was concurred in, and Mr. Murrill designated as the additional member on the part of the House.

On motion of Mr. Jenkins, of Gaston, a message was sent to the Senate, proposing to go forthwith into the election of five Councillors of State.


Mr. Moore, of Chatham, nominated the Hon. Abraham Rencher.

Mr. Reinhardt nominated A. Costner, Esq., of Lincoln.

Mr. Allen withdrew the name of Mr. Russell; Mr. Perry, of Carteret, that of Mr. Stowe; Mr. Brown that of Mr. Hoke; Mr. Morehead that of Mr. Rankin: and Mr. Crawford, of Rowan, that of Mr. Foard.

The Senate concurring, the House at once proceeded to vote, under the superintendence of Messrs. Rogers and Jenkins, of Gaston.
Mr. Moore, of Hertford, moved to reconsider the vote by which, on yesterday, Bill (H. No. 2,) to enable the Western N. C. R. R. Co. to complete its road from the Coalfields in Chatham to some point on the N. C. R. R., was lost on its third reading.

The motion prevailed; and the question being "Shall this Bill pass its third reading?" it was decided in the affirmative, and the Bill ordered to be engrossed,—Yea 64, Nays 40.

Mr. Lyon demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


The Calender of Bills on their third reading was taken up:

Bill (H. No. 4,) to amend Section 6, Chapter 48, Revised Code. Passed and ordered to be engrossed.

Bill (H. No. 81,) to repeal an Act, entitled "An Act to provide hands to work on the public roads." Passed and ordered to be engrossed.

Mr. Russ offered the following Resolutions:
Whereas this General Assembly has unmistakable evidence that there are persons in the State, who consider themselves interested in misrepresenting the condition of things, and the state of public sentiment here, with reference to the Federal Government; and whereas, it is understood that these misrepresentations are used in Washington city, where the voice of the people of North Carolina cannot be heard; and whereas, the silence of this Assembly, representing the whole people of the State, and familiar with their views, may be used to the disparagement of the community: therefore,

Befit Resolved. That the charges of disloyalty, of persecution towards those styling themselves the original Union men, and of the partial administration of justice, are false, and known by those in our midst, who make them, to be without the shadow of foundation.

Resolved, That no better evidence of the law-abiding character of our people can be afforded, than their honorable forbearance towards native citizens, who utter publicly the grossest slanders on the land of their birth, and, for their own selfish ends, would invoke upon a people struggling with adversity, and assiduously devoting themselves to the arts of peace, the stringent measures justified only in cases of actual treason.

Resolved, That this Assembly deems it due to itself, and to the people whom it represents, to record, in this solemn form, its sense of the injustice attempted to be done, by unscrupulous partisans, to a community as devoted to peace and to the cause of law and order and to all their Constitutional obligations, State and Federal, as any in the United States.

Mr. Blair moved to lay the Resolutions on the table, which did not prevail,—Ycas 18, Nays 88.

Mr. Durham demanded the Yeas and Nays.

Those who voted in the affirmative, were:

Those who voted in the negative were:


Mr. Blair moved the following, as an additional Resolution, viz:

"Resolved, further, That it is the opinion of this General Assembly, that the persons who instigated the late war,—the men who fired the Southern mind and inflamed the Southern heart,—are unworthy of the confidence of the people of North Carolina, and should never be allowed to vote or hold office."

Mr. Lyon moved the indefinite postponement of the whole subject; which did not prevail.

Mr. Blair's amendment was then rejected.

Mr. Lyon moved to amend, by adding the words "and Union" after the words "law and order" in the last Resolution; which was carried.

The Resolutions were then adopted and ordered to be transmitted to the Senate,—Yeas 86, Nays 14.

Mr. Davis demanded the Yeas and Nays.

Those who voted in the affirmative were:

Messrs. Allen, Autry, Baker, Barden, Boyd, Bowe, Bradsher, Bright, Brown, Bryson, Carson, Chadwick, Clark, Clement, Cowan, Crawford, of Macon, Crawford, of Rowan, Dargan, Davis, Davidson, Durham, Everett, Freeman, Galloway, Gambril, Garris, Gorham, Granbery, Guess, Harding,
Prayer by the Rev. Dr. Smedes, of the Episcopal Church.

Leave of absence until Tuesday next was granted to Mr. Womble, and until Wednesday next to Mr. Davis.

Mr. Whitfield obtained leave to record his vote in the affirmative upon the Resolutions declaratory of the loyalty of North Carolina, adopted on yesterday.

Mr. Holderby moved that a message be sent to the Senate, proposing to go forthwith into the appointment of magistrates for the various counties of the State; which motion prevailed.

Mr. Waugh, from the Committee on Propositions and Grievances, to whom was referred Resolution (H. No. 70,) in favor of certain maimed soldiers, reported back a substitute for the same, viz:

Bill (H. No. 127,) "To supply artificial arms to disabled soldiers, and for other purposes."
Mr. Waugh, from the same Committee, reported unfavorably on
Bill (H. No. 56,) for the relief of wounded and disabled soldiers.

And favorably on
Bill (H. No. 120,) to make valid the sale of the old jail lot
by the County Court of Edgecombe, and to secure title to
the purchaser, and to sell and purchase other lands for cer-
tain purposes. Under a suspension of the rules, passed its
several readings and ordered to be engrossed.

Mr. Rosebro, from the same Committee, to whom was re-
ferred so much of the Governor's Message, as relates to arti-
ficial limbs, together with the report of the Superintendent
of the Artificial Limb Department, reported back, recom-
mending its passage:

Bill (H. No. 128,) "For the relief of disabled Soldiers;"
which was placed on file.

Mr. McNair, from the Committee on Corporations, reported
favorably on
Bill (H. No. 64,) to incorporate Albemarle Swamp Land
Company;
Bill (H. No. 109,) to incorporate Pythagoras Lodge, No.
249, in the town of Smithville;
Bill (H. No. 110,) to incorporate Franklin Lodge, No. 109,
Free and Accepted Masons, in Beaufort; and
Bill (H. No. 115,) to incorporate Black Rock Lodge, No.
135, in Brunswick.

Mr. Harper, from the Committee on Finance, reported un-
favorably on
Bill (H. No. 44,) to authorize Sheriffs and Tax Collectors
to grant license to Auctioneers in incorporated towns and
cities.

Mr. Perry, of Carteret, from the Committee on Claims, re-
ported unfavorably on
Bill (H. P. No. 11,) in favor of R. F. Armfield.

And favorably on
Resolution (H. P., No. 14,) in favor of A. S. Merrimon.
Under a suspension of the rules, passed its several readings
and ordered to be engrossed.
Mr. McClammy, from the Special Committee on the subject of Adjournment, reported a Resolution to the effect that the two Houses should adjourn at 6 o'clock, A. M., on the 24th inst., to meet again on the 8th day of January, at 12 o'clock, M.

Mr. Patton moved to amend by striking out "8th of January" and inserting "28th of December," in lieu thereof.

Mr. McKay moved to amend the amendment by inserting "Wednesday, 19th" in lieu of "24th inst," and "Tuesday after the 3rd Monday in January" in lieu of "January 8th;" which prevailed.

Mr. Blythe moved to amend the amended Resolution by striking out "Tuesday after the 3d Monday in January" and inserting "1st Tuesday in January."

Mr. Patton moved to lay the whole subject on the table; which did not prevail.

The amendment of Mr. Blythe was lost.

Mr. Morehead moved to amend by striking out all after "Wednesday 19th," and inserting "sine die;" which did not prevail.

Mr. Crawford, of Macon, moved to amend by inserting in lieu of "Tuesday after 3rd Monday," &c., "1st Tuesday in May;" which did not prevail.

Mr. Cowan moved, as a substitute, that the adjournment shall take place on the 31st inst., and be sine die; which did not prevail.

Mr. Horton, of Watauga, moved to strike out "Tuesday after the 3rd Monday," &c., and insert "1st Tuesday in February;" which did not prevail.

Finally, on motion of Mr. Bryson, the matter was re-committed.

Tho Committee, appointed on yesterday to superintend the election of five Councillors of State, reported that the House vote was 105 and the Senate vote 47,—total 152, and necessary to a choice 77; that Mr. Jones had received 77, Mr. Joyner 76, Mr. Mebane 71, Mr. Ashe 69, Mr. Shepherd 65, Mr. Simonton, 37, Mr. Ruffin 35, Mr. Martin 33, Mr. Parott 29, Mr. Poindexter 24, Mr. Puryear, 23, Mr. Phillips 20, Mr. Caldwell 16, Mr. Grissom 15, Mr. Root and Mr. Dick 12 each,
Mr. McDowell and Mr. J. J. Yeates 10 each, Mr. Winston and Mr. Barringer 9 each, Mr. Vance 8, Messrs. Costner, Wadsworth and Dickson 6 each, Mr. J. D. Williams and Mr. Rencher 5 each, Messrs. Bridgers, W. N. H. Smith, Thomson and Carter 4 each, Messrs. Russell, W. J. Yates, Settle, Leach, Rankin, Winstead and Hood 3 each, Messrs. N. L. Williams, Bragg, Dockery, Dargan, Leak, Cowles, Arendell and Cannon 2 each, and Messrs. Foard, Gaither, Peebles, Venable, Bright, Murrill, Yellowley, A. M. Scales and Howard 1 each, and that Mr. E. W. Jones, of Caldwell, having alone received a majority of the whole number, was duly elected.—Which report was concurred in and transmitted to the Senate.

Received a message from the Senate, concurring in the proposition to go forthwith into the appointment of Justices of the Peace.

Whereupon the list of Counties was called, and the various recommendations submitted, approved and ordered to be sent to the Senate for concurrence.

When the roll of Counties was completed, Mr. Waugh moved to re-consider the action of the House, whereby the recommendations for the county of Randolph had been approved; which was agreed to.

Mr. Waugh moved to strike from the list the name of J. C. Hill.

Mr. Blair demanded the Yeas and Nays thereon, but the demand was not sustained.

The motion to strike out prevailed; and the other recommendations were then approved.

The following resolutions were offered and disposed of as stated, viz:

By Mr. Clark: Instructing the Committee on the subject of Adjournment, to report on Monday next. Adopted.

By Mr. Russ: Resolution, amendatory of the “Resolution in regard to the message of the Governor, and the report of the Public Treasurer,” ratified November 24, 1866, including the report of the Comptroller and other reports which can be
printed prior to the meeting of the General Assembly. Passed and ordered to be engrossed.

Received a message from his Excellency the Governor, covering the report of the Board of Internal Improvement; which was ordered to be sent to the Senate, with a proposition to print.

Mr. Bryson moved to take from the Calendar, and consider, Bill, (H. No. 49,) providing for the construction of a bridge across Notla River, in Cherokee County; which did not prevail.

Mr. McRae made a similar motion with reference to Bill (H. No. 21) to charter the South Union Manufacturing Company, of Richmond county; which did not prevail.

On motion of Mr. Bryson, Bill (H. 41,) to amend the charter of the Western North Carolina Rail Road Company, passed in 1854-5, and amended 1858-9 and 1860-1, was made the Special Order for Monday next, at 12 o'clock, M.

On motion of Mr. Durham, Bill (H. 74,) to enable the Wilmington, Charlotte and Rutherford R. R Co., to complete its road, &c., was made the Special Order for Tuesday next, 11 o'clock.

The following Bills were introduced, referred, or otherwise disposed of, as stated, viz:

By Mr. Latham, of Washington: Bill (H. No. 129,) "To amend section 7, chapter 62, Revised Code, entitled 'Justices of the Peace.'" Judiciary.

By Mr. Harper: Bill (H. No. 130,) "Authorizing the Public Treasurer to employ Counsel in certain cases." Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Cowan: Bill (H. No. 131,) "To amend the 3rd section, 97th chapter, Revised Code, entitled 'Religious Societies.'" Judiciary.

From the Senate: Bill (S. 21—H. 132,) "To amend an Act for the relief of such persons as may suffer from the destruction of the public records, &c." Filed.

From the Senate: Bill (S. 23—H. 133,) "Authorizing a majority of the Justices of the several counties to fix the
rates of Jailor's fees." On motion of Mr. Latham, of Washington, laid on the table.

From the Senate: Bill (S. 48—H. 134,) "To authorize the Dismal Swamp Land Company to issue eight per cent. Coupon Bonds." Under a suspension of the rules, passed its several readings and ordered to be enrolled.

From the Senate: Bill (S. 18—H. 135,) "To authorize certain counties to subscribe to the Capital Stock of the Cheraw and Coal Fields Rail Road Company." Referred to the Committee on Internal Improvements.

Received a message from the Senate, transmitting recommendation of Justices of the Peace for the county of Henderson; which was concurred in and the Senate informed thereof.

Also, a message announcing that they had passed Bill (H. No. 33,) to extend the time for the collection and return of taxes in certain counties, with the following amendment: After the word "Wilkes" insert "and Beaufort;" which was concurred in and the Senate informed thereof.

Received a message from the Senate, announcing that that body had amended the House recommendation of magistrates from Randolph county, by striking out all the names therein, except R. E. Blair, and inserting: A. S. Horney, Micajah Cox, J. M. Odell, William Burney, Richard McKoy, Henry A. Steed, Geo. W. Dorsett.

Mr. Blair moved that the message be laid on the table; which motion did not prevail.

The amended list of the Senate was then concurred in and it informed thereof by message.

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

MONDAY, December 10, 1866.

The House was called to order at 10 1/2 o'clock, A. M.,—Mr. Kenan in the Chair.

The Speaker announced Messrs. Bryson, Bowe, Bradsher, Bright and Brown as the Committee on Enrolled Bills for the week.
Recommendations of Magistrates for the counties of Wayne, Rowan, Montgomery, Madison, Martin and Onslow were submitted, approved and sent to the Senate for concurrence.

Mr. Granbery presented a Memorial from citizens of Currituck county, praying that Commissioners of Wrecks may be elected by the people; which was referred to the Committee on Private Bills.

Mr. McKay, from the Committee on the Judiciary, to whom was referred a Resolution instructing them to report a Bill to secure landlords their rents, asked to be discharged from the further consideration of the subject; which was so ordered.

Mr. McKay, from the same Committee, reported favorably on

Bill (H. No. 47) concerning the County site of Clay County.

Mr. Cowan, from the Committee on Internal Improvements, to whom was referred a Memorial of the Mayor and Commissioners of the City of Raleigh, reported back a Resolution embodying the prayer of the petitioners, viz:

Resolution (H R. No. 140) "In favor of the City of Raleigh;" which, under a suspension of the rules, passed its several readings and was ordered to be engrossed.

Mr. Cowan, from the same Committee, to whom was referred resolution (H. No. 57) to consider the Act of 1860, to incorporate the Williamston and Tarboro Rail Road, to be now, and to have been since its passage, in full force and effect, reported back a substitute for the same, viz:

Bill (H. No. 141) "To re-enact and confirm the Charter of the Williamston and Tarboro Rail Road Company, and the amendment thereto." Placed on file.

Also, favorably on

Bill (H. 90) to revive and amend the Charter of the Shelby and Broad River Rail Road; and

Favorably, with amendments, on

Bill (H. No. 79) to incorporate the Yanceyville and Milton Rail Road Company.
Mr. McClammy, from the Select Committee on Adjournment, reported the following resolution to the House, recommending its passage, viz:

"Resolved, (The Senate concurring;) That this General Assembly do adjourn on Monday, December 24th, at 6 o'clock, A. M., to meet again at 12, M., Tuesday, January 22d, 1867."

Mr. Hutchison moved to amend by subststituting "December 17th" for "December 24th," and it was decided in the negative.

Mr. Patton moved to amend by inserting the words "January 1, 1867" in lieu of "Tuesday, January 22;" which did not prevail.

The Resolution, as reported by the Committee, was then adopted, and sent to the Senate for concurrence.

The following Resolutions were offered and disposed of, severally, as stated, viz:

By Mr. Waugh: Resolution instructing the Judiciary Committee to request the member from Henderson County to appear before them and furnish the facts on which he rested the allegation of the "persecution of Union men," made in the House a few days since; and that said Committee, in order that a full and fair investigation be made, have power to send for persons and papers; and that they report, at an early day, by bill or otherwise. Adopted.

By Mr. Whitfield: Resolution instructing the Judiciary Committee to enquire and report whether the General Assembly has the power to raise Revenue, by levying a tax upon travellers over the Rail Roads of the State. Adopted.

By Mr. Holderby: Instructing the Judiciary Committee to enquire into the expediency, propriety and constitutionality of enacting a law suspending the sale of property under execution or venditione exponas, for a limited time; and that they report by bill or otherwise. Adopted.

By Mr. Morehead: Instructing the Finance Committee to enquire into the expediency and practicability of issuing Treasury Notes, for the payment of the non-funded interest on the debt of the State, &c. Adopted.

The following Bills were introduced, referred and otherwise disposed of, as stated:
By Mr. Simpson: Bill (H. No. 136,) “To incorporate Centre Hill Lodge, 260, in the County of Chowan.” Corporations.

By Mr. Boyd: Bill (H. No. 137,) “To regulate assignments and protect creditors.” Referred to the Committee on Propositions and Grievances, and ordered to be printed.

By Mr. Trull: Bill (H. No. 138,) “To pay tales Jurors for their services in capital felonies.” Propositions and Grievances.

By Mr. Waugh: Bill (H. No. 139,) “To amend section 2, chapter 68, Revised Code.” Judiciary.

By Mr. Perry, of Wake: Bill (H. No. 142,) “For the relief of Wards.” Judiciary.

By Mr. Dargan: Bill (H. P. No. 16,) “For the relief of the estate of L. O’B. Branch, deceased.” Judiciary.

By Mr. Chadwick: Bill (H. No. 143,) “To convert the debt due the State from the Atlantic and North Carolina Rail Road Company into Capital Stock.” Internal Improvements.

From the Senate: Bill (S. P. 2,—H. 144,) “To incorporate Pasquotank Lodge, No. 103, F. and A. M., at Elizabeth City.” Filed.

From the Senate: Bill (S. P. 3—H. 145) “To incorporate the Hibernian Society of the City of Wilmington.” Filed.


From the Senate: Resolution (S. —,—H. P. 18) “In favor of W. S. Mason.” Filed.

On motion of Mr. Hutchison,

Bill (H. No. 121) to empower the County Courts of Mecklenburg to hold extra terms, was taken up. Passed its several readings, under a suspension of the rules, and ordered to be engrossed.

Mr. May moved to take up and consider Bill (H. No. 118) to prevent litigation and the ruinous sacrifice of the property of honest debtors; which did not prevail.
Mr. Williams, of Martin, moved to take up and consider Bill (H. No. 57) concerning the Williamston and Tarboro' Rail Road; which did not prevail.

The hour having arrived for the consideration of the special order, viz: Bill (H. No. 68) to enhance the value of the bonds to be issued for the completion of the Western North Carolina Rail Road, and for other purposes,—being the substitute recommended by the Committee for Bill (H. No. 41) for the same object,—the same was taken up, considered and passed its second reading.

The Calendar was taken up, when

Bill (H. No. 6) to empower the County Courts to levy a tax for repairing roads was, on motion of Mr. Holderby, laid on the table.

Received a message from the Senate, announcing Messrs. Barnes, Willey and Wiggins as the Senate branch of the Committee on Enrolled Bills for the week.

Received a message from his Excellency, the Governor, covering the Report of the Literary Board, and the annual Reports of the North Carolina Rail Road Company, the Atlantic and North Carolina Rail Road Company, the Raleigh and Gaston Rail Road Company, and the Albemarle and Chesapeake Canal Company; which was sent to the Senate, with a proposition to print.

On motion of Mr. Richardson,

A message was sent to the Senate, proposing to vote at once for four Councillors of State, and announcing that Messrs. McDowell, Winston, Wadsworth, Phillips and Dickinson had been withdrawn from nomination.

The Senate concurring, the House voted as follows, under the superintendence of Messrs. Morehead and Williams, of Pitt:

For Mr. Joyner: Messrs. Allen, Autry, Baker, Barden, Boyd, Bowe, Bradsher, Brown, Bryson, Carson, Chadwick, Clark, Clement, Cowan, Crawford of Macon, Crawford of Rowan, Dargan, Davidson, Durham, Everett, Farrow, Freeman, Galloway, Gambril, Garris, Gorham, Guess, Harding, Harper, Henderson, Hodnett, Holderby, Horton of Watanga, Horton of Wilkes, Houston, Hutchison, Jenkins of Granville,


For Mr. Poin Dexter: Messrs. Black, Henderson, Shelton, Holderby, Stevenson, Teague, Vestal and Westmoreland—8.

For Mr. Grissom: Messrs. Beasley, Garrett, Jenkins, of Granville, Lyon, Rountree and Scott—6.

For Mr. Dick: Messrs. Black, Blair, Jordan, Teague and Vestal—5.

For Mr. Leach: Messrs. Black, Jordan, Teague and Vestal—4.

For Mr. Simonton: Messrs. Horton, of Wilkes, Rosebro, Shelton and Stevenson—4.

For Mr. Thompson: Messrs. Beasley, Blair, Garrett and Jordan—4.

For Mr. N. L. Williams: Messrs. Black, Teague and Vestal—3.

For Mr. Settle: Messrs. Beasley, Blair and Garrett—3.

For Mr. Parrott: Messrs. Rountree and Scott—2.

For Mr. Rankin: Messrs. Shelton and Stevenson—2.

For Mr. Dockery: Messrs. Blair and Jordan—2

For Mr. Martin: Messrs. Granbery and Scoggin—2.

For Mr. Caldwell: Messrs. Beasley and Garrett—2.

For Mr. Ruffin: Messrs. Holderby and Henderson—2.

For Mr. Root: Mr. Granbery.

For Mr. Lamb: Mr. Williams, of Martin.

For Mr. Dargan: Mr. Westmoreland.
For Mr. Dickson: Mr. Granbery.
For Mr. Puryear: Mr. Westmoreland.

Received a message from the Senate, announcing that they had passed the House Resolution concerning adjournment, with the following amendment:

Strike out all after the words "December 24th, 6 o'clock, A. M." and insert, in lieu of what follows, the words "sine die;"

In which they asked the concurrence of the House.

Mr. Black moved to lay the message on the table; which was decided in the negative.—Yeas 36, Nays 61.

Mr. Black demanded the Yeas and Nays.

Those who voted in the affirmative were:
Messrs. Allen, Autry, Barden, Black, Bryson, Chadwick, Cowan, Dargan, Durham, Everett, Galloway, Garris, Granbery, Harper, Horton, of Wilkes, Houston, Jordan, Kelsey, Lyon, Lutterloh, McKay, Neal, Peebles, Perry, of Carteret, Richardson, Rogers, Sudderth, Turnbull, Waugh, Westmoreland, Whitfield, Williams, of Harnett, Williams, of Martin, Williams, of Pitt, Williams, of Yancey and Woodard—36.

Those who voted in the negative were:

The question recurring on concurrence in the amendment of the Senate, it was not agreed to.

On motion of Mr. Moore, of Hertford, a message was sent to the Senate, proposing a Committee of Conference, to consist of two on the part of each House, to consider the disa-
greement between the two Houses upon the subject of adjournment.

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

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TUESDAY, DECEMBER 11th, 1866.

Prayer by the Rev. Mr. Hardie of the Presbyterian Church.

Mr. Waugh, from the Committee on Propositions and Grievances, reported favorably on

Bill (H. P. No. 15) in favor of Henry Williams.

Mr. McKay, from the Committee on the Judiciary, reported favorably on

Bill (H. No. 116) to amend an Act "to prevent wilful trespasses on lands and stealing any kind of property therefrom;"

Bill (H. No. 54) to amend an Act "to establish workhouses and houses of correction in the several Counties of the State;"

Bill (H. No. 72) in favor of Widows;

Bill (H. No. 104) to amend an Act "for the relief of Landlords," and an Act amendatory of the same; and

Bill (H. No. 131) to amend section 3, chapter 79, Revised Code, entitled "Religious Societies."

And adversely upon

Bill (H. No. 50) to revive the 9th, 10th and 11th sections of an Act "to change the jurisdiction of the Courts," &c., ratified September 11, 1861;

Bill (H. No. 29) to repeal section 2 of an Ordinance of the Convention, "to change jurisdiction of the Courts," &c;

Bill (H. No. 42) to enable Executors and Administrators to pay the debts of insolvent Testators and Intestates pro rata;

Bill (H. No. 98) to repeal section 2, chapter 34, Revised Code;

Bill (H. No. 36) to repeal an Ordinance of the Convention to "change the jurisdiction of the Courts and the rules of pleading therein;" and
Bill (H. No. 79) to facilitate the adjudication and settlement of disputed boundaries.

Mr. McKay, from the same Committee, to whom was referred a Resolution of enquiry upon the subject of the Bastardy laws, reported back, asking to be discharged from its further consideration; which was so ordered.

Mr. Horton, of Watauga, from the Select Committee, to whom was referred a Resolution of enquiry upon the subject of the Bastardy laws, reported back, asking to be discharged from its further consideration; which was so ordered.

Mr. Morehead, from the Committee appointed on yesterday to superintend the election of four Councillors of State, reported that the House vote was 99 and the Senate vote 38.—total 137 and necessary to a choice 69; that Mr. Joyner had received 125, Mr. Mebane 119, Mr. Ashe 118, Mr. Shepherd 115, Mr. Poindexter 8, Mr. Grissom 6, Mr. Dick 5, Messrs. Leach, Thompson and Simonton 4 each, Messrs. Settle, Williams, Ruffin and Phillips 3 each, Messrs. Caldwell, Martin, Dockery, Rankin and Parrott 2 each, and Messrs. Root, Dickson, Lamb, Dargan and Puryear 1 each; and that Hons. Thomas S. Ashe and Jesse G. Shepherd, and Messrs. Giles Mebane and Henry Joyner, having received a majority, were duly elected. Which report was concurred in and ordered to be transmitted to the Senate.

Recommendations of magistrates for the Counties of Perquimans and Forsyth were submitted, approved and sent to the Senate for concurrence.

Mr. Russ offered a Resolution (H. P. R. No. 19) "In favor of the Trustees of the Rex Hospital Fund." Referred to the Committee on Finance.

The following Bills were introduced, referred, or otherwise disposed of, as follows:

From the Judiciary Committee: Bill (H. No. 146) "To amend sec. 2, ch. 58, Rev. Code. Filed.

From the Finance Committee: Bill (H. No. 147) "To authorize the Comptroller to employ a Clerk. Filed.

By Mr. Lowe: Bill (H. No. 148) "For the relief of the people." Special Committee on Relief.
By Mr. McRae: Bill (H. No. 149) "To amend an Act, entitled 'An Act to extend the time for perfecting titles to lands,' ratified February 7, 1865." Judiciary.

By Mr. Patton: Bill (H. No. 150) "To change the time of meeting of the General Assembly." Judiciary.

By Mr. Kenan: Bill (H. No. 151) "To change the time of meeting of the General Assembly." Same reference.

Mr. Hutchison, from the majority of the Joint Select Committee, to whom was referred so much of the Governor's message as relates to a Penitentiary, submitted a report in favor thereof, accompanied by a Bill, viz:

Bill (H. No. 152) "To established a Penitentiary;
Which were ordered to be printed.

On motion of Mr. Bryson, Bill (H. No. 49,) providing for the construction of a bridge across Notla river in Cherokee county, and for other purposes, was taken up, and, under a suspension of the rules, passed its several readings and was ordered to be engrossed.

Mr. Crawford, of Macon, moved to reconsider the vote by which, on yesterday, Bill (H. No. 6,) to empower the County Courts to levy a tax for repairing roads, failed to pass its 2nd reading; which motion prevailed.

Mr. Holderby moved to amend the Bill by striking out "several counties of the State," and inserting "Counties of New Hanover, Brunswick and Bladen;" which did not prevail.

Mr. Hodnett moved to amend by adding, after "several counties of the State," the words "except Caswell, Rockingham, Hyde, Randolph, Stanly, Perquimans, Henderson and Transylvania."

Mr. Autry moved to lay the Bill on the table; which was decided in the affirmative—Yeas 60, Nays 44.

Mr. Autry demanded the Yeas and Nays.

Those who voted in the affirmative were: Messrs. Ashworth, Autry, Barden, Beasley, Black, Blair, Blythe, Boyd, Bowe, Bradsher, Bright, Brown, Carson, Clark, Clement, Crawford of Rowan, Farrow, Foard, Freeman, Galloway, Garrett, Garris, Godwin, Granbery, Guess, Harper, Henderson, Hinnant, Hodnett, Holderby, Horton of Watauga, Horton

Those who voted in the negative were:

Mr. May moved to take up and consider Bill (H. No. 118,) to prevent litigation and the ruinous sacrifice of the property of honest debtors; which did not prevail.

Mr. Black moved to make the same Bill the Special Order for 12 o'clock, to-morrow; which did not prevail.

Received a message from the Senate, concurring in the House proposition to raise a Joint Committee of Conference on the disagreement between the two Houses in the matter of Adjournment, and announcing Messrs. Covington and Leach as the Senate branch of the Committee.

Whereupon, the Speaker designated Messrs. Moore, of Hertford, and Patton, as the Committee on the part of the House.

The hour having arrived for the consideration of the Special Order, viz:

Bill (H. No. 74,) to enable the Wilmington, Charlotte and Rutherford Rail Road Company to complete its road, pay its debt to the State, and extend the road to the Tennessee line,

The same passed its 2nd reading.

On motion of Mr. Cowan, the rules were suspended and the Bill put upon its 3rd reading.

Mr. Cowan moved to fill the blank in the Bill with the figures "4,000,000;" which motion prevailed.
The Bill then passed its 3rd reading and was ordered to be engrossed,—Yeas 53, Nays 41.

Mr. Lowe demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


The Calendar of Bills on their third reading was then taken up:

Bill (H. P. No. 2) to incorporate the Newbern Steam Fire Engine Company, No. 1: Passed and ordered to be engrossed,—having been previously amended, on motion of Mr. Perry, of Carteret, by striking out, in section 3, the words "and from payment of poll taxes, whether to the State, County or City."

Bill (H. No. 68) to enhance the value of the bonds to be issued for the completion of the Western North Carolina Rail Road, and for other purposes: Mr. Farrow demanded the Yeas and Nays, but the call was not sustained, and the Bill passed and was ordered to be engrossed.
Mr. Cowan moved to re-consider the vote by which this Bill had just passed its final reading, and also moved to lay that motion on the table; which latter motion prevailed.

The Calendar of Bills on their second reading was then taken up and the following dispositions made, viz:

Bill (H. No. 16) for the relief of the people of Chatham: Laid on the table, on motion of Mr. Latham, of Washington.

Bill (H. 17) to amend an Act "To improve the law of evidence." The substitute reported by the Committee, viz: Bill (H. No. 80) to amend section 2, chapter 43, of an Act, ratified March 12, 1866, "To improve the law of evidence," was adopted and passed its second reading.

On motion of Mr. Latham, of Washington, the rules were suspended, and the Bill passed its third reading and was ordered to be engrossed.

Bill (H. 18) defining property in captured horses and mules: On motion of Mr. Kenan, laid on the table.

Bill (H. 20) to repeal an Act, ratified February 7th, 1866: Passed its second reading, and, on motion of Mr. Williams, of Harnett, the rules being suspended, passed its third reading, and ordered to be engrossed.

Bill (H. No. 21) to charter the South Union Manufacturing Company, of the County of Richmond: Passed second reading, and, on motion of Mr. McRae, the rules being suspended, passed third reading and ordered to be engrossed.

Bill (H. 23) to provide more effectually for the punishment of horse-stealing: On motion of Mr. Waugh, laid on the table.

Bill (H. No. 26) for the benefit of the poor of Bladen County, and for other purposes: Passed second reading, and on motion of Mr. Richardson, the rules being suspended, passed third reading, and ordered to be engrossed.

Bill (H. 57) concerning the Williamston and Tarboro Rail Road: The substitute reported by the Committee, viz: Bill (H. 141) to re-enact and confirm the Charter of the Williamston and Tarboro' Rail Road Company, was adopted and passed its second reading.

On motion of Mr. Williams, of Martin, the rules were suspended, and the bill passed its third reading, and was ordered to be engrossed.
Mr. Bryson moved to re-consider the vote by which H. Bill 74 had passed its third reading, and further to lay that motion on the table; which latter motion prevailed.

Received a message from the Senate, announcing that they had passed Bill (H. 86) to change the time of holding the Courts in the County of Alexander, with an amendment, in which they asked the concurrence of the House. The amendment was concurred in and the Senate informed thereof by message.

Mr. McKay moved to take from the table and consider Bill (H. No. 97,) to give to married women one-third interest in the real estate of their husbands; which motion prevailed.

The amendment of title recommended by the Committee was adopted, and the Bill passed its second reading, when

On motion of Mr. Latham, of Washington, it was ordered to be printed and made the special order for Thursday, 1 o'clock.

On motion of Mr. Perry, of Wake, the House adjourned until to-morrow morning, 10½ o'clock.

WEDNESDAY, DECEMBER 12th, 1866.

Messrs. Neal and Sudderth asked and obtained permission to record their votes in the affirmative on the final passage of Bill (H. No. 74,) to enable the Wilmington, Charlotte and Rutherford Rail Road Company to complete its Road, &c.

Mr. Waugh, from the Committee on Propositions and Grievances, to whom was referred the Memorial of the Rowan Immigration Society, asked to be discharged from the further consideration of the same; which was so ordered.

Also favorably on

Bill (H. No. 138,) to pay tales Jurors for their services in capital felonies.

Mr. McKay, from the Committee on the Judiciary, reported favorably on
Bill (H. P. No. 16,) for the relief of the estate of L. O'B. Branch;
Bill (H. 126) concerning Surveyors;
Bill (H. 124,) to regulate and change the fees of County Court Solicitors; and
Bill (H. 119,) concerning Dormant Judgments.
And adversely upon
Bill (H. 142,) for the relief of Wards;
Bill (H. 67,) to diminish costs in certain cases;
Bill (H. 24,) to repeal Section 1 of an Ordinance of the late Convention, "to change the time of holding elections in North Carolina;"
Bill (H. 139,) to amend Section 2, Chapter 68, Revised Code;
Bill (H. 123,) to place Physician's services and accounts on an equal dignity with Bonds; and
Bill (H. 37,) for the relief of Executors, Administrators, Guardians, Sheriffs, Constables and Clerks, and other persons.

Mr. McKay, from the same Committee, to whom was referred Bill (H. 28,) to give the Mayor and Commissioners of Williamston the sole authority to issue license to retail spirituous liquors in that town, reported back a substitute for the same, viz:
Bill (H. No. 175,) "To regulate the retailing of spirituous liquors in the town of Williamston," which was placed on file.

Mr. Patton, from the Committee of Conference upon the subject of Adjournment, reported back a Resolution that the two Houses shall adjourn at 6 o'clock, A. M., on the 24th inst., to re-convene on the 22nd day of January, (Tuesday) at 12 o'clock, M.; which was adopted and sent to the Senate for concurrence.

On motion of Mr. Crawford, of Macon, Bill (H. No. 102,) to abolish Jury trials in the County Court of Macon, was referred to the Committee on Propositions and Grievances.

The following Resolutions were offered and severally disposed of as stated, viz:
By Mr. McNair: Resolution instructing the Committee on the Judiciary to enquire into the expediency of giving the appointment of Inspectors of Flour and Provisions to the May. or and Aldermen of the city of Wilmington, instead of to the County Court of New Hanover. Adopted.

By Mr. Morton: Resolution instructing the Committee on the Judiciary to investigate the condition of the people of Stanly County, who have suffered greatly by the drought, &c. Adopted.

By Mr. Stone: Resolution instructing the Judiciary Committee to enquire into the expediency of amending section 31, chapter 4, Revised Code, so as to place all criminals, convicted of capital offences and sentenced to die, upon an equal footing as to the right of appeals. Adopted.

By Mr. Houston: Resolution referring so much of the Governor's message, as relates to the Militia, to the Committee on Military Affairs. Adopted.

By Mr. Morton: Resolution (H. P. R. No. 20) "In favor of Jos. Marshall, former Sheriff of Stanly." Referred to the Committee on Private Bills.

By Mr. Woodard: Resolution (H. P. R. No. 21) "In favor of Robert Bynum, of Wilson County." Committee on Deaf, Dumb and Blind.

By Mr. Trull: Resolution (H. R. No. 161) "In favor of the Citizens of Union County." Propositions and Grievances.

The following Bills were introduced, referred, or otherwise disposed of, as stated, viz:

By Mr. Gues: Bill (H. No. 153) "To incorporate the town of Durham, in the County of Orange." Corporations.

By Mr. Kenan: Bill (H. No. 154) "To amend section 11, chapter 35, Revised Code." Judiciary.

By Mr. Harper: Bill (H. No. 155) "To amend an Act, ratified February 1, 1866, entitled 'An Act to authorize the Secretary of State to employ a Clerk.'" Finance.

By Mr. Henderson: Bill (H. No. 156) entitled "A Homestead Bill." Special Committee on Relief.

From the Senate: Bill (S. 37—H. 158) "To extend the time for the registration of deeds," &c. Indefinitely postponed, on motion of Mr. Latham, of Washington.
From the Senate: Bill (S. 59—H. 159) "To protect the people of Chatham County." On motion of Mr. Horton, of Watauga, the rules were suspended, the bill put upon its several readings, passed and ordered to be enrolled.

By Mr. Baker: Bill (H. 160) "To incorporate the Rocky Mount Manufacturing Company." Corporations.

On motion of Mr. Cowan, Bill (H. 131) to amend section 3, chapter 39, Revised Code, entitled "Religious Societies," was taken up, and, under a suspension of the rules, passed its several readings and ordered to be engrossed.

On motion of Mr. Waugh, Bill (H. 139) to amend section 2, chapter 68, Revised Code, was taken up. On motion of Mr. Kenan, the Bill was laid on the table, and Bill (H. 146) to amend section 2, chapter 58, Revised Code, (reported from the Judiciary Committee,) under a suspension of the rules, passed its several readings and was ordered to be engrossed.

Mr. Whitfield moved to take up the Bill (H. 90) to revise and amend the charter of the Shelby and Broad River Rail Road; which did not prevail.

The Calendar of Bills on their second reading was then taken up, and the following dispositions made, viz:

Bill (H. 24) to repeal section 1. of an Ordinance of the late Convention "to change the time of holding elections in North Carolina:" Laid on the table, on motion of Mr. Patton.

Bill (H. 29) to repeal section 2 of an Ordinance of the Convention "to change the jurisdiction of the Courts and the rules of pleading therein:" On motion of Mr. Whitfield, laid on the table.

Bill (H. 31) to prevent the sacrifice of real estate in certain cases: Laid on the table, on motion of Mr. Kenan.

Bill (H. 32) to amend section 30, chapter 54, Revised Code, entitled "Guardians and Wards:" Passed second reading, and, on motion of Mr. Kenan, the rules being suspended, passed third reading and ordered to be engrossed.

Bill (H. 34) to repeal clauses 1 and 2, Schedule C., Revenue Act. On motion of Mr. Harper, laid on the table.

Bill (H. 35) to declare Roanoke River a sufficient and lawful fence, &c; Passed second reading.
Bill (H. 36) to repeal an Ordinance of the Convention to change the jurisdiction of the Courts and the rules of leading therein: On motion of Mr. Richardson, laid on the table.

Bill (H. 37) for the relief of Executors, Administrators, Guardians, Sheriffs, Constables, Clerks, and other persons. Rejected.

Bill (H. 38) to authorize the President and Directors of Blount’s Creek Manufacturing Company, of Fayetteville, to re-build their Factory: Passed second reading; and, on motion of Mr. McKay, the rules being suspended, passed third reading and ordered to be engrossed.

Bill (H. 39) to amend section 12, chapter 118, Revised Code, entitled Widows: Passed second reading.

Bill (H. 40) to prevent fraud: On motion of Mr. McNair, laid on the table.

Bill (H. 42) to enable Executors and Administrators to pay the debts of insolvent testators and intestates post mortem:

Mr. Whitfield moved to lay the Bill upon the table; which was decided in the negative—Yea 27, Nay 76.

Mr. Granbery demanded the Yeas and Nays.

Those who voted in the affirmative were:

Messrs. Allen, Baker, Clark, Clement, Cowan, Crawford, of Macon, Crawford, of Rowan, Dargan, Davidson, Feard, Harper, Houston, Jenkins, of Granville, Latham, of Craven, Lutterloh, McGougan, McKay, McNair, Morehead, Murrill, Patton, Perry, of Carteret, Perry, of Wake, Simpson, Sudderth, Whitfield and Williams, of Pitt.

Those who voted in the negative were:

Mr. Hutchison offered a substitute for the Bill; which did not prevail.

Mr. Latham, of Washington, offered an amendment, in the shape of an additional section; pending the consideration of which,

On motion of Mr. Freeman, the Bill was laid on the table.

And then, on motion of Mr. Freeman, the House adjourned.

THURSDAY, DECEMBER 13, 1866.

Mr. Jenkins, of Granville, from the Committee on Education, reported adversely upon

Bill (H. No. 99,) to authorize Administrators to pay for the schooling of minor heirs.

Mr. Harper, from the Committee on Finance, reported favorably on

Bill (H. P. 19,) in favor of the Trustees of the Rex Hospital Fund.

Mr. Waugh, from the Committee on Propositions and Grievances, reported favorably on

Bill (H. No. 102,) to abolish Jury trials in the County Court of Macon; and

Bill (H. No. 137,) to regulate assignments and protect creditors.

Mr. McNair, from the Committee on Corporations, reported favorably on

Bill (H. No. 153,) to incorporate the town of Durham, in Orange County; and

Bill (H. No. 169) to incorporate the Rocky Mount Manufacturing Company;

And favorably, with amendment of title, on

Bill (H. No. 136,) to incorporate Centre Hill Lodge, No. 260, in Chowan County.
Mr. Harper presented the Report of the Commissioners of the Sinking Fund; which was ordered to be sent to the Senate, with a proposition to print the same.

The following Resolutions were offered, referred, or otherwise disposed of, as follows, viz:

By Mr. Lutterloh: Resolution (H. P. 22,) "In favor of E. P. Tabb & Co." Referred to the Committee on Finance.

By Mr. Boyd: Resolution (H. P. 23,) "Authorizing W. J. Murray, Sheriff of Alamance County, to collect arrearages of taxes." Propositions and Grievances.

From the Finance Committee: Resolution (H. No. 162,) "To postpone the valuation of lands in the State." On motion of Mr. Harper, the rules were suspended and the Resolution passed its several readings and was ordered to be engrossed.

By Mr. Beasley: Resolution instructing the Committee on Propositions and Grievances to enquire into the propriety and expediency of passing an Act making it indictable to purchase any article of produce in the night time. Adopted.

By Mr. Durham: Resolution instructing the Committee on Claims to enquire into the necessity of providing for the payment of certain debts and obligations incurred by the State during the late war. Adopted.

The following Bills were introduced, referred, or otherwise disposed of, as stated, viz.

By Mr. Kelsey: Bill (H. 163,) "To amend Section 2 of an "Act to incorporate the town of Marshall." Corporations.

By Mr. Woodard: Bill (H. 164,) "To amend the charter of the town of Wilson." Same reference.

By Mr. Hodnett: Bill (H. 165,) "To prevent and punish unlawful hunting," &c. Judiciary.

By Mr. Blythe: Bill (H. 166,) "To amend 'An Act to incorporate the Greenville and French Broad Company,' passed at the session of 1854-'65." Judiciary.

Recommendations of magistrates for the Counties of Granville, Robeson, Mecklenburg, Richmond, Transylvania, Madison, Wake, Currituck, Surry, Northampton, Anson and Edgecomb were submitted, approved and sent to the Senate for concurrence.

Received a message from the Senate, proposing to raise a Joint Select Committee to make arrangements for administering the oaths of office to the Governor elect, on Saturday next,—said Committee to consist of two from each House.—Concurred in; and

Messrs. Robins and Moore being subsequently announced as the Senate branch of the Committee, Messrs. Kenan and Morehead were designated as the Committee on the part of the House.

Received a message from the Senate, concurring in the report of the Joint Select Committee of Conference, to adjourn on the 24th inst., and meet again on the 22nd proximo.

On motion of Mr. Waugh, Bill (H. No. 128,) for the relief of disabled soldiers, was taken up, and, the rules being suspended, passed its several readings, and was ordered to be engrossed.

Mr. Waugh moved to take up Bill (S. 21—H. 132,) to amend an act for the relief of such persons as may suffer from the destruction of public records, &c.; which did not prevail.

Mr. Freeman moved to reconsider the vote by which, on yesterday, Bill (H. 42,) to enable Executors and Administrators to pay the debts of insolvent testators and intestates pro rata, was laid on the table; which motion did not prevail.

On motion of Mr. Bowe, Bill (H. 77,) to incorporate the Yanceyville and Milton Rail Road Company, was taken up. The amendments recommended by the Committee were adopted, and, under a suspension of the rules, the Bill passed its several readings and was ordered to be engrossed.

On motion of Mr. Crawford, of Macon, Bill (H. 102,) to abolish Jury trials in the County Court of Macon was taken up; and, the rules being suspended, passed its several readings and was ordered to be engrossed.
On motion of Mr. Baker, Bill (H. 160,) to incorporate the Rocky Mount Manufacturing Company was taken up, and, under a suspension of the rules, passed its several readings and was ordered to be engrossed.

Mr. Whitley moved to take up Bill (H. 69,) allowing fees to Justices of the Peace and regulating the same; which did not prevail.

The Calendar of Bills on their 2nd reading was taken up and the following action taken:

Bill (H. 22,) providing a Homestead: On motion of Mr. Scott, laid on the table.

Bill (H. 43,) to change the rule of evidence concerning mortgage-deeds and for other purposes: Laid on the table, on motion of Mr. Crawford, of Macon.

Received a message from the Senate, announcing that that body had adopted the Report of the Joint Select Committee on the Constitutional Amendment, and had passed the Resolution (S. 43—H. 168,) rejecting the proposed amendment to the Constitution of the United States, to be known as the 14th Article thereof,—in which action they asked the concurrence of the House. The same were read and the Resolution placed on file.

The hour having arrived for the consideration of the Special Order, viz: Bill (H. 97,) to give to married women one-third interest in the real estate of their husbands, the same, on motion, was postponed; and

On motion of Mr. Latham, of Craven, the rule was suspended, and the Resolution, just received from the Senate, rejecting the proposed Constitutional Amendment, put upon its several readings.

The question being, first, under a division, called for by Mr. Russ, on the adoption of the Report of the Committee, the same was adopted—Yeas 88, Nays 15.

Mr. Dargan demanded the Yeas and Nays.

Those who voted in the affirmative were:

Messrs. Allen, Autry, Baker, Beasley, Black, Boyd, Bowe, Bradsher, Bright, Brown, Bryson, Carson, Chadwick, Clark, Clement, Cowan, Crawford, of Macon, Crawford, of Rowan, Dargan, Davidson, Durham, Everett, Farrow, Foard, Freeman,
Those who voted in the negative were:

Messrs. Ashworth, Blair, Blythe, Garrett, Godwin, Hinnant, Jenkins, of Gaston, Jenkins, of Granville, Jordan, Lyon, Roundtree, Scoggin, Teague, Vestal and Wilson, of Forsyth.—15.

The Resolution then passed its second reading—Yeas 93, Nays 10.

Mr. Russ demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Messrs. Ashworth, Blair, Blythe, Garrett, Godwin, Hinnant, Jenkins, of Gaston, Jenkins, of Granville, Jordan, Lyon, Roundtree, Scoggin, Teague, Vestal and Wilson, of Forsyth.—15.

The Resolution then passed its second reading—Yeas 93, Nays 10.

Mr. Russ demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:
Messrs. Ashworth, Blair, Blythe, Garrett, Hinnant, Jenkins, of Gaston, Jordan, Scoggin, Teague, and Wilson, of Forsyth.

The Resolution then passed its third reading and was ordered to be enrolled.

Received a message from the Senate, proposing to print, for the use of each officer and member of the Legislature, ten copies of the Report of the Committee on the Constitutional Amendment; which was concurred in.

Also, announcing that they had passed the following Resolution,—reported by the Joint Select Committee to make arrangements for administering the oaths to the Governor elect, and asking the concurrence of the House therein, viz:

Resolved, (The House concurring,) That so much of the joint order, heretofore adopted by the two Houses, as sets apart Saturday, the 15th inst., to administer the oaths of office to the Governor elect, be rescinded, and that, instead thereof, said oaths shall be administered on Saturday, the 22d inst., at 12 o'clock, M.

Which was concurred in.

Received a message from the Governor, transmitting certain correspondence with the military authorities and the President of the United States, relative to a recent order by Gen. Sickles, commanding this Department.

On motion of Mr. Cowan, the same was transmitted to the Senate, with a proposition to print, and with a further proposition to send three Commissioners to Washington City to enquire into the alleged necessity for the order, with a view to remove such necessity, if any actually exists; and, if it be otherwise, to correct the misapprehensions, with regard to the administration of justice in our State, which led to the supposed necessity: And that his Excellency, the Governor, be requested to act as the head of this Commission, and to select his Associate Commissioners.

Received a message from the Governor, communicating the Annual Report of the Treasurer of the University; which was ordered to be sent to the Senate, with a proposition to print.

And then, on motion, the House adjourned.
FRIDAY, DECEMBER 14TH, 1866.

Prayer by the Rev. Dr. Smedes, of the Episcopal Church.

Messrs. Williams, of Martin, Gorham, Moore, of Hertford, Rosebro and Davis, asked and obtained permission to record their votes in the affirmative on the adoption of the Report of the Committee on the Constitutional Amendment, and the passage of the Joint Resolution rejecting the proposed Amendment to the Constitution of the United States, to be known as Art XIV thereof.

Leave of absence until Monday next was granted to Mr. Barden.

Recommendations of magistrates for the Counties of Martin, Halifax, Orange, Hyde and Craven were submitted, approved and sent to the Senate for concurrence.

Mr. Cowan presented a Memorial from Geo. W. Mordecai, Rufus Barringer and W. A. Caldwell, a Committee on the part of the Stockholders of the North Carolina Rail Road, accompanied by a Bill, viz:

Bill (H. No. 169) "To amend an Act 'To incorporate the North Carolina Rail Road Company.'"

Which was read, and ordered to be referred to the Committee on Internal Improvements and printed.

Mr. Jordan presented a Memorial from citizens of Montgomery County, praying aid to the Cheraw and Coal Fields Rail Road Company, which was referred to the Committee on Propositions and Grievances.

Mr. Kenan, from the Committee on the Judiciary, to whom was referred a Resolution of Enquiry, reported back a Bill, embodying the purpose of the Resolution, viz:

Bill (H. 170) "Concerning appeals in criminal cases."

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

Mr. McKay, from the same Committee, reported adversely upon

Bill (H. 150) to change the time of meeting of the General Assembly;
Bill (H. 154) to amend section 11, chapter 35, Revised Code; and
Bill (H. 75) to amend section 52, chapter 60, Revised Code.
And favorably upon
Bill (H. 58) to exempt certain personal property from seizure under execution or attachment, and to provide a Homestead; which was ordered to be printed. And
Bill (H. 149) to amend "An Act to extend the time for perfecting titles to lands."

Mr. McKay, from the same Committee, to whom was referred a Resolution of enquiry relative to the mode of appointment of Flour Inspectors for the port of Wilmington, reported that there was no change necessary, and asked to be discharged from the further consideration of the subject; which was so ordered.

Mr. McClammy, from the Committee on Private Bills, reported favorably on
Bill (H. No. 88) to prohibit citizens of other States from fishing in Currituck Sound; and
Bill (H. P. 20) in favor of Jos. Marshall, former Sheriff of Stanly County.

Mr. Harper, from the Committee on Finance, reported favorably on
Bill (H. 155) to amend an Act, ratified February 1, 1866, entitled "An Act to authorize the Secretary of State to employ a Clerk."

Mr. Hutchison, from the Committee on the Deaf, Dumb and the Blind, reported back
Bill (H. P. 21) in favor of Robt. Bynum, of Wilson—asking to be discharged from its further consideration; which was so ordered.

Mr. Waugh, from the Committee on Propositions and Grievances, reported adversely upon
Bill (H. P. 23) authorizing W. J. Murray, Sheriff of Alamance, to collect arrears of taxes.

Mr. Perry, from the Committee on Claims, to whom was referred the Memorial of Jno. H. Wheeler, praying for compensation for services rendered in procuring the Agricultural Land Scrip, reported back.

Mr. Perry, from the same Committee, to whom was referred the Memorial of Ro. S. Ledbetter, relative to lost bonds, asked to be discharged from its further consideration; which was so ordered.

Mr. Perry, from the same Committee, to whom was referred a claim of Chas. Kuester, asked to be discharged from its further consideration; which was so ordered.

Mr. Moore, of Hertford, from the Special Committee on Relief, reported to the House

Bill (H. 171) "To alter an Ordinance to change the jurisdiction of the Courts and the rules of pleading therein, adopted by the Convention of North Carolina, June 23, 1866." Placed on file and ordered to be printed.

The following Bills were introduced, referred, or otherwise disposed of, as stated, viz:

By Mr. Williams, of Martin: Bill (H. 172) "To appoint a Tax Collector for the County of Martin." Referred to the Committee on the Judiciary.

By Mr. Scott: Bill (H. 173) "To abolish imprisonment for debt." Same reference.

By Mr. Allen: Bill (H. 174) "To amend section 7, chapter 40, of the Acts of 1866." Same reference.

By Mr. Wilson, of Perquimans: Bill (H. P. 24) "To incorporate Perquimans Male and Female Academy, in Hertford." Corporations.

By Mr. Foard: Bill (H. 175) "To promote the agricultural interest of the State, and for other purposes." Same reference.

By Mr. Foard: Bill (H. 176) "To amend the Charter of Plaster Bank and Salt Works Rail Road Company." Internal Improvements.

By Mr. Patton: Bill (H. 177) "To protect Executors and Administrators." Judiciary.

By Mr. Patton: Bill (H. 178) "To give Buncombe Superior Court exclusive jurisdiction of the Buncombe Turnpike Road." Same reference.
By Mr. Crawford, of Rowan: Bill (179) "To authorize incorporated towns and cities to establish systems of Public Schools." Referred to the Committee on Education and ordered to be printed.

By Mr. Cowan: Bill (H. 180) "To establish a Criminal Court in the County of New Hanover, to be held in the City of Wilmington." Referred to the Committee on Internal Improvements.

From the Senate: Bill (S. P. 25—H. P. 26) "In favor of K. P. Harriss." Filed.

Received a message from the Senate, announcing that they had passed the following Resolution, and asking the concurrence of House therein, viz:

Resolved, That a certified copy of the Resolution, recommended by the Joint Select Committee on the proposed Amendment to the Constitution of the United States as a 14th Article, which Resolution has been passed by this General Assembly, rejecting and refusing to ratify said Amendment, be transmitted by his Excellency, Gov. Worth, to his Excellency, the President of the United States, and also to the Secretary of State of the United States.

Which was concurred in, and the Senate informed thereof.

Mr. York moved to take up Bill (H. 97) to restore to married women the common law right of Dower,—which motion prevailed. And the Bill being put on its 3d reading,

Mr. Long moved to amend by adding the following to the last section:

"Provided, That this Bill shall not affect debts contracted before the passage thereof;"

Which did not prevail.

The Bill then passed and was ordered to be engrossed.

The Calendar of Bills on their 2nd reading was then taken up:

Bill (H. 44,) to authorize Sheriffs and Tax Collectors to grant license to Auctioneers in incorporated towns and cities; Laid on the table, on motion of Mr. Latham, of Washington.

Bill (H. 47,) concerning the county site of Clay county: Passed 2nd reading, and, on motion of Mr. Davidson, the
rules being suspended, passed 3rd reading and ordered to be engrossed.

Mr. Holderby moved to take up and consider Bill (H. 147,) to authorize the Comptroller to employ a Clerk; which motion prevailed.

Mr. Morton moved to lay the Bill on the table; and the question thereon was put and decided in the affirmative,—Yeas 73, Nays 16.

Mr. Blair demanded the Yeas and Nays.

Those who voted in the affirmative were:

Those who voted in the negative were:

On motion of Mr. Jordan, the House then adjorned.

SATURDAY, DECEMBER 15, 1866.

Prayer by the Rev. Mr. Hardie, of the Presbyterian Church.

The use of the Hall, to-morrow, was granted to Eli and Sybil Jones, of the Society of Friends, for the purpose of religious services; and on Monday night to the Young Men's Christian Association for the purpose of a Lecture by Gen. R. E. Colston.
Messrs. Daniel, Peebles and Perry, of Wake, asked and obtained leave to record their votes in the affirmative upon the adoption of the Report of the Committee on Constitutional Amendment and the passage of the Resolution rejecting the proposed Amendment to the Constitution of the United States, to be known as Article XIV thereof.

Recommendations of magistrates for the Counties of Rowan, Mecklenburg, New Hanover, Rutherford, Polk and Nash were submitted, approved and sent to the Senate for concurrence.

On motion of Mr. Peebles, Bill (H. 171,) to alter an Ordinance of the Convention, adopted June 23, 1866, to charge the jurisdiction of the Courts, &c., was made the Special Order for Tuesday next, 18th inst., 12 o'clock.

Mr. Waugh, from the Committee on Propositions and Grievances, to whom was referred a Memorial of the citizens of Union County, praying for relief, reported back a Resolution, and recommended its passage, viz:

Resolution (H. 182) "In favor of the people of Union County."

Mr. Whitley moved to suspend the rules and put the Resolution on its second reading; which did not prevail, and it was placed on file.

The following Resolutions were offered, and severally disposed of as stated, viz:

By Mr. Latham, of Washington: Directing the Secretary of State to have all the Ordinances of the Convention, passed in 1865-66, now in force, printed with the Acts of 1866-7. — Adopted and sent to the Senate for concurrence.

By Mr. Jenkins, of Gaston: Resolution (H. P. 27,) "In favor of the Sheriff of Gaston." Under a suspension of the rules, the Resolution being placed on its second reading,

Mr. Everett moved so to amend as to include the Sheriff of Wayne in its benefits: which did not prevail.

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

By Mr. Davis: Instructing the Attorney General of the State to enquire into the legality of the tax of three cents per pound, imposed by an act of Congress, upon Cotton, and
that if, in his opinion, the tax be illegal, to take such steps as, in his judgment, may be necessary, to test judicially the legality of said tax. Adopted and sent to the Senate for concurrence.

By Mr. Kenan: Resolution (H. 185,) "In favor of the Adjutant General of the State." Referred to the Committee on Claims.

The following Bills were introduced and referred as stated, viz:

By Mr. Davidson: Bill (H. 181,) "To lay off and establish a new County by the name of Vance." Propositions and Grievances.

By Mr. Baker: Bill (H. P. 28,) "To authorize the Sheriff of Edgecomb County to collect arrearages of taxes due him." Same reference.

By Mr. Waugh: Bill (H. 183,) "To abolish the office of State Geologist." Judiciary.

By Mr. Lyon: Bill (H. 184,) "To repeal Sections 1, 2, 3, 4, 5, 6 and 7 of Chapter 12. Revised Code." Same reference.

From the Senate: Bill (S. P. 27,—H. P. 29,) "To extend the corporate limits of the town of Elizabeth City." Corporations.

The Calendar of Private Bills on their second reading was then taken up, and the following dispositions made:

Bill (H. P. 3,) in favor of R. P. Melvin, late Sheriff of Bladen: On motion of Mr. Waugh, laid on the table.

Bill (H. P. 4,) for the relief of W. H. Perkins, late Tax Collector of Pitt: Laid on the table, on motion of Mr. Kenan.

Bill (H. P. 5,) to authorize the Sheriff of Brunswick to collect arrears of taxes: On motion of Mr. Lowe, laid on the table.

Bill (H. P. 7,) to authorize Jno. A. Long, Sheriff of Richmond County, to collect arrears of taxes: Laid on the table, on motion of Mr. Latham, of Washington.

Bill (H. P. 8,) in favor of Henry B. Norman, late Sheriff of Tyrrell: On motion of Mr. McNair, laid on the table.
Bill (H. P. 10) in favor of W. S. Mason: Under a suspension of the rules, passed its several readings and ordered to be engrossed.

Bill (H. P. 11) in favor of R. F. Armfield: Rejected.

Bill (H. P. 12) in favor of Neill McNeill: Laid on the table on motion of Mr. McNair.

Bill (H. P. 13) in favor of A. J. Adkins and others: Passed several readings, under a suspension of the rules, and ordered to be engrossed.

Bill (H. P. 15) for the relief of Henry Williams: Passed several readings, under a suspension of the rules, and ordered to be engrossed.

Bill (S. P. 4—H. P. 17) to incorporate McLean Fire Engine Company, No. 1, in Fayetteville: Under a suspension of the rules, passed its several readings and ordered to be enrolled.

Bill (S. ——H. P. 18) in favor of W. S. Mason: On motion of Mr. Waugh, laid on the table.

Bill (H. P. 19) in favor of the Trustees of the Rex Hospital Fund: Passed several readings, under a suspension of the rules, and ordered to be engrossed.

Mr. Waugh moved to take up and consider Bill (H. 89) for the relief of Sheriffs and Tax Collectors; which was agreed to. On motion of Mr. Latham, of Washington, the Bill was laid on the table.

On motion of Mr. Davis,

Bill (H. 94) to incorporate Collins Gold Mining Company; Bill (H. 95) to incorporate Sturgis Gold Mining Company; and

Bill (H. 96) to incorporate Thomas Gold Mining Company,

Were severally called up, and, under a suspension of the rules, passed their several readings and were ordered to be engrossed.

On motion of Mr. Waugh, Bill (S. 21—H. 132) to amend an Act for the relief of such persons as may suffer from the destruction of public records, &c., was taken up, and, under a suspension of the rules, passed its several readings and was ordered to be enrolled.
On motion of Mr. Hutchison, Bill (H. 155) to amend an Act, ratified February 1, 1861, entitled “An Act to authorize the Secretary of State to employ a Clerk,” was taken up; and, the rules being suspended, it passed its several readings and was ordered to be engrossed.

Mr. Richardson moved that the House do now adjourn; which did not prevail.

On motion of Mr. McNeir, the Resolution of enquiry, relative to the appointment of Flour Inspector of the port of Wilmington, was re-committed to the Committee on the Judiciary.

Received a message from the Senate, concurring in the Resolution requesting the Secretary of State to have certain Ordinances of the Convention printed.

Also, concurring in the Resolution requesting the Attorney General to test the legality of the tax on Cotton.

On motion of Mr. Hutchison, Bill (H. 152) to establish a Penitentiary, was made the special order for Monday next, 12 o'clock, M.

On motion of Mr. Horton, of Watauga, the House then adjourned.

MONDAY, DECEMBER 17, 1866.

Prayer by the Rev. Dr. Mason, of the Episcopal Church.

The Speaker announced Messrs. Chadwick, Clark, Clement, Cowan and Carson as the Committee on Enrolled Bills for the week.

Leave of absence for one day was granted to Mr. Turnbull; for the remainder of the session to Mr. Reinhardt; and from and after to-morrow to Messrs. Beasley and Simpson.

Mr. Shelton presented a Memorial from citizens of Davidson county, praying a modification of the Stay Law; which was referred to the Committee on Propositions and Grievances.

Mr. Kenan, from the Committee on the Judiciary, reported favorably, with amendments, on
Bill (H. 180,) to establish a Criminal Court in the county of New Hanover, to be held in the city of Wilmington.

Mr. Allen, from the same Committee, reported favorably on Bill (H. 174,) to amend section 7, chapter 40, Acts of 1866.

Mr. McKay, from the same Committee, reported favorably on Bill (H. 19,) to exempt from taxation the polls and property of disabled soldiers and the property of widows, in certain cases.

Mr. Harper from the Committee on Finance, reported back Bill (H. P. 22,) in favor of E. B. Tabb & Co., asking, for reasons stated, to be discharged from its further consideration; which was so ordered.

Mr. Moore, of Hertford, from the Special Committee on Relief, reported back:

Bill (H. 60,) for the relief of the people;
Bill (H. 125,) in aid of the Literary Fund; and
Bill (H. 156,) entitled "A Homestead Bill,—

Asking to be discharged from their further consideration; which was so ordered.

Unfavorably on:
Bill (H. 117,) to extend the jurisdiction of Justices of the Peace, and for other purposes;
Bill (H. 63,) to raise Revenue;
Bill (H. 148,) for the relief of the People; and
Bill (H. 71,) for the relief of the People.

Mr. Moore, from the same Committee, to whom was referred Bill (H. 91,) to exempt certain articles from execution, reported the same back, recommending the passage of so much as is not already provided for by the Statute law of the State.

Recommendations of magistrates for the county of Lincoln were submitted, approved and sent to the Senate for concurrence.

Received a message from the Senate, announcing Messrs. Brown, Berry and Thornton as their Committee on Enrolled Bills for the week.

Also, communicating a recommendation of magistrates for the county of New Hanover; which was concurred in.

The following Resolutions were offered:
By Mr. Blythe: Instructing the Committee on Education to enquire into the expediency of borrowing a sufficient amount of money to revive the Common Schools of the State. Adopted.

By Mr. Long: Resolution (H. 186) "In favor of soldiers maimed in the late war." Propositions and Grievances.

The following Bills were introduced, referred, or otherwise disposed of, as stated, viz:

By Mr. Long: Bill (H. 187) "To provide for the more perfect administration of the criminal law of the State." Judiciary.

By Mr. Daniel: Bill (H. P. 30) "For the relief of James S. Snow, Sheriff of Halifax county." Propositions and Grievances.

By Mr. Russ: Bill (H. P. 31) "To change the name of the Carolina Joint Stock Insurance and Trust Company." Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. York: Bill (H. 188) "To amend section 6, chapter 71, Revised Code, entitled "Mills and Millers." Propositions and Grievances.

By Mr. Waugh: Bill (H. 189) "Concerning a Penitentiary." Select Committee on same subject.

By Mr. Peebles: Bill (190) "To amend section 4, of an Act of 1858-9, 'to authorize the Roanoke Navigation Company to discontinue the use of their canal, make sale of their estate,' &c." Filed.

Mr. York moved to re-consider the vote by which Bill (H. P. 11) in favor of R. F. Armfield was lost, on Saturday; which did not prevail.

On motion of Mr. Hutchison, Bill (H. 152) to establish a Penitentiary, which had been made the special order for this day, was postponed and made the special order for the fourth Monday in January, (28th,) at 12 o'clock, M.

Mr. Harper entered a motion to re-consider the action of the House, by which this order had been made.

The Calendar of Bills on their second reading was taken up:
Bill (H. 19) to exempt from taxation the polls and property of disabled soldiers, and the property of widows in certain cases:

Mr. Scoggin moved to amend by inserting in line 5, section 1, line 3, section 2, and line 5, section 3, after word "States," the words "or of the United States;" which did not prevail.

The Bill then passed its second, and, under a suspension of the rules, its third reading, and ordered to be engrossed.

Mr. Hutchison moved to re-consider the vote by which the foregoing Bill had just passed its final reading.

Mr. McNair moved to lay that motion on the table; which did not prevail.

The motion to re-consider was then agreed to; when

Mr. Hutchison moved further to re-consider the vote by which the amendment, offered by Mr. Scoggin, had been rejected; which motion prevailed.

Mr. Morehead moved to amend, by adding, after the words "United States," the words "who do not now draw pensions from the U. S. government."

Mr. Waugh moved to lay the Bill and amendments on the table; which was carried.

Mr. Durham (by leave) offered the following Resolution:

Resolved, That, inasmuch as gentlemen are, or appear to be, deterred from voting on ordinary matters of legislation, through fear of the Federal Government, the Governor be requested to communicate with that Government and ascertain what legislation will please them, and that we proceed to enact such laws, and no other; and that, hereafter, if members shall be at a loss what votes to give, they shall be allowed time to telegraph to Washington City for instruction.

Which, on motion of Mr. Holderby, was laid on the table.

The consideration of the Calendar was resumed:

Bill (H. 54) to amend an "Act to establish work-houses and houses of correction in the several counties of the State," ratified March 2, 1866: On motion of Mr. Kenan, made the special order for 2nd Tuesday of the adjourned session, (29th prox.,) 12 o'clock, M.
Bill (H. 118) to prevent litigation and the ruinous sacrifice of the property of honest debtors:

Mr. Autry moved to amend, by adding, after the word "duty," in line 7, section 4, (printed bill,) the following: "Nor shall the provisions thereof in any manner restrain or modify the existing law of Attachment against the estates or property of those mentioned in section 1, chapter 7, Revised Code."

Mr. Latham, of Washington, moved the reference of the Bill, with the amendment proposed, to the Committee on the Judiciary; which was decided in the affirmative,—Yeas 60, Nays 36.

Mr. Black demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Bill (H. 50) to revive sections 9, 10 and 11 of an Act to change the jurisdiction of the Courts, &c., ratified September 11, 1861: On motion of Mr. McNair, laid on the table.

Bill (H. 51) allowing fees to Justices of the Peace: The substitute offered by the Committee, viz: Bill (H. 69) allow-
in fees to Justices of the Peace, and regulating the same, was adopted; and, the question being "Shall the same pass its second reading?"

Mr. Holderby moved to lay it on the table; which was decided in the affirmative,—Yeas 57, Nays 44.

Mr. Holderby demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Mr. Waugh entered a motion to reconsider the vote by which the foregoing Bill was tabled.

Bill (H. 52) to provide for including the value of stamps in the taxation of costs: Amendment of title, so as to read "Bill taxing all necessary Revenue Stamps in Bills of Costs," recommended by the Committee, adopted; and Bill passed second reading.

Bill (H. 56) for relief of wounded and disabled soldiers: Tabled, on motion of Mr. McNair.

Bill (H. 60) for the relief of the People:

Mr. Latham, of Craven, moved to lay on the table; which did not prevail.
Mr. Lyon moved that the Bill be referred to the Committee on the Judiciary.

Mr. Clark moved that the House adjourn. Not agreed to.

Mr. Scoggin moved that the Bill be indefinitely postponed; which was not carried.

Mr. Lyon's motion was adopted and the reference ordered.

On motion of Mr. Kenan, Bill (H. P. 16) for the relief of L. O'B. Branch, was taken up, and, under a suspension of the rules, passed its several readings and ordered to be engrossed.

On motion of Mr. Long, Bill (S. P. 25—H. P. 26) in favor of K. P. Harriss, was taken up, and, under a suspension of the rules, passed its several readings and ordered to be enrolled.

Mr. McNair moved to take up and consider Bill (H. 101) to amend section 12, chapter 52, Revised Code; which did not prevail.

On motion of Mr. Latham, of Craven, the House adjourned.

TUESDAY, DECEMBER 18, 1866.

Prayer by the Rev. Mr. Atkinson, of the Presbyterian Church.

Mr. Waugh, from the Committee on Propositions and Grievances, to whom was referred a Memorial from citizens of Stanly County, praying for relief, reported a Bill in furtherance of the prayer of the Petitioners, viz: Bill (H. 191,) "In favor of the County of Stanly." Placed on file.

Mr. Waugh, from the same Committee, to whom was referred certain Memorials, asking for State aid to the Cheraw and Coal Fields Rail Road Company, reported the same back and asked their reference to the Committee on Internal Improvement; which was so ordered.

Mr. Kenan, from the Committee on the Judiciary, to whom was re-referred a Resolution of enquiry concerning the ap-
pointment of Flour Inspector for Wilmington, reported that no change was necessary and asked to be discharged from the further consideration of the subject; which was ordered accordingly.

Mr. McKay, from the same Committee, reported unfavorably on:

Bill (H. 118.) to prevent litigation and the ruinous sacrifice of the property of honest debtors.

Mr. McClammy, from the Committee on Private Bills, to whom was referred a Memorial from citizens of Currituck County, relative to the mode of appointment of Commissioners of Wrecks, reported back a Bill in answer to the prayer of the petitioners, viz:

Bill (H. 192.) "To permit the people of Currituck County to elect Commissioners of Wrecks." Placed on file.

Mr. McNair, from the Committee on Corporations, reported favorably on:

Bill (H. P. 24,) to incorporate Perquimans Male and Female Academy;

Bill (H. 167,) to amend an Act entitled "The North Carolina Joint Stock Publishing Company;" and

Bill (H. 163,) to amend Section 2 of an Act to incorporate the town of Marshall.

Favorably, with an amendment, on

Bill (H. 173,) to promote the agricultural interest of the State, and for other purposes.

Mr. McNair, from the same Committee, reported back Bill (S. P. 27,—H. P. 29,) to extend the corporate limits of the town of Elizabeth City, asking to be discharged from its further consideration; which was so ordered.

Mr. McNair, from the same Committee, to whom was referred Bill (H. 164,) to amend the charter of the town of Wilson, reported back a substitute for the same, viz: Bill (H. 196) with same title, and recommended its passage.

On motion of Mr. Baker, the rules were suspended; and the substitute was adopted, passed its several readings and was ordered to be engrossed.

Mr. Perry, of Carteret, from the Committee on Claims, reported favorably, with an amendment, on
Resolution (H. 185,) in favor of the Adjutant General of the State.

Recommendations of magistrates for the counties of Davidson, Cleveland, Rockingham, Hertford, Wilks, and Northampton were submitted, approved and sent to the Senate for concurrence.

The following resolutions were offered and severally disposed of, as stated, viz:

By Mr. Bradsher: Precluding, for the present week, the presentation of new Bills. Laid over under the rule.

By Mr. Davis: Providing for a Joint Select Committee to examine the books, enquire into alleged abuses and the general management and condition of the North Carolina Rail Road, with power to send for persons and papers. Adopted and transmitted to the Senate for concurrence.

By Mr. Shelton: Instructing the Committee on Finance to enquire into the propriety, justice and necessity of reducing and properly graduating the salaries and fees of public officers. Adopted.

The following Bills were introduced, viz:

By Mr. Black: Bill (H. 193,) "To grant the aid of the State of North Carolina to the Ch'raw and Coal fields Rail Road Company." Referred to the Committee on Internal Improvements.

By Mr. Lowe: Bill (H. 194,) "To amend an Act, ratified February 27th, 1866, entitled "An Act to regulate Salaries and Fees.""

On motion of Mr. Lowe, the rules were suspended and the Bill passed its second reading; when

On motion of Mr. Crawford, of Rowan, it was referred to the Committee on Finance.

From the Senate: Bill (S. 44,—H. 197,) "To repeal all Acts heretofore passed in relation to the incorporation of the town of Morganton, and to provide a substitute therefor." Filed.

The hour having arrived for the consideration of the Special order, viz: Bill (H. 171) to alter an Ordinance to change the jurisdiction of the Courts, &c., adopted June 23, 1866,

Mr. McKay offered a substitute therefor, viz:
Bill (H. 195) "To change the jurisdiction of the Courts and the rules of pleading therein;"

Which, on motion of Mr. Houston, was ordered to be printed, and, on further motion of Mr. Richardson, the original Bill and the substitute were referred to the Committee on the Judiciary.

On motion of Mr. Kelsey, Bill (H. 163) to amend section 2 of an Act to incorporate the town of Marshall, was taken up, and, under a suspension of the rules, it passed its several readings and was ordered to be engrossed.

On motion of Mr. Richardson, Bill (H. 58) to exempt certain personal property from seizure under execution or attachment, and to provide a Homestead, was made the Special order for to-morrow morning, 11 ½ o'clock.

On motion of Mr. Jones, Bill (S. P. 27—H. P. 29) to extend the corporate limits of the town of Elizabeth City, was taken up and considered. Laid on the table, on motion of Mr. Latham, of Washington.

Mr. Trull moved to take up and consider Bill (H. 161) in favor of the citizens of Union county; which did not prevail.

Mr. Peebles moved to take up and consider Bill (H. 190) to amend section 4 of an Act of 1858–9 to authorize the Roanoke Navigation Company to discontinue the use of their Canal, &c., which was not agreed to.

Received a message from the Senate, refusing to concur in the Resolution authorizing a Committee of Investigation into the affairs of the North Carolina Rail Road Company.

The Calendar of Bills on their second reading was taken up:

Bill (H. 55) to amend the charter of the Oceanic Hook and Ladder Company, of the town of Beaufort: Under a suspension of the rules, passed its several readings and ordered to be engrossed.

Bill (H. 63) to raise Revenue: Laid on the table, on motion of Mr. Latham, of Washington.

Mr. Waugh called up his motion, entered on yesterday, to re-consider the vote by which Bill (H. 69) allowing fees to Justices of the Peace, and regulating the same, was tabled.

Mr. Durham moved to lay the motion on the table; which not prevail.
The motion to re-consider prevailed; when Mr. Durham moved to lay the Bill on the table. Mr. Baker moved that the House adjourn. Not agreed to. The motion to lay on the table was negatived,—Yeas 37, Nays 62.

Mr. Durham demanded the Yeas and Nays. Those who voted in the affirmative, were:


Those who voted in the negative, were:


Mr. Stone moved that the House do now adjourn. Lost.

Mr. Durham moved to indefinitely postpone the Bill; which did not prevail.

Mr. Durham moved to postpone to Jan'y 1, 1990; which was not agreed to.

Mr. Crawford, of Rowan, moved that the House adjourn; which did not prevail.

Mr. Perry, of Carteret, offered a substitute for the Bill.

Mr. Holderby moved to lay the same on the table; which motion did not prevail.

The substitute was then rejected; whereupon the Bill passed its 2nd reading.
Mr. Richardson moved that the rules be suspended, in order to place the Bill upon the 3rd reading.

Mr. Durham moved that the House adjourn; which was not agreed to.

Mr. Lyon moved to lay on the table the motion to suspend the rules; which did not prevail.

Mr. Lyon moved that the House adjourn; which was not agreed to.

The motion to suspend the rules was then voted down.

And, on motion of Mr. Crawford, of Rowan, the House then adjourned.

WEDNESDAY, DECEMBER 19, 1866.

Prayer by the Rev. Mr. Atkinson, of the Presbyterian Church.

Leave of absence, from and after to-day, was granted to Messrs. Clark, Woodard, Freeman and Kendall, and from and after Friday to Mr. McRae.

The Speaker presented a Communication from the Hon. M. E. Manly, accepting the office of United States Senator from North Carolina, to which he was elected, in Joint Convention of the two Houses, on the Wednesday of the second week of the present session; which was ordered to be transmitted to the Senate.

Mr. Kenan, from the Committee on the Judiciary, reported adversely on

Bill (H. 165,) to prevent and punish unlawful hunting, &c.

And favorably on

Bill (H. 178,) to give Buncombe Superior Court exclusive jurisdiction of the Western Turnpike Company.

Mr. Cowan, from the Committee on Internal Improvements, reported favorably on

Bill (H. 176,) to amend the charter of the Plaster Bank and Salt Works Rail Road Company; and
Bill (S. 18—H. 135,) to authorize certain counties to subscribe to the Capital Stock of the Cheraw and Coalfields Rail Road Company.

Mr. Harper, from the Committee on Finance, reported back, recommending its passage, the Bill drawn up by the Public Treasurer, in obedience to Act of Assembly, viz:

Bill (H. 198,) "To raise Revenue;" which was placed on file and ordered to be printed.

Mr. Harper, from the same Committee, reported back, recommending its passage, a Bill accompanying the foregoing, viz:

Bill (H. 199,) "To regulate taxation by the County Courts;" which was placed on file.

Mr. Harper, from the same Committee, reported favorably on

Bill (H. 48,) to repeal chapter 12, Acts of 1861, and chapter 11, Acts of 1862, relative to the power of County Courts, and for other purposes.

Mr. Waugh, from the Committee on Propositions and Grievances, reported adversely on

Bill (H. P. 30,) for the relief of James S. Snow, Sheriff of Halifax.

And favorably on

Bill (H. 186,) in favor of soldiers maimed in the late war.

Mr. Bowe, from the Committee on Education, reported favorably on

Bill (H. 179,) to authorize incorporated towns and cities to establish systems of Public Schools.

Mr. Morehead, from the Committee on the Judiciary, reported unfavorably on

Bill (H. 177,) to protect Executors and Administrators; and Bill (H. 187,) for the more perfect administration of the criminal laws of the State.

Mr. McKay, from the Committee on the Judiciary, to whom was referred Bill (H. 171,) to alter the Ordinance of June 23, 1866, "to change the jurisdiction of the Courts," &c., and Bill (H. 195,) to change the jurisdiction of the Courts, &c., reported back a substitute for the same, viz:
Bill (H. 203,) "To change the jurisdiction of the Courts and the rules of pleading therein;" which was adopted, ordered to be printed, and its further consideration postponed until Friday, 21st inst., 12 o'clock, M.

The following Resolutions were offered and severally disposed of as stated, viz:

By Mr. Rosebro: Providing for a Committee of three skilful or medical men to investigate complaints against the Artificial Limb Department. Adopted.

By Mr. Long: Resolution (H. P. 32,) "In favor of Samuel Eagle." Filed.

By Mr. McRae: Resolution (H. P. 33,) "In favor of the Sheriff of Richmond." Under a suspension of the rules, passed its several readings and ordered to be engrossed.

The following Bills were introduced:

By Mr. Hutchison: Bill (H. 201,) "To allow fees to the Justices of the Peace in Mecklenburg county, and to increase the fees of Constables in said county." Filed.

By Mr. Cowan: Bill (H. 202,) "To incorporate the Chamber of Commerce of the city of Wilmington." Referred to the Committee on Corporations.

From the Senate: Bill (S. 84—H. 200,) "To transfer the land scrip donated by the United States for an Agricultural College." Placed on file.

The resolution, introduced on yesterday, precluding the consideration of new Bills for the remainder of the present session, was, on motion of Mr. Kenan, laid on the table.

The consideration of the Special Order, viz: Bill (H. 58,) to exempt certain personal property from seizure under execution or attachment and to provide a Homestead, was taken up.

The Bill passed its 2nd reading, when

Mr. Trull moved that the rules be suspended, in order to place the same on its 3rd reading; which motion prevailed.

Mr. Peebles moved to postpone the Bill and make it the Special Order for the first Thursday (January 24th) of the adjourned session; which was carried.
Mr. Davis moved to reconsider the vote by which the House had just decided to postpone the consideration of the foregoing Bill.

Mr. Waugh moved to lay that motion on the table. Lost.

The motion to reconsider prevailed.

Mr. Durham moved to amend, by striking out, in line 3, section 2, the words "and having a family;" which prevailed.

Mr. Durham moved further to amend by adding the following, as an additional section:

"Sec. 7. Be it further enacted, That this act shall not affect the rights of dower of those entitled thereto."

Which prevailed; and the Bill then passed its 3rd reading, as amended,—Yeas 67, Nays 29.

Mr. Martin demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Mr. Cowan (by leave) offered the following Resolutions, which, on his motion, were made the special order for Monday, January 28, 1867, and ordered to be printed, viz:

"Resolved, That the Committee on Finance be instructed to report a Bill, or Bills, providing as follows:
I. For funding the interest of the public debt accruing on the 1st day of January, 1867, and prior thereto.

II. To authorize and instruct the Public Treasurer to borrow money, by issuing bonds, or otherwise, to pay the interest of the public debt, maturing on the 1st days of April, July and October, 1867.

III. To provide, by taxation, for the payment of the interest of the Public debt, maturing on the 1st day of January, 1868, and subsequent thereto."

On motion of Mr. Kenan, the rules were suspended, and Bill (S. 44—H. 197) to repeal all acts heretofore passed in relation to the incorporation of the town of Morganton, and to provide a substitute therefor, was taken up, passed its several readings and ordered to be enrolled.

On motion of Mr. Daniel, Bill (H. P. 30) in favor of Jas. S. Snow, Sheriff of Halifax County, was taken up, passed its several readings and ordered to be engrossed.

Mr. Hutchison moved to take up Bill (H. 201) to allow fees to the Justices of the Peace in Mecklenburg County, &c.; which did not prevail.

Received a message from the Senate, making sundry recommendations of Justices of the Peace for the Counties of Stokes and Randolph.

Mr. Blair moved to lay the recommendation for Randolph on the table; which did not prevail.

The recommendations were concurred in and the Senate informed thereof.

Received a message from the Senate, announcing that that body had taken up and passed the Joint Resolution relative to the appointment of a Committee of Investigation into the affairs of the North Carolina Rail Road, with the following amendments, viz:

Strike out all after the words "send for persons and papers," and insert: "And report to this General Assembly, at its adjourned session, and that the Committee have leave to sit during the recess of the General Assembly."

Also strike out "one" and insert "two," as the number of the Senate branch of the Committee.
Which were concurred in and the Senate informed thereof.

Mr. Stevenson entered a motion to reconsider the Bill (S. 27—H 29) to extend the corporate limits of the town of Elizabeth City.

Mr. Richardson moved that the House do now adjourn until 10 1/2 o'clock, A. M., to-morrow.

Mr. Latham, of Craven, moved to amend by substituting 7 1/2 o'clock, this P. M.; which did not prevail.

The motion of Mr. Richardson was then carried and the House adjourned.

THURSDAY, DECEMBER 20TH, 1866.

Mr. McKay, from the Committee on the Judiciary, reported adversely on

Bill (H. 173) to abolish imprisonment for debt; and

Bill (H. 184) to repeal sections 1, 2, and 3, 4, 5, 6 and 7, chapter 12, Revised Code.

Mr. McKay, from the same Committee, to whom was referred a Resolution of enquiry as to the policy of passing a law suspending the sale of property, for a limited time, asked to be discharged from the further consideration of the subject; which was so ordered.

Mr. Richardson, from the same Committee, reported favorably on

Bill (H. 151) to change the time of meeting of the General Assembly.

Mr. Morehead, from the Committee on Military Affairs, to whom was referred a Resolution of enquiry as to the practicability of collecting the remains of North Carolina soldiers, who fell in the late civil war, reported that the same was impracticable and asked to be discharged; which was ordered accordingly.

Mr. Patton, from the Committee on Internal Improvements, reported favorably on
Bill (H. 143) to convert the debt due the State from the Atlantic and North Carolina Rail Road Company into Capital Stock.

Mr. Cowan, from the same Committee, to whom was referred Bill (H. 122) to incorporate the Henderson and Western Rail Road Company, reported back a substitute for the same, viz:

Bill (H. 204) "To charter the Oxford branch of the Raleigh & Gaston Rail Road Company." Placed on file.

Mr. Waugh, from the Committee on Propositions and Grievances, to whom was referred a resolution of enquiry as to the propriety of enacting a law to prevent the purchase of any kind of produce in the night time, asked to be discharged from the further consideration of the matter; which was so ordered.

Mr. Waugh, from the same Committee, reported back the memorial from citizens of Davidson County, praying a modification of the Stay Law, recommending its reference to the Committee on Relief; which was so ordered.

Also unfavorably on
Bill (H. P. 28) to authorize the Sheriff of Edgecombe to collect arrears of taxes.

And favorably on
Bill (H. 188) to amend chapter 71, section 6, Revised Code, entitled "Mills and Millers."

Mr. McNair, from the Committee on Corporations, reported favorably on
Bill (H. 202) to incorporate the Chamber of Commerce of the city of Wilmington.

Mr. Harper, from the Committee on Finance, to whom was referred the Report of the Commissioners of the Sinking Fund, submitted the following Report:

"The Committee on Finance, to which was referred the Report made by the Commissioners of the Sinking Fund, has had said report under consideration, and begs leave to report that an Ordinance of the late Convention authorized the Public Treasurer, under certain restrictions, to exchange the Stocks of the State for bonds issued prior to May 21st, 1861."
And, under that authority, the Public Treasurer has exchanged the whole Stock held by the State in the Raleigh & Gaston Rail Road, amounting to the sum of $682,500, as appears from his report made to this General Assembly.

The Ordinance of the Convention directs that all bonds received by the Public Treasurer, as aforesaid, shall be cancelled, which will be done at an early day, as almost the entire amount negotiated has been received, unless this General Assembly, in compliance with the wish of the Commissioners, shall otherwise direct. The Commissioners of the Sinking Fund claim that as the Stock held by the State in said Rail Road formed part of the assets of which they were the custodians, and the proceeds of which they applied to the objects contemplated in the creation of that Board, that therefore, said bonds ought of right to be transferred to said Fund, in order that the interest thereon, when realized, may be applied in the liquidation of the debt of the State.

Your Committee, however unwilling it may be to differ in opinion with men of such distinguished financial ability, begs leave to say that there appears no good reason why the Ordinance of the Convention should not be complied with in cancelling said bonds, and therefore recommends that no action be taken on the subject.

Respectfully submitted,

J. C. HARPER,

Chairman.”

Mr. Harper, from the Committee on Finance, to whom was referred a resolution of enquiry as to the expediency of reducing the salaries and fees of public officers, asked to be discharged from the further consideration of the subject; which was so ordered.

Mr. Harper, from the same Committee, reported favorably on

Bill (H. 194) to amend an Act, ratified February 27th, 1866, “to regulate Salaries and Fees.”

The following Resolutions were introduced and disposed of as stated, viz:
By Mr. Granbery: Instructing the Judiciary Committee to enquire into the expediency of an Act to enable Executors, Administrators and Guardians to compromise the debts, contracted prior to May 1, 1865, owing to and from the estates they represent, &c. Adopted.

By Mr. Patton: Requesting the Public Treasurer to communicate certain information to the House relative to taxes and taxable property. Adopted.

The following Bills were introduced:

By Mr. Waugh: Bill (H. 205) "For the relief of owners of land and houses." Judiciary.

From the Senate: Bill (S. 79—H. 206) "To amend the charter of the Wilmington and Weldon Rail Road Company." Placed on file.

From the Senate: Bill (S. 36—H. 207) "To amend an Act, passed in 1833, to incorporate the Wilmington and Raleigh Rail Road Company." Placed on file.

On motion of Mr. Crawford, of Rowan, Bill (H. 179) to authorize incorporated towns and cities to establish systems of Public Schools, was taken up, and, under a suspension of the rules, passed its several readings and was ordered to be engrossed.

Mr. Crawford, of Macon, moved to take up and consider Bill (S. 84—H. 200) to transfer the land scrip donated by the United States for an Agricultural College; which did not prevail.

On motion of Mr. Morehead, Bill (H. 137) to regulate assignments and protect creditors, was taken from the Calendar.

Mr. Morehead moved to amend by striking out section 8 of the Bill; which prevailed.

Mr. Latterloh moved further to amend by striking out section 5.

Mr. Scoggin moved to lay the Bill on the table; which was decided in the negative,—Yea 39, Nay 50.

Mr. Scoggin demanded the Yeas and Nays.

Those who voted in the affirmative were:

Messrs. Allen, Antry, Black, Blair, Bowe, Bryson, Clement, Crawford, of Macon, Everett, Galloway, Godwin, Henderson,

Those who voted in the negative were:

Pending the question on the amendment offered by Mr. Lutterloh,
On motion of Mr. McNair, the further consideration of the Bill was postponed until to-morrow morning, 11 o'clock.
Received a message from the Senate, announcing the passage, with certain amendments, of the following engrossed Bills, viz:
Bill (H. 2,) to enable the Western Railroad Company to complete its road from the Coal Fields to some point on the North Carolina Rail Road; and
Bill (H. 74,) to enable the Wilmington, Charlotte and Rutherford Rail Road Company to complete its road, pay its debt to the State, &c.
The amendments were concurred in and the Senate informed thereof by message.
Mr. Davis announced, in some appropriate remarks, the death, in this city, last evening, of Thomas I. Judkins, one of the members of this House from the County of Warren, and offered the following Resolutions:
Whereas, Thos. I. Judkins, a member of this House from the County of Warren, died at his lodgings in this city last night; and, whereas it is due to the memory of a public servant, who, for many years, was honored by his countrymen
with official positions, and who possessed the confidence and kind regard of his constituents and of his associates in this House, that we shall give some expression to the sentiments produced by this sad event:

*Therefore, Resolved,* That we have heard with pain the announcement of the death of Thos. I. Judkins, and that, bowing with humble reverence to this dispensation of Divine Wisdom, we deplore a loss that has cast gloom over the deliberations of this body.

*Resolved,* That this House tenders its warmest sympathies to the bereaved widow and family of the deceased; that a Committee of three be appointed to accompany his remains to his late home in the County of Warren; and that as a mark of respect to his memory and long public services, we do now adjourn.

The Resolutions, after having been seconded, in a feeling manner, by Messrs. Waugh, Holderby and Horton, of Watauga, were unanimously adopted and ordered to be transmitted to the Senate.

The House then adjourned.

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FRIDAY, DECEMBER, 21, 1866.

Mr. Hutchison, who voted in the affirmative upon the passage of Bill (H. 58,) to exempt certain personal property from seizure under execution or attachment, and to provide a Homestead, asked and obtained permission to change his vote thereon.

Mr. Waugh, from the Committee on Propositions and Grievances, reported back Bill (H. 181,) to lay off and establish a new county by the name of Vance, asking to be discharged from its further consideration; which was so ordered.

Mr. Patton, from the Committee on Internal Improvements reported back Bill (H. 193,) to grant the aid of the State to the Cheraw and Coalfields Rail Road, asking to be discharged from its further consideration; which was so ordered.
Mr. Davis, from the Judiciary Committee, who was instructed to investigate certain allegations that Union men were persecuted in North Carolina, submitted the following Report, which was unanimously adopted, viz:

"The Judiciary Committee, to which was referred a Resolution instructing them to request "the member from Henderson to appear before them and furnish the facts on which he based allegations" of the partial administration of justice and of the persecution of Union men, "to the end that the persons or authorities guilty of such persecutions may be punished," have discharged the duty devolved on them by the Resolution, and submit the following Report:

Mr. Blythe, the gentleman referred to in the Resolution, authorizes the Committee to say that he meant no reflection upon the Judiciary or the Courts of the State, and that he was misunderstood, if any gentleman supposed that he intended to charge or allege that there was a partial administration of justice in North Carolina, or that Union men were persecuted by the Courts. There was a great deal of criminal and recrimination, and in saying "that Union men had been persecuted," he merely meant to say that those in favor of the Howard Amendment had been slandered and abused and stigmatized as being in favor of negro suffrage and negro equality.

The Committee are well satisfied, from their own knowledge and from their investigations, that justice is fairly and impartially administered in the Courts of North Carolina, and that no legislation, such as is contemplated in the Resolution, is necessary.

It is due to Mr. Harris, the Senator from Rutherford, to state, that at his request and with the consent of the Committee, his testimony was withdrawn, and that he disclaimed "any connection with the charges and insinuations in one of the papers of this city" against the Judiciary Committee.

Respectfully submitted,

JOS. J. DAVIS,
For the Committee."
The following Resolutions were offered, and severally disposed of as stated, viz:

By Mr. Harper: Authorizing the Committee on Finance to burn Treasury notes and coupons in the Comptroller's office. Adopted and sent to the Senate for concurrence.

By Mr. Davis: Authorizing the Governor to extend the provisions of the Act of General Amnesty and Pardon. Adopted and sent to the Senate for concurrence.

By Mr. Brown: Resolution (H. 208,) "In favor of the people of Lincoln county." Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. McKay: Resolution (H. 209,) "In favor of the Sheriff of Cumberland."

Under a suspension of the rules, the Resolution was put upon its second reading;

When, on the respective motions of Messrs. Martin, Everett, Murrill, Black and Bowe, the Resolution was so amended as to include the Sheriffs of the counties of Northampton, Wayne, Onslow, Moore and Caswell.

And then it passed its several readings and was ordered to be engrossed.

The hour having arrived for the consideration of one of the Special Orders, viz: Bill (H. 137,) to regulate assignments and protect creditors,

On motion of Mr. McKay, its further consideration was postponed until the adjourned session.

On motion of Mr. Morton, Bill (H. 191,) in favor of the county of Stanly, was taken up.

Mr. Boyd moved to include the County of Alamance in the provisions of the Bill. Lost.

Mr. Kenan moved to add the County of Duplin; Mr. Scoggins, those of Rutherford and Polk; Mr. Latham, that of Craven; Mr. Crawford, that of Rowan; Mr. Everett, that of Wayne; Mr. McNair, that of Robeson, and Mr. Durham, that of Cleveland,—all of which motions failed of adoption.

Mr. Latham, of Craven, moved to lay the Bill on the table; which did not prevail.

Mr. McNair moved that the Bill be referred to the Committee on Finance. Lost.
The Bill then passed its second reading,—Yeas 59, Nays 25.

Mr. Scoggin demanded the Yeas and Nays. Those who voted in the affirmative were:


Those who voted in the negative were:

Messrs. Allen, Black, Boyd, Bryson, Clement, Crawford, of Macon, Everett, Garris, Houston, Jenkins, of Granville, Kenan, Latham, of Craven, McClammy, McNair, Murrill, Patton, Perry, of Carteret, Scoggin, Scott, Shelton, Smith, of Guilford, Teague, Vestal, Westmoreland and Wilson, of Forsyth.

The Bill then passed its third reading and was ordered to be engrossed.

On motion of Mr. Trull, Bill, (H. 182,) in favor of the people of Union County, was taken up, and, under a suspension of the rules, passed its several readings and was ordered to be engrossed.

Recommendations of magistrates for the Counties of Jones and Rockingham were submitted, approved and sent to the Senate for concurrence.

Mr. Whitfield asked and obtained leave to record his vote in the affirmative upon the Resolution rejecting the proposed Constitutional Amendment as Article XIV of the Constitution of the United States.

Received a Message from the Senate, announcing that they had passed, with amendments, Bill (H. P. 33,) in favor of the Sheriff of Richmond County, and asking concurrence therein.
Amendments concurred in and Senate informed thereof by message.

The following Engrossed Bills, &c., were received from the Senate, and severally disposed of, as stated, viz:

Bill (S. 92,—H. 210,) "Providing for the support of the Insane Asylum." Under a suspension of the rules, passed its several readings and ordered to be enrolled.

Resolution, (S. 73,—H. 211,) "In regard to the United States Tax, and for other purposes." Passed several readings under a suspension of the rules, and ordered to be enrolled.

Resolution (S. 95—H. 212) "For the benefit of the Institution for the Deaf, Dumb and the Blind." Placed on file.

Bill (S. 98,—H. 213) "Concerning Bastard Children." Filed.

Resolution (S. P. 48,—H. P. 34) "In favor of David Outlaw." Passed several readings and ordered to be enrolled.

Resolution (S. P. 34,—H. P. 115) "Providing for the payment of Sheriffs holding elections." Passed several readings and ordered to be enrolled.

Resolution (S. P. 49,—H. P. 35) "For the relief of the Sheriffs of Randolph, Yadkin and Bertie Counties." Passed several readings and ordered to be enrolled.

On motion of Mr. McKay, Bill (H. 200) to transfer the land scrip donated by the United States for an Agricultural College was taken up and considered.

Mr. Foard offered the following amendment, which did not prevail, viz:

"Provided, however, That the University shall, after receiving said donation, annually board and educate one beneficiary from each county of this State, to be recommended by the several County Courts."

On motion of Mr. Durham, the further consideration of the Bill was postponed until the adjourned session.

Received a message from his Excellency, the Governor, communicating the results of the visit to Washington of the Commissioners requested to be appointed by this Legislature, for the purpose of consulting the authorities with reference to a recent military order on the subject of corporal punishment, which was read and transmitted to the Senate.
The following Resolutions were offered, (by leave,) and disposed of, as stated, viz:

By Mr. Kenan: Resolution (H. 214) returning the thanks of the Legislature to the Governor and Commissioners, who visited Washington, and authorizing the Governor to draw a warrant on the Treasurer for the expenses of said Commission. Passed several readings and ordered to be engrossed.

By Mr. Holderby: Resolution (H. P. 36) “In favor of Mrs. T. J. Judkins.” Passed several readings and ordered to be engrossed.

The hour having arrived for the consideration of the remaining Special order, viz: Bill (H. 203) to change the jurisdiction of the Courts and the rules of pleading therein, the same was taken up.

Mr. Crawford, of Macon, moved to amend by striking out the words “20th day of May, 1861,” wherever they occur, and inserting “1st day of May, 1865;” which prevailed.

Mr. McNair moved to postpone the further consideration of the Bill until the adjourned session; which was not agreed to.

The Bill then passed its second reading, and, under a suspension of the rules, being placed on its third,

Mr. Black moved a substitute therefor, viz; A Bill (S. 97) “to prevent litigation and prevent the ruinous sacrifice of the property of honest debtors;” which did not prevail.

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

The Bill passed its final reading and was ordered to be engrossed,—Yea 64, Nays 21.

Those who voted in the affirmative were:

Messrs. Allen, Ashworth, Blair, Blythe, Boyd, Bradsher, Bryson, Chadwick, Clement, Crawford, of Macon, Davidson, Durham, Foard, Galloway, Garrett, Garris, Godwin, Granberry, Guess, Harper, Hinnant, Holderby, Horton, of Watauga, Horton of Wilkes, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Jordan, Kelsey, Kenan, Kendall, Latham, of Craven, Lowe, Lyon, Lutterloh, Martin, McGougan, McKay, McRae, Morehead, Morton, Murrill, Neal, Peebles, Richardson, Rogers, Rountree, Russ, Scoggin, Scott, Shelton, Smith, of Guilford, Stone, Sudderth, Trull, Umsted, Vestal, Waugh,
Whitfield, Wilson, of Perquimans, Williams of Harnett, Williams, of Yancey, and Womble.

Those who voted in the negative were:

Messrs. Baker, Black, Bowe, Brown, Davis, Farrow, Henderson, Hodnett, Hutchison, Long; May, McArthur, McNair, Patton, Perry, of Carteret, Perry, of Wake, Rosebro, Teague, Westmoreland, Whitely, and Wilson, of Forsyth.

Received a message from the Senate, transmitting recommendations of magistrates for the Counties of Haywood and Stokes; which were concurred in and the Senate informed thereof.

Also, announcing that they had passed, with amendments, the Resolutions declaring the loyalty of North Carolina; in which the House concurred by a vote of Yeas 65, Nays 6.

Mr. Russ demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Messrs. Ashworth, Blair, Jenkins, of Gaston, Jenkins, of Granville, Scoggin and Teague.

Received a message from the Senate, announcing that they had passed, with amendments, the following Bill and Resolutions, in which they asked the concurrence of the House, viz:

Resolution (H. P. 6,) in favor of Rufus Jones;
Resolution (H. P. 9,) in favor of Seth Jones' estate; and
Bill (H. 131,) to amend section 3, chapter 97, Revised Code, entitled "Religious Societies."
The amendments were respectfully concurred in and the Senate informed thereof.

Mr. Durham entered a motion to reconsider the vote by which Bill, (H. 200,) to transfer the land scrip donated by the United States, &c., had been postponed until the adjourned session.

Mr. Davis (by leave) offered the following Resolution; which was adopted, viz:

Resolved, That the Speaker of this House issue to the Sheriff of the county of Warren a writ of election, to be held on Tuesday, the 15th day of January, 1867, to fill the vacancy in the representation from that county, caused by the death of Thos. J. Judkins.

Received a message from the Senate, announcing Messrs. Robins and Adams as the Committee, on the part of that body, to investigate the affairs of the North Carolina Rail Road Company.

Also, announcing that they had passed the following Resolution, in which they asked the concurrence of the House, viz:

Resolved, (the House of Commons 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 concurred in.

On motion of Mr. Kenan, Bill (H. 201,) to allow fees to Justices of the Peace in Mecklenburg county, and to increase the pay of Constables in said county, was taken up and passed its second reading.

Under a suspension of the rules, being placed on its third reading,

Mr. Blythe moved to add, after "Mecklenburg," the words "Henderson and Transylvania."

Mr. Lyon moved to lay the amendment on the table; which did not prevail.

Pending the further consideration of the Bill,

On motion of Mr. Patton, the House adjourned.
SATURDAY, DECEMBER 22, 1866.

Received a message from the Senate, announcing that they had passed an Engrossed Bill (S. 2—H. 216,) "To repeal an Ordinance of the Convention, authorizing the exchange of stocks in the Railroad Companies for State Bonds," and asking the concurrence of the House therein. Filed.

Also, announcing that they had passed the Resolution (H. P. 13,) in favor of A. J. Adkins and others, with an amendment, in which they asked the concurrence of the Senate. Concurred in and the Senate informed thereof.

Bill, (H. 201,) to allow fees to Justices of the Peace in Mecklenburg and to increase the pay of Constables in said county, was taken up on its third reading, as unfinished business, passed and ordered to be engrossed.

Mr. Davis introduced Bill (H. P. 31,) "For the relief of W. A. Phlpot, Sheriff of Granville;" which, under a suspension of the rules, passed its several readings and was ordered to be engrossed.

On motions, respectively made in each case, the following Bills were called up, passed their several readings and were ordered to be engrossed, viz:

Bill (H. 167,) to amend an Act entitled "The North Carolina Joint Stock Publishing Company;"

Bill (H. 175,) to promote the agricultural interest of the State, and for other purposes;

Bill (H. 176,) to amend the charter of the Plaster Bank and Salt Works Rail Road Company;

Bill (H. 88) to prohibit citizens of other States from fishing in Currituck Sound;

Bill (H. 90) to revive and amend the charter of the Shelby and Broad River Rail Road;

Bill (H. 76) to prevent felling and cutting of timber in Pigeon River;

Bill (H. 110) to incorporate Franklin Lodge, 109 F. & A. Masons, in Beaufort;

Bill (H. 192) to permit the people of Currituck County to elect Commissioners of Wrecks;
Bill (H. 153) to incorporate the town of Durham, in Orange County; and
Bill (H. 92) to incorporate the Hoover Hill Mining Company.

Bill (S. 95—H. 212) for the benefit of the Institution for the Deaf, Dumb and the Blind, was taken up, on motion of Mr. McGougan, passed its several readings and was ordered to be enrolled.

Received a message from the Senate, communicating the report of the Committee appointed to make arrangements for the administration of the oaths of office to the Governor elect, this day at 12 o'clock M.; which was concurred in.

Also transmitting a recommendation of magistrates for the county of Bertie; which was concurred in.

Recommendations of magistrates for the counties of Johnston, Davidson, Randolph and Alamance were submitted, approved and sent to the Senate for concurrence.

The Speaker announced Messrs. Lowe and Waugh, as the House branch of the Committee to investigate the affairs of the North Carolina Rail Road Company.

Also, Messrs. Morehead, Murrill and Carson as the Committee to investigate the management of the Artificial Limb Department.

On motion of Mr. Kenan, a message was sent to the Senate, announcing the readiness of the House to receive that body, for the purpose of witnessing the administration of the oaths of office to the Governor elect.

The Senate thereupon appeared in the Commons Hall and was received by the House standing.

The Speaker of the Senate took his seat on the right of the Speaker of the House; the Senators took their seats on the right of the Speaker's Chair, according to the arrangements made.

And then the Hon. Jonathan Worth, re-elected Governor of the State, attended by the Hon. D. G. Fowle, one of the Judges of the Superior Court of Law and Equity, 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 delivered an appropriate address to 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.

Received a message from the Senate, announcing that they had passed Bill (H. 170) concerning appeals in criminal cases, with an amendment, in which they asked the concurrence of the House. Concurred in and the Senate informed thereof.

Mr. Waugh (by leave) introduced a Bill, viz: Bill (H. 219) "For the relief of the people."

On his motion the rules were suspended, and the Bill read a second time, when

Mr. Holderby moved to amend by adding the following: "Provided, That nothing herein contained shall interfere in any wise with the provisions of the Attachment laws now in force."

Which was adopted.

Pending the further consideration of the Bill,

On motion of Mr. Perry, of Carteret, it was postponed and made the special order for Wednesday, January 23rd, twelve o'clock, M.

On motion of Mr. Holderby, it was

Ordered, That a message be sent to the Senate, proposing to print ten copies of the Governor's Inaugural Address for each member of the General Assembly.

On motion of Mr. Durham, the House adjourned until Monday morning, 5 o'clock.

MONDAY, DECEMBER 24, 1866.

The Speaker ratified sundry Bills and Resolutions.

Received a message from the Senate, concurring in the proposition to print ten copies of the Governor's Inaugural Address for each member of the General Assembly.

On motion of Mr. Davis, it was
Ordered, That a message be sent to the Senate, announcing its readiness to execute the joint order for adjournment.

The Senate concurring, the Speaker, at 6 o'clock, A. M., announced the House of Commons adjourned until Tuesday, January 22nd, 12 o'clock, M.

R. R. McADEN,
Speaker.

Seaton Gales,
Clerk.
JOURNAL

OF THE

HOUSE OF COMMONS.

ADJOURNED SESSION.

TUESDAY, JANUARY 22, 1867.

The House of Commons was called to order, at 12 o’clock, M. pursuant to adjournment,—Mr. Waugh, of Surry, in the Chair.

After prayer by the Rev. J. M. Atkinson, of the Presbyterian Church,

The roll of the House was called, when the following members answered to their names, to-wit:


It appearing that there was no quorum present,

On motion of Mr. Williams, of Martin, the House adjourned until to-morrow morning, 10½ o’clock.
The House was called to order at 10½ o'clock, A. M., the Speaker in the Chair.

A quorum being present,

On motion of Mr. Waugh, it was

Ordered, That a message be sent to the Senate, informing that body that the House is in session, and ready to co-operate with the Senate in the dispatch of business.

Mr. B. M. Collins, member elect from the County of Warren, appeared, produced his credentials, was qualified and took his seat.

A message was received from the Senate, announcing the presence of a quorum in that body, and its readiness to dispatch the public business.

On motion of Mr. Waugh, it was

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

The Senate concurring, and naming Messrs. Love and Lloyd as their branch of the Committee, the Speaker designated Messrs. Waugh and Hutchson as the Committee on the part of the House.

The Committee subsequently reported, through Mr. Waugh, that his Excellency had no present communication to submit.

On motion of Mr. Hutchison, it was

Ordered, That Bill (H. 198,) to raise Revenue, be made the special order for Tuesday next, 29th inst., 12 o'clock, M.

The following Memorials were submitted, read and disposed of as stated, viz:

By Mr. Murrill: From citizens of Onslow, praying for legislation to prevent citizens of other counties from fishing in the waters of New River, in Onslow. Referred to the Committee on Propositions and Grievances.

By Mr. Foard: From the President and Trustees of Olin College, relative to the Land Scrip donated by the Congress
of the United States to the State of North Carolina. Committee on the Agricultural and Mechanical College.

By Mr. Baker: From certain citizens praying the incorporation of the town of Rocky Mount. Corporations.

By Mr. Blythe: From citizens of Henderson County, asking an increase of the fees of Constables. Finance.

By Mr. Lowe: From W. F. Henderson, and other citizens of Davidson, praying for a modification of the Stay Law.—Propositions and Grievances.

Recommendations of Magistrates for the Counties of Madison, Wake, Granville, Chatham, Iredell, Carteret and Bladen, were submitted, approved and sent to the Senate for concurrence.

On motion of Mr. Patton, it was

Ordered, That Saturday week (February 2nd) be set apart by this House for the appointment of magistrates, and that no recommendations be entertained until that time.

The following Resolutions and Bills were introduced, read and referred, or otherwise disposed of, as stated, viz:

By Mr. Boyd: Resolution authorizing the Joint Select Committee, appointed to investigate the affairs of the North Carolina Rail Road Company, to administer oaths, if necessary. Adopted and transmitted to the Senate for concurrence.

By Mr. Russ: Resolution instructing the Judiciary Committee to report a bill making it larceny to steal the bonds, coupons, certificates of deposit, revenue stamps, fractional currency, &c., issued by the proper officers of the United States Government and in the possession and the property of persons within the States, &c. Adopted.

By Mr. Baker: Resolution instructing the Committee on Agriculture to enquire into the propriety of authorizing the County Courts to tax dogs for county purposes, and to report by bill or otherwise; which did not prevail.

Mr. Latham, of Craven, moved to reconsider the vote by which the foregoing Resolution had been lost; which motion prevailed.

Mr. Autry moved to lay the Resolution on the table. Lost. The Resolution was then adopted.
By Mr. Hinnant: Resolution (H. P. 38,) in favor of J. L. Banks, Tax Collector of Johnston county.

Under a suspension of the rules, the Resolution was placed on its second reading, when

Mr. Guess moved to amend by adding, after the words "Johnston county," the words "and the Sheriff of Orange." Adopted.

Mr. Everett moved further to amend by adding the words "and the Sheriff of Wayne." Carried.

Mr. Allen moved further to amend by adding the words "and the Tax Collector of Brunswick." Carried.

Mr. Trull moved further to amend by adding the words "and the Sheriff of Union." Carried.

The Resolution, as amended, then passed its second and third readings, and was ordered to be engrossed.

By Mr. Latham, of Craven: Bill (H. P. 39,) to incorporate the Ladies' Memorial Association of Newbern. Corporations.

By the same: Bill (H. P. 40,) to incorporate the St. Philip's Episcopal Singing Society of Newbern. Same reference.

By Mr. Williams, of Martin: Resolution (H. 218,) concerning mileage to members of the General Assembly for the adjourned session. On motion of Mr. Patton, laid on the table, for the present.

By Mr. Perry, of Carteret: Bill (H. 219,) to consolidate the Atlantic and North Carolina Rail Road Company, the North Carolina Rail Road Company, and the Western North Carolina Railroad Company. Committee on Internal Improvements.

Received a communication from the Public Treasurer in reply to a resolution of the Legislature, enquiring

1. The value of the taxable property in the State; and

2. What increase in the taxes will raise an amount sufficient to pay the interest on the public debt.

On motion of Mr. Patton, the communication was transmitted to the Senate, with a proposition to print the same.

Mr. Holderby announced, in an appropriate manner, the death, during the recess, of Ulysses Hand, Senator from the county of Rockingham; and then,
On motion of Mr. Holderby, the House, as a mark of respect to the memory of the deceased, adjourned until to-morrow morning, 10½ o'clock.

THURSDAY, JANUARY 24, 1867.

Prayer by the Rev. Mr. Hudson, of the Methodist Church. Mr. Ashworth presented a Memorial from certain citizens of Randolph, praying an amendment to the Stay Law; which was referred to the Committee on Propositions and Grievances.

The following Resolutions were offered, and referred, or otherwise disposed of, viz:

By Mr. Waugh: Resolution (H. 220) appropriating the sum of one thousand dollars for marking and preserving the graves of soldiers from North Carolina, who were buried in Virginia. Finance.

By Mr. Gorham: Instructing the Judiciary Committee to enquire into the expediency of empowering Executors, &c., to compromise debts, &c. Adopted.

By Mr. Rosebro: Resolution (H. P. 41) in favor of Mrs. Theresa Bell. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. McArthur: Proposing to raise a Joint Select Committee, to consist of three from each House, to take into consideration the expediency of a sine die adjournment at an early day. On motion of Mr. Dargan, laid on the table.

Bills of the titles following were introduced and severally disposed of as stated, viz:

By Mr. McKay: Bill (H. 221) to incorporate the "Flat Swamp, Lock's Creek and Evans' Creek Canal Company," in the County of Cumberland. Referred to the Committee on Corporations.

By Mr. Dargan: Bill (H. 222) to abolish imprisonment for debt. Ordered to be printed.

By Mr. Wilson, of Forsyth: Bill (H. 224) to establish the dividing line between the towns of Salem and Winston. Corporations.

By Mr. Patton: Bill (H. 225) to change the time of holding the summer and winter terms of the County Courts of Buncombe and Mitchell Counties. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Davidson: Bill (H. 226) to incorporate the Olivia Quicksilver Mining Company of Macon County. Corporations.

By Mr. Rosebro: Bill (H. 227) for the relief of Executors and Administrators. Ordered to be printed and referred to the Committee on the Judiciary.

By Mr. Latham, of Craven: Bill (H. 228) to pay the special Magistrates of the City of Newbern. Filed.

On motion of Mr. Allen, Bill (H. 174) to amend section 7, chapter 40, Acts of 1866, was taken up, and, under a suspension of the rules, it passed its several readings and was ordered to be engrossed.

On motion of Mr. Davis, Bill (H. 104) to amend an Act "For the relief of Landholders," ratified January 26, 1863, and an Act amendatory of the same, ratified May 28, 1864, was taken up; when

Mr. Durham offered an additional section, by way of amendment, to come in between sections 1 and 2; which was adopted.

The Bill, as amended, passed its second reading; and, under a suspension of the rules, being put on its third reading,

Mr. Waugh moved to amend by inserting, as an additional section, between sections 2 and 3, the following:

"Be it further enacted, That the said Act shall also be so amended as to require the Sheriff to summon nine instead of twenty, and five instead of twelve, freeholders, as now provided in said Act,—five of whom shall examine and enquire into the fact of tenancy and holding over."

Mr. Lowe moved to amend the amendment by striking out "nine" and inserting "five," and striking out "five" and inserting "three," where the words occur; which was adopted.

The amendment, as amended, was then adopted; and
The bill passed its third reading and was ordered to be engrossed.

The Calendar of Bills, &c., on their second reading, was then taken up, and the following dispositions made:

Bill (H. 28) to give the Mayor and Commissioners of Williamston the sole authority to issue license to retail spirituous liquors in that town:

The substitute reported from the Committee on the Judiciary, viz: Bill (H. 157) to regulate the retailing of spirituous liquors in Williamston, was adopted, and passed its second, and, under a suspension of the rules, its third reading, and was ordered to be engrossed.

Bill (H. 66) to allow fees to Clerks of County Courts in certain cases; Rejected.

Mr. Durham moved to reconsider the vote by which the foregoing Bill had failed to pass its second reading; which did not prevail.

Resolution (H. 70) in favor of certain maimed soldiers:

The substitute reported from the Committee on Propositions and Grievances, viz: Resolution (H. 127) to supply artificial limbs to disabled soldiers, and for other purposes, was adopted, and passed its second reading.

Under a suspension of the rule, being placed on its final reading,

Mr. McKay moved to strike out section 3, as follows:

"That in certain cases in which artificial arms cannot be applied, and in cases in which the sufferer prefers commutation instead of the artificial arm, it shall be the duty of the Governor to cause to be paid to him such sum of money as shall be equal to the cost of such arms when furnished by the State."

The motion did not prevail.

Mr. Hutchison moved to strike from section 3 the words "and in cases in which the sufferer prefers commutation instead of the artificial arm;" which did not prevail.

Mr. McClammy offered the following additional section, by way of amendment, viz:

"Be it further enacted, That the provisions of this Act shall extend to all persons who have lost both eyes in the service."
Mr. Williams, of Pitt, moved to amend the amendment, by striking out all after the word "enacted," and inserting:

"That all soldiers in the service of the State, or Confederate service from this State, who have lost their eyes by the casualties of the late war, shall draw an annual pension from the Public Treasury of this State, not exceeding four dollars per month."

Which did not prevail.

The original amendment was then lost; when Mr. Morehead moved that the resolution be re-committed; which motion was not carried.

The Bill then passed and was ordered to be engrossed.

Bill (H. 67) to diminish costs in certain cases: Rejected.

Bill (H. 71) for the relief of the People: Rejected.

Bill (H. 72) in favor of Widows: Passed second reading.

Bill (H. 79) to facilitate the adjudication and settlement of disputed boundaries: On motion of Mr. Latham, of Craven, laid on the table.

Received a communication from his Excellency, the Governor, covering a Memorial from the Trustees of the University of North Carolina; which

On motion of Mr. Waugh, was ordered to be transmitted to the Senate, with a proposition to print; and

On further motion of Mr. McKay, a message was sent to the Senate, proposing to refer the Memorial aforesaid to a Joint Select Committee, to consist of five on the part of the House, and three on the part of the Senate.

On motion Mr. Latham, of Craven, the House adjourned until to-morrow morning, 10½ o'clock.

FRIDAY, JANUARY 25, 1867.

The Speaker announced Messrs. Houston, Perry, of Wake, Whitfield, Whitley and Scoggin, as the Committee on Enrolled Bills for the week.

The following Memorials were presented, viz:
By Mr. Blythe: From citizens of Hendersonville, praying an amendment of the Charter of that town. Referred to the Committee on Corporations.

By Mr. Morton: From citizens of Stanly County, praying a change in the time of holding the Courts of said County.

Propositions and Grievances.

Resolutions and Bills of the following titles were introduced, referred, or otherwise disposed of, as stated, viz:

By Mr. Peebles: Resolution (H. 220) authorizing the State Librarian to purchase fifty copies of Battle's Digest for certain purposes. Referred to the Committee on the Library.

By Mr. Latham, of Craven: Bill (H. 239) to incorporate the North Carolina Agricultural and Manufacturing Company. Corporations.

By Mr. Waugh: Bill (H. 231) to enable the Western Rail Road Company to extend its road across the North Carolina Rail Road to the Virginia line, near Mt. Airy, in Surry County. Internal Improvements.

By Mr. Morehead: Bill (H. 232) to incorporate the Greensboro' and Dan River Rail Road Company. Same reference.

By Mr. Patten: Bill (H. 233) to enable the Buncombe Turnpike Company to subscribe the stock in their Road to the Western North Carolina Rail Road Company. Same reference.

By Mr. Brown: Bill (H. 234) for compensating Justices of the Peace in Lincoln County. Filed.

By Mr. Rountree: Bill (H. 235) to incorporate the town of Hookerton, in the County of Greene. Corporations.

By the same: Bill (H. P. 42) to incorporate Jerusalem Lodge, No. 95, F. and A. Masons. Corporations.

By Mr. Blair: Bill (H. P. 43) to incorporate the New Market Foundry and Manufacturing Company. Same reference.

By Mr. Bowe: Bill (H. 236) to amend section 2, chapter 46, Revised Code. Judiciary.

By Mr. Waugh: Bill (H. P. 44) accompanied by a Memorial, to incorporate the Rockford Male and Female Seminary in the County of Surry. Corporations.
By Mr. Ashworth: Bill (H. 237) to give the County Court of Randolph jurisdiction over the sale of real estate for division among joint tenants and tenants in common.Filed.

By Mr. Bryson: Bill (H. P. 45] to incorporate Tuckasegee Gold and Copper Mining Company. Corporations.

By Mr. Durham: (Bill H. 238) to amend an Act, ratified Feb. 7, 1866, "To extend the time for the registration of deeds and other conveyances." Judiciary.

By Mr. Crawford, of Macon: Resolution (H. P. 46) in favor of Jacob Siler, Agent of the State for the collection of Cherokee Bonds. Committee on Cherokee Lands and Western Turnpike.

By Mr. Latham, of Craven: Bill (H. P. 47) to incorporate Newbern Lodge, No 245, A. Y. Masons. Corporations.

By Mr. Henderson: Bill (H. P. 48) in favor of Walter Smith, Sheriff of Rockingham. Finance.

By Mr. Moore, from the Joint Select Committee on the African race and Apprentices: Bill [H. 239] relating to Apprentices.

Under a suspension of the rule, the Bill passed its second reading, and, being placed on the third reading, Mr. Waugh moved to amend, by adding the following as an additional section, viz:

"Be it further enacted, That it shall hereafter be the duty of the County Attorney, in each County in this State, to be present and advise in every case of binding an apprentice; and no indenture shall be valid unless attested by him. And the Court, in making allowance for the extra services of the County Attorney, shall take the same into consideration."

Which did not prevail.

The Bill then passed its third reading and was ordered to be engrossed.

By Mr. Moore, from the same Committee: (Bill H. 240) to amend chapter 5 of the Revised Code, entitled "Apprentices."

Which, under a suspension of the rule, being placed on its second reading, Mr. Hutchison offered the following as additional section, viz:
Sec. — Be it further enacted, That the words "and elementary rules of arithmetic," in section 3, chapter 5, Revised Code, be stricken out.

Which was adopted.

Mr. Hinnant moved to postpone the further consideration of the Bill until Thursday next, 31st inst. Not agreed to.

Mr. Boyd moved to amend, by striking out all after the enacting clause, and inserting:

"That the whole matter of Apprenticeships, without distinction of color, shall be left to the several County Courts of the State."

Which did not prevail.

Mr. Peebles offered the following, as an additional section, and it was adopted, viz:

"Sec. — Be it further enacted, That all indentures for the apprenticing of infants, heretofore made and entered into, without a bond from the person to whom the infants were bound, be and the same are hereby declared as valid and binding as though a bond had been given."

The Bill, as amended, then passed its second and third readings, and was ordered to be engrossed.

From the Senate: Bill (S. 15—H. 241) to amend the Act regulating Salaries and Fees. Filed.

From the Senate: Bill (S. 11—H. 242) to amend chapter 58, Acts of 1866. Filed.

From the Senate: Bill (S. 17—H. 243) for the better suppression of horse-stealing. Judiciary.

From the Senate: Bill (S. 56—H. 244) relative to Weights and Measures. Filed.

From the Senate: Bill (S. 33,—H. 245) allowing compensation to Judges, &c. Filed.

By Mr. McKay: Bill (H. 246) to amend the charter of the Fayetteville and Florence Rail Road Company. Internal Improvements.

Received a message from the Senate, concurring in the proposition to print the Memorial of the Trustees of the University and to refer the same to a Joint Select Committee. And
Messrs. Hall, Gash and Moore having been announced as the Senate branch of the Committee, the Speaker designated Messrs. McKay, Harper, Patton, Kenan and Morehead, as the Committee on the part of the House.

Received a message from the Senate, announcing Messrs. Bullock, Covington and Thompson, as the Senate branch of the Committee on Enrolled Bills for the week.

Also, a message transmitting recommendations of magistrates for the counties of Henderson and Transylvania.

The list for Transylvania was agreed to, but the House refused to concur in the nominations for the County of Henderson.

Bill (H. 82) to prevent the destruction of ginseng in the mountains of North Carolina, coming up on its second reading, passed the same.

Under a suspension of the rule, the Bill being put on its third reading,

Mr. Lowe moved to amend by adding, at the end of section 1, the words: "Provided, That no man shall be prevented from destroying ginseng on his own premises;” which prevailed.

Mr. Peebles moved to lay the Bill on the table. Not agreed to.

The Bill, as amended, passed its third reading and was ordered to be engrossed.

Mr. Williams, of Martin, (by leave) introduced Resolutions of sympathy with the Hon. Jefferson Davis, now confined as a Prisoner of State in Fortress Monroe, and providing for a commission to Washington to intercede with the President of the United States in his behalf;

Which, on motion of Mr. Waugh, was laid on the table for the present.

On motion of Mr. McNair, it was

Ordered, That a message be sent to the Senate, proposing to raise a Joint Select Committee, to consist of three from each House, to be entitled the “Committee on Federal Relations.”

On motion of Mr. Crawford, of Rowan, the House adjourned until to-morrow morning, 10 ½ o’clock.
Mr. Whitfield offered the following Resolutions, which, under the rule, lie over one day:

"Resolved, That all public or private bills of a local nature be made the special order for Friday and Saturday next, in order to clear the Calendar of all bills over which there can be no controversy.

Resolved, further, That from and after said days, no bill of a local or private nature be introduced without special leave of the House."

Resolutions and Bills of the titles named were introduced, read, referred, or otherwise disposed of, as follows:

By Mr. Whitfield: Bill (H. 247,) to amend an "An act to prevent enticing servants from fulfilling their contracts or harboring them." Referred to the Committee on the Judiciary.

By Mr. Murrill: Bill (H. 248,) amendatory of several acts heretofore passed for the better regulation of the town of Jacksonville, in Onslow. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Davidson: Bill (H. 249,) to amend the charter of the Cheoih Turnpike Company. Committee on Cherokee Lands, &c.

By Mr. Bowe: Bill (H. 250,) to amend Section 6, Chapter 90, Revised Code. Judiciary.

By Mr. Patton: Bill (H. 251,) to incorporate "Holston Annual Conference of the Methodist Episcopal Church, South." Corporations.

By Mr. McKay: Bill (H. 252,) giving to the County and Superior Courts authority to sentence criminals to work the public roads. Judiciary.

By the same: Bill (H. 253,) to authorize the Public Treasurer to negotiate a loan for the relief of the Treasury, and to establish a North Carolina Savings Bank. Ordered to be printed and referred to the Committee on Finance.

By Mr. Simpson: (H. 254,) to tax fire-arms kept for any other purpose than for military use. Judiciary.
By Mr. Jones: Bill (H. P. 49,) to enable the representative of W. E. Mann, deceased, late Sherif of Pasquotank, to collect arrears of taxes. Judiciary.

By Mr. Bryson: Bill (H. 255,) to amend the charter of the Western North Carolina Rail Road. Internal Improvements.

By Mr. Jordan: Resolution (H. P. 50,) in favor of A. H. Sanders, former Sherif of Montgomery County. Judiciary.

On motion of Mr. Davidson, Bill (H. 181,) to lay off and establish a new County by the name of Vance, was taken from the Calendar and re-referred to the Committee on Propositions and Grievances.

The Speaker announced Mr. Daniel as a member of the Committee on the Penitentiary, in the place of Mr. Judkins, deceased.

The Calendar of Private Bills, &c., on their second reading was then taken up and the following action taken:


Resolution (H. P. 21,) in favor of Robert Bynum, of Wilson. Rejected; whereupon,

On motion of Mr. Williams, of Pitt, the same was re-considered; and

On motion of Mr. Moore, of Hertford, the Resolution was re-referred to the Committee on the Deaf, Dumb and Blind Asylum.

Resolution (H. P. 22,) in favor of E. B. Tobb & Company. Tabled, on motion of Mr. Richardson.

Resolution (H. P. 23,) authorizing W. J. Murray, Sherif of Alamance, to collect arrears of taxes. Rejected.

Bill (H. P. 24,) to incorporate Perquimans Male and Female Academy in Hertford. Passed second, and, under a suspension of the rule, third reading, and ordered to be engrossed.

Resolution (H. P. 25,) in favor of Jno. H. Wheeler. Indefinitely postponed, on motion of Mr. Davis.

Bill (H. P. 28,) to authorize the Sherif of Edgecombe to collect arrears of taxes. Rejected.
Resolution (H. P. 32,) in favor of Samuel Eagle. Tabled, on motion of Mr. Harper.

The House then took up the Calendar of Public Bills on their third reading, when the following dispositions were made, viz:

Bill (H. 39,) to amend Section 12, Chapter 118, Revised Code, entitled "Widows." Passed and ordered to be engrossed.

Bill (H. 52,) to provide for including the value of stamps in the taxation of costs. Passed and ordered to be engrossed.

Bill (H. 69,) allowing fees to Justices of the Peace and regulating the same:

Mr. Durham moved that the Bill be referred to the Committee on the Insane Asylum. Not agreed to.

Mr. Boyd moved that it be laid on the table. Not carried.

Mr. Perry, of Carteret, moved that it be indefinitely postponed; which did not prevail.

Mr. Perry, of Carteret, moved to amend by inserting the following, at the end of section 1:

"Provided, That the fees prescribed in this Act shall be paid only in those counties in which the several County Courts may direct."

Which was not adopted.

Mr. Richardson offered the following amendment, to come in at the close of section 1, which was adopted, viz:

"Provided, nevertheless, That when the party convicted shall be unable to pay the Magistrate's costs, the same shall not be taxed as costs of the State."

Which did not prevail.

Mr. Durham offered the following as an additional section, and moved to lay the amendment on the table:
"Be it further enacted, That magistrates shall be allowed the same fees in all civil process as is herein provided in all criminal cases."

The motion to lay on the table did not prevail, and the amendment was rejected.

Mr. Latham, of Craven, moved to lay the Bill on the table; which was decided in the negative,—Yeas 44, Nays 60.

Mr. Crawford, of Macon, demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Mr. Everett moved that the Bill be referred to the Committee on the Judiciary; which was not aged to.

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

"Be it further enacted, That nothing in this Act shall be construed to repeal any local laws in relation to the fees of magistrates;"

Which did not prevail.
Mr. York moved to amend by adding as follows at the end section 1:

"And the fees of magistrates shall be taxed one hundred per cent."

Mr. Durham moved to lay the amendment on the table; which motion was lost.—Yeas 42, Nays 55.

Mr. Durham demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


The amendment was then rejected.

Mr. Dargan moved that the House do now adjourn. Lost.

Mr. Durham moved that the Bill be indefinitely postponed; which was not agreed to.

Mr. Durham moved that the House do now adjourn. Lost.

Mr. Perry, of Carteret, moved to amend by inserting the following proviso at the end of section 1:

"Provided, That the provisions of this Act shall not apply to the Counties of Carteret and Craven, unless the County Court, a majority of Justices being present, shall so direct."

Which did not prevail.
Mr. Durham offered, as an additional section, the following, which was not adopted, viz:

"Be it further enacted, That the fees allowed to magistrates by this Bill shall be paid out of any funds in the United States Treasury, not otherwise appropriated."

Mr. Dargan moved that the Bill be referred to the Committee on Propositions and Grievances. Lost.

Mr. Durham moved that the House do now adjourn. Lost.

Mr. Boyd moved to amend by adding the following proviso at the end of section 1, viz:

"Provided, That this Act shall not take effect until the 25th day of December, 1869."

Which did not prevail.

Mr. York moved to amend by inserting, at the close of the first section:

"Provided, That the provisions of this Bill shall not apply to the counties of Wilkes and Granville."

Which was not agreed to.

Mr. Durham offered the following, as an additional section, and it was not adopted, viz:

"Be it further enacted, That magistrates in the county of Cleveland shall be paid such fees in civil business as the County Court may allow."

Mr. Durham moved that the House do now adjourn. Lost.

The Bill then passed its third reading,—Yea 62, Nay 39.

Mr. Latham, of Craven, demanded the Yeas and Nays.

Those who voted in the affirmative, were:

Those who voted in the negative, were:


Ordered to be engrossed.

Received a message from the Senate, transmitting recom- mendations of magistrates for the counties of Catawba and Onslow; which were concurred in and the Senate informed thereof by message.

Received a message from the Senate, announcing that they had passed

Engrossed Bill (S. 72—H. 25) to enable the Commissioners of Jones County to sell a certain lot. Under a suspension of the rule, passed its several readings and ordered to be enrolled:

Received a message from the Senate, announcing that they had passed, with an amendment, Resolution (H. 191) in favor of the County of Stanly, and asking the concurrence of the House.

Concurred in and the Senate informed thereof by message.

Mr. Williams, of Pitt, offered (by leave) a resolution, in- structing the Committee on Propositions and Grievances to enquire into the expediency of reporting a Bill giving to the County Courts the jurisdiction of regulating the fees of law- yers and attorneys.

Which, on motion of Mr. McNair, was laid on the table.

On motion of Mr. Richardson, the House adjourned until Monday morning, 10½ o'clock.
The Speaker announced Messrs. Crawford, of Macon, Daniel, Davis, Davidson and Durham, as the Committee on Enrolled Bills for the week.

P. T. Henry, member elect from the county of Bertie, appeared, produced his credentials, was qualified and took his seat.

Mr. Latham, of Washington, presented a Memorial from citizens of Tyrrell county, asking legislation allowing Henry B. Norman, late Sheriff of said county, to collect arrears of taxes. Referred to the Committee on Propositions and Grievances.

On motion of Mr. Cowan, the Resolutions, introduced by himself, with regard to the interest on the public debt, which had been made the Special Order for this day, were postponed and made the Special Order for Wednesday next, 12 o'clock, M.

Mr. McNair, from the Committee on Corporations, reported favorably on

Bill (H. P. 39,) to incorporate the Newbern Memorial Association; and

Bill (H. P. 47,) to incorporate Newbern Lodge, No. 245, A. Y. M., in the city of Newbern.

The following Resolutions were offered, and referred, or otherwise disposed of, as stated, viz:

By Mr. Whitfield: Resolution (H. 257,) in regard to testing the legality of the tax on Cotton. Judiciary.

By Mr. Latham, of Washington: Resolutions (H. P. 51, 52, 53 and 54,) in favor of Amos Pettiford, Jordan Simpson, Eugene Burras and Wilson Cherry, respectively. Referred to the Committee on Propositions and Grievances.

By Mr. Crawford, of Macon: Resolution (H. P. 55,) in favor of Thos. S. Siler, former Agent of the Western Turnpike Road. Committee on Cherokee Lands, &c.

By Mr. Stevenson: Resolutions (H. 258,) proposing a Constitutional Convention of all the States of the Union. Referred to the Committee on Federal Relations.
By Mr. Peebles: Joint Resolution of enquiry, asking the opinion of the Supreme Court upon the question: "Is the restriction contained in the Ordinance of the Convention, ratified June 23rd, 1866, entitled "An Ordinance to change the jurisdiction of the Courts and the rules of Pleading therein," binding upon this General Assembly? or has it the power to repeal, alter or modify, said Ordinance, prior to the 3rd Monday in November, 1866?"

Pending discussion on which, the hour having arrived for the consideration of the Special Order, viz: Bill (H. 152,) to establish a Penitentiary, the same was,

On motion of Mr. Dargan, postponed and made the Special Order for Tuesday, Feb. 5th, 12 o'clock, M.

After further debate, the Resolution, on motion of Mr. Dargan was laid on the table,—Yeas 65, Nays 46.

Mr. Dargan demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Bills of the titles following were introduced, and referred, or otherwise disposed of, as stated, viz:

By Mr. Richardson: Bill (H. P. 56) for the benefit of David Jackson, Sr., of Bladen County. Propositions and Grievances.

By Mr. Latham, of Washington: Bill (H. P. 57) to incorporate Lowell Colored School Society in Washington County. Corporations.

By Mr. Garriss: Bill (H. 259) to incorporate the town of Nahunta, in Wayne County. Same reference.

By Mr. Latham, of Craven: Bill (H. 260) for the relief of the people of North Carolina. Ordered to be printed.

By Mr. Cowan: Bill (H. 261) to incorporate the Wilmington Manufacturing Company. Corporations.

By Mr. Dargan: Bill (H. 262) to exchange a certain amount of the Stock in the North Carolina Rail Road Company with the Cheraw & Coalfields Rail Road Company, and for other purposes. Ordered to be printed and referred to the Committee on Internal Improvements.

By Mr. Whitfield: Bill (H. 263) to declare Tar River, through the County of Edgecombe, a water-course sufficient for a fence. Judiciary.

By Mr. Gorham: Bill (H. 264) to amend section 9, chapter 101, Revised Code. Same reference.

By Mr. Bryson: Bill (H. 265) to amend the Act of December 21, 1866, in relation to the bridge across Notla River, Cherokee Lands, &c.

By Mr. Durham: Bill (H. P. 58) for the relief of the late Provisional Sheriff of Cleveland County, and the late Constable of the town of Shelby. Propositions and Grievances.

By Mr. Perry, of Carteret: Bill (H. 266) to authorize the appointment of special magistrates for incorporated towns in Carteret County. Judiciary.

By Mr. Ford: Bill (H. 267) to repeal an Act, entitled "An Act to establish the rates of Interest," ratified March 12th, 1866. Propositions and Grievances.

By Mr. McGougan: Bill (H. 268) allowing debtors the privilege of paying their old debts in State bank currency, or its equivalent in current funds. Judiciary.
By Mr. Foard: Bill (H. P. 59) to incorporate Wilson Lodge, No. 26, F. and A. M. Filed.

From the Senate: Bill (S. P. 59—H. P. 60) authorizing the Justices of Wayne County to sell certain property, &c. Under a suspension of the rules, passed its several readings and ordered to be enrolled.

From the Senate: Bill (S. P. 69—H. P. 61) in favor of W. B. March, Jno. Wilson and others. Filed.

From the Senate: Bill (S. P. 55—H. P. 62) concerning the town of Warrenton. Under a suspension of the rules, passed its several readings and ordered to be enrolled.

From the Senate: Bill (S. 75—H. 269) to amend the charter of the town of Hendersonville. Filed.

By Mr. Patton: Bill (H. 270) to authorize the formation of the English and American Wool and Vine growing, Manufacturing, Mining and Agricultural Association in the United States of America. Corporations.

On motion of Mr. Latham, of Craven, Bill (H. P. 47) to incorporate Newbern Lodge, 245, A. Y. Masons, was taken up; when it passed its several readings and was ordered to be engrossed.

On motion of Mr. Cowan, Bill (H. 180) to establish a Criminal Court in New Hanover County, &c., was taken from the Calendar and re-referred to the Judiciary Committee.

On motion of Mr. Peebles, Bill (H. 190) to amend section 4 of an Act to authorize the Roanoke Navigation Company to discontinue the use of their canal, &c., was taken up and referred to the same Committee.

The Resolutions introduced, on Saturday, by Mr. Whitfield, relative to Bills of a private or local nature, coming up as unfinished business, were, on motion of Mr. Williams, of Pitt; laid on the table.

Received a message from the Senate, concurring in the proposition to raise a Joint Select Committee on Federal Relations, and announcing Messrs. Hall, Willey and Cowles as their branch of the Committee.

Whereupon, the Speaker designated Messrs. McNair, Davis and Logan as the Committee on the part of the House.
Also, a message announcing Messrs. Cunningham, Speed and Ccward as the Senate branch of the Committee on Enrolled Bills for the week.

Also, announcing the passage, by that body, with an amendment, of Bill (H. P. 1) to incorporate Union Camp Ground in Cleaveland County.

The amendment was concurred in and the Senate informed thereof.

Received a message from the Senate, proposing to raise a Joint Select Committee, to consist of five members from each House, to consider the policy of re-modeling the Judicial system of the State; which was not concurred in.

On motion of Mr. Waugh, the Resolution concerning the Hon. Jefferson Davis was taken from the table and referred to the Committee on Federal Relations.

On motion of Mr. McGougan, the Resolution proposing a Joint Select Committee on the subject of adjournment was taken from the table; when it was adopted and transmitted to the Senate.

On motion of Mr. Richardson, the House reconsidered the vote by which it had refused to concur in the proposition of the Senate to raise a Joint Select Committee on the subject of the Judicial system of the State; when

The proposition was concurred in and the Senate informed thereof by message.

On motion of Mr. Waugh, the House adjourned until tomorrow morning, 10½ o'clock.

THURSDAY, JANUARY 29th, 1867.

Prayer by the Rev. Mr. Atkinson, of the Presbyterian Church.

The Speaker announced Messrs. Dargan, Kenan, Durham, Perry and Davis, as the House branch of the Committee to consider the propriety of remodeling the Judicial system of the State.
Messrs. Russ, Rogers and Perry rose to questions of personal privilege,—pending which,

The hour having arrived for the consideration of the Special Order, viz: Bill (H. 54,) to amend the "Act to establish work-houses and houses of correction," the same was,

On motion of Mr. McClammy, postponed and made the Special Order for Wednesday, February 6th, at 11 o'clock, A. M.

Mr. McNair, from the Committee on Corporations, reported favorably on

Bill (H. P. 57,) to incorporate Lowell Colored School Society;

Bill (H. 235,) to incorporate the town of Hookerton;

Bill (H. P. 44,) to incorporate Rockford Male and Female Seminary;

Bill (H. P. 42,) to incorporate Jerusalem Lodge, No. 95, A. Y. M.;

Bill (H. P. 40,) to incorporate the St. Philip's Episcopal Singing Society of Newbern;

Bill (H. P. 43,) to incorporate the New Market Foundry and Manufacturing Company;

Bill (H. 224,) to establish the dividing line between Salem and Winston; and

Bill (H. 251,) to incorporate Holston Annual Conference of M. E. Church, South.

And favorably, with amendments, on

Bill (H. 226,) to incorporate the Olivia Quicksilver Mining Company, in Macon county;

Bill (H. P. 45,) to incorporate Tuckasegee Gold and Copper Mining Company;

Bill (H. 221,) to incorporate Flat Swamp, Lock's Creek and Evans' Creek Canal Company;

Bill (H. 230,) to incorporate the North Carolina Agricultural and Manufacturing Company.

Mr. McNair, from the same Committee, to whom was referred a Memorial of citizens of Hendersonville, praying an amendment of the Charter of that town, asked to be discharged from the further consideration of the matter; which was so ordered.
Mr. Kenan, from the Committee on the Judiciary, to whom was referred Bill [H. 180,] to establish a Criminal Court in New Hanover county, reported back a substitute for the same, recommending its passage, viz:

Bill [H. 271,] to establish a Criminal Court in New Hanover county; which was placed on file.

Mr. Waugh, from the Committee on Propositions and Grievances, reported favorably on

Bill (H. P. 56,) for the benefit of Daniel Johnson, Sr.

Mr. Waugh, from the same Committee, to whom was referred a Memorial from citizens of Tyrrell, praying that H. B. Norman, former Sheriff, may have the power to collect arrears of taxes, reported the same back and asked to be discharged from its further consideration; which was ordered accordingly.

Mr. McKay, from the Committee on the Judiciary, reported favorably, with amendments, on

Bill (H. P. 49,) to allow the representative of W. E. Mann, deceased, late Sheriff of Pasquotank County, to collect arrears of taxes.

And favorably on

Bill (H. 223,) to amend Chapter 39, Acts of 1860-'61; and

Resolution (H. 257,) relative to testing the legality of the Cotton tax.

Resolutions were offered and disposed of, as follows:

By Mr. Waugh: Resolutions (H. 272,) in favor of a Constitutional Convention. Ordered to be printed and referred to the Committee on Federal Relations.

By Mr. Horton, of Watauga: Instructing the Judiciary Committee to enquire what further legislation is necessary with reference to the political and social status of Freedmen, &c. Adopted.

Bills of the titles named were introduced, read, referred, or otherwise disposed of, as follows:

By Mr. Russ: Bill (H. 273,) relating to hunting on the Sabbath. Judiciary.
By Mr. Holderby: Bill (H. 274,) to incorporate the Rockingham and Henry Rail Road Company. Internal Improvements.

By Mr. Horton, of Watauga: Bill (H. P. 63,) to authorize A. J. McBride, former Sheriff of Watauga, to collect arrears of taxes. Propositions and Grievances.

By Mr. Crawford, of Macon: Bill (H. 275,) to incorporate the American Industrial Association of North Carolina. Corporations.

By Mr. Chadwick: Bill (H. 276,) to subject the lands covered by Long Lake, in Craven County, to entry. Filed.

By Mr. Crawford, of Macon: Bill (H. 277,) for the relief of purchasers of vacant land in Macon County. Propositions and Grievances.

By Mr. Davis: Bill (H. 278,) relating to Deeds of Trust and Mortgages. Judiciary.

Mr. Richardson moved to take from the Calendar and consider Bill (H. P. 56,) for the benefit of Daniel Johnson, Sr. which did not prevail.

The hour for the remaining special order, viz: Bill (H. 198,) to raise Revenue, having arrived, the same was read, when

Mr. Harper moved that it be made the special order for Thursday next, 12 o'clock, M., and that it betaken up for consideration at the same hour, on each successive day, until finally disposed of; which order was made accordingly.

The Calendar of Bills, &c., on their second reading, was then taken up, and the following action had:

Bill (H. 48,) to repeal Chapter 12, Acts of 1861, and chapter 18, Acts of 1862: On motion of Mr. Latham, laid on the table.

Bill (H. 64) to incorporate the Albemarle Swamp Land Company. Passed second, and, under a suspension of the rule, third reading, and ordered to be engrossed.

Bill (H. 73,) to amend Section 71, Chapter 31, Revised Code:

Mr. Crawford, of Macon, moved to amend by striking out the words "and fifty cents," in the last line of Section 1.—— Carried.
The Bill, as amended, passed to a third reading.

Bill (H. 87,) to protect honest debtors. Tabled, on motion of Mr. Hodnett.

Bill (H. 91) to exempt certain articles from execution.—Laid on the table, on motion of Mr. Richardson.

On motion of Mr. Foard, the rule was suspended, and Bill (H. 222,) to abolish imprisonment for debt, was taken from the Calendar.

Mr. Lowe moved that the Bill be referred to the Committee on the Judiciary; which did not prevail.

Mr. Wilson, of Perquimans, moved that it be laid on the table; which was not agreed to.

Mr. Logan moved to amend by striking out, in line 10, Section 2, all after the word "have," and insert, in lieu thereof, "the right to require bail as heretofore." Adopted.

Mr. McKay moved to amend by inserting, at the end of Section 2, the following:

"Provided, That if the defendant may make a counter affidavit, that he or they are not about to remove beyond the limits of the State, bail shall not be required; and either party, guilty of false swearing, shall be deemed guilty of perjury and punished accordingly."

Which was adopted.

Mr. Dargan then moved that the Bill, as amended, be laid on the table; which did not prevail.

Mr. Davis moved further to amend by inserting, after the words "shall make oath in writing," in the 6th line, the words "at the time of issuing the summons, or at any time thereafter, before judgment and execution;" which prevailed.

And then, on motion of Mr. Moore, of Hertford, the Bill was referred to a Select Committee of three members, to be designated by the Speaker.

Received a communication from his Excellency, the Governor, covering a Memorial of citizens of Granville County, praying the establishment of a Warehouse in the town of Henderson and the appointment of an Inspector of Tobacco.

Which was read, and, on motion of Mr. Waugh, transmitted to the Senate.
On motion of Mr. Morton, the House adjourned until to-
morrow morning, 10½ o'clock.

WEDNESDAY, JANUARY 30, 1867.

The Speaker announced Messrs. Moore, of Hertford, Dar-
gan and McKay as the Special Committee to whom is refer-
red Bill (H. 222) to abolish imprisonment for debt.

Mr. Cowan, from the Committee on Internal Improvements,
reported favorably, with amendments, on

Bill (H. 169) to amend an Act to incorporate the North
Carolina Rail Road Company.

Unfavorably on

Bill (H. 219) to consolidate the Atlantic & North Carolina,
the North Carolina, and the Western North Carolina Rail
Roads.

And favorably on

Bill (H. 246) to amend the charter of the Fayetteville and
Florence Rail Road Company;

Bill (H. 231) to enable the Western North Carolina Rail
Road Company to extend its road across the North Carolina
Rail Road to the Virginia line, near Mt. Airy, in Surry Coun-
ty; and

Bill (H. 233) to enable the Buncombe Turnpike Company
to subscribe its stock to the Western North Carolina Rail
Road Company.

Mr. Harper, from the Committee on Finance, reported un-
favorably on

Bill (H. P. 48) in favor of Walter Smith, Sheriff of Rock-
ingham.

Mr. Kenan, from the Committee on the Judiciary, reported
favorably on

Bill (H. 252) giving to the County and Superior Courts
authority to sentence criminals to work on the public roads;

Bill (H. 266) to authorize the appointment of special mag-
istrates in incorporated towns in Carteret County; and
Bill (H. 190) to amend section 4 of an Act to authorize the Roanoke Navigation Company to discontinue the use of their canal, &c.

And unfavorably on

Bill (H. 205) for the relief of owners of land and houses;

Bill (H. P. 50) in favor of A. H. Sanders, late Sheriff of Montgomery; and

Bill (H. 268) allowing debtors the privilege of paying their old debts in State bank money, or its equivalent in current funds.

Mr. Richardson, from the same Committee, reported adversely on

Bill (H. 247) to amend the Act "to prevent enticing servants from fulfilling their contracts and harboring them;" and

Bill (H. 3) to punish persons who knowingly entice or persuade minors to leave the service of their parents, guardians or masters.

Mr. Richardson, from the same Committee, to whom was referred Bill (H. 264) to amend section 9, chapter 104, Revised Code, reported back a substitute for the same and recommended its passage, viz:

Bill (H. 279) amendatory of an Act, passed in 1866, "To amend section 9, chapter 104, Revised Code, entitled Roads, Ferries, and Bridges;" which was placed on file.

Mr. Davis, from the same Committee, to whom was referred Bill (H. 236) to amend section 2, chapter 46, Revised Code, reported back a substitute for the same and recommended its passage, viz:

Bill (H. 280,) with same title; which was placed on file.

Mr. McNair, from the Committee on Corporations, reported favorably on

Bill (H. 261) to incorporate the Wilmington Manufacturing Company:

Bill (H. 259) to incorporate the town of Nahunta;

Bill (H. 270) 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
Bill (H. 275) to incorporate the American Industrial Association of North Carolina.

The following Resolutions, Bills, &c., were introduced, read, referred, or otherwise disposed of, as stated, viz:

By Mr. Russ: Resolution (H. P. 64) in favor of the messenger to the Governor:

The rule being suspended and the Resolution put on its second reading,

Mr. Blair moved to amend by striking out “fifty dollars” and inserting “forty dollars;” which did not prevail.

The Resolution then passed its second reading,—Yea 57, Nays 50.

Mr. Scoggin demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


The Resolution being put on its third reading,
Mr. Blair moved to amend by striking out "fifty dollars" and inserting "thirty-three and a third dollars;" which did not prevail.

Mr. Boyd moved to amend by striking out "fifty dollars per month" and inserting "five hundred dollars per annum;" which was adopted.

Mr. Crawford, of Macon, moved to amend by adding the following:

"Resolved, further, that the Sheriffs' fees of this State shall hereafter be fifty per cent, in addition to fees allowed in Chapter 102, Revised Code."

Which was not adopted.

The Resolution, as amended, then passed its third reading and was ordered to be engrossed.

By Mr. McKay: Resolution instructing the Judiciary Committee to ascertain and report what is the indebtedness of the State not incurred for war purposes. Adopted.

By Mr. Logan: Resolution requesting the Governor to inform this House what number of Clerks or Messengers are absolutely necessary to assist him in the duties of his office. Rejected, on motion of Mr. McNair.

By Mr. Gambril: Resolution (H. P. 65) in favor of Horton S. Reeves, of Alleghany County. Claims.

By Mr. Latham, of Craven: Instructing the Judiciary Committee to enquire and report what changes, if any, are necessary in the law regulating the appointments of Auctioners. Adopted.

By Mr. Cowan: Bill (H. 281) to require the Principal Clerks to index the Journals and Laws. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Dargan: Bill (H. 282) authorizing the Chairman of the County Court of Anson to sell certain lots in the town of Wadesboro. Filed.

By the same: Bill (H. 283) extending the several terms of the County Courts of Anson. Filed.

By the same: Bill (H. P. 66) to incorporate the Carolina Lodge, No. 141, in Anson County. Corporations.
By Mr. Scoggin: Bill (H. P. 67) for the relief Robert McFarland, former Sheriff of Polk. Finance.

By Mr. Horton, of Watauga: Bill (H. 284) to re-enact section 9, chapter 42, Revised Code, entitled, "Entries and Grants." Propositions and Grievances.

By Mr. Durham: Bill (H. 285) to authorize a public road from Shelby to the South Carolina line, and the construction of a toll-bridge and dam across Broad River. Same reference.

By Mr. Harper: Bill (H. 286) to secure a better drainage of the low-lands on Lower Creek in Caldwell County. Same reference.

By Mr. Patton: Bill (H. 287) to amend the charter of the Western North Carolina Rail Road. Internal Improvements.

By Mr. Waugh: Bill (H. 288) to revise and consolidate the various Acts relating to the collection and return of taxes for the support of the indigent insane. Finance.

By Mr. Houston: Bill (H. 289) in regard to standard Weights and Measures. Judiciary.

From the Senate: Bill (S. 129—H. 290) to amend the charter of the Western Rail Road Company. Under a suspension of the rules, passed its several readings and ordered to be enrolled.

From the Senate: Bill (S. P. 81—H. P. 68) in favor of R. H. S. Bond, Sheriff of Gates. Under a suspension of the rule, passed its several readings and ordered to be enrolled.


From the Senate: Bill (S. 31—H. 292) to protect property sold under execution from sacrifice. Same reference.

On motion of Mr. Chadwick, Bill (H. 276) to subject the lands covered by Long Lake, in Craven, to entry, was taken up; and

On further motion of Mr. Latham, of Washington, the same was referred to the Committee on Swamp Lands.

Mr. Moore, of Hertford, from the Special Committee to whom was referred Bill (H. 222) to abolish imprisonment for debt, as amended by the House on yesterday, reported back the original Bill, recommending its passage.
The substitute was adopted, and, under a suspension of the rule, was put on its second reading;

Pending discussion on which, the hour for the special order, viz.: the Resolutions with regard to the interest on the public debt, having arrived,

Mr. Cowan moved that they be referred, in the shape of Resolutions of enquiry, to the Committee on Finance; which was so ordered.

The consideration of the Bill (H. 222) being resumed,

Mr. Davis moved to amend, by adding, at the close of section 2, the following:

Provided, further, That if, at any time, after the issuing of the writ and before execution levied, the plaintiff, his agent, or attorney, shall make oath before the Clerk of the County Court, from which the writ is issued, that the defendant is about to leave State, then the Clerk shall issue an alias writ of capias ad respondendum or ad satisfaciendum, as the case may be, and the defendant shall be required to give bail."

Which was adopted.

Mr. Morehead moved to amend by adding the following at the end of section 2:

"Provided, That after service of process any and all alienation of property, both personal and real, by the defendant, be void, until the final settlement of the suit."

Which did not prevail.

Mr. McNair moved to amend, by striking out all after the word "shall," in line 5, section 2, to the word "then," in line 10, same section, and inserting instead "require bail, and the same shall be endorsed in writing on the process by the plaintiff, his attorney or agent;" which was not agreed to.

Mr. Westmoreland moved to amend by adding the following, at the end of section 2:

"Provided, That the provisions of this Bill s' all not apply to the County of Stokes."

Which was not adopted.

The Bill then passed its second reading; and, being placed on its third,

Mr. Morehead moved to amend by adding the following at the end of section 2, viz:
“Provided, that the service of process shall create a lien on the property of the defendant, in favor of the plaintiff.”

And the question being thereon was put and decided in the negative.—Yeas 50, Nays 57.

Mr. Russ demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


The Bill then passed its third reading—Yeas 87, Nays 19.

Mr. Martin demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Ordered to be engrossed.

On motion of Mr. Richardson, Bill (H. P. 56,) for the benefit of Daniel Johnson, Sr., was taken up, and, under a suspension of the rules, passed its several readings and was ordered to be engrossed.

On motion of Mr. Perry, of Carteret, Bill (H. 266,) to authorize the appointment of special magistrates in the incorporated towns of Carteret county, was taken up, and, under a suspension of the rule, passed its several readings and was ordered to be engrossed.

Mr. Latham, of Washington, moved to take up and consider Bill (H. P. 57,) to incorporate Lowell Colored School Society; which prevailed, and the Bill, under a suspension of the rule, passed its several readings and was ordered to be engrossed.

Mr. Latham, of Craven, moved to take up and consider Bill (H. P. 40,) to incorporate the St. Philip’s Episcopal Singing Society of Newbern; which was not agreed to.

Leave of absence until Monday next was granted to Mr. Autry.

On motion of Mr. Hodnett, the House adjourned until to-morrow morrow, 10½ o’clock.
Prayer by Rev. Mr. Hudson, of the Methodist Church.

Messrs. Jordan and Williams, of Martin, asked and obtained leave to record their votes in the affirmative on the Bill (H. 222,) to abolish imprisonment for debt.

Received a message from his Excellency, the Governor, covering a report from the Cape Fear and Deep River Navigation Company; which, on motion of Mr. Waugh, was ordered to be transmitted to the Senate, with a proposition to refer the same to a Joint Select Committee of three from each House.

Mr. Waugh, from the Committee on Propositions and Grievances, reported favorably on

Bills (H. P. 51, 52, 53 and 54,) for the relief of Amos Pettiford, Jordan Simpson, Eugene Burras and Wilson Cherry, respectively.

And favorably, with amendments, on

Bill (H. 277,) for the relief of purchasers of vacant lands in Macon county.

Mr. McKay, from the Committee on the Judiciary, reported favorably on

Bill (S. 17—H. 243,) for the better suppression of horse-stealing; and

Bill (H. 250,) to amend section 6, chapter 90, Revised Code.

And unfavorably on

Bill (H. 60,) for the relief of the people;

Bill (H. 93) giving debtors, whose lands have been sold under execution, a right of redemption;

Bill (H. 30) to change the present jurisdiction of Justices of the Peace, and for the relief of poor debtors; and

Bill (H. 129) to amend section 7, chapter 63, Revised Code, entitled “Justices of the Peace.”

Mr. McKay, from the same Committee, to whom was referred a Resolution of enquiry in relation to empowering Guardians to compromise debts, reported the same back and asked to be discharged from its further consideration; which was so ordered.
Mr. Long, from the Committee on the Library, reported favorably on
Resolution (H. 229) authorizing the State Librarian to purchase fifty copies of Battle's Digest.

Mr. Patton, from the Committee on Internal Improvements, reported favorably, with an amendment, on
Bill (H. 232) to incorporate the Greensboro' and Dan River Rail Road Company;
And favorably on
Bill (H. 263) to exchange a certain amount of the stock in the North Carolina Rail Road Company, with the Cheraw and Coal Fields Rail Road, and for other purposes; and
Bill (H. 274) to incorporate the Rockingham and Henry Rail Road Company.

Mr. Harper, from the Committee on Finance, to whom was referred a memorial of citizens of Henderson, praying an increase in the fees of Constables, reported the same back and asked to be discharged from its further consideration; which was so ordered.

Mr. Morehead, from the Committee on the Judiciary, to whom was referred a Resolution directing them to report a Bill making it larceny to steal bonds, coupons, revenue stamps, &c., reported back
Bill (H. 293) to amend section 20, chapter 34, Revised Code; which was placed on file.

Mr. Richardson, from the Committee on the Judiciary, reported favorably on
Bill (S. 2—H. 291) to establish freehold Homesteads.

Mr. Latham, of Washington, from the Committee on Swamp Lands, reported unfavorably on
Bill (H. 276) to subject the lands covered by Long Lake, in Craven County, to entry.

The following Resolutions and Bills were introduced, referred, or otherwise disposed of, as follows:
By Mr. Wilson, of Perquimans: Resolution requesting the Judiciary Committee to consider the propriety and necessity of providing by law for allowing Executors, Guardians, &c., to compromise with their debtors, &c. Adopted.
By Mr. Richardson; Bill (H. 224) to incorporate the North Carolina Land Agency, for the encouragement of immigration. Referred to the Committee on Corporations.

From the Senate: Bill (S. 24—H. 295) to authorize the Justices of Cumberland County to fund the interest due on its bonds, issued in payment of its stock in the Western Rail Road. Filed.

From the Senate: Bill (S. 25—H. 296) to authorize the Mayor and Commissioners of Fayetteville to fund the interest due on their bonds, issued in payment of stock in the Western Rail Road Company. Filed.

From the Senate: Resolution (S. P. 84—H. P. 69) in favor of W. H. Perkins, late Tax Collector of Pitt County. Filed.

The Calendar of Bills on their second reading was taken up and the following dispositions made, viz:

Bill (H. 3) to punish persons who knowingly entice or persuade minors to leave the service of their parents, guardians and masters; Laid on the table.

Bill (H. 30) to change the jurisdiction of Justices of the Peace and for the relief of poor debtors; Laid on the table, on motion of Mr. Martin.

Bill (H. 60) for the relief of the people; On motion of Mr. Russ, laid on the table.

On motion of Mr. Rogers, Bill (H. 260) for the relief of the people of North Carolina, was taken from the Calendar and considered, on its second reading.

Mr. Williams, of Pitt, offered an amendment, in the way of an additional section, providing that the provisions of the Bill shall not apply to debts contracted since May 1, 1865.

Pending discussion on which, Mr. McKay moved that the Bill be referred to the Committee on the Judiciary.

Mr. Martin moved to lay the motion to refer on the table; which was decided in the negative,—Yeas 32, Nays 78.

Mr. Martin demanded the Yeas and Nays.

Those who voted in the affirmative were:

Messrs. Baker, Boyd, Brown, Bryson, Clement, Collins, Crawford, of Macon, Crawford, of Rowan, Davis, Davidson, Harper, Hodnett, Hutchison, Jenkins, of Gaston, Kenan, Kendall, Lowe, Martin, McArthur, McGougan McNair, Mc...
Rae, Perry, of Carteret. Rosebro, Smith, of Guilford, Stevenson, Teague, Westmoreland, Whitley, Wilson, of Forsythe, Williams, of Martin and Woodard.

Those who voted in the negative, were:


The question recurring on the motion to refer, it was decided in the affirmative.—Yeas 95, Nays, 14.

Mr. Henry demanded the Yeas and Nays.

Those who voted in the affirmative, were:

Perquimans, Williams, of Pitt, Williams, of Yancey, and Woodard.

Those who voted in the negative, were:

Messrs. Barden, Black, Bright, Carson, Hinnant, Lyon, May, Moore, of Chatham, Neal, Perry, of Carteret, Smith, of Duplin, Williams, of Harnett, Womble and York.

On motion of Mr. Dargan, Bill (H. 262,) to exchange a certain amount of stock in the North Carolina Rail Road Company with the Cheraw and Coalfields Rail Road Company, and for other purposes, was made the Special Order for Monday next, February 4th, at 12 o'clock, M.

Received a message from the Governor, transmitting the report of the State Geologist; which,

On motion of Mr. Patton, was sent to the Senate, with a proposition to print twenty copies thereof for each member of the General Assembly, two hundred copies for the use of the Governor, and the same number for the use of the Geologist.

On motion of Mr. Harper, Bill (H. P. 22,) in favor of E. P. Tabb & Co., was taken from the table, and re-referred to the Committee on Finance.

The hour having arrived for the consideration of the Special Order, viz: Bill (H. 198,) to raise Revenue, on its second reading,

The same was taken up, and, on motion of Mr. Latham, of Washington, the Clerk proceeded to read the same by sections.

Mr. Harper offered the following as an amendment, to come in at the end of Rule 1, viz:

"Provided, That purchases, sales, receipts, earnings or profits, on which taxes were paid for the three months preceding the 1st day of July, 1866, under the Revenue Act, ratified March 12, 1866, shall be exempt."

Which was adopted.

Mr. Hodnett moved further to amend by striking out, in line 9, Schedule A., the figures "1860," and in line 14 the figures "1868," and inserting, in lieu of each, the figures "1867," which did not prevail.
Mr. Baker moved to amend by striking out "fifty cents," in line 5, Schedule A., caption "Poll Tax," and inserting, in lieu thereof, the words "one dollar;" which was not adopted.

Mr. Baker moved further to amend by striking out, in line 10, same Schedule and caption, the words: "Such employees shall be listed in the district where they are employed."

Mr. Whitley moved, as an amendment to the amendment, to strike out the whole of paragraph 2, immediately following that ending "fifty cents."

Which was not adopted; and then

The further consideration of the Bill was postponed until to-morrow, 12 o'clock, M.

Received a message from the Senate, concurring in the proposition to print the Report of the State Geologist.

Also, a message concurring in the proposition to refer the report of the Cape Fear and Deep River Navigation Company to a Joint Select Committee of three from each House, and announcing Messrs. McLean, Williams and Paschal as the Senate branch of the Committee.

Whereupon, the Speaker designated Messrs. Lutterloh, May, and McClammy, as the Committee on the part of the House.

On motion of Mr. Everett, the House adjourned until to-morrow morning, 10½ o'clock.

FRIDAY, FEBRUARY 1, 1867.

Prayer by the Rev. Dr. Smedes, of the Episcopal Church.
Leave of absence for two days was granted to the Assistant Doorkeeper.

Mr. Waugh, from the Committee on Propositions and Grievances, reported back

Bill (H. P. 58,) for the relief of the late Provisional Sheriff of Cleveland and Constable of Shelby; and

A Memorial from citizens of Davidson, praying for relief,—
Asking to be discharged from their further consideration; which was so ordered.
Also unfavorably on
Bill (H. P. 63,) to authorize A. J. McBride, Sheriff of Watauga, to collect arrears of taxes.

Mr. Davis, from the Committee on the Judiciary, reported unfavorably on
Bill (H. 183,) to abolish the office of State Geologist.

Mr. Patton, from the Committee on Internal Improvements, reported favorably on
Bill (H. 286,) to amend the charter of the Western North Carolina Rail Road.

Mr. Patton, from the same Committee, to whom was referred (H. 255,) to amend the charter of the Western North Carolina Railroad, reported back a substitute for the same, and recommended its passage, viz:

Bill (H. 297) to authorize the President and Directors of the Western North Carolina Rail Road Company to put said road under contract. Placed on file.

Mr. Bryson, from the Committee on Cherokee Lands, reported favorably on
Bill (H. 265) to amend the act of December 21, 1866, in relation to the bridge across Notla River.

Unfavorably on
Bill (H. P. 55) in favor of Thos. S. Siler, former Agent of Cherokee Lands
And favorably, with amendment, on
Bill (H. P. 46) in favor of Jacob Siler, Agent, &c.

Mr. Harper, from the Committee on Finance, reported unfavorably on
Bill (H. P. 67) in favor of Robt. McFarland, former Sheriff of Polk.

And favorably on
Bill (H. 288) to revise and consolidate the various Acts relating to the collection and return of taxes for the support of the indigent insane;

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

Mr. Harper, from the same Committee, reported back
Bill (H. P. 22) in favor of E. P. Tabb & Co.
Asking to be discharged from its further consideration, for reasons stated; which was so ordered.

Mr. McNair, from the Committee on Corporations, reported favorably on

Bill (H. P. 66) to incorporate Carolina Lodge, No. 141, A. Y. M., in Anson County.

Mr. Richardson, from the Committee on the Judiciary, to whom was referred a resolution of enquiry concerning Auctions and Acutioneers, reported back a Bill, in accordance with the object of said Resolution, and recommended its passage, viz:

Bill (H. 298) to amend sections 1 and 3, chapter 10, Revised Code; which was placed on file.

Mr. McKay, from the same Committee, to whom was referred a Resolution of enquiry relative to empowering Executors, &c., to compromise debts, reported back, recommending its passage, the following Bills, viz:

Bill (H. 299) to enable Guardians, and others, to adjust their accounts.

Received a message from the Senate, announcing the election of Chas. M. Busbee, of Wake, as Assistant Clerk of that body, vice Quentin Busbee, resigned.

The following Resolutions and Bills were introduced, read, referred, or otherwise disposed of, as stated, viz:

By Mr. Ashworth: Resolution requesting the Judiciary Committee to declare the meaning of section 51, chapter 46, and section 18, chapter 118, Revised Code. Adopted.

By Mr. Granbery: Resolution providing for evening sessions of this House. Laid over, under the rule.

By Mr. Bradsher: Joint Resolution providing for a sine die adjournment on the 11th instant. Laid on the table, on motion of Mr. Waugh.

By Mr. McRae: Resolution (H. P. 70) in favor of Walter L. Steele; accompanied by a Memorial. Claims.

By Mr. Baker: Resolution (H. P. 71) in favor of S. W. Chamberlain. Propositions and Grievances.

By Mr. McKay: Resolution instructing the Judiciary Committee to enquire into the expediency of so amending the
existing laws as to afford relief, short of a Court of Equity, against the losses of notes, &c. Adopted.

By Mr. Boyd: Bill (H. 300) to repeal an Ordinance of the Convention entitled "An Ordinance to prohibit the sale of spirituous liquors within one and half miles of Company Shops." Propositions and Grievances.

From the Senate: Resolution (S. 126—H. 301) providing for the marking and protecting the graves of North Carolina Soldiers in Oakwood Cemetery, Virginia. Under suspension of the rule, unanimously passed its several readings and ordered to be enrolled.

From the Senate: Bill (S. 114—H. 302) to extend the time for the return to the County Courts of the lands to be sold for taxes.Filed.

From the Senate: Bill (S. 101—H. 303) to provide for the building a fence in Perquimans County. Referred to the Committee on Propositions and Grievances.

The consideration of the unfinished business of yesterday, viz: Bill (H. 198) to raise Revenue, was taken up, and the reading by sections proceeded with.

Mr. Lowe moved to amend section 2, class 1, Schedule A, by striking out all after the word "sheep," and inserting "made and raised for sale." Adopted.

Mr. Holderby moved to strike out section 3; which prevailed.

Mr. Clement moved to amend, by adding, at the end of section 8, the words: "Provided, that no note or bond shall be taxed, when the collection is barred by a Stay Law." Lost.

Mr. Latham, of Craven, moved to amend section 9, by striking out "$100" and inserting "$300." Lost.

Mr. Granbery moved to amend the same section by striking out "$100" and inserting "$200;" which prevailed.

Mr. Durham moved to strike out section 11; which motion prevailed.

Mr. McNair moved so to amend section 12 as to compel non-residents to pay "one-fifth of one per cent. tax;" which was not adopted.
Mr. Blair moved to amend section 1, class 2, Schedule A., by striking out "$25" and inserting "$10;" which was not adopted.

Mr. Durham moved to amend section 2, by striking out the words "if exceeding $25 in value." Lost.

Mr. Richardson moved to amend section 3, by striking out the words "worn by males." Lost.

Mr. Peebles moved to strike out section 5; which did not prevail.

Mr. Holderby moved to amend section 4, class 3, Schedule A., by striking out "$2" as the tax on gates across high-ways, and inserting "$10;" which was not adopted.

Mr. Harper moved to amend, by inserting, after the words "pay," in line 4, section 9, in lieu of what follows, the words: "if employing a capital of $20,000, or more, a license tax of $100; if a capital of less than $20,000 and not less than $10,000, $50; and if a capital of $10,000, or less, a tax of $25; and also $10 additional for each county in which they have an agency." Which was adopted.

Mr. Holderby moved to amend section 12, by striking out "one-half per cent." and inserting "one per cent." Lost.

Mr. Henry moved to amend section 14, by striking out "50 cents," as the tax on dirks, &c., and inserting "one dollar."

Mr. McClammy moved to amend the amendment by inserting, after the word "dirk," the words "or knife worn a such;" which did not prevail. And then

The amendment was adopted.

Mr. Perry, of Carteret, moved to amend the same section, by inserting, after the word "one," in line 4, the words "and every fire-arm in the possession of persons not subject to military duty." Lost.

Mr. Stone moved to amend section 14, Schedule B., by striking out, in line 2, the words "for his own use." Lost.

Mr. Perry, of Wake, moved to strike out the whole of section 14.

And the question being "Shall the 14th section stand as a part of the Bill?" it was decided in the affirmative.

Mr. Henry offered an amendment to the section, which the Speaker ruled not to be in order, on the ground that, the
House having just decided that the section should stand as a part of the Bill, it was not open to further amendment on the present reading.

Mr. Henry appealed from the decision of the Chair; and

The question being "Shall the decision stand as the judgment of the House?" it was decided in the affirmative.

Mr. Harper moved to amend section 18, by adding, after the words "County Court," the words "or three Justices out of term time;" which was adopted.

Mr. Boyd moved to strike out section 20; which did not prevail.

Mr. McArthur moved to amend section 6, Schedule C., by striking out the words "marriage licenses," in line 25. Lost.

Mr. Hutchison moved to amend section 5, by inserting after the word "Court," the word, in parenthesis, "said seal to be taxed by the Clerk as a part of the cost." Adopted.

Mr. McNair moved to amend section 2, "Exemptions," by inserting after the words "education of youth," the words "Provided, such School or Academy is incorporated, and the proceeds therefrom do not accrue to private individuals." Which was not adopted.

Mr. Harper moved to amend section 6, by adding, at its close, the words "except such property as is specifically taxed;" which motion prevailed.

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

Mr. Harper moved for a suspension of the rule, in order to put the Bill upon its final reading; but the motion did not prevail.

On motion of Mr. Dargan, Bill (S. 84—H. 200) to transfer the land scrip donated by the United States for an Agricultural College, was made the special order for Monday next, February 4th, at 11 o'clock, A. M.

Received a message from the Governor, communicating a proposition from certain parties in New York to furnish supplies for the relief of the suffering and necessitous, on certain conditions; and also suggesting an appropriation for the compensation of co-Commissioners, whom he may, from time to time, be compelled to appoint, to co-operate with similar agents of the Federal Government.
On motion of Mr. Waugh, the message was sent to the Senate, with a proposition to refer the matters involved to a Select Committee of three from each House.

On motion of Mr. Williams, of Pitt, Bill (S. P. 84—H. P. 69,) in favor of W. H. Perkins, Tax Collector of Pitt County, was taken from the Calendar; and, under a suspension of the rule, it passed its several readings and was ordered to be enrolled.

On motion of Mr. Dargan, the House adjourned until tomorrow morning, 10½ o'clock.

SATURDAY, FEBRUARY 2, 1867.

Received a communication from his Excellency, the Governor, covering the Report of the President and Directors of the Wilmington and Weldon Rail Road Company;

Which, on motion of Mr. Latham, of Washington, was ordered to be transmitted to the Senate, with a proposition to refer the same to the Committee on Finance.

The following Memorials were presented:

By Mr. Jones: From Griffin Pritchard, of Pasquotank, praying for an extension of the corporate limits of the town of Elizabeth City.

By Mr. Wilson, of Perquimans: From citizens of Perquimans, remonstrating against the passage of the proposed fence law for said county.

Mr. Kenan, from the Committee on the Judiciary, reported favorably on

Bill (H. 263,) to declare Tar River, through Edgecomb County, a water course sufficient for a fence; and

Bill (H. 278,) relating to deeds of Trust and Mortgages.

Also,

Bill (H. 113,) to allow persons convicted of crimes and misdemeanors, who are unable to pay the costs, to work them out on the public roads;

Bill (H. 53,) to abolish imprisonment for debt;
Bill (H. 173,) same title; and 
Bill (H. 105) same title,—
Asking, for reasons stated, to be discharged from their further consideration; which was so ordered.

Also,
Bill (H. 166,) to amend an Act "To incorporate the Greenville and French Road Company," with a recommendation that it be referred to the Committee on Internal Improvements; which was so ordered.

Mr. Kenan, from the same Committee, to whom was referred a resolution of enquiry as to what further legislation, if any, is necessary, with respect to the political and social status of Freedmen, asked to be discharged from its further consideration; which was so ordered.

Mr. Harper, from the Committee on Finance, to whom was referred a Resolution of enquiry as to the expediency, &c., of issuing Treasury notes for the payment of the non-funded interest on the debt of the State, asked to be discharged from the further consideration of the same,—a Bill providing for such issue having been favorably reported to the Senate by the Committee.

Also, Bill (H. 220,) in favor of the Oakwood Memorial Association, asking to be discharged from its further consideration,—a similar Bill having already passed both houses of the General Assembly.

Mr. Waugh, from the Committee on Propositions and Grievances, to whom was referred a memorial of citizens of Randolph, praying for relief, asked, for reasons stated, to be discharged from its further consideration; which was so ordered.

Bills, &c., of the titles named, were introduced, read, referred, or otherwise disposed of, as follows, viz:

By Mr. Patton: Bill (H. 304,) for a Mechanic's Lien Law. Judiciary.

By Mr. Sudderth: Bill (H. P. 72) to incorporate the Trustees of Table Rock Seminary, in Burke County. Corporations.

By Mr. McNair: Bill (H. 305) to extend the limits of the town of Lumberton, Robeson County. Referred, together
with an accompanying memorial, to the Committee on Corporations.

By Mr. Garrett: Bill (H. 306) to change the location of the county-site of Haywood County. Referred, with an accompanying memorial, to the Committee on Propositions and Grievances.

From the Senate: Resolution (S. P. 85—H. P. 73) for the relief of Culpeper Austin, Sheriff of Union County. Under a suspension of the rule, passed its several readings and ordered to be enrolled.

From the Senate: Bill (S. 91—H. 307) to enable the City of Wilmington to provide for the payment of the debt of said City. Filed.

The resolution, introduced on yesterday, providing for evening sessions of the House, coming up, was

On motion of Mr. Waugh, laid on the table.

Bill (H. 193) to raise Revenue, on its third reading, came up as unfinished business.

Mr. Latham, of Washington, moved to amend the preface to Schedule A, by inserting, in line 10, the word "County," in lieu of the word "District;" which was adopted.

Mr. Harper moved to re-insert section 3, Class 1, Schedule A, which was stricken out of the Bill on its second reading. Not agreed to.

Mr. McKay moved to amend section 6, by striking out the words "during the twelve months preceding the first day of April of the year of listing."

And the question being, "Shall the words stand as a part of the Bill?" it was decided in the affirmative.

Mr. Hodnett offered the following as an additional section, to come in as section 3, viz:

"Household and Kitchen furniture, if exceeding $300. This paragraph includes, besides other furniture, clocks, pictures, other than family portraits, and books over the value of $100."

Which was adopted.

Mr. McNair moved further to amend section 6, by inserting, after the word "State," in line 7, the words "upon the
amount that he can collect during the year in which the tax is due;" which did not prevail.

Pending the further consideration of the Bill, and before final action,

The hour arrived for the execution of the special order, viz: the appointment of Justices of the Peace.

Whereupon the list of Counties in the State was called alphabetically, and various recommendations were submitted, approved, and sent to the Senate for concurrence.

Received a message from the Senate, transmitting sundry recommendations of magistrates for the Counties of Jackson, Iredell and Perquimans; which were concurred in and the Senate informed thereof by message.

Received a message from the Senate, concurring in the proposition to refer the message of the Governor in regard to the payment of freight on donations, &c., to a Joint Select Committee, and announcing Messrs. Harris, of Franklin, Cardwell and Willey, as the Senate branch of the Committee.

Whereupon, the Speaker designated Messrs. Waugh, Woodard and Crawford, of Rowan, as the Committee, on the part of the House.

On motion of Mr. McNair, the House then adjourned until Monday morning, 10½ o'clock.

MONDAY, FEBRUARY 4, 1867.

The Speaker announced Messrs. Horton of Watauga, Everett, Foard, Gambril and Garrett as the Committee on Enrolled Bills for the week.

Recommendations of magistrates for the counties of Martin and Randolph were submitted, approved and sent to the Senate for concurrence.

Mr. McKay presented a Memorial from the Fayetteville and Florence Railroad Company, praying for relief to the holders of the bonds of said Corporation; which was referred to the Committee on Finance.
Mr. Kenan, from the Committee on the Judiciary, reported favorably on
Bill (H. 78,) in relation to set-off.
And unfavorably on
Bill (H. 238,) to amend an Act, ratified February 7, 1866,
"to extend the time for the registration of deeds and other conveyances."

Mr. Kenan, from the same Committee, to whom was referred a resolution of enquiry, as to the expediency of changing the law, so as to compel parties convicted of misdemeanors to work on the public roads, asked to be discharged from its further consideration,—a Bill, embracing the contemplated changes, having already been reported. The order was made accordingly.

Mr. Perry, of Carteret, from the same Committee, reported adversely, at length, on
Bill (H. 260,) for the relief of the people of North Carolina.
On motion of Mr. McNair, the report was ordered to be printed.

Bills of the titles named were introduced, read, referred, or otherwise disposed of, as follows, viz:

By Mr. Cowan: Bill (H. 308,) to change the mode of appointing Auctioneers for the city of Wilmington. Referred, with accompanying Memorial from the Chamber of Commerce, to the Committee on Finance.

By Mr. Chadwick: Bill (H. 309,) to establish a Criminal Court for Craven county, to be held in the city of Newbern. Judiciary.

By Mr. Hutchison: Bill (H. 310) supplemental to "An Act to empower the County Court of Mecklenburg to hold extra terms." Filed.

By Mr. Baker: Bill (H. 311,) to incorporate the town of Rocky Mount, in the county of Edgecombe. Corporations.

From the Senate: Bill (S. P. 10—H. P. 74,) to incorporate the Merchants' and Planters' Mutual Benefit Company. Filed.

From the Senate: Bill (S. P. 13—H. P. 75,) to incorporate the Bingham Coal Mining Company. Filed.
From the Senate: Bill (S. P. 1—H. P. 76,) to incorporate the Lexington Mining Company. Filed.

From the Senate: Bill (S. P. 6—H. P. 77,) to incorporate the Fayetteville Street Railway Company. Filed.

The hour having arrived for the consideration of the first Special Order, viz:

Bill (S. 84—H. 200,) to transfer the land scrip donated by the United States for an Agricultural College,

The same was taken up;

When Mr. McKay, by leave, submitted the Report of the Special Committee, to whom was referred the Memorial of the Trustees of the University,—favoring the transfer of said scrip to said Institution.

Mr. Davis offered the following amendment to the Bill, as an additional section, viz:

"Be it further enacted, That it shall be the privilege of the County Courts, in each county of the State, forever, to select annually one native of the State, resident in said county, of good moral character and capacity for usefulness, without the requisite means to defray the necessary expenses of education, who shall be admitted to any classes in the University, for which he may be prepared, free of all charges for tuition and room rent; so that each county may always have one representative at the Institution."

Mr. Foard offered a substitute for the Bill, entitled a Bill "to authorize the Governor, Secretary of State, and Treasurer, to dispose of the land-scrip donated by Congress."

And, after debate, the question being thereon was put and decided in the negative—Yea 37, Nays 66.

Mr. Foard demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Mr. Davis' amendment was then adopted.

Mr. Moore, of Hertford, moved to amend, by adding the following as a new section, viz:

"Be it further enacted, That all real estate, which may escheat to the State in the future, shall be and is hereby vested in manner and form as follows, viz: If the estate was the property of a member of the Presbyterian Church, it shall vest in the Trustees of Davidson College; if a member of the Methodist Episcopal Church, then it shall vest in the Trustees of Trinity College; and if a member of the Baptist Church, it shall vest in the Trustees of Wake Forest College. And all laws of the State, in conflict with the provisions of this section, are hereby repealed,"

Which was not adopted.

Mr. Harper offered the following amendment, to come in as an additional section, viz:

"Be it further enacted, That in order to promote the liberal and practical education of the industrial classes of the State, pupils may be admitted to the branches of Agriculture and the Mechanic Arts, who possess the requisite qualifications for those studies, without requiring the previous literary training requisite for admission into the regular College courses."

And it was adopted.

Mr. Logan offered the following amendment, to come in as a proviso to section 1; and it was adopted, viz:
“Provided, That the University shall comply with the Act of Congress and make its ‘leading object to teach such branches of learning as are related to Agriculture and Mechanic Arts, without excluding other scientific studies and including military tactics.”

The Bill, as amended, then passed its second reading,—Yeas 65, Nays 37.

Mr. Henry demanded the Yeas and Nays.


The hour having arrived for the consideration of the remaining Special Order, viz: House Bill 262, to exchange a certain amount of the stock in the North Carolina Rail Road with the Cheraw and Coalfields Rail Road Company, and for other purposes, the same was taken up; and, after debate, passed its second reading.

Received a message from his Excellency, the Governor, covering a Report from the President and Directors of the Literary Fund, suggesting legislation necessary for the protection of its interests, &c.; which, with an accompanying
Bill, recommended by the President and Directors aforesaid, was sent to the Senate, with a proposition to print the same and refer to the Committee on Education.

Received a message from the Governor, communicating the report of the Attorney General, instructed by an act of the Legislature of 1865-'66, to investigate certain matters connected with the Cape Fear Navigation Company; which was ordered to be transmitted to the Senate, with a proposition to refer the same to a Joint Select Committee of three on the part of each House.

Received a message from the Senate, announcing the concurrence of that body in the recommendations of magistrates transmitted from the House, except those from the counties of Randolph, Yadkin and Warren, which had been laid on the table.

Also, making certain recommendations of magistrates for the county of Warren; which were concurred in by the House.

Also, announcing Messrs. Clark, Cowles and Snead as their Committee on Enrolled Bills for the week.

Also, announcing that they had passed Bill (H. P. 10,) for the relief of W. S. Mason, with an amendment, in which the concurrence of the House was asked.

The House concurred, and the Senate was informed thereof.

Received a message from the Senate, announcing the adoption of the following Resolution, and asking the concurrence of the House therein, viz:

"Resolved, (the House of Commons concurring,) That no Bills, or other matter, s. all be introduced and considered by this General Assembly, from and after Monday, 11th inst."

On motion of Mr. Waugh, the House refused to concur.

On motion of Mr. Waugh, House Bill 231, to enable the Western Rail Road Company to extend its road across the North Carolina Rail Road to the Virginia line, near Mt. Airy, was made the Special Order for Wednesday, February 6th, at 12 o'clock, M.
On motion of Mr. Bryson, House Bill 255, to amend the charter of the Western North Carolina Rail Road, was made the Special Order for the same day, at 1 o'clock, P. M.

On motion of Mr. Williams, of Martin, the House adjourned until to-morrow morning, 10½ o'clock, A. M.

TUESDAY, FEBRUARY 5, 1867.

Prayer by the Rev. Mr. Atkinson, of the Presbyterian Church.

Mr. Russ presented a Memorial from the Mayor and Commissioners of the City of Raleigh, praying protection against a certain specified nuisance; which was referred to the Committee on Propositions and Grievances.

Mr. Waugh, from the Committee on Propositions and Grievances, reported favorably, with an amendment, on House Bill 267, to repeal an Act "to establish the rate of interest," ratified March 21, 1866.

Mr. Kenan, from the Committee on the Judiciary, reported favorably on House Bill 309, to establish a criminal Court for Craven county, in the City of Newbern.

Mr. McKay, from the same Committee, reported adversely on House Bill 59, for revising and digesting the public Statute Laws of the State.

Mr. Russ, from the Committee on Agriculture, to whom were referred

A Memorial from citizens of Caswell, praying the enactment of a Fence Law; and

A Resolution of enquiry as to the propriety of authorizing the County Courts to tax dogs for county purposes,—

Reported the same back and asked to be discharged from their further consideration; which was so ordered.

Bills, &c., of the titles named were introduced, read, referred, or otherwise disposed of, as follows:
By Mr. Waugh: House Resolution 312, authorizing the Governor to pay freight on supplies furnished by benevolent Societies, &c.; which was referred to the Special Committee on that subject.

By Mr. Wilson, of Perquimans: Resolution instructing the Judiciary Committee to enquire into the expediency of passing a law authorizing Executors, &c., where they have old or doubtful notes, &c., to sell the same at public sale for money or new notes, as will best promote the interests of the estates. Adopted.

By Mr. Boyd: Resolution (H. P. 78) in favor of William Patterson, late Sheriff of Alamance county. Claims.

By Mr. Cowan: Bill (H. P. 79) to incorporate the Wilmington Institute. Corporations.

By the same: Bill (H. P. 80) to incorporate the National Loan and Trust Company. Same reference.

By Mr. Autry: House Bill 313, allowing debtors the privilege of paying their old debts in State Bank money, or its equivalent in current funds. Filed, and made the special order for Thursday, February 7, at 12 o'clock, M.

By Mr. Gorham: House Bill 314, to repeal an Act entitled an Act "to amend the charter of the Washington Toll Bridge." Proposition and Grievances.

By Mr. Holderby: House Bill 315, extending the jurisdiction of Justices of the Peace. Judiciary.

By Mr. McKay: House Bill 316, to amend section 6, chapter 40, of an Act of 1866, entitled "An Act concerning negroes and persons of color or of mixed blood." Same reference.

By Mr. McKay: House Bill 317, to amend chapter 62, section 16, Revised Code, so as to compel the return of executions issued by Justices of the Peace. Same reference.

By Mr. Peebles: House Bill 318, to abolish Usury. Same reference.

By the same: House Bill 319, to change the tenure of the office of Sheriff. Same reference.

From the Senate: Resolution (S. P. 93—H. P. 81) in favor of William Gordon. Filed.
The consideration of House Bill 198, to raise Revenue, was resumed.

Mr. Morehead moved to amend section 9, Schedule A, by adding the following proviso to the section, viz:

"Provided, That this section shall not apply to vessels of more than five tons burthen."

Which was adopted.

Mr. Logan moved to amend section 1, class 3, Schedule A, by striking out all after the word "income," in line 29, and inserting, in lieu thereof, "the gross amount of expenses to be deducted therefrom;" which prevailed.

Mr. Dargan moved to amend section 3, by striking out $20, as the tax on gates across the public highways, and inserting $10; which was adopted.

Mr. McBae moved further to amend the section by adding thereto the following:

"Provided, however, that a man, owning and keeping a public ferry, shall be allowed to keep one gate free of tax."

Which was not adopted.

Mr. Logan moved to amend section 10, by striking out "twenty-five cents" and inserting "fifty cents." Lost.

Mr. Boyd moved to strike out section 11; which did not prevail.

Mr. Whitfield moved to amend section 12, by striking out "one-half per cent." and inserting "one per cent;" which was adopted.

Mr. Long moved to amend section 14, by striking out "one dollar" and inserting "fifty cents." Lost.

Mr. Harding moved to amend the same section, by inserting, after the word "misdemeanor," the words "and shall forfeit the weapon worn, the same to be sold by the Sheriff and the proceeds of said sale to be appropriated to the County fund;" which was adopted.

Mr. Hutchison moved to amend section 10, Schedule B., by adding the words "and the payment of the tax shall entitle the owner to use the same for one year;" which did not prevail.

Mr. Granbery moved to amend the same section, by adding after the word "dollars," the words "except when used at
watering places for part of a year, and then to pay a tax in proportion to time in use;" which did not prevail.

Mr. Waugh moved to amend section 13, by striking out "$50," as the tax on licensed retailers of spirituous liquors, and inserting "$25." Lost.

Mr. Guers moved to amend section 14, by striking out all after the word "gallon," in line 3, and inserting the following in lieu thereof, viz:

"No person shall distill any spirituous liquors from grain or other substance (except fruit,) for his own use, or for sale, or for others, without license from the County Court of his County, or from the Special Court out of term time convened for that purpose, who shall meet at the Court House and report their proceedings, in writing, to the Clerk of said Court, for which license the person so obtaining shall pay five dollars for every ten gallons of the capacity of his still or stills per month that he may use during his licensed term,—which term shall not be less than one month nor more than six months at any one time. And for every day, or part of a day, that said distiller may run his still or stills, without a license, he shall pay a tax of ten dollars; and for the aforesaid taxes and penalty the Sheriff, if need be, shall distrain and sell the still and fixtures, as well as any other property of the party liable. And it shall be made the duty of the Judges of the Superior Courts and County Attorneys of this State, to give this Act in charge to the Grand Jurors of the several counties of the State; and they shall be authorized to send for persons and papers to facilitate their investigations on this and other Revenue laws now in force."

Mr. Williams, of Martin, offered the following as an amendment to the amendment, viz:

"Liquor is an evil. We ought not to tolerate an evil. Therefore, it is the duty of the Legislature to put down an evil, and not only frown upon it with a tax."

Which was adopted; but

Mr. Russ moved to re-consider the vote by which it had prevailed; and the motion was carried, and the amendment was then rejected.
Mr. Brown moved to amend the amendment, by striking out 'ten gallons' and inserting 'fifteen gallons;' which did not prevail.

Mr. Guess' amendment was then lost.

Mr. Durham moved to amend the section by striking out the words "seven Justices of the Peace out of term time," and inserting "Special Court out of term time;" which prevailed.

Mr. Durham moved further to amend by striking out those portions of the section which impose a tax on liquors distilled from fruit; and

The question being "Shall the words stand as a part of the Bill?" it was decided in the negative.

So the amendment prevailed.

Mr. Morehead moved further to amend by striking out "25 cents," as the tax on whiskey, per gallon, and inserting "10 cents."

And the question being thereon was put and decided in the negative.—Yea 45, Nay 57.

Mr. Crawford, of Macon, demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Messrs. Baker, Blythe, Bowe, Bradsher, Clark, Crawford, of Macon, Crawford, of Rowan, Dargan, Davis, Davidson, Durham, Everett, Foard, Garrett, Garris, Gorham, Granbery, Guess, Harding, Harper, Hodnett, Holderby, Houston, Hutchinson, Jones, Jordan, Kelsey, Kenan, Kendall, Lee, Logan, Lowe, Martin, McArthur, McClammy, McGougan, McKay, McNair, McRae, Morton, Murrill, Neal, Patton, Peebles, Reinhartd, Rosebro, Scoggins, Shelton, Simpson, Smith, of Guilford,
Stevenson, Turnbull, Umsted, Whitfield, Williams, of Harnett, Williams, of Pitt and Woodard.

Mr. Blythe moved to amend the same section by adding the following proviso:

*Provided, That no license shall be granted, without first taking bond, with approved securities, for the payment of the taxes thus imposed.*

Mr. Waugh moved to amend the amendment, by adding, at its close, the words "and for general good behavior;" which did not prevail.

The amendment was then rejected.

Mr. Russ moved to strike out "25 cents," as the tax on whiskey, and insert "15 cents" in lieu thereof; which did not prevail.

Mr. Perry, of Wake, moved to strike out the fourteenth section entire; and

The question being "shall the section stand as part of the Bill?" it was decided in the affirmative.

The further consideration of the Bill was postponed.

On motion of Mr. Patton, House Bill 152, to establish a Penitentiary, which had been made the special order for this day, but which had been superseded by the unfinished business, was made the special order for Friday next, 12 o'clock, M.

On motion of Mr. Davis, House Bill 200, to transfer the land scrip donated by the Congress of the United States, was made the special order for Thursday next, 11½ o'clock, A. M.

Received a message from the Senate, concurring in the proposition to refer the report of the Attorney General in regard to the affairs of the Cape Fear Navigation Company to a Joint Select Committee, and naming Messrs. Hall, Williams and Lloyd, as the Committee on the part of the Senate.

Whereupon, the Speaker designated Messrs. Cowan, Richardson and Kenan as the House branch of the Committee.

Received a message from the Senate, transmitting a recommendation of Justices of the Peace for Granville County; which was concurred in and the Senate informed thereof.
On motion of Mr. Perry, of Wake, the House then adjourned until to-morrow morning, 10½ o'clock.

WEDNESDAY, February 6, 1867.

On motion of Mr. McClammy, House Bill 54, to amend an Act entitled "An Act to establish Work-houses or houses of correction," &c., made the special order for this day at 11 o'clock, was postponed and made the special order for Monday next, 11th inst., at 12 o'clock, M.

On motion of Mr. Kenan, the use of the Hall to-morrow evening was granted to Col. Farrar, of Virginia, for the delivery of a Public Lecture.

Mr. Dargan, from the Committee on the Judiciary, to whom was referred a resolution of enquiry, asking a construction of section 51, chapter 46, and section 18, chapter 118, Revised Code, reported back a Bill in pursuance thereof, viz:

House Bill 320, to amend chapter 46, section 51, Revised Code, making real estate liable to the payment of the year's allowance to widows;

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

Mr. Richardson, from the same Committee, reported favorably on

House Bill 319, to change the tenure of the office of Sheriff.
And favorably on
House Bill 318, to abolish Usury;
House Bill 317, to amend chapter 62, section 16, Revised Code; and

House Bill 316, to amend section 6, chapter 40, Act of 1866, concerning negroes, and persons of color or of mixed blood.

Mr. McKay, from the same Committee, reported favorably, with an amendment, on

Bill (S. 31—H. 292) to protect property sold under execution from sacrifice.
Mr. McNair, from the Committee on Corporations, reported favorably, with an amendment, on
House Bill 294, to incorporate the North Carolina Land Agency for the encouragement of immigration.
And favorably on
Bill (H. P. 79) to incorporate the Wilmington Institute;
Bill (H. P. 72) to incorporate the Trustees of Table Rock Seminary, in Burke; and
House Bill 311 to incorporate the town of Rocky Mount;
Which latter Bill, under a suspension of the rule, passed its several readings and was ordered to be engrossed.
Mr. Waugh, from the Committee on Propositions and Grievances, reported favorably on
House Bill 285, to authorize a public road from Shelby to the South Carolina line, and the construction of a toll-bridge and dam across Broad River; and
House Bill 360, to change the location of the County site of Haywood.
Mr. Waugh, from the same Committee, to whom was referred a Memorial from citizens of Stanly County, reported back a Bill in furtherance of their prayer, viz:
House Bill 321, to repeal an Ordinance of the Convention changing the time of holding the Courts of Pleas and Quarter Sessions in Stanly County;
Which, under a suspension of the rule, passed its several readings and was ordered to be engrossed.
Mr. Waugh, from the special Committee, to whom was referred House Bill 312, to provide for the payment of freight on donations, &c., reported back the same, recommending its passage.
Under a suspension of the rule, the Bill passed its second reading; and, being placed upon its third,
Mr. Henry moved to amend by striking out "five thousand" and inserting "twenty-five hundred;" which did not prevail.
Mr. Logan moved to amend, by adding the following proviso, viz:
"Provided, That, in the distribution of the articles received, each county in the State shall be entitled to, and receive, its due proportion of the same, according to population."
Which was not adopted.

Mr. Blair moved to amend by striking out "five thousand" and inserting "three thousand;" which did not prevail.

Mr. Logan moved to amend, by adding the following:

"Provided, That it shall be the duty of the County Court of each County to furnish the Governor with the number of suffering poor in each County, and that he be required to distribute the receipts accordingly."

Which was not adopted.

The Bill then passed its third reading and was ordered to be engrossed.

Recommendations of magistrates for the Counties of Rowan and Mecklenburg were submitted, approved and sent to the Senate for concurrence.

The following Resolutions and Bills were introduced, read, referred, or otherwise disposed of, as stated, viz:

By Mr. Crawford, of Macon: Resolution providing for a sine die adjournment, on Monday, 18th inst. Adopted and sent to the Senate for concurrence.

By Mr. Lowe: Resolution providing for evening sessions of the House. Lies over one day under the rule.

By Mr. Guess: House Resolution 322, to tax writs, warrants and executions in civil cases on debts contracted prior to May 1, 1865. Filed and ordered to be printed.

By Mr. Richardson: House Resolution 323, concerning mileage for the adjourned session. Filed.

By Mr. Kenan: Bill (H. P. 82) to incorporate the Duplin Manufacturing Company. Corporations.

By Mr. Russ: Bill (H. P. 83) to amend the charter of the North Carolina Mutual Life Insurance Company. Judiciary.

By the same: Bill (H. P. 84) to amend the charter of North Carolina Mutual Fire Insurance Company. Same reference.

By Mr. Horton, of Watauga: Bill (H. P. 85) to authorize Sidney Deal to collect arrears of taxes in Watauga county for the years 1858-'9. Same reference.

By Mr. Kendall: Bill (H. P. 86) to incorporate the Wadesboro' Savings Institution. Corporations.

On motion of Mr. Waugh, House Bill 231, to enable the Western North Carolina Rail Road Company to extend its
road across the North Carolina Rail Road to Mt. Airy, which had been made the Special Order for this day, at 12 o'clock, was postponed and made the Special Order for Friday, 8th inst., at the same hour.

The consideration of House Bill 198, to raise Revenue, was resumed:

Mr. Harper moved to amend section 18, Schedule B., by striking out the words "citizen of the United States;" which prevailed.

Mr. Blythe moved to amend the same section, by adding, in line 19, after the words "live-stock," the words "salt, spun-yarn and cotton;" which did not prevail.

Mr. Granbery moved to amend section 22, by inserting, in line 13, after "$500," the words "to the Sheriff," and adding, at the end of line 16, the words "or to the use of the informer;" which was adopted.

Mr. Williams, of Harnett, moved to amend Schedule B., by appending the following, as an additional section, viz:

"Sec. 25. On all executions which shall hereafter issue on any judgment, rendered by any Court of Law or Magistrate's Court in this State, on any action for debt, assumpsit or account, there shall be a tax of 75 per cent. on the whole amount of the judgment on which such execution issues, to be paid over to the clerk of the Court, in which such judgment was rendered, by the Plaintiff in the case, before the issuing of said execution; and the same to be paid over by the Sheriff of said county as other State taxes to the Public Treasurer."

Which was not adopted.

Mr. Logan moved to amend section 5, Schedule C, by striking out "twenty-five cents" and inserting "ten cents;" which did not prevail.

Mr. Blythe moved to amend the same section by striking out the tax imposed on the seal of the County and Superior Courts; which prevailed.

Mr. Granbery moved to amend section 6, by adding the words "a tax of $2" after the words "marriage licenses."

Mr. Lyon moved to amend the amendment by striking out "one dollar" and inserting "fifty cents" in lieu thereof; which did not prevail.
Mr. Granbery's amendment was then rejected—Yea 6, Nays 92.

Mr. Lyon demanded the Yeas and Nays.

Those who voted in the affirmative, were:

Messrs. Allen, Clements, Granbery, Martin, Moore, of Chatham, and Shelton.

Those who voted in the negative were:


Mr. Crawford, of Macon, moved to amend the same section by adding the following:

"Provided, that each bachelor, over the age of thirty-five years, shall pay a tax, annually, while he remains single, of $5."

Which was adopted; but, subsequently, Mr. Crawford moved a re-consideration of the vote; which was carried, and the amendment was then rejected.

Mr. Blair moved further to amend the same section, by striking out, in line 27, "$1," and inserting, in lieu thereof, "25 cents;" which did not prevail.

Mr. Harper offered the following as a substitute for the last paragraph of the division entitled "Exemptions," which was adopted, viz:
"The act of the General Assembly, ratified March 1, 1866, entitled, "An Act to raise Revenue," and all other laws imposing taxes, the subjects of which are revived in this Act are hereby repealed: *Provided, That this repeal shall not extend to the provisions of any law, so far as they relate to the taxes listed, or which may or ought to have been listed, which may be due previous to the ratification of this Act."

Mr. Durham offered the following) to come in as an additional section, under the head of "Exemptions," viz:

"Sec. 7. The property and polls of all persons, who have lost an arm, leg, hand or foot in the military, naval or marine service of the State, or the late Confederate States, or who have been disabled from performing ordinary manual labor by any other wound, or any disease or accident in said service; also, the property of the widows of all persons who lost their lives in said service: *Provided, That the property exempted of each person herein included shall not exceed $250 in value; and, *Provided, further, that the excess over $250 in value of the property of all such persons shall be subject to taxation as other property. And it shall be the duty of the County Courts, in the several Counties, upon motion, to examine the claims of all persons claiming the benefits of the foregoing section, and, upon proof, that they are included within its provisions, to grant certificates of exemption to such persons—which certificate shall be issued by the Clerk; and he shall receive no fee therefor."

Mr. Scoggin moved to amend the amendment, by inserting, after the words "Confederate States," the words "or soldiers of the United States," which did not prevail.

The amendment was then adopted; but, on motion of Mr. Houston, the vote was re-considered, when

Mr. Russ moved to amend, by striking out the words "in the military, naval or marine service of the State, or late Confederate States," which did not prevail.

The question then being, "Shall the amendment prevail?" it was decided in the affirmative,—Yeas 80, Nays 25.

Mr. Durham demanded the Yeas and Nays.

Those who voted in the affirmative were:

Those who voted in the negative were:

Mr. Logan moved that the Bill be re-referred to the Committee on Finance, with instructions to report such a Bill as would provide Revenue only sufficient for the ordinary and necessary expenses of the State government; which did not prevail.

The Bill then passed its final reading,—Yea 70, Nays 27.

Mr. Logan demanded the Yeas and Nays.

Those who voted in the affirmative were:
Smith, of Duplin, Smith, of Guilford, Stevenson, Stone, Sud-derth, Umsted, Walker, Whitfield, Williams, of Pitt, and Woodard—70.

Those who voted in the negative were:


Ordered to be engrossed.

Leave of absence for one day was granted to the Principal Doorkeeper.

On motion of Mr. Martin, the House then adjourned until to-morrow morning, 10½ o'clock.

THURSDAY, FEBRUARY 7, 1867.

Mr. Perry, of Carteret, presented a Memorial from citizens of Carteret county, praying the enactment of a law for the establishment and protection of Fisheries; which was referred to the Committee on the Judiciary.

Mr. Gorham presented a Memorial, which was read, from citizens of Beaufort county, praying the repeal of an Act, passed at the present session, "to amend the charter of the Washington Toll Bridge Company."

Mr. McNair, from the Committee on Corporations, reported favorably on

Bill (H. P. 82,) to incorporate the Duplin Manufacturing Company;

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

Mr. Cowan, from the Committee on Internal Improvements, reported adversely on

House Bill 166, to amend an "Act to incorporate the Greenville and French Broad Company."
Mr. Harper, from the Committee on Finance, to whom was referred a communication from the Governor, concerning a report of the President and Directors of the Wilmington and Weldon Rail Road Company, and containing certain suggestions relative to printing similar reports, in future, for the use of the General Assembly, &c., reported back a bill, in pursuance thereof, viz:

House Bill 324, in regard to printing the Reports of Rail Road and other Companies; which was placed on file.

Mr. Harper, from the same Committee, reported adversely, at length, on

House Bill 253, to authorize the Public Treasurer to negotiate a loan for the relief of the Treasury and to establish a North Carolina Savings Bank.

Mr. Waugh, from the Committee on Propositions and Grievances, reported unfavorably on

House Bill 284, to re-enact section 9, chapter 42, Revised Code, entitled "Entries and Grants;" and

House Bill 314, to repeal an "Act to amend the charter of Washington Toll Bridge Company."

Mr. Waugh, from the same Committee, to whom was referred a Memorial of the Mayor and Commissioners of Raleigh, asking protection against an apprehended nuisance, reported the same back and asked its reference to the Committee on Public Buildings and Grounds; which was so ordered.

The following Resolutions and Bills were introduced, read, referred, or otherwise disposed of, as stated, viz:

By Mr. Davidson: House Resolution 325, in favor of Mt. Pleasant Academy. Finance.

By Mr. Crawford, of Macon: House Bill 326, to incorporate the Tennessee River Mining and Manufacturing Company. Corporations.

By Mr. Houston: Bill (H. P. 87,) in favor of C. A. Boon, late Sheriff of Guilford. Filed.

By Mr. Guess: House Bill 327, for the relief of Executors, Administrators and Guardians, and others, and to extend the jurisdiction of Justices of the Peace. Filed and ordered to be printed.
By Mr. Lutterloh: House Bill 328, to authorize the County Court of Cumberland to appoint Inspectors of crude turpentine in Fayetteville. Judiciary.

By Mr. Cowan: Bill (H. P. 88,) to amend the charter of the Cape Fear Steamboat Company. Under a suspension of the rule, passed its several readings and ordered to be engrossed.

Recommendations of magistrates for the counties of Davids-on, Buncombe, Halifax, Guilford, Richmond and Caldwell, were submitted, approved and sent to the Senate for concurrence.

On motion of Mr. Everett, House Bill 259, to incorporate the town of Nahunta, was taken up and considered, and, under a suspension of the rule, passed its several readings and was ordered to be engrossed.

On motion of Mr. Chadwick, House Bill 309, to establish a Criminal Court for Craven county, in the city of Newbern. was taken from the Calendar, and, under a suspension of the rule, it passed its several readings and was ordered to be engrossed.

On motion of Mr. Moore, of Hertford, Bill (S. P. 93—H. P. 81,) in favor of William Gordon, was taken up and considered, and, under a suspension of the rule, passed its several readings and ordered to be enrolled.

The hour having arrived for the consideration of the first special order, viz:

Bill (S. 84—H. 200) to transfer the land scrip donated by the Congress of the United States,

The same was taken up, on its third reading.

Mr. Durham moved to amend, by striking out all after the enacting clause, and inserting the following, viz:

Sec. 1. "That it shall be the duty of the Public Treasurer, by and with the advice and consent of the Governor, to sell the land scrip donated to this State, for the establishment of an Agricultural and Mechanical College, from time to time and on such terms as he may deem best, and shall hold the proceeds separate and apart from other public funds to the use of the Trustees of the Agricultural and Mechanical College."
SEC. 2. Be it further enacted, That it shall be the duty of the Board of Trustees, consisting of seven discreet persons, who shall be elected by this General Assembly, to secure a cheap and convenient site for the location of said Agricultural and Mechanical College, at some point in the central part of the State, and not in the vicinity of any city or town, or the University at Chapel Hill; and if the site cannot be procured by voluntary donation, the said trustees are hereby authorized and empowered to use such amount of the proceeds of sales of the land scrip, not exceeding ten per cent., for the purchase of a site, as they may deem proper.

SEC. 3. Be it further enacted, That the sum of five thousand dollars be, and is hereby appropriated, out of any funds in the Treasury not otherwise appropriated, to enable the said Board of Trustees to erect necessary cheap buildings, or for the repair of such as may be erected, to the end that they may provide, at the earliest day practicable, for opening said College for reception of students from the State, according to the provisions of the Act of Congress, donating said scrip to the several States.

SEC. 4. Be it further enacted, That the Governor shall be ex officio President of the said Board of Trustees, and the said Board shall use every exertion to get the College under way at the earliest practicable day, and shall have power to admit students from the several counties of the State on such terms as they may deem best, until the next meeting of the General Assembly.

SEC. 5. Be it further enacted, That it shall be the duty of the Public Treasurer to invest the proceeds of the sale of the land scrip, in such safe stocks, yielding not less than five per cent. interest, as the said Board of Trustees shall direct, and the interest accruing thereon shall, at all times, be subject to the order of said Board.

SEC. 6. Be it further enacted, That the amount of five thousand dollars, herein appropriated for the erection or repair of buildings, shall be paid by the Treasurer upon the warrant of the President of the Board of Trustees, at such times as the said Board may order.
Sec. 7. Be it further enacted, That until the next meeting of the General Assembly, the said Board of Trustees shall have all incidental powers not herein expressly granted, which may be necessary to enable them to carry into effect the provisions of this Act, according to the true intent of this General Assembly.

Sec. 8. Be it further enacted, That it shall be the duty of the said Board of Trustees to report to the next General Assembly all progress which has been made under this act, and to submit such recommendations and suggestions for the benefit of the said College, as they may deem proper.

Sec. 9. Be it further enacted, That all laws and clauses of laws, coming in conflict with this act, be and the same are hereby repealed, and that this act shall be in force from and after its ratification."

And the question being thereon, was put, and resulted as follows: Yeas 55, Nays 54.

Mr. Durham demanded the Yeas and Nays.

Those who voted in the affirmative were:

Those who voted in the negative were:
Messrs. Allen, Baker, Bowe, Bradsher, Chadwick, Clark, Collins, Cowan, Dargan, Davis, Gorham, Granbery, Guess, Harper, Henderson, Hodnett, Houston, Hutchison, Kenan, Kendall, Latham, of Craven, Lee, Long; Lowe, Martin, McArthur, McClammy, McGougan, McKay, McNair, McRae, Moore, of Hertford, Morehead, Murrill, Patton, Peebles, Perry, of Carteret, Reinhardt, Richardson, Rosebro, Routree, Scott, Shelton, Simpson, Smith, of Duplin, Smith, of
Guilford, Stevenson, Stone, Turnbull, Umsted, Waugh, Westmoreland, Williams, of Pitt, and Woodard.—54.

The Speaker voted in the negative, thereby creating an equal division; and so, according to Rule VIII of the House, the amendment was rejected.

Mr. Russ moved that the Bill be laid upon the table.

And the question being thereon was put and decided in the negative,—Yeas 52, Nays 54.

Mr. Russ demanded the yeas and nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Mr. Logan moved to amend by striking out all after the enacting clause, and inserting the following, viz:

"That the present General Assembly, now in session, shall elect seven Trustees to take in charge the fund tendered to North Carolina by the Congress of the United States, for the purpose of erecting one or more Colleges, the leading object of which shall be to teach the sciences as mentioned in the Act of Congress; and it shall be the duty of said Trustees to
make a report of the same to the next General Assembly, and to do all things necessary to carry out the powers hereby granted."

Pending the consideration of which,
Mr. Everett moved that the House do now adjourn, but withdrew the motion in order to allow the Speaker to announce

A message from the Governor, covering a communication from the Public Treasurer; which, on motion of Mr. Waugh, was ordered to be sent to the Senate, with a proposition to refer to the Committee on Finance. And

A message from the Governor, covering a communication from the President and Directors of the Literary Fund; upon which the same action was had.

And then, on the renewed motion of Mr. Everett, the House adjourned until to-morrow morning, 10½ o'clock.

FRIDAY, February 8, 1867.

On motion of Mr. Kenan, the use of the Hall was granted to Col Farrar, of Virginia, to-night and to-morrow night, for the delivery of Public Lectures.

On motion of Mr. Cowan, House Bill 180, to establish a Criminal Court for New Hanover County, to be held in the City of Wilmington, was taken from the Calendar and considered.

The substitute reported from the Judiciary Committee viz: House Bill 271, with the same title, was adopted: when

The same, under a suspension of the rule, passed its several readings and was ordered to be engrossed.

On motion of Mr. Perry, of Carteret, House Bill 219, to consolidate the North Carolina, the Atlantic and North Carolina, and the Western North Carolina Rail Roads, was taken from the Calendar and referred to the Committee on Internal Improvements.
Mr. York moved to take from the Calendar and consider House Resolution 323, concerning mileage for the adjourned session; which did not prevail.

Mr. Waugh, from the Committee on Propositions and Grievances, reported favorably on House Bill 286, to secure a better drainage of the low-lands of Lower River in Caldwell County.

And adversely on Bill (S. 101,—H.303) to provide for the building a fence in Perquimans County.

Mr. Dargan, from the Committee on the Judiciary, reported favorably on House Bill 382, to authorize the County Court of Cumberland to appoint Inspectors of crude turpentine in Fayetteville.

Mr. Kenan, from the same Committee, reported back, asking to be discharged from its further consideration:

Bill (H. P. 85) to authorize Sidney Deal to collect arrears of taxes in Watauga county, for the years 1858-'59;

Which was so ordered.

Mr. Kenan, from the same Committee, reported back, asking their reference to the Committee on Corporations:

Bill (H. P. 83) to amend the Charter of the North Carolina Mutual Life Insurance Company; and

Bill (H. P. 84) to amend the Charter of the North Carolina Mutual Fire Insurance Company;

Which was ordered accordingly.

Mr. Morehead, from the Special Committee to whom was entrusted the duty of investigating certain complaints made against the Artificial Limb Department, reported:

"That the limbs manufactured at the Limb Department for this State are equal, if not superior, to those manufactured by any other Company. This opinion is founded upon personal inspection, and upon testimony of those who have tested the comparative merits of other factories, whose manufacture your Committee, from the nature of its investigation, could not personally investigate. As to the inefficiency of the limbs supplied by the State, your Committee are of opinion that they
answer the purpose as well as an artificial limb can supply the place of a natural limb."

The following Resolution and Bills were introduced, read, referred, or otherwise disposed of, as stated, viz:

By Mr. Peebles: Resolution of enquiry concerning an alleged mismanagement of the University. Adopted.

From the Senate: Bill (S. 12,—H. 329) to protect landlords against insolvent tenants. Filed.

By Mr. Dargan: House bill 330, for the relief of Executors, Administrators, &c. Referred to the Committee on the Judiciary and ordered to be printed.

By Mr. Everett: House Bill 331, to appoint a Special Magistrate for the use of the town of Goldsboro. Corporations.

By Mr. Latham, of Craven: Bill (H. P. 89) to incorporate Neuse River Ferry Company. Same reference.

By Mr. Hutchison: Bill (H. P. 90) to incorporate the Charlotte Merchants' and Planters' Benefit Association. Same reference.

Received a message from the Senate, announcing their concurrence in the recommendations of magistrates for the counties of Buncombe, Davidson, Richmond, Halifax, Caldwell, Guilford, Rowan and Mecklenburg.

A recommendation of magistrates for the County of Stokes was submitted, approved, and sent to the Senate for concurrence.

The consideration of the unfinished business of yesterday was resumed, viz: Bill (S. 84—H. 200) to transfer the land scrip, &c.,—the pending question being on the substitute offered by Mr. Logan.

Mr. Durham moved that the Bill and substitute be indefinitely postponed; which did not prevail.

Mr. Logan amended his amendment by adding the following proviso, viz:

"Provided, They shall not locate any College or Colleges before the meeting of the next General Assembly, nor have the power to sell the scrip aforesaid."

And then the substitute, as amended, was rejected,—Yea 47, Nays 58.
Mr. Logan demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


And the question recurring on the final passage of the Bill, it was decided in the affirmative,—Yeas 54, Nays 52.

Mr. Durham demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Ordered to be sent to the Senate for concurrence in the amendments.

Mr. Waugh moved to re-consider the vote by which the House had just passed, on its final reading, the foregoing Bill.

Mr. Davis moved to lay that motion on the table; and the question being thereon, it resulted as follows,—Yeas 49, Nays 49.

Mr. Holderby demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Messrs. Ashworth, Autry, Barden, Beasley, Black, Blair, Blythe, Boyd, Bryson, Carson, Clement, Crawford, of Macon, Durham, Everett, Farrow, Freeman, Garrett, Godwin, Henry, Hinnant, Holderby, Horton, of Watauga, Horton, of Wilkes, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jordan, Latham, of Washington, Logan, Lyon, Lutterloh, May, Moore, of Chatham, Morton, Neal, Perry, of Wake, Rogers, Scoggin, Shelton, Simpson, Smith, of Guilford, Sudderth,
Teague, Trull, Vestal, Walker, Whitfield, Williams, of Yancey, and Womble—49.

The Speaker voted in the affirmative; and so the motion to lay on the table prevailed.

The following Resolutions and Bills were presented, by leave, and disposed of as stated, viz:

By Mr. Perry, of Carteret: House Resolution 332, directing the re-reporting and re-publication of Winston’s Reports of the Decisions of the Supreme Court. Referred to the Committee on the Judiciary.

By Mr. Hutchison: House Resolution 333, to authorize the Public Treasurer to refund certain taxes over-paid by the Southern Express Company. To Claims.

By Mr. York: Resolution restricting debate. Lies over under the rule.

By the same: Resolution providing for a sine die adjournment on the 16th instant. Laid on the table, on motion of Mr. Waugh.

On motion of Mr. Dargan, House Bill 72, in favor of Widows, was taken from the Calendar of Bills on their third reading, passed and ordered to be engrossed.

On motion of Mr. Crawford, of Macon, Bill (S. 7—H. 106) to repeal an Ordinance of the Convention, concerning the time of holding elections, was taken up, and, under a suspension of the rule, passed its several readings and was ordered to be enrolled.

On motion of Mr. KcKay,

Bill (S. 24—H. 295) to authorize the Justices of Cumberland to fund the interest due on its bonds, issued in payment of the stock in the Western Rail Road Company; and

Bill (S. 25—H. 296) to authorize the Mayor and Commissioners of Fayetteville to fund the interest due on their bonds, &c.,

Were taken up, and, under a suspension of the rule, passed their several readings and were ordered to be enrolled.

On motion of Mr. Latham, of Craven, House Bill 230, to incorporate the North Carolina Agricultural and Manufacturing Company, was taken up, and, under a suspension of
the rule, it passed its several readings and was ordered to be engrossed.

On motion of Mr. Davis, House Bill 313, allowing debtors the privilege of paying their old debts in State Bank money, &c., was taken up and considered; when,

On motion of Mr. Latham, of Washington, it was referred to the Committee on the Judiciary.

On motion of Cowan, House Bill 169, to amend an Act to incorporate the North Carolina Rail Road Company was made the special order for Wednesday next, 13th instant, at 12 o'clock, M.

On motion of Mr. McClammy, House Bill 152, to establish a Penitentiary, which had been this day superseded by the unfinished business, was made the special order for Monday next, at 12 o'clock, M.

Mr. Murrill (by leave) introduced a Resolution (H. P. R. 91) in favor of J. J. Ketchum; and, under a suspension of the rule, it being placed on its second reading,

Mr. Crawford, of Rowan, moved that it be referred to the Committee on Claims; which did not prevail.

Mr. York moved to amend by adding, after the name of J. J. Ketchum, that of Elijah Davis. Carried.

Mr. Morton moved to amend by adding the name of James Hall. Carried.

Mr. Dargan moved to add the name of Green Almand. Carried.

Mr. Allen moved to add the name of Archer Robinson. Carried.

Mr. Woodard moved to add the name of T. J. Rowe. Carried.

The Resolution, as amended, then passed its second reading; when

Mr. Perry, of Carteret, moved that it be referred to the Committee on Propositions and Grievances; which did not prevail.

The Resolution then passed its final reading and was ordered to be engrossed.

Leave of absence for one day was granted to Messrs. Davis and Latham, of Craven.
On motion of Mr. Freeman, the House adjourned until to-morrow morning, 10½ o'clock.

SATURDAY, February 9, 1867.

Mr. Blythe presented a Memorial from citizens of Henderson County, praying for relief; which was referred to the Committee on Propositions and Grievances.

Mr. Bryson, from the Committee on Cherokee Lands, reported favorably, with an amendment, on House Bill 249, to amend the charter of the Cheoih Turnpike Company.

Mr. Waugh, from the Committee on Propositions and Grievances, to whom was referred House Bill 181, to lay off and establish a new County by the name of Vance, reported back a substitute for the same, viz: House Bill 334, same title, and recommended its passage. Placed on file.

Mr. Waugh, from the same Committee, to whom was referred a Memorial from citizens of Onslow County, reported back a Bill, in furtherance of their petition, viz:

House Bill 335, to protect the Fishing interest on the coast of North Carolina; which was placed on file.

Mr. Perry, of Carteret, from the Committee on Claims, reported favorably on Bill (H. P. 65) in favor of Horton S. Reeves, of Alleghany County.

Mr. Perry, from the same Committee, reported back Bill (H. P. 70) in favor of W. L. Steele, asking its reference to the Committee on the Judiciary; which was so ordered.

Recommendations of magistrates for the Counties of Washington, Bertie, Granville, Onslow, Caswell, Wake, Cherokee, Burke, Carteret, Cumberland, Jones, Macon, Chatham, Duplin and Northampton, were submitted, approved and sent to the Senate for concurrence.

The following Resolutions and Bills were introduced, read, referred, or otherwise disposed of, as stated, viz:
By Mr. Hodnett: Resolution providing for a Joint Select Committee, of three from each House, to fix a day for adjournment. Adopted and sent to the Senate for concurrence.

By Mr. Granbery: Resolutions on the condition of the people. Referred to the Committee on Finance, with instructions to report by Tuesday next.

By Mr. Latham, of Washington: House Bill 336, to amend section 5, chapter 29, Revised Code, entitled "County Trustee." Judiciary.

By Mr. Murrill: Bill (H. P. 92) to incorporate the Jones County Savings Institution. Corporations.

By Mr. Clark: Bill (H. P. 93) to incorporate the town of Scotland Neck. Same reference.

By Mr. McClanamy: Bill (H. P. 94) to incorporate Rocky Point Academy in New Hanover County. Same reference.

By Mr. Gambril: House Bill 337, to amend an Act to incorporate the town of Jefferson. Filed.

By Mr. Davidson: House Bill 339, to make valid the acts of Justices of the Peace, that did so act during the war. Judiciary.

By Mr. Hutchison: House Resolution 340, for the encouragement of immigration, &c. Finance.

From the Senate: Bill (S. P. 98—H. P. 95) to amend the charter of the town of Murfreesboro'. Under a suspension of the rule, passed its several readings and ordered to be enrolled.

Received a message from the Senate, announcing that they had passed Bill (S. 152—H. 338) to change the jurisdiction of the Courts and the rules of pleading therein, and asking the concurrence of the House.

The Bill having been read,

Mr. Dargan moved a suspension of the rule, in order that the Bill might be put upon its several readings; and it was so ordered,—Yeas 84, Nays 8.

Mr. Wilson, of Perquimans demanded the Yeas and Nays. Those who voted in the affirmative were:

Messrs. Allen, Ashworth, Autry, Barden, Black, Blair, Blythe, Boyd, Bowe, Brown, Bryson, Carson, Chadwick, Clark, Clement, Collins, Crawford, of Macon, Crawford, of Rowan,
Those who voted in the negative were:


Mr. Peebles moved to amend the Bill, by adding the following as a section immediately before the ratifying clause viz:

"Be it further enacted, That no deed of trust or mortgage for personal estate, made, signed or registered during the next twelve months, succeeding the ratification of this Act, shall be valid at law to pass any property as against creditors or purchasers for a valuable consideration, from the donor, bargainor or mortgagee."

Mr. McNair moved that the Bill be printed and made the special order for Monday next, 11 o'clock, A.M.; and it was decided in the negative,—Yea 25, Nays 72.

Mr. Dargan demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Messrs. Allen, Ashworth, Autry, Barden, Black, Blair, Blythe, Boyd, Bowe, Brown, Carson, Chadwick, Clark, Dargan, Davidson, Durham, Everett, Farrow, Freeman, Gambril,
The question recurring on the amendment of Mr. Peebles, it was lost.—Yeas 31, Nays 65.

Mr. Peebles demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Mr. Bryson moved to amend by adding the following proviso at the end of sec. 3, viz:

"Provided, that executions on Justices' judgments on debts contracted prior to May 1, 1865, already rendered, shall be
stayed for twelve months from the date of the ratification of this Act."

Which was adopted.

Mr. Hutchison offered the following, as an additional section, to come in before the final section, viz:

"Be it further enacted, &c, that nothing in this Act shall be construed to prevent Guardians from collecting one-tenth of claims due their Wards, at Spring Term, 1867, according to the provisions of the late Ordinance to change the jurisdiction of the Courts."

Which was not adopted.

Mr. Whitfield moved to amend sec. 6, by inserting, in lieu of the words "during the return term," the words "during the first four days of such term." Lost.

Mr. Crawford, of Rowan, offered the following as an additional section, viz:

"Be it further enacted, that all writs in actions on contracts made before May 1, 1865, shall constitute a lien upon the property of the defendant, but, after judgment, said property shall be applied pro rata, without regard to the priority in date of the writs."

Which did not prevail.

Mr. McNair offered the following as an additional section, viz:

"Be it further enacted, that the time allowed for Executors, Administrators, Trustees and Guardians, who qualified prior to May 1, 1865, to settle their accounts, be extended to 1870."

Which was not adopted.

Mr. Westmoreland moved to amend the ratifying clause, by inserting the following proviso, viz:

"Provided, that the provisions of this Act shall not apply to the Counties of Stokes and Forsythe."

Which did not prevail.

The Bill then passed its second reading,—Yeas 79, Nays 17.

Mr. Crawford, of Rowan, demanded the Yeas and Nays. Those who voted in the affirmative were:

Messrs. Allen, Ashworth, Autry, Barden, Beasley, Black, Blair, Blythe, Boyd, Bowe, Bryson, Carson, Chadwick, Clark

Those who voted in the negative were:

The Bill being put upon its third reading,
Mr. Waugh moved to amend by inserting the word "not" before the word "returnable," in section 1; which was adopted.

And the Bill then passed its third reading, and was sent to the Senate for concurrence in the amendments.

Whereupon Mr. Peebles asked and obtained leave to have the following Protest spread upon the Journal of the House, viz:

"I acknowledge the necessity and justice of relief to the people, and would cheerfully vote for the Bill, if amended as I proposed. But, as the Bill stands, it is the honest conviction of my heart, that, instead of affording relief, it will cause three-fourths of the honest debtors of North Carolina to be sold out of house and home within eighteen months. And in the name of my constituents, I protest against it."

Mr. Peebles moved to take up and consider House Bill 229, authorizing the State Librarian to purchase 50 copies of Battle's Digest; which was not agreed to.

Mr. McNair, (by leave) from the Committee on Corporations, reported favorably on
Bill (H. P. 86) to incorporate the Wadesboro' Savings Institute.

Received a message from the Senate, announcing the concurrence of that body in the recommendations of magistrates this morning transmitted from this House.

Also transmitting recommendations for the Counties of Rockingham, Davidson, Burke and Yadkin; which were concurred in, and the Senate informed thereof.

Received a message from the Senate, announcing their concurrence in the House amendments to Bill (S. 84—H. 200) to transfer the land scrip donated by the Congress of the United States.

Ordered to be enrolled.

Mr. Granbery called up the motion, entered on the 19th of December, to re-consider the vote by which the House had tabled Bill (S. P. 27—H. P. 29) to extend the corporate limits of the town of Elizabeth City.

Mr. Stevenson moved to lay the motion to reconsider on the table; and it was so ordered.

On motion of Mr. Perry, of Carteret, the House adjourned until Monday morning, 10 ½ o'clock.

MONDAY, FEBRUARY 11, 1867.

The Speaker announced Messrs. Granbery, Guess, McRae, Stone and Kelsey, as the Committee on enrolled Bills for the week.

Messrs. Rogers, Williams, of Haruett, and Williams, of Martin, asked and obtained leave to record their votes in the affirmative upon the passage of the Bill (S. 152—H. 338) to change the jurisdiction of the Courts and the rules of pleading therein.

Mr. Richardson, from the Committee on the Judiciary, reported unfavorably on

House Bill 315, extending the jurisdiction of Justices of the Peace.
Received a message from the Senate, announcing their concurrence in the House amendment to the Bill (S. 152—H. 338) to change the jurisdiction of the Courts, &c.

Ordered to be enrolled.

On motion of Mr. Houston, a message was sent to the Senate, proposing to print five copies of the foregoing Act for the use of each member of the General Assembly.

Received a message from the Senate, announcing the passage by that body, with an amendment, of House Bill 160, to incorporate the Rocky Mount Manufacturing Company. The amendment was concurred in and the Senate informed thereof.

Also, a message announcing Messrs. Gash, Edwards and Etheridge as the Senate Committee on Enrolled Bills for the week.

The following resolutions and Bills were introduced, read, referred, or otherwise disposed of, viz:

By Mr. Waugh: Proposing to raise a Joint Select Committee of three on the subject of Adjournment. Concurred in and transmitted to the Senate.

By the same: Proposing to modify the joint standing order, and that the two Houses shall hereafter meet at 10 o'clock, A. M., each day. Adopted and transmitted to the Senate.

By Mr. Allen: House Bill 341, to amend section 21, chapter 34, Revised Code. Judiciary.

By Mr. Farrow: House Bill 342, to repeal an Act of 1865-'66, to establish a Board of Commissioners of Navigation for Ocracoke and Hatteras. Same reference.

By Mr. Holderby: House Bill 343, in regard to the Norfolk and Great Western Rail Road Company. Internal Improvements.

By Mr. Bake: Bill (H. P. 96) to incorporate the Town Fork Coal and Petroleum Company. Corporations.

From the Senate: Bill (S. 94—H. 344) in favor of the Public Librarian. Claims.

From the Senate: Bill (S. P. 24—H. P. 97) in favor of Mrs. P. P. Dick. Same reference.

From the Senate: Bill: (S. P. 38—H. P. 98) to incorporate the Board of Trade of the City of Newbern. Corporations.
From the Senate: Bill (S. P. 39—H. P. 99) to change the name of Wayne Female College. Filed.

The resolution, introduced, on the 6th, by Mr. Lowe, relative to evening sessions, was, on motion of Mr. Waugh, laid on the table. And,

On motion of Mr. Blair, the resolution, introduced on the 8th, by Mr. York, restricting debate, was also tabled.

On motion of Mr. McClammy, a message was sent to the Senate, proposing to go into an election for Judge of the Criminal Court of Wilmington, to morrow at 11½ o'clock.

Mr. Cowan placed in nomination the name of O. P. Meares, of Wilmington; and the Senate was informed thereof.

On motion of Mr. Kenan, the special order of the day, viz: House Bill 152, to establish a Penitentiary, was postponed until Thursday, 12 o'clock, M.

On motion of Mr. Cowan, the Calendar of Private Bills on their second reading was taken up;

When, under a suspension of the rule, the following passed their several readings and were ordered to be engrossed, viz:

Bill (H. P. 39) to incorporate the Memorial Association of Newbern;

House Bill 261, to incorporate the Wilmington Manufacturing Company;

Bill (H. P. 43) to incorporate the New Market Foundry and Manufacturing Company;

Bill (H. P. 40) to incorporate the St. Phillip's Episcopal Singing Society of Newbern;

Bill (H. P. 42) to incorporate Jerusalem Lodge, No. 95 A. Y. M;

Bill (H. P. 45) to incorporate Tuckaseegee Gold and Copper Mining Co.;

House Bill 202, to incorporate the Chamber of Commerce of Wilmington;

Bill (H. P. 46) in favor of Jacob Siler, Agent of Cherokee Lands;

Bill (H. P. 44) to incorporate Rockford Male and Female Seminary;

Bill (H. P. 49) to enable the representative of W. E. Mann, dec'd., late Sheriff of Pasquotank, to collect arrears of taxes;
Bill (H P. 59) to incorporate Wilson Lodge, No. 226, F. and A. M.;
Bill (H P. 65) in favor of Horton S. Reeves, of Alleghany;
House Bill 270, to incorporate the English and American Wool and Vine Growing, Manufacturing, Mining and Agricultural Association in the United States;
Bill (H. P. 66) to incorporate Carolina Lodge, No. 141, F. and A. M.;
Bill (H. P. 72) to incorporate Table Rock Seminary, in Burke County;
House Bill 224, to establish the dividing line between Salem and Winston;
Bill (H. P. 79) to incorporate the Wilmington Institute; and
Bill (H. P. 86) to incorporate the Wadesboro' Savings Institute.
And the following Engrossed Bills passed their several readings and were ordered to be enrolled, viz:
Bill (S. P. 10,—H. P. 74) to incorporate the Merchants' and Planters' Mutual Benefit Co.;
Bill (S. P. 13,—H. P. 75) to incorporate the Bingham Coal Mining Co.;
Bill (S. P. 1,—H. P. 76) to incorporate the Lexington Mining Co.; and
Bill (S. P. 6,—H. P. 77) to incorporate the Fayetteville Street Railway Co.
And the following were ordered to lie on the table, viz:
Bill (H. P. 22) in favor of E. P. Tabb & Co.;
Bill (H. P. 48) in favor of Walter Smith, Sheriff of Rockingham;
Bill (H. P. 50) in favor of A. H. Sanders, late Sheriff of Montgomery;
Bills (H. P. 51–2–3–4) in favor of Amos Pettiford, Jordan Simpson, Eugene Burrus and Wilson Cherry, respectively;
Bill (H. P. 55) in favor of Thos. S. Siler, former Agent of Western Turnpike Co.;
Bill (H. P. 58) for the relief of the late Provisional Sheriff of Cleveland, &c.;
Bill (H. P. 63) to authorize A. J. McBride, late Sheriff, to collect arrears of taxes;
Bill (H. P. 67) for the relief of Ro. McFarland, former Sheriff of Polk;
Bill (H. P. 85) to authorize Sidney Deal to collect arrears of taxes in Watauga County; and
Bill (H. P. 87) in favor of C. A. Boon, of Guilford.
And the following was referred to the Committee on Propositions and Grievances, viz:
Bill (S. P. 69,—H. P. 61) in favor of W. B. March, John Wilson and others.
Received a message from the Senate, concurring in the resolution changing the joint order for the daily meeting of the two Houses.
Also, concurring in the proposition to raise a Joint Select Committee on the subject of Adjournment, and naming Messrs. Cowles, Wiggins and Clark, as the Committee on the part of the Senate.
Whereupon, the Speaker designated Messrs. Waugh, Harper and Kenan as the House branch of the Committee.
Also, concurring in the proposition to go into an election for Judge of the Criminal Court of New Hanover County tomorrow at 11½ o'clock, A. M.
Also, proposing to print, for the use of each member of the General Assembly, twenty copies of the Bill to change the jurisdiction of the Courts and the rules of pleading therein.
And the question being "Shall the House concur in the proposition?" it was decided in the negative,—Yeas 31, Nays 53.
Mr. Henry demanded the Yeas and Nays.
Those who voted in the affirmative were:
Those who voted in the negative were:


The Calendar of Public Bills on their second reading was then taken up, and the following dispositions made:

Severally tabled:
House Bill 53 to abolish imprisonment for debt;
House Bill 59 to revise and digest the statute laws of this State;
House Bill 75, to amend section 52, chapter 60, Revised Code;
House Bill 78, in relation to sett-off;
House Bill 93, giving debtors, whose lands have been sold under execution a right of redemption;
House Bill 99, to authorize Administrators to pay for the schooling of minor heirs;
House Bill 98, to repeal section 2, chapter 34, Revised Code; and
House Bill 105, to abolish imprisonment for debts contracted prior to May 1, 1865.

And the following passed to a third reading, viz:
House Bill 101, to amend section 12, chapter 52, Revised Code; and

On motion of Mr. Hodnett, the House adjourned until tomorrow morning, 10 o'clock.
Prayer by the Rev. Mr. Atkinson, of the Presbyterian Church.

Messrs. Daniel, Bradsher, Latham, of Craven, and Harding asked and obtained leave to record their votes in the affirmative upon the passage of the Bill (S. 152—H. 338) to change the jurisdiction of the Courts and the rules of pleading therein.

Mr. Kenan, from the Committee on the Judiciary, reported favorably on

House Bill 336, to amend section 5, chapter 29, Revised Code, entitled "County Trustee."

Mr. McKay, from the same Committee, reported favorably on

House Bill 289, in regard to standard Weights and Measures; and

House Resolution 332, directing the re-reporting and re-publication of Winston’s Reports.

And adversely upon

House Bill 339, to make valid the acts of Justices of the Peace, who did so act during the war; and

House Bill 304, for a Mechanic’s Lien Law.

Mr. Richardson, from the same Committee, reported back, asking to be discharged from their further consideration,

House Bill 27, to repeal section 9, chapter 40, of the Acts of 1866; and

House Bill 273, relative to hunting on the Sabbath.

Mr. Morehead, from the same Committee, reported unfavorably on

House Bill 313, allowing debtors the privilege of paying their old debts in State Bank money, &c.

Mr. Perry, of Carteret, from the same Committee, to whom was referred a resolution instructing them to enquire into the expediency of giving Courts of Law jurisdiction in cases of lost negotiable notes, reported back a Bill, viz:

House Bill 346, to authorize Courts of Law to grant relief in cases of lost negotiable bonds, bills and notes; which was placed on file.
Mr. Waugh, from the Committee on Propositions and Grievances, to whom was referred a memorial from citizens of Henderson, praying for relief, reported the same back and asked to be discharged from its further consideration.

Also, unfavorably on
House Bill 300, to repeal an Ordinance of the Convention, "to prohibit the sale of spirituous liquors within one mile and a half of Company Shops."

Mr. McNair, from the Committee on Corporations, reported favorably on
Bill (H. P. 93) to incorporate the town of Scotland Neck; and
Bill (S. P. 38—H. P. 98) to incorporate the Board of Trade of Newbern.

And unfavorably on
House Bill 326, to incorporate the Tennessee Mining and Manufacturing Company.

Mr. McNair, from the same Committee, reported back
Bill (H. P. 80) to incorporate the National Loan and Trust Company; and
Bill (H. P. 90) to incorporate the Charlotte Merchants and Planter's Benefit Association,—
Asking the reference of the same to the Committee on the Judiciary; which was so ordered.

Mr. Harper, from the Committee on Finance, reported adversely on
House Bill 325, in favor of Mt. Pleasant Academy; and
House Resolution 340, for the encouragement of immigration.

Mr. Harper, from the same Committee, to whom was referred House Bill 308, to change the mode of appointing Auctioneers in Wilmington, reported back a substitute for the same, viz :

House Bill 345, to change the mode of appointing Auctioneers. Filed.

The following Resolutions and Bills were introduced, read, referred, or otherwise disposed of, viz :
By Mr. Long: Proposing a Joint Select Committee to enquire into the propriety of indexing more perfectly the Statutes of the State, passed since 1860. Not adopted.

By Mr. Brown: Resolution in relation to furnishing copies of the decisions of the Supreme Court to the several Clerks of the State. Not adopted.

By Mr. Everett: House Bill 347, to empower the Superior Court Judges to hold extra terms. Judiciary.

By Mr. Holderby: House Bill 348, for the protection of Guardians. Same reference.

From the Senate: Bill (S. P. 86—H. P. 100) to amend an Act "to incorporate the Trustees of Greensboro' Female College." Under a suspension of the rule, passed its several readings and ordered to be enrolled.

On motion of Mr. Latham, of Craven, a message was sent to the Senate, proposing, at a quarter to twelve o'clock, to go into the election of a Judge for the Criminal Court of Craven, and announcing that George Green, Esq., is in nomination in this House.

The Senate subsequently concurred in the proposition.

Received a message from the Senate, concurring in the proposition to print five copies of the Bill to change the jurisdiction of the Courts, &c., for the use of each member of the General Assembly.

On motion of Mr. Bryson, House Bill 255, to amend the Charter of the Western North Carolina Rail Road, was made the special order, on its several readings, for to-morrow, 11 o'clock, A. M.

The Calendar of Bills on their second reading was then taken up, and the following dispositions made:

Severally passed to a third reading:

House Bill 115, to incorporate Black Rock Lodge, No. 135, in Brunswick; and

House Bill 119, concerning dormant judgments.

Passed several readings and ordered to be engrossed:

House Bill 204, to charter the Oxford branch of the Raleigh and Gaston Rail Road, (substitute for House Bill 122.)

Severally tabled:
House Bill 27, to repeal section 9, chapter 40, of the Acts of 1866;

House Bill 113, to allow persons convicted of crimes and misdemeanors, who are unable to pay costs, to work them out on the public roads;

House Bill 117, to extend the jurisdiction of Justices of the Peace, and for other purposes; and

House Bill 118, to prevent litigation and the ruinous sacrifice of the property of honest debtors.

Received a message from the Senate, announcing Messrs. Lloyd and Hill as the Committee, on the part of the Senate, to superintend the election of Judge for the Criminal Court of New Hanover; and

The hour having arrived, the House proceeded to vote as follows, under the superintendence of Messrs. Latham, of Craven, and Collins,—Hugh Waddell, Esq., having been previously put in nomination by Mr. Guess, and William A. Wright, Esq., by Mr. Murrill:


For Mr. Waddell: Messrs. Speaker, Ashworth, Blair, Bowe, Bradsher, Carson, Clement, Everett, Freeman, Gambril, Garrett, Guess, Hinnant, Hodnett, Holderby, Horton, of Wilkes, Jones, Kelsey, Kendall, Long, Lyon, Lutterloh, May, McKay, McRae, Moore, of Chatham, Morehead, Neal, Richardson, Rogers, Rosebro, Rountree, Russ, Scoggin, Simpson, Smith, of Guilford, Stevenson, Stone, Teague, Trull, Umsted, Vestal, Waugh, Westmoreland, Wilson, of Perquimans, Williams, of Harnett, and Womble—47.

For Mr. Wright: Messrs. Bright, Houston, McNair and Murrill—4.
For Mr. Devane: Mr. Perry, of Carteret—1.
For Mr. W. Mc. L. McKay: Mr. Beasley—1.
For Mr. Moore: Mr. Reinhardt—1.

Mr. Latham, of Craven, from the Committee appointed to superintend the foregoing election, reported that the Senate vote was 38, and the House vote 101,—total 139, and necessary to a choice 70; that Mr. Meares had received 63, Mr. Waddell 59, Mr. Wright 14, and Messrs. Devane, McKay and Moore 1 each; and that there was no election. Which report was concurred in and transmitted to the Senate.

Received a message from the Senate, announcing Messrs. Koonce and Perkins as the Committee on their part to superintend the election for Judge of the Criminal Court of Craven; and

The hour having arrived, the House proceeded to vote as follows, under the superintendence of Messrs. Chadwick and Neal,—the name of D. M. Carter, Esq., of Beaufort, having been previously put in nomination by Mr. Henry:


Mr. Neal voted for Mr. Williams, of Martin.
On motion of Mr. McClammy, a message was sent to the Senate, proposing to vote again forthwith for a Judge of New Hanover Criminal Court.

Mr. Chadwick, from the Committee appointed to superintend the election of a Judge for Craven Criminal Court, reported that the Senate vote was 35 and the House vote 104—total 139, and necessary to a choice 70; that Mr. Green had received 114, Mr. Carter 24, and Mr. Williams 1; and that Mr. Green, having received a majority, was duly elected. Which report was concurred in and transmitted to the Senate.

Received a message from the Senate, concurring in the proposition to vote forthwith for a Judge of New Hanover Criminal Court;

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


For Mr. Wadell: Messrs. Speaker, Ashworth, Beasley, Black, Blair, Blythe, Bradsher, Carson, Everett, Freeman, Gambril, Godwin, Guess, Henderson, Hinnant, Hodnett, Holderby, Horton, of Wilkes, Houston, Jenkins, of Granville, May, Moore, of Chatham, Neal, Richardson, Rogers, Rosebro, Routree, Russ, Scoggins, Smith, of Guilford, Stevenson Stone, Teague, Trull, Umsted, Vestal, Waugh, Westmoreland, Wilson, of Perquimans, and Womble—40.

For Mr. Wright: Messrs. McNair and Murrill.

Mr. Morehead voted for Mr. Kenan, and Mr. Perry, of Carteret, for Mr. Devane.

Mr. McClammy, from the Committee appointed to superintend the foregoing election, reported that the Senate vote
was 39 and the House vote 101;—whole number 140 and necessary 71; that Mr. Meares had received 73, Mr. Waddell 58, Mr. Wright 7, and Messrs. Kenan and Devane 1 each; and that Mr. Meares, having received a majority, was duly elected. Which report was concurred in and transmitted to the Senate.

The hour having arrived for the consideration of the special order, viz:

House Bill 253, to authorize the Public Treasurer to negotiate a loan for the relief of the Treasury and to establish a North Carolina Savings' Bank,

The same was taken up; and, after some time spent in debate thereon, and without arriving at a conclusion,

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

WEDNESDAY, FEBRUARY 13, 1867.

Prayer by Rev. Mr. Hardie, of the Presbyterian Church. Mr. Waugh, from the Committee on Propositions and Grievances, reported favorably on
Bill (S. P. 69—H. P. 61) in favor of W. B. March, John Wilson, and others.

And adversely on
Bill (H. P. 71) in favor of S. W. Chamberlain.

Mr. Perry, of Carteret, from the Committee on Claims, reported favorably on
Bill (S. 94—H. 344) in favor of the State Librarian; and Bill (S. P. 24—H. P. 97) in favor of Mrs. P. P. Dick.

Mr. Perry, from the same Committee, to whom was referred House Bill 333, to authorize the Public Treasurer to refund certain taxes overpaid by the Southern Express Company, reported the same back, asking its reference to the Committee on Finance; which was so ordered.

Mr. Allen, from the Committee on the Judiciary, to whom was referred House Bill 341, to amend section 21, chapter 34, Revised Code, reported a substitute for the same, viz:
House Bill 349, for the protection of grape-growers; which
was placed on file.

Mr. Kenan, from the same Committee, reported unfavora-
ibly on

House Bill 348, for the protection of Guardians.

Mr. Stevenson, from the Committee on Corporations, re-
ported favorably on

House Bill 305, to extend the limits of the town of Lum-
berton.

Bills of the titles following were introduced, read, referred,
or otherwise disposed of, as stated, viz:

By Mr. Woodard: House Bill 350, to authorize a Special
Court for the county of Wilson. Judiciary.

By Mr. Bright: House Bill 351, authorizing the Chair-
man of Lenoir County Court to sell the old jail lot in Kin-
ston. Filed.

By Mr. Horton, of Watauga: House Bill 352, to amend
an Act "to encourage the raising of sheep in the Counties
of Watauga and Ashe," ratified January 28, 1851. Filed.

By Mr. Hutchison: House Bill 353, to incorporate the

A recommendation of magistrates for the County of Bla-
den was submitted, approved and sent to the Senate for con-
currence.

The consideration of the unfinished business of yesterday
viz: House Bill 253, to authorize the Public Treasurer to
negotiate a lone for the relief of the Treasury, and to estab-
lish a North Carolina Savings Bank, was taken up; when

Mr. Williams, of Martin, moved to lay the same on the
table; which did not prevail.

Mr. Morehead moved to amend by striking out "ten mil-
lions," in line 5, sec. 1, and inserting "five millions," and also
by striking out sec. 18; and

Mr. Morehead then further moved that the Bill, together
with the amendment, be re-referred to the Committee on Fi-
nance; which was so ordered.

On motion of Mr. Long, Resolution, (S. 94,—H. 344) in
favor of the Public Librarian, was taken up, considered, and
under a suspension of the rule, passed its several readings
and was ordered to be enrolled.
Mr. Moore, of Hertford, moved to take from the table the motion to reconsider the action by which the House had tabled Bill (S. P. 27,—H. P. 29) to extend the corporate limits of the town of Elizabeth City; which did not prevail.

Received a message from the Senate, concurring in the recommendation of magistrates for the county of Bladen.

Also, transmitting certain recommendations for the county of Duplin; which was concurred in and the Senate informed thereof by message.

The hour having arrived for the consideration of the first Special Order, viz: House Bill 255, to amend the charter of the Western North Carolina Rail Road, the same was taken up.

The substitute reported from the Committee on Internal Improvements, viz: House Bill 297, to authorize the President and Directors of the Western North Carolina Rail Road to put said road under contract, was amended, by the incorporation of two additional sections, on motion of Messrs. Bryson and Cowan, respectively, and adopted; and then

The same passed its several readings and was ordered to be engrossed.

Mr. Wilson, of Forsyth, asked and obtained leave to record his vote in the negative on the passage of the Bill (S. 152,—H. 338) to change the jurisdiction of the Courts, &c.; and Mr. Foard, by leave, recorded his vote in the affirmative on the same question.

On motion of Mr. Waugh, House Bill 231, to authorize the Western Rail Road to extend its road across the North Carolina Rail Road to Mt. Airy, &c., was made the special order for to-morrow, at 11 o’clock, A. M.

On motion of Mr. Richardson, Bill (S. 2,—H. 291) to provide Freehold Homesteads, was made the special order for Tuesday next, 11½ o’clock, A. M.

Bill (S. 15,—H. 241) to amend the Act regulating Salaries and Fees, was taken up; when

Mr. Crawford, of Macon, moved to strike out all after the enacting clause, and insert:

"That chapter 31 of the Acts of the General Assembly of 1865–’66, entitled 'An Act to regulate Salaries and Fees,' rat-
ified February 27th, 1866, be and the same is hereby repealed.

Sec. 2. Be it further enacted, That the salaries and fees of all persons and officers mentioned in the said Act shall hereafter be as set forth in chapter 102, Revised Code."

Which did not prevail.

The Bill passed its second reading, and, being put, under a suspension of the rule, on its third,

Mr. Richardson moved to lay the same on the table. Not adopted.

Mr. Houston moved to amend, by adding, after the word "fees," the words, "in specie or its equivalent;" which was not agreed to.

Mr. Richardson moved to amend by striking out the words "County Court Clerks, Jurors and Witnesses." Lost.

The Bill then passed and was ordered to be enrolled.

The hour having arrived for the consideration of the remaining special order, viz: House Bill 169, to amend an Act to incorporate the North Carolina Rail Road Company,

The same was, on motion of Mr. Waugh, postponed and made the special order for Wednesday next, 20th inst., at 12 o'clock, M.

The following Bills and Resolutions were introduced, (by leave) read, referred, or otherwise disposed of, viz:

By Mr. Everett: House Bill 354, to allow maimed Confederate Soldiers to retail spirituous liquors without paying a license. Propositions and Grievances.

By Mr. Waugh: House Bill 365, to stay executions in Courts of Record. Judiciary.

By Mr. Teague: House Bill 356, concerning Creditors. Same reference.

By Mr. Richardson: House Bill 357. to authorize the exchange of certain bonds, issued during the war for Internal Improvement purposes, for new bonds. Finance.

By Mr. Wilson, of Perquimans: House Bill 358, to authorize the County Courts of Perquimans to elect County officers. Filed.
By Mr. Clark: Bill (H. P. 101) authorizing the sale of a part of the land belonging to the Vine Hill Academy in the County of Halifax. Filed.

By Mr. Kelsey: Resolution instructing the Judiciary Committee to enquire into the expediency of passing a general law, to enable Sheriffs, &c., to collect arrears of taxes. Not adopted.

By Mr. Holderby: Resolution proposing an informal meeting of the members of the Legislature for the consideration of our Federal relations. Referred to the Committee on Federal Relations.

Received from the Senate a message announcing that they had passed House Bill 127, to supply artificial arms, &c., with an amendment, viz.: striking out section 3, in which they asked the concurrence of the House.

The House refused to concur, and the Senate was informed thereof.

The Calendar of Bills on their second reading was then taken up and the following action had:

Severally tabled:
House Bill 123, to place Physician's services and accounts on an equal dignity with bonds;
House Bill 124, to regulate and change the fees of County Court Solicitors;
House Bill 125, in aid of the Literary Fund;
House Bill 129, to amend section 7, chapter 62, Revised Code, entitled "Justices of the Peace;"
House Bill 142, for the relief of Wards;
House Bill 148, for the relief of the people;
House Bill 150, to change the time of meeting of the General Assembly;
House Bill 154, to amend section 11, chapter 35, Revised Code;
House Bill 156, providing a Homestead; and
House Bill 165, to prevent and punish unlawful hunting, &c.,

The following Bills, under a suspension of the rule, passed their several readings, and were ordered to be engrossed:
House Bill 126, concerning Surveyors;
House Bill 138, to pay tales jurors for their services in capital felonies; and
House Bill 149, to amend an "Act to extend the time for perfecting titles to land."

Bill (S. 18,—H. 135, authorizing certain Counties to subscribe to the Capital Stock of the Cheraw and Coalfields Rail Road, under a suspension of the rule, passed its several readings and was ordered to be enrolled. And

House Bill 143, to convert the debt due the State from the Atlantic and North Carolina Rail Road Company into Capital Stock, passed its second reading.

House Bill 151, to change the time of meeting of the General Assembly, coming up,

Mr. Stevenson moved to amend by striking out the words "third Monday in November," and inserting "first Monday in January;" which did not prevail.

Mr. Morehead moved to amend by inserting "fourth Monday in October," instead of "first Monday in November;" which was not adopted.

Mr. Morehead moved to lay the Bill on the table; and was carried.

Mr. Everett moved to re-consider the vote by which the House had laid the foregoing on the table; when

Mr. McKay moved to lay that motion on the table; and it was so ordered.

On motion of Mr. Richardson, House Resolution 323, concerning mileage for the adjourned session, was taken up.

Mr. Wilson, of Perquimans, moved to amend, by adding, at the end of the Resolution, the words, "at the rate of ten cents per mile;" which did not prevail.

Upon the passage of the Resolution, Mr. Peebles demanded the Yeas and Nays, but the call was not sustained.

The Resolution passed its several readings, under a suspension of the rule, and was ordered to be engrossed.

On motion of Mr. Allen, the House then adjourned until to-morrow morning, 10 o'clock.
Prayer by the Rev. Mr. Mangum, of the Methodist Church.

Recommendations of magistrates for the Counties of Stanly, Gaston, Columbus, Beaufort and Sampson, were submitted approved and sent to the Senate for concurrence.

Mr. Harper, from the Committee on Finance, reported unfavorably on

House Bill 333, to authorize the Public Treasurer to refund certain taxes overpaid by the Southern Express Company;

And favorably on

House Bill 357, to authorize the exchange of certain bonds, issued during the war, for Internal Improvement purposes, for new bonds.

Mr. Harper, from the same Committee, to whom was referred a communication from the Literary Board, in relation to the State bonds held by said Board, as part of the School fund, reported back, recommending its passage,

House Bill 359, to authorize the consolidation of the securities of the State, held by the Literary Board, and for other purposes; which was placed on file.

Mr. McNair, from the Committee on Corporations, reported favorably on

Bill (H. P. 92, to incorporate the Jones County Savings Bank:

House Bill 353, to incorporate the North Carolina Orphan Asylum;

Bill (H. P. 94) to incorporate Rocky Point Academy in New Hanover county;

Bill (H. P. 96) to incorporate Town Fork Coal and Petroleum Company; and

Bill (H. P. 89) to incorporate the Neuse River Ferry Company.

And unfavorably on

House Bill 331, to appoint a special magistrate for Goldsboro'.

Resolutions and Bills of the titles named were introduced, read, referred, or otherwise disposed of, as follows, viz:
By Mr. Wilson, of Forsyth: Resolution (H. P. 102) in favor of Mary M. Transom. Finance.

By Mr. Jenkins, of Gaston: Resolution (H. P. 103) in favor of J. L. Withers and James H. White. Propositions and Grievances.

By Mr. Foard: Bill (H. P. 104) to amend the Charter of Olin High School. Corporations.

By Mr. Horton, of Watauga: House Bill 360, to provide for keeping up a public road near Sampson Mountain. Filed.

By Mr. Lowe: Resolution instructing the Committee on the subject of Adjournment to report on to-morrow. Adopted.

By Mr. Russ: Resolution instructing the Judiciary Committee to enquire and report what compensation shall be allowed the Attorney General for ex officio duties performed by him under certain resolutions of the Legislature. Adopted.

From the Senate: Bill (S. P. 61—H. P. 105) to incorporate the Pigeon River Mining and Manufacturing Company, in Haywood county. Filed.

From the Senate: Bill (S. P. 62—H. P. 106) to incorporate the Waynesville Baptist College, in Haywood County. Filed.

From the Senate: Bill (S. P. 41—H. P. 107) to incorporate Monroe Lodge, No. 244, F. &. A. M., in the town of Monroe, Union county. Filed.

From the Senate: Bill (S. P. 60—H. P. 108) to incorporate the American Mining and Manufacturing Company. Filed.

On motion of Mr. Harper, House Bill 199, to regulate taxation by the County Courts, was taken up; and, under a suspension of the rule, it passed its several readings and was ordered to be engrossed. And,

On motion of Mr. McKay, Bill (S. 56—H. 244) relative to Weights and Measures, was taken up, and, under a suspension of the rule, passed its several readings and ordered to be enrolled.

The Calendar of Bills on their second reading was taken up, when the following were respectively laid on the table, viz:
House Bill 166, to amend an Act "to incorporate the Greenville and French Broad Company;"

House Bill 172, to appoint a Tax Collector for Martin county;

House Bill 173, to abolish imprisonment for debt;

House Bill 177, to protect Executors and Administrators;

and

House Bill 178, to give Buncombe Superior Court exclusive jurisdiction of the Western Turnpike Company.

The hour having arrived for the consideration of the first special order, viz: House Bill 231, to enable the Western Rail Road to extend its road across the North Carolina Rail Road to Mt. Airy, &c., the same passed its second reading.

And,

On motion of Mr. Waugh, the further consideration of the Bill was made the special order for to-morrow, 11 o'clock, A. M.

Mr. Russ presented a Memorial from the officers of the Ladies' Memorial Association of Wake County, praying an appropriation in furtherance of its charitable design, accompanied by a Resolution, viz:

House Resolution 361, in favor of the Ladies' Memorial Association of Wake county;

Which, under a suspension of the rule, unanimously passed its several readings and was ordered to be engrossed and immediately transmitted to the Senate.

On motion of Mr. Blythe, Bill (S. 75—H. 269) to amend the charter of the town of Hendersonville, was taken up and considered.

Mr. Blythe offered an amendment, in the shape of an additional section; which was adopted.

The Bill, as amended, passed its second reading, and, being put on its third,

Mr. Patton moved to lay the Bill on the table; which did not prevail.

The Bill then passed its final reading, and was transmitted to the Senate for concurrence in the amendments.

On motion of Mr. Dargan, House Bill 262, to exchange a certain amount of the stock in the N. C. R. R. Co. with the
Cheraw and Coalfields R. R. Co., and for other purposes, was made the special order for to-morrow, 1 o'clock, P. M.

The hour having arrived for the consideration of the remaining special order, viz: House Bill 152, to establish a Penitentiary,

Mr. Hutchison offered a substitute for the same, viz:

House Bill 362, same title.

After debate,

Mr. Durham moved to lay the Bill and substitute on the table; and it was decided in the affirmative,—Yeas 58, Nays 46.

Mr. Durham demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Received a message from the Senate, concurring in the recommendation of magistrates for the County of Sampson.

Also, announcing that they had laid on the table the recommendations for the County of Stanly, and transmitting others in their stead.
The House concurred, and the Senate was informed thereof by message.

Also, announcing that they had receded from their amendment to House Bill 127, to supply artificial arms, &c., and had ordered the Bill to be enrolled.

Mr. McKay offered the following Joint Resolution:

"Whereas, The Committee on Federal Relations have before them matters of the most momentous importance to North Carolina and the whole country:

Resolved, That they be requested to act as early as practicable and report the result of their deliberations to this General Assembly at an early day."

Pending the consideration of which,

Mr. Williams, of Martin, moved that the House do adjourn; which did not prevail.

Mr. McNair moved that the Resolution be laid on the table; and it was so ordered.

On motion of Mr. McNair, a message was sent to the Senate, proposing to increase the number of the Joint Select Committee on Federal Relations to five members of each House.

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

FRIDAY, FEBRUARY 15, 1867.

Mr. Kenan, from the Committee on the Judiciary, reported favorably on

House Bill 25, to amend an Act to regulate Salaries and Fees; and

House Bill 342 to repeal the Act of 1865-6, to establish a Board of Commissioners of Navigation for Ocracoke and Hatteras, &c.

And unfavorably on

House Bill 347, to empower the Superior Court Judges to hold extra terms.

Mr. McKay, from the Committee on the Judiciary reported unfavorably on
House Bill 356, concerning Creditors; and
House Bill 330, for the relief of Executors, Administrators, &c.
And favorably on
House Bill 350, to authorize a special Court for Wilson County.

Mr. Waugh, from the special Committee on the subject of Adjournment, submitted a statement of the business before the two Houses, and, asking for further time to consider the subject, meanwhile submitted a resolution providing for evening sessions of the two Houses,—commencing at 7½ o'clock,—from and after Monday next.

Mr. Wilson, of Perquimans, moved to amend by striking out all after the word "Resolved" and inserting:
"That the House of Commons will meet on Monday morning next, at 10 o'clock, sit until half past one, and then take a recess until 3 o'clock; and, meeting at 3 o'clock, P. M., shall sit until 5½ o'clock, P. M."

Which did not prevail.

The resolution was then adopted and transmitted to the Senate for concurrence.

Mr. Jenkins, of Gaston, asked and obtained leave to record his vote in the negative upon the Bill to change the jurisdiction of the Courts and the rules of pleading therein.

Bills were introduced, and referred, or otherwise disposed of, as follows:

By Mr. Long: House Bill 363, to facilitate the settlement of estates. Judiciary.

By Mr. Freeman: House Bill 364, to extend the regular terms of the County Court of Granville. Filed.

By Mr. McRae: Bill (H. P. 109) to incorporate the town of Rockingham, in Richmond County. Corporations.

By Mr. Latham, of Craven: House Bill 365, accompanied by a Memorial, to establish the new County of Pamlico; which being read,

Mr. Latham moved a suspension of the rules, in order to put the Bill on its several readings.

Mr. Gorham moved to lay that motion on the table; which did not prevail.
And the rule being suspended and the Bill read a second time,

Mr. Gorham moved that the same be referred to the Committee on Propositions and Grievances; which did not prevail.

Mr. McNair moved that the Bill be indefinitely postponed. Not adopted.

The Bill then passed its second reading; and being put on its third, the yeas and nays were ordered, and it passed the same,—Yea 52, Nay 43.

Mr. Gorham demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Ordered to be engrossed.

Mr. Moore, of Hertford, offered the following Resolution, which was adopted and transmitted to the Senate for concurrence, viz:

"Resolved, That a message be sent to the Senate, proposing to hold a Joint Convention of the two Houses, on Monday next, at 12 o'clock, M., in the Hall of the House of Com-
mons, and that Messrs. Brown, Boyden, Hanes and Leach, late Commissioners to Washington, be requested to meet the Convention and make such revelations as will enable the members of this General Assembly to enter upon the important subject of Federal Relations understandingly."

The hour having arrived for the consideration of the first special order, viz: House Bill 231, to enable the Western Rail Road Company to extend its road across the North Carolina Rail Road to Mt. Airy, the same was read the third time; when

Mr. Vestal offered an additional section, by way of amendment; which was adopted.

Mr. Waugh moved to amend sec. 3, by adding the words:
"Provided, that said bonds shall be received by said Company at their par value."

Which was adopted; and

The Bill then passed and was ordered to be engrossed.

The Calendar of Bills on their third reading was taken up and the following dispositions made:

Severally tabled:
House Bill 73, to amend Section 71, Chapter, 31, Revised Code; and
House Bill 194, to amend an Act, ratified February 27, 1866, "to regulate Salaries and Fees."

Passed and ordered to be engrossed:
House Bill 35, to declare Roanoke River a sufficient fence or protection for the sides of all lands lying immediately on its banks in Martin County;
House Bill 143, to convert the debt due the State from the Atlantic and North Carolina Rail Road Company into Capital Stock;
House Bill 101, to amend Section 12, Chapter 52, Revised Code;
House Bill 109, to incorporate Pythagoras Lodge, No. 249, in Smithville; and
House Bill 115, to incorporate Black Rock Lodge, No. 135, in Brunswick County.
House Bill 119, concerning dormant judgments, was re-referred to the Committee on the Judiciary.
The hour having arrived for the consideration of the second special order, viz: House Bill 54, to amend an Act "to establish work houses and houses of correction in the several counties of the State, ratified March 2, 1866," the same passed its several readings and was ordered to be engrossed.

The Speaker announced Messrs. Peebles, Davis, Perry, of Carteret, Morehead and Kenan as the Committee to investigate alleged mismanagement at the University, under the Resolution heretofore adopted by the House.

On motion of Mr. Garriss, the rule was suspended, and the Bill to establish the new County of Pamlico was ordered to be sent forthwith to the Senate; but, subsequently,

On motion of Mr. Holderby, the order was re-considered; and

Mr. Holderly entered a motion to re-consider the vote by which the Bill had passed its final reading.

The Calendar of Bills on their second reading was taken up:

House Bill 181, to lay off and establish a new County by the name of Vance:

The substitute reported by the Committee, viz: House Bill 334, same title, was adopted, under a suspension of the rule passed its several readings, and was ordered to be engrossed.

Severally tabled:

House Bill 25, to amend an Act to regulate Salaries and Fees;

House Bill 116, to amend an Act to prevent wilful trespasses on land and stealing any kind of property therefrom;

House Bill 183, to abolish the office of State Geologist;

and

House Bill 184, to repeal Sections 1, 2, 3, 4, 5, 6 and 7, Chapter 12, Revised Code.

Received a message from the Senate, concurring in the proposition to hold evening sessions from and after Monday evening next.

Also, concurring in the recommendations of magistrates on yesterday transmitted from the House.

Also, declining to concur in the proposition to hold a Joint Convention of the two Houses on Monday next, at twelve o'clock, M.
Also, refusing to concur in the proposition to raise the number of the Joint Select Committee on Federal Relations to five on the part of each House.

Also, refusing to concur in the House amendment to the engrossed House Bill 269, to amend the charter of the town of Hendersonville.

And the question being, "Shall the House recede from its amendment?" it was decided in the negative; and

The action of the House was communicated to the Senate by message.

The hour having arrived for the consideration of the remaining special order, viz.: House Bill 262, to exchange a certain amount of the stock in the North Carolina Rail Road Company with the Cheraw and Coalfields Rail Road Company, and for other purposes, the same was taken up.

Mr. Granbery moved to amend, by inserting, after the word "subscribed," in section 1, the words "and paid in, or secured to be paid, by subscribers, corporations, companies or counties;" which was adopted.

Mr. McClammy moved further to amend by striking out sections 1, 2 and 3.

Mr. McNair moved to amend the amendment by striking out, in line 7, section 2, the words "the road is completed," and inserting the words "said subscription is made."

After debate, and pending the consideration of the amendment,

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

SATURDAY, FEBRUARY 16, 1867.

Mr. McNair, from the Committee on Corporations, reported favorably on

Bill (H. P. 109) to incorporate the town of Rockingham.

Favorably, with an amendment, on

Bill (H. P. 104) to amend the charter of the Olin High School.
And unfavorably on
Bill (H. P. 83) to amend the charter of the North Carolina Mutual Life Insurance Company; and
Bill (H. P. 84) to amend the charter of the North Carolina Mutual Fire Insurance Company.

Mr. Waugh, from the Committee on Propositions and Grievances, reported unfavorably on
House Bill 354, to allow maimed Confederate soldiers to retail spirituous liquors, without paying license.

Mr. Harper, from the Committee on Finance, reported favorably on
Bill (H. P. 102) in favor of Mary M. Transom.

Mr. Patton, from the same Committee, to whom was referred House 253, to authorize the Public Treasurer to negotiate a loan for the relief of the Treasury, and to establish a North Carolina Savings Bank, reported favorably on the same. And

Mr. Harper, from a minority of the same Committee, submitted a counter-report.

Mr. McKay, from the Committee on the Judiciary, reported favorably, with amendments, on
Bill (H. P. 80) to incorporate the National Loan and Trust Company.

And favorably on
Bill (H. P. 90) to incorporate the Charlotte Merchants' and Planters' Benefit Association.

Mr. McNair, from the Committee on Propositions and Grievances, reported favorably on
Bill (H. P. 103) in favor of J. L. Withers and J. H. White.

Mr. Peebles, from the Select Committee of enquiry concerning the University, reported back the following Joint Resolution and recommended its adoption, viz:

"Resolved, That a Committee of three, on the part of each House, be appointed to enquire into the general management of the affairs of the University of North Carolina, and whether its present languishing condition is owing to local causes, and report the result of their investigation to the Governor and Literary Board, with the request that they take the proper steps to remove all obstacles to the prosperity of said
University, if any shall be found to exist, and with the further request, that the Governor and Literary Board report their action concerning the matter at the next session of the General Assembly.”

The Resolution was adopted and transmitted to the Senate for its concurrence.

Recommendations of magistrates for the Counties of Gates, Wilkes, Cabarrus, Buncombe, Chatham and Mecklenburg, were submitted, approved and sent to the Senate for concurrence.

Leave of absence until Monday was granted to Mr. Barden, and indefinitely to Mr. Harding.

The following Resolution and Bills were introduced, read, referred, or otherwise disposed of, as follows, viz:

By Mr. Williams, of Yancey: Resolution (H. P. 110) in favor of Chas. Byrd. Claims.

By Mr. Walker: House Bill 366, to incorporate the town of Columbia, in Tyrrell County. Corporations.

By Mr. Davis: House Bill 367, to amend an Act, ratified December 23, 1864, to authorize attachments against Corporations. Judiciary.

By Mr. McKay: Bill (H. P. 111) to incorporate Rocky Point Manufacturing Company, in Cumberland. Filed.

By the same: House Bill 368, entitled “Weights and Measures.”

Under a suspension of the rule, this Bill was put upon its second reading; when Mr. McClammy moved to amend by adding another section, as follows:

“That in section 5, chapter 117, Revised Code, the word ‘two’ shall be stricken out and the word ‘one’ inserted.”

Which did not prevail.

The Bill passed its several readings and was ordered to be engrossed.

By Mr. Horton, of Watauga: House Bill 369, explaining the meaning and purview of the “Act granting a general amnesty and pardon,” &c., ratified December, 1866. Judiciary.
Mr. McClammy entered a motion to reconsider the vote by which, on yesterday, the House had passed House Bill 334, to lay off and establish a new County by the name of Vance.

Received a message from his Excellency, the Governor, transmitting a communication from the Adjutant General of the United States, in response to an enquiry whether there were any North Carolina soldiers still detained in Federal prisons; which was ordered to be sent to the Senate.

The Calendar of Private Bills was then taken up, and the following dispositions made:

Severally passed and ordered to be enrolled:
- Bill (S. P. 69,—H. P. 61) in favor of W. B. March and others;
- Bill (S. P. 2,—H. P. 144) to incorporate Pasquotank Lodge, No. 103, F. and A. M.;
- Bill (S. P. 24,—H. P. 97) in favor of Mrs. P. P. Dick;
- Bill (S. P. 38,—H. P. 98) to incorporate the Board of Trade, of Newbern;
- Bill (S. P. 31—H. P. 99) to change the name of Wayne Female College;
- Bill (S. P. 61,—H. P. 105) to incorporate Pigeon River Mining and Manufacturing Company;
- Bill (S. P. 41,—H. P. 107) to incorporate Monroe Lodge, No. 244, F. and A. M.;
- Bill (S. P. 62,—H. P. 106) to incorporate Waynesville Baptist College;
- Bill (S. P. 60,—H. P. 108) to incorporate the American Mining and Manufacturing Company.

Severally passed and ordered to be engrossed:
- House Bill 263, to declare Tar River, through Edgecombe county, a water-course sufficient for a fence;
- House Bill 136, to incorporate Centre Hill Lodge, No. 260, in Chowan;
- House Bill 226, to incorporate Olivia Quicksilver Mining Company, in Macon county;
- House Bill 221, to incorporate Flat Swamp, Lock's Creek and Evans Creek Canal Company;
- Bill (H. P. 89) to incorporate the Neuse River Ferry Company.
Bill (H. P. 92) to incorporate the Jones County Savings Institution;
Bill (H. P. 93) to incorporate the town of Scotland Neck;
Bill (H. P. 94) to incorporate Rocky Point Academy, in New Hanover County;
Bill H. P. 96) to incorporate Town Fork Coal and Petroleum Company;
Bill (H. P. 101) to authorize the sale of a part of the land belonging to the Vine Hill Academy, in Halifax;
Bill (H. P. 102) in favor of Mary M. Transom;
Bill (H. P. 104) to amend the Charter of Olin High School;
Bill (H. P. 109) to incorporate the town of Rockingham;
Bill (H. P. 80) to incorporate the National Loan and Trust Company;
Bill (H. P. 90) to incorporate the Neuse River Ferry Company;
Bill (H. P. 103) in favor of J. S. Withers and J. H. White;
Bill (H. P. 111) to incorporate Rocky Point Manufacturing Company, in Cumberland;
House Bill 337, to amend an act to incorporate the town of Jefferson;
House Bill 305, to extend the limits of the town of Lumberton;
House Bill 249, to amend the Charter of Cheoih Turnpike Company;
House Bill 353, to incorporate the North Carolina Orphan Asylum; and
House Bill 235, to incorporate the town of Hookerton, in Greene County.
Severally tabled:
Bill (H. P. 71) in favor of S. W. Chamberlain;
Bills (H. P. 83 and 84) to amend the Charters of the North Carolina Mutual Life and Fire Insurance Companies, respectively; and
House Bill 326, to incorporate the Tennessee River Mining and Manufacturing Company.
Received a message from the Senate, concurring in the Resolution providing for the appointment of a Committee of Enquiry concerning the University.

Also, announcing that the Senate had insisted upon its disagreement to the House amendment to the Bill to amend the Charter of the town of Hendersonville;

Whereupon, Mr. Crawford, of Macon, moved that a message be sent to the Senate, proposing a Committee of Conference on the disagreement.

Mr. Blythe moved to lay that motion upon the table; and it was so ordered.

On motion of Mr. Richardson, House Bill 357, to authorize the exchange of certain bonds, issued during the war for Internal Improvement purposes, for new bonds, was taken up and considered.

After debate,
The Bill passed its several readings and was ordered to be engrossed.

On motion of Mr. McKay, House Bill 246, to amend the charter of the Fayetteville and Florence Rail Road Company, was made the special order for Tuesday next, 19th instant, 1 o'clock, P. M.

On motion of Mr. Gorham, the House adjourned to Monday morning, 10 o'clock.

MONDAY, FEBRUARY 18, 1867.

Prayer by the Rev. Mr. Hardie, of the Presbyterian Church.

The Speaker announced Messrs Horton, of Wilkes, Shelton, Lutterloh, Martin and May, as the Committee on Enrolled Bills for the week.

The following Resolution and Bills were introduced, read, referred, or otherwise disposed of, as stated, viz:

By Mr. Carson: Resolution to provide for the distribution of seats to the members of the Legislature. Adopted and sent to the Senate.
By Mr. Harper: House Bill 370, to provide for the collection and payment into the Treasury of monies due by paying patients in the Insane Asylum. Filed.

By Mr. Blythe: House Bill 371, to secure Creditors. Judiciary.

By Mr. Martin: House Bill 372, for the protection of Landlords. Same reference.

From the Senate: Bill (S. P. 95—H. P. 112,) to incorporate the American Agricultural and Mineral Company. Filed.

The consideration of the unfinished business of Friday, viz: House Bill 262, to exchange a certain amount of the stock in the North Carolina Rail Road Company with the Cheraw and Coalfields Rail Road Company, was taken up,—

The pending question being upon the amendment, offered by Mr. McNair, to the amendment of Mr. McClammy;

Which did not prevail.

Mr. McNair further moved to amend by striking out, in lines 15 and 16, section 2, the words "one hundred thousand dollars of;" which did not prevail.

Mr. McClammy's amendment was then rejected.

And the question recurring upon the passage of the Bill on its third reading, it was decided in the negative,—Yeas 43, Nays 45.

Mr. McClammy demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Mr. Baker entered a motion to re-consider the vote by which the foregoing bill had failed to pass its final reading.

Mr. Kelsey moved a reconsideration of the vote by which, on Saturday, the House had tabled the proposition to send a message to the Senate asking for a Conference on the subject of the disagreement between the two Houses relative to the Bill to amend the Charter of Hendersonville.

The motion prevailed, and the message was then ordered to be sent; and

The Senate subsequently concurring, and announcing Messrs. Gash, Love and Covington, as their branch of the Committee of Conference, the Speaker designated Messrs. Logan, Harper and Garrett as the Committee on the part of the House.

On motion of Mr. Autry, House Bill 313, allowing debtors the privilege of paying their old debts in State Bank money or its equivalent in currency, was made the special order for 12 o'clock, M., to-morrow.

Leave of absence, for the remainder of the week, was granted to Mr. Martin.

Received a message from the Senate, announcing the passage with amendments, of

House Bill 64, to incorporate the Albemarle Swamp Land Company; and

House Bill 311 to incorporate the town of Rocky Mount. And of a substitute for

Bill (H. P. 16) for the relief of the estate of L. O'B. Branch, deceased.

In which the concurrence of the House was asked.

The House concurred and the Senate was informed thereof by message.

Received a message from the Senate, transmitting recommendations of magistrates for the Counties of Brunswick, Catawba and Pitt; in which the House concurred.
Also, announcing Messrs. Harris, of Rutherford, Johnston and Paschal, as the Senate Committee on enrolled Bills for the week.

Also, announcing the rejection, in that body, of House Bill 80, to amend section 2, chapter 43, of an Act, ratified March 12, 1866, entitled "An Act to improve the law of evidence."

The Calendar of Bills on their second reading was taken up, and the following action had:

Passed several readings, under a suspension of the rule, and ordered to be engrossed:

- House Resolution 186, in favor of soldiers maimed in the late war;
- House Bill 190, to amend section 4 of an Act of 1858-59 "to authorize the Roanoke Navigation Company to discontinue the use of their canal," &c.;
- House Bill 310, supplemental to an Act to empower the County Courts of Mecklenburg to hold extra terms; and

Passed second reading:

- Bill (S. 79—H. 206) to amend the charter of the Wilmington and Weldon Rail Road Company;
- Bill (S. 36,—H. 207) to amend an Act, passed in 1833, to incorporate the Wilmington and Raleigh Rail Road Company; and
- Bill (S. 98,—H. 213) concerning Bastard Children.

Severally tabled:

- House Bill 137, to regulate assignments and protect creditors;
- House Bill 183, to amend section 6, chapter 71, Revised Code, entitled "Mills and Millers;"
- House Bill 193, to grant the aid of the State to the Cheraw and Coalfields Rail Road; and
- House Bill 220, in favor of Oakwood Memorial Association.

Otherwise disposed of:

- House Bill 187, for the more perfect administration of the criminal law of the State. Indefinitely postponed, on motion of Mr. McKay.
- Bill (S. 2,—H. 216) to repeal an Ordinance of the Conven-
tion, authorizing the exchange of stocks in the Rail Road Companies for State bonds. On motion of Mr. Richardson, referred to the Committee on Finance.

House Bill 217, for the relief of the people. On motion of Mr. McNair, referred to the Committee on the Judiciary.

House Bill 228, to pay the special magistrates of the city of Newbern. Rejected.

House Resolution 229, authorizing the State Librarian to purchase fifty copies of Battles' Digest. Rejected.

House Bill 205, for the relief of the owners of land and houses. Tabled, on motion of Mr. Jones.

Mr. Kelsey moved a re-consideration of this action; which prevailed, and,

On further motion of Mr. Kelsey, the Bill was made the special order for to-morrow evening; 8 o'clock.

Bill (S. 17—H. 243,) for the better suppression of horse stealing:

Mr. Whitley moved to strike out section 3 of the Bill (limiting the existence of its operation to five years.)

And the question being “Shall the section stand as a part of the Bill,” it was decided in the negative.

So the amendment prevailed.

Mr. Blythe moved to amend by adding the following proviso:

“Provided, That this act shall not take effect until after the first day of July next.”

Which did not prevail.

Mr. Jones moved to amend by adding as follows:

“Provided, That this Act shall not apply to those convicted, for the first time, of horse or mule stealing.”

Which was not adopted.

The Bill, as amended, then passed its second reading.—

Yeas 62, Nays 36.

Mr. Brown demanded the Yeas and Nays,

Those who voted in the affirmative were:


Those who voted in the negative were:


Mr. McNair moved for a suspension of the rule, in order to put the Bill on its final reading; which was not agreed to.

On motion of Mr. Russ, the use of the Hall, on Friday evening next, was granted to the Ladies' Memorial Association.

On motion of Mr. Allen, the House adjourned until 7½ o'clock, P. M.

MONDAY, 7½ O'CLOCK, P. M.

The Calendar of Bills on their second reading was taken up, and the following action had, viz:

House Resolution 185, in favor of the Adjutant General of the State: Passed second reading, and, under a suspension of the rules, being placed on its third, it failed to pass the same.

House Bill 232, to incorporate the Greensboro' and Dan River Rail Road Company:

Mr. Williams, of Martin, moved to lay the Bill on the table; which did not prevail.
The amendments recommended by the Committee were adopted, and the Bill, under a suspension of the rule, passed its several readings and was ordered to be engrossed.

Mr. Williams, of Pitt, moved a reconsideration of the vote, by which House Resolution 185, in favor of the Adjutant General, failed to pass its final reading; which did not prevail.

Mr. Latham, of Craven, called up the motion, heretofore entered, to reconsider the vote by which House Bill 365, to establish the county of Pamlico, had finally passed the House. The motion to reconsider prevailed.

Mr. Clark moved that the Bill be indefinitely postponed; and after debate, it was so ordered,—Yeas 43, Nays 39.

Mr. Scoggin demanded the Yeas and Nays. Those who voted in the affirmative were:


Those who voted in the negative were:


Received a message from the Senate, refusing to concur in the House resolution for the distribution of seats to the members of General Assembly.

On motion of Mr. Autry, the House adjourned until tomorrow morning, 10 o'clock.
Prayer by the Rev. Mr. Atkinson, of the Presbyterian Church.

Mr. McNair, from the Committee on Corporations, reported favorably on House Bill 366, to incorporate the town of Columbia, in Tyrrell county.

Mr. Autry introduced the following Resolution, viz: "Resolved, That this General Assembly do adjourn Friday, February 22nd, to meet again the second Monday in October, 1867."

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

The Calendar of Bills on their second reading was taken up:

House Bill 233, to enable Buncombe Turnpike Company to subscribe the stock in said Company to the Western North Carolina Rail Road. Passed its several readings, under suspension of the rule, and ordered to be engrossed.

Bill (S. 101—H. 303) to provide for the building a fence in Perquimans County. Tabled, on motion of Mr. Waugh.

Received a message from the Senate, announcing the passage, by that body, of House Bill 198, to raise Revenue, with sundry amendments, in which the concurrence of the House was asked.

The amendments were severally read and concurred in, except the following, viz:

(1.) Strike out the proviso, to section 9, class 1, Schedule A; and

(2.) Substitute for the last paragraph, class 2, Schedule B

And the Senate was informed of the action of the House by message.

Mr. Baker called up the motion, heretofore entered by him, to re-consider the vote by which House Bill 262, to exchange a certain amount of the stock in the North Carolina Rail Road Company, with the Cheraw and Coalfields Rail Road Company, and for other purposes, had failed to pass its final reading.
Mr. McClammy moved to lay the motion to re-consider on the table; and it was decided in the negative,—Yeas 41, Nays 54.

Mr. Richardson demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the affirmative were:


The motion to reconsider then prevailed;

And the question recurring on the passage of the Bill its third reading, it passed the same,—Yeas 50, Nays 47.

Mr. Morton demanded the Yeas and Nays.

Those who voted in the affirmative were:

Those who voted in the negative were:


Ordered to be engrossed.

The hour having arrived for the consideration of the second special order of the day, viz: House Bill 313, allowing debtors the privilege of paying their old debts in State Bank money, &c., the same was read; when

Mr. Jenkins, of Gaston, moved to lay it on the table, and it was so ordered—Yeas 68, Nays 15.

Mr. Autry demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Messrs. Ashworth, Autry, Beasley, Black, Blair, Hinnant, May, McArthur, Moore, of Chatham, Richardson, Rogers, Smith, of Duplin, Trull, Williams, of Yancey, and Womble—15.

On motion of Mr. Whitfield, House Bill 330, for the relief of Executors, Administrators, &c., was made the special order for this evening, 8 1/2 o'clock.
On motion of Mr. Richardson, the House took up Bill (S. 2—H. 291) to be entitled an Act to establish Freehold Homesteads for the citizens of the State, which had been made the first special order for this day, but which had been deferred under the pressure of other business; when

Mr. Richardson offered a substitute for the same, viz:

House Bill 373, to exempt from seizure under execution or attachment certain personal property and to provide a Homestead;

Which was adopted, and, being read the second time,

Mr. Logan moved to amend by adding the following proviso at the close of section 6, viz:

"Provided, That no Homestead, laid off under the provisions of this Act, shall exceed in value $5,000, at the time said Homestead is laid off."

Which was adopted.

Mr. Richardson moved to reconsider the vote by which the foregoing amendment had just been adopted; which prevailed.

Mr. McNair moved to lay the amendment on the table. Not agreed to.

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

Under a suspension of the rule, being placed on its third reading,

Mr. McNair moved to strike out the words "one yoke of oxen."

And the question being "shall the words stand as a part of the Bill?" it was decided in the affirmative.

So the amendment did not prevail.

The Bill then passed its third reading and was sent to the Senate for concurrence.

Received a message from the Senate, announcing the passage of the following Engrossed Bill, and asking the concurrence of the House therein, viz:

Bill (S. 2 4,—H. 374,) to extend the term of Chowan Superior Court;

Which was read, and, under a suspension of the rule, being placed on its second reading, passed the same.
Being placed on its third reading,
Mr. Boyd moved to amend by striking out the words "ninety dollars;" which did not prevail,
The Bill then passed and was ordered to be enrolled.
On motion of Mr. McKay, House Bill 246, to amend the charter of the Fayetteville and Florence Rail Road Company, which had been made the Special Order for 1 o'clock, but which had been postponed to give way to business at that hour pending, was taken up.
Being read a second time, and pending its consideration,
On motion of Mr. Allen, the House took a recess until 7½ o'clock, P. M.

TUESDAY, 7½ O'CLOCK, P. M.

Received a message from the Senate, announcing the passage of the following Engrossed Bills, and asking the concurrence of the House therein, viz:

Bill (S. P. 104—H. P. 113,) to incorporate the Wilmington Hook and Ladder Company. Filed.
Bill (S. 139—H. 375,) to establish a State Penitentiary. Filed.
Bill (S. P. 82—H. P. 144,) to incorporate the Cleveland Mineral Springs Company. Filed.
Bill (S. P. 74—H. P. 115,) to incorporate the Mecklenburg Female College, in the city of Charlotte. Filed.
Bill—(S. P. 17—H. P. 116) to incorporate the North Carolina Dental Association, &c. Filed.
Bill (S. P. 87—H. P. 117,) to incorporate Kittrell's Springs Female College. Filed.
Bill (S. P. 94—H. P. 118,) to set apart and make perpetual the McIntyre Cemetery in Cumberland county. Filed.

Received a message from the Senate, proposing the appointment of an additional Committee on Enrolled Bills for the week; which was concurred in, and
Messrs. McArthur, Turnbull, Brown, Holderby and Murrill were designated as the House Committee.
Mr. McNair, from the Committee on Federal Relations, reported back the Resolutions concerning the Hon. Jefferson Davis, asking to be discharged from their further consideration.

The consideration of the unfinished business, viz: House Bill 246, to amend the charter of the Fayetteville and Florence Rail Road Company, was resumed.

Mr. McKay offered an amendment to the Bill, in the shape of an additional section; which was adopted.

The Bill failed to pass its second reading; but on motion of Mr. Kenan, the vote was re-considered.

On further motion of Mr. Morehead, the Bill was then made the Special Order for to-morrow, at 11 o'clock, A. M.

Mr. Cowan, from the Committee on Finance, to whom were referred certain resolutions concerning the payment of the interest on the public debt, submitted a lengthy report thereon, and recommended the passage of an accompanying Bill, viz:

House Bill 376, to provide for the payment of the interest on the public debt, and for other purposes;

Which, being read, was, on motion of Mr. Cowan, ordered to be printed, and made the Special Order for to-morrow evening at 8 o'clock.

Mr. Harper, from the same Committee, to whom were referred certain resolutions concerning the condition of the people, (introduced by Mr. Granbery, on the 9th inst.,) reported adversely thereon, and asked to be discharged from their further consideration; which was so ordered.

The hour having arrived for the consideration of the second Special Order, viz: House Bill 330, for the relief of Executors, Administrators, &c., the same was taken up and read.

Mr. Davis moved to amend by the insertion of an additional clause to the preamble, and the addition of a new section, to come in as section 3; and it was adopted.

Mr. Houston moved further to amend by striking out all of the Bill after section 1, and inserting, in lieu thereof, a series of new sections, eleven in number. And
Mr. Houston moved that the Bill, together with the amend-
ment, be re-referred to the Committee on the Judiciary; which did not prevail.

The amendment was not adopted.

The Bill, as amended, passed its second reading.

Mr. Durham moved a suspension of the rule, in order that the Bill might be placed on its final reading; which prevailed.

And the Bill passed and was ordered to be engrossed.

Mr. Williams, of Martin, moved that the House do now adjourn; which was not agreed to.

On motion of Mr. Kelsey, House Bill 205, for the relief of the owners of land and houses, which had been made the first special order of the evening; but which had been superseded by the unfinished business, was taken up; when

On further motion of Mr. Kelsey, the same was laid on the table.

Mr. Williams, of Harnett, obtained permission to have the statement entered of record, that, had he been in his seat this morning, he would have voted in the affirmative on the passage of the Homestead House Bill, 373.

Mr. Lyon moved that the House do now adjourn.

And the question being thereon, it was decided in the negative,—Yeas 26, Nays 66.

Mr. Latham, of Craven, demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Clommy, McKay, McNair, McRae, Murrill, Reinhardt, Richardson, Rogers, Rosebro, Russ, Scoggin, Scott, Shelton, Simpson, Smith, of Guilford, Stone, Sudderth, Teague, Turnbull, Umsted, Vestal, Walker, Waugh, Williams, of Harnett, Williams, of Pitt, Williams, of Yancey, Womble and York.

On motion of Mr. Walker, House Bill 366, to incorporate the town of Columbia, in Tyrrell County, was taken from the Calendar and considered; and

Under a suspension of the rule, it passed its several readings and was ordered to be engrossed.

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

WEDNESDAY, FEBRUARY 20, 1867.

Mr. Houston, from the Committee on Public Buildings and Grounds, to whom were referred:

A memorial from the Deacons of the Colored Baptist Church, of Raleigh, praying the use of a public lot for the erection of a Church, &c.; and

A memorial from the Mayor and Commissioners of the City of Raleigh, praying protection against an apprehended nuisance;

Reported adversely on the same, and asked to be discharged from their further consideration; which was so ordered.

Mr. Peebles, from the Committee on the Judiciary, reported a Bill to the House, recommending its passage, viz:

House Bill 377, to confine original jurisdiction of all crimes and misdemeanors, below capital felonies, to the Courts of Pleas and Quarter Sessions; which was placed on file.

Mr. Davis, from the same Committee, reported favorably on

House Bill 367, to amend an Act, ratified December 23, 1864, to authorize attachments against Corporations.

Mr. Kenan, from the same Committee, reported favorably on
House Bill 355, to stay executions in Courts of Record.
And adversely on
House Bill 254, to tax fire arms kept for any other purpose
than military use;
House Bill 217, for the relief of the people;
House Bill 371, to secure Creditors; and
House Bill 372, for the protection of landlords.
Mr. Waugh, from the Joint Select Committee on the sub-
ject of adjournment, made a statement of the business pend-
ing before the two Houses, and recommended the adoption of
the following Resolution, viz:
Resolved, That a message be sent to the Senate, with a
proposition that the two Houses of this General Assembly
adjourn, sine die, on Tuesday, the 5th day of March, prox., at
6 o'clock, A. M.
Mr. Wilson, of Perquimans, moved to amend by striking
out all after the word "Resolved," and inserting as follows,
viz:
"That the Legislature do adjourn on Tuesday next, sine
die, and that the Clerks be authorized to make up their esti-
mates to that day inclusive."
Mr. Boyd moved to amend the amendment by striking out
the words "Tuesday next," and inserting, in lieu thereof, the
words "Monday, 25th inst., at 12 o'clock, M."
And the question being thereon, it was decided in the
affirmative,—Yeas 56, Nays 47.
Mr. Boyd demanded the Yeas and Nays.
Those who voted in the affirmative were:
Messrs. Ashworth, Autry, Baker, Barden, Beasley, Blair,
Blythe, Boyd, Bradsher, Brown, Bryson, Carson, Chadwick,
Clement, Crawford, of Macon, Crawford, of Rowan, David-
son, Foard, Galloway, Garrett, Garris, Granbery, Guess,
Henderson, Hodnett, Holderby, Horton, of Watauga, Hutch-
ison, Lee, Logan, Lowe, McArthur, McClammy, McGougan,
McNair, McRae, Moore, of Chatham, Murrill. Reinhardt,
Rosebro, Scoggin, Shelton, Simpson, Smith, of Duplin, Smith,
of Guilford, Suddeth, Teague, Umsted, Vestal, Westmore-
land, Whitley, Wilson, of Forsyth, Wilson, of Perquimans,
Williams, of Pitt, Woodard and York—56.
Those who voted in the negative were:


Mr. McKay moved to lay the resolution and amendment on the table; and it was so ordered—Yeas 50, Nays 49.

Mr. Crawford, of Macon, demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Mr. Logan, from the Joint Committee of Conference on the disagreement between the two Houses as to House Bill 269, to amend the charter of the town of Hendersonville, reported that the House should recede from its amendment, and recommended the adoption of sundry other amendments.
Which report was concurred in and transmitted to the Senate.

The hour having arrived for the consideration of the first Special Order, viz: House Bill to amend the charter of the Fayetteville and Florence Railroad Company, the same was taken up and considered.

The Bill passed its second reading, and, under a suspension of the rule, being put on its third, it also passed the same—Yeas 51, Nays 41.

Mr. Smith, of Guilford, demanded the Yeas and Nays.
Those who voted in the affirmative were:

Those who voted in the negative were:

Bills, &c., of the titles named were introduced, read, referred, or otherwise disposed of, viz:
From the Senate: Bill (S. P. 92—H. P. 119,) to incorporate the town of Franklinsville, in Randolph county. Filed.
From the Senate: Bill (S. P. 145—H. P. 129,) to authorize the sale of the Academy Lot in Elizabeth City. Filed.

By Mr. Wilson, of Perquimans: Bill (H. P. 121,) to incorporate the Perquimans Steam Navigation Company. Under
a suspension of the rule, passed its several readings and ordered to be engrossed.

By Mr. Davis: House Bill 378, relating to Wills, Deeds, and other papers, destroyed in the late war. Under a suspension of the rule, passed its several readings and ordered to be engrossed.

By Mr. Russ: House Bill 379, to extend the sessions of the Court of Pleas and Quarter Sessions of Wake county. Under a suspension of the rule, passed its several readings and ordered to be engrossed.

By Mr. Bowe: House Bill 380, for the relief of such debtors as have executed deeds of trust or mortgages. Judiciary.

By Mr. Horton, of Wilkes: House Bill 381, to amend an Act, ratified February 22, 1861, "to lay off, locate and establish a road from Statesville to Wilkesboro." Filed.

By Mr. Russ: Bill (H. P. 122,) to incorporate the Raleigh Memorial Association. Corporations.

By Mr. Latham, of Craven: House Bill 382, to consolidate the Fire Companies of the city of Newbern. Same reference.

By Mr. Lowe: House Resolution 383, providing for commutation to soldiers who have lost arms in the military service.

Under a suspension of the rule, passed several readings and ordered to be engrossed.

From the Senate: Bill (S. 150—H. 384) to enable the Western North Carolina Rail Road Company to discharge its debts. Under a suspension of the rule, passed several readings and ordered to be enrolled.

From the Senate: Bill (S. 148,—H. 385) to amend the charter of the Wilmington Railway Bridge Company. Internal Improvements.

From the Senate: Bill (S. 197,—H. 386) to aid the Williamston and Tarboro' Rail Road Company. Same reference.

On motion of Mr. McClammy, House Bill 294, to incorporate the North Carolina Land Agency, for the encouragement of immigration, was taken up, and, under a suspension of the rule, it passed its several readings and was ordered to be
engrossed,—the amendments recommended by the Committee having been first adopted.

On motion of Mr. Waugh, Bill (S. 31,—H. 292) to protect property sold under execution from sacrifice, was made the special order for to-morrow morning, 11 o'clock.

On motion of Mr. Garrett, House Bill 306, to change the location of the County site of Haywood County, was made the special order for to-morrow evening, 9 o'clock.

On motion of Mr. Peebles, House Bill 377, to confine original jurisdiction of all crimes and misdemeanors, below capital felonies, to the Courts of Pleas and Quarter Sessions, was made the special order for Friday, 11 o'clock, A. M.

Leave of absence for an indefinite period was granted to Mr. Gorham.

Recommendations of magistrates for the Counties of Union, Wake, Craven, Alamance, Pitt, Mitchell and Franklin, were submitted, approved, and sent to the Senate for concurrence.

The hour having arrived for the consideration of the remaining special order, viz:

House Bill 169, to amend the Act to incorporate the North Carolina Rail Road Company, the same was,

On motion of Mr. Waugh, informally passed over.

On motion of Mr. Russ, House Bill 137, to regulate Assignments and protect creditors, was taken from the table, and made the special order for to-morrow evening, 8 o'clock.

Mr. Carson, (by leave) introduced the following Resolution, viz:

Resolved, (the Senate concurring,) that the General Assembly do adjourn on Wednesday, the 27th inst., at 6 o'clock, A. M., to meet again on the 2nd Tuesday in November next.

Which, on motion of Mr. Patton, was laid on the table.

Received a message from the Senate, announcing Messrs. McRae, Moore and McLean as their branch of the additional Committee on Enrolled Bills.

Also, announcing that they had passed House Resolution, 186, in favor of soldiers maimed in the late war, with sundry amendments, in which the concurrence of the House was asked.

The House concurred; but, subsequently,
On motion of Mr. Davis, this action was re-considered, the House refused to concur, and the Senate was informed thereof by message.

Also, announcing that the Senate had receded from its amendment to the last paragraph of Class 2, Schedule B., of House Bill 198, to raise Revenue, but insisted upon its amendment striking out the proviso to section 9, Class 1, Schedule A.

The House refusing to recede from its objection,

On motion of Mr. Long, a message was sent to the Senate, proposing a Committee of Conference on the disagreement, and naming Messrs. Farrow, Durham, and Latham, of Craven, as the House Branch of the Committee.

Also, announcing that the Senate had refused to concur in the House substitute (No. 372) the Senate Bill 2, to establish Freehold Homesteads for the citizens of the State.

The House insisted, and the Senate was informed thereof by message.

Mr. McClammy called up the motion, heretofore entered, to re-consider the vote by which House Bill 334, to lay off and establish a new County by the name of Vance, had passed its final reading.

Mr. Durham moved to lay that motion on the table; and, a count by tellers being demanded, it was decided in the negative,—Ayes 45, Noes 46.

The motion to re-consider prevailed,—Yeas 53, Nays 44.

Mr. McNair demanded the Yeas and Nays.

Those who voted in the affirmative were:

Messrs. Allen, Ashworth, Autry, Baker, Black, Blair, Boyd, Bowe, Bradsher, Bright, Brown, Chadwick, Clark, Daniel, Davis, Galloway, Godwin, Granbery, Hinnant, Hodnett, Houston, Hutchison, Jenkins, of Granville, Jones, Jordan, Kenan, Latham, of Craven, Long, Lutterloh, McArthur, McClammy, McGougan, McNair, Moore, of Hertford, Morehead, Murrill, Patton, Peebles, Perry, of Wake, Richardson, Russ, Scott, Simpson, Smith, of Duplin, Smith, of Guilford, Teague,
Turnbull, Walker, Wilson, of Forsyth, Williams, of Martin, Williams, of Pitt, and Woodard.

Those who voted in the negative were:


The question recurring, "Shall the Bill pass its third reading?" it was decided in the negative,—Yeas 41, Nays 54.

Mr. McNair demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


On motion of Mr. Kelsey, the House took a recess until this evening, 7½ o'clock.
WEDNESDAY, 7¼ O'Clock, P. M.

Mr. Waugh, from the Joint Select Committee appointed to investigate the affairs of the North Carolina Rail Road Company, submitted a lengthy report of their deliberations;

Which, on motion of Mr. Durham, was transmitted to the Senate, with a proposition to print the same.

The Calendar of Bills on their third reading was taken up, and the following passed and were ordered to be enrolled, viz:

Bill (S. 36—H. 207) to amend an Act, passed in 1833, to incorporate the Wilmington and Raleigh Rail Road Company; and

Bill (S. 79—H. 206) to amend the charter of the Wilmington and Weldon R. R. Co.

Bill (S. 17—H. 243) for the better suppression of the crime of stealing horses and mules, was taken up and considered.

Being read the third time, Mr. Hodnett moved to amend by adding the following, at the end of the Bill, viz:

"Provided, That this Act shall apply to such cases only, where there has been a combination of two or more persons, engaged in the commission of said crime."

Mr. Brown moved to lay the amendment on the table; which did not prevail.

After debate, and pending the further consideration of the amendment,

The special order, viz: House Bill 376, to provide for the payment of the interest on the public debt, and for other purposes, was called up; when

Debate arose.

Without arriving at any conclusion, the further consideration of the Bill was postponed.

Received a message from the Senate, announcing that the Senate insisted upon its disagreement to the amendment to Senate Bill 2, to establish Freehold Homesteads, and asking a Committee of Conference.

The House concurred, and Messrs. Richardson, Cowan, and Hutchison were designated as the Committee on the part of the House.
Also, a message announcing that the Senate insisted upon its amendments to the House Resolution 186, in favor of soldiers maimed in the late war, and inviting a Committee of Conference.

The House assented, and Messrs. Stone, McClammy, and Crawford, of Macon, were appointed as the Committee on its part.

Also, a message announcing Messrs. Wiggins, Gash and Hall as the Senate branch of the Committee of Conference on the Revenue Bill.

Also, a message announcing the concurrence of the Senate in the amendment to Bill (S. 75—H. 269) to amend the charter of the town of Hendersonville, recommended by the Committee of Conference.

Ordered, to be enrolled.

Also, a message announcing the concurrence of the Senate in the proposition to print the report of the Joint Select Committee to investigate the affairs of the North Carolina Rail Road Company.

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

THURSDAY, FEBRUARY 21st, 1866.

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

Mr. Kenan, from the Committee on the Judiciary, to whom was referred House Bill 369, explanatory of "An Act granting General Amnesty and Pardon," reported back a substitute for the same, viz:

House Bill 387, same title; which was placed on file.

Mr. McNair, from the Committee on Corporations, reported favorably on

Bill (H. P. 122) to incorporate the Raleigh Memorial Association; and

House Bill 382, to consolidate the Fire Companies of Newbern.

Mr. Harper, from the Committee on Finance, reported adversely on
Bill (S. 2—H. 216) to repeal an Ordinance of the late Convention, authorizing the exchange of stocks in the Rail Road Companies for State Bonds.

Mr. Harper, from the same Committee, submitted the following Report, viz:

The Committee on Finance having examined the books and vouchers of the Departments of the Public Treasurer and Comptroller beg leave respectfully to report as follows:

1ST. THE TREASURY DEPARTMENT.

The Committee, at the Treasurer's request, examined particularly the erroneous double charge of $10,000 on the books of his immediate predecessor, to which attention was called in the report of the present Treasurer to the General Assembly. Your Committee finds the Treasurer's report on this subject, to be in all respects in accordance with the facts. With this exception the books of the Treasurer have been kept with great neatness and accuracy.

The Committee has likewise examined with care the accounts of the Public Treasurer as Property Agent, containing a detailed statement of the collection and sales of State property and sales thereof, since July, 1865, and finds the entries of credits and debits to be sustained by proper vouchers and the balance to the credit of the State as reported.

The Committee deems it just to the Treasurer to state that his duties as Property Agent have thrown on him much labor in addition to his ordinary duties as Treasurer, which has been performed entirely without compensation.

COMPTROLLER'S DEPARTMENT.

The Committee likewise made an examination of the books and vouchers of the Comptroller's Department, and finds the same correct, and as reported to the General Assembly.

In accordance with a Resolution of this General Assembly, ratified the 1st day of February, 1867, entitled "A Resolution authorizing the Committee on Finance to burn Treasury
Notes and Coupons in Comptroller's office,—your Committee has counted and burned the Coupons of Bonds of the State redeemed under the Act ratified 10th March, 1866, entitled "An Act to provide for the payment of the State debt contracted before the war," during the fiscal year ending the first day of October, 1866.

COUPONS RECEIVED IN EXCHANGE FOR NEW BONDS.

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<tr>
<th>State Coupons.</th>
<th>Cape Fear and Deep River.</th>
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<tr>
<td>June,</td>
<td>$ 396,344</td>
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<tr>
<td>July,</td>
<td>$ 333,264</td>
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<tr>
<td>August,</td>
<td>$ 235,809</td>
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<tr>
<td>September,</td>
<td>$ 212,082</td>
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<td>$ 1,177,499</td>
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<td>$ 17,430</td>
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<td>$ 825</td>
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<td>$ 2,580</td>
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Coupons of bonds issued to the Wilmington, Charlotte and Rutherford Rail Road Company paid by said Company for coupons of bonds of that Company held by the State,

|                | $ 1,202,864               |
|                | $ 95,010                  |
|                | $ 1,297,874               |

The Committee likewise burned a large quantity of cancelled coupons paid during the war and prior thereto, but kept no record of the amount thereof, as they had been cancelled by previous Finance Committees, and counting them would have been the work of months—utterly beyond the power of the Committee.

Respectfully submitted,

J. C. HARPER,
Chairman.
Mr. Beasley introduced the following resolution, viz:

Resolved, (the Senate concurring) that the General Assembly adjourn on Wednesday, the 27th inst., at 2 o'clock, P. M., sine die.

Mr. Waugh moved that the same be laid on the table; which did not prevail,—Yeas 29, Nays 60.

Mr. Crawford, of Macon, demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Mr. Patton moved to amend the Resolution, by striking out "Wednesday, the 27th," and inserting "Thursday, the 28th;" which was adopted.

Mr. Moore, of Hertford, moved further to amend, by the addition of the following Resolution, viz:

Resolved, Should the Supreme Court of the State pronounce against the validity of an Act, passed by the Legislature, to change the jurisdiction of the Courts and the Rules of pleading therein, then it shall be the duty of his Excellency, the Governor, to issue his Proclamation, calling together the General Assembly at as early a day as practicable.

Which did not prevail.
The Resolution, as amended, was then adopted, and transmitted to the Senate for concurrence.

The following Resolutions and Bills were introduced, read, referred, or otherwise disposed of, viz:

By Mr. Jordan: Resolution (H. P. 123,) in favor of James G. Allen. Claims.

By Mr. Lutterloh: Resolution requesting the Finance Committee to enquire into the expediency of selling certain property purchased by the State from the Cape Fear and Deep River Navigation Company. Adopted.

By Mr. Boyd: Resolution proposing (with the concurrence of the Senate) to print, for the use of each member, five copies of the report of the Committee appointed to investigate the affairs of the North Carolina Rail Road Company. Not adopted.

By Mr. Logan: House Bill 388, to amend an "Act concerning the Howard Gap Turnpike Road, passed in 1835. Corporations.

By Mr. Hutchison: House Bill 389, to incorporate the Charlotte and Georgetown Rail Road Company. Internal Improvements.

By Mr. Clark: House Bill 390, to authorize the Commissioners of the town of Halifax to grant the right of way, through said town, to the Wilmington and Weldon Rail Road Company. Under a suspension of the rule, passed several readings and ordered to be engrossed.

By Mr. Wilson, of Perquimans: Resolution (H. P. 124,) in favor of the representatives of D. F. Bagley, late Sheriff of Perquimans county. Filed.

From the Senate:

Bill (S. 41—H. 391,) to repeal part of section 14, chapter 26, Revised Code. Filed.

Bill (S. 47—H. 392,) to incorporate the North Carolina Land and Immigration Company. Filed.

Bill (S. 146—H. 393,) prescribing the duties of Clerks in issuing marriage licenses. Filed.

Bill (S. 61—H. 394,) to repeal an Act for the better regulation of the Western Turnpike Road, and for other purposes. Cherokee Lands.
Bill (S. 78—H. 395,) to amend chapter 42, Private Laws of 1866. Filed.

Resolution (S. 83—H. 396,) in regard to re-printing the Reports of the Supreme Court. Filed.

Bill (S. 158—H. 397,) to grant amnesty and par on to females. Filed.

Bill (S. P. 87—H. P. 125,) to establish Edinborough Medical College, in Robeson County. Filed.

The consideration of the business depending at the time of the last adjournment, viz: House Bill 376, to provide for the payment of the interest on the public debt, was taken up; when

Debate arose.

Mr. Hutchison moved to amend section 1 by striking out the figure "7" and inserting the figure "8."

Mr. May moved to lay the Bill on the table; and the motion prevailed—Yea's 75, Nay's 44.

Mr Bryson demanded the Yeas and Nay's.

Those who voted in the affirmative were:


Those who voted in the negative were:

Messrs. Allen, Baker, Boyd, Bright, Bryson, Clement, Collins, Cowan, Crawford, of Macon, Crawford, of Rowan, Davis Davidson, Gambril, Garrett, Guess, Harper, Houston, Hutchinson, Kelsey, Kenan, Kendall, Lowe, Lutterloh, McArthur, McClammy, McGougan, McKay, McNair, McRae, Moore, of Hertford, Patton, Peebles, Perry, of Carteret, Reinhardt, Richardson, Rosebro, Stone, Turnbull, Wangh, Westmoreland,
The following Resolutions were offered, (by leave,) and respectively laid over one day under the rule, viz:

By Mr. Woodard: Restricting debate to one speech, of ten minutes' length, on the part of any member, for the remainder of the session.

By Mr. Holderby: Providing for a change in the sessions of the House, viz: from 10 o'clock, A. M., to 1 P. M., and from 3 to 6 P. M.

Received a message from the Senate, announcing Messrs. Berry, Avery and Moore, as the Senate branch of the Conference Committee upon the Bill to establish Freehold Homesteads, &c.

Also, announcing Messrs. Leach, McCorkle and Harriss, of Rutherford, as the Senate branch of the Committee of Conference upon the Resolution in favor of soldiers maimed in the late war, &c.

Mr. Durham, from the Senate Committee of Conference on the disagreement as to the Revenue Bill, reported that the Senate should recede from its amendment, and that the following section should be substituted for the section in controversy, viz:

"Sec. 3. Ships, Barges, Boats and other craft, or any interest therein, with their tackling, rigging and furniture, and all else pertaining to them, if exceeding $1,000 in value, whether in the waters of the State at the time of listing or not."

Which report was concurred in and transmitted to the Senate.

Received a message from the Senate, announcing the concurrence of that body in the report of the Committee of Conference on the Resolution in favor of soldiers maimed in the late war; which report was as follows, viz:

"The Senate to recede from its amendments concerning supplying women with artificial legs, and authorizing the Governor to pay commutation to those totally disabled, &c., and the amendments as to furnishing commutation to those who have lost both eyes, legs and arms, to remain."
The House concurred and the Senate was informed of its action.

Received a message from the Senate, announcing Messrs. Hall, Clark and Love as their branch of the Committee to investigate the affairs of the University of North Carolina.

Whereupon the Speaker designated Messrs. Peebles, Foard and Morehead, as the Committee on the part of the House.

The consideration of the remaining unfinished business, viz: Bill (S. 17,—H. 243,) for the better suppression of horse stealing, was taken up;

The pending question being on the amendment of Mr. Hodnett:

The amendment did not prevail.

Mr. May moved to amend by striking out the words "shall suffer death," in the concluding line of Sec. 1, and inserting as follows:

For the first offence shall receive thirty-nine lashes on his bare back and be branded in the forehead with a horse-shoe, or the representation of a horse or mule; and for the second offence shall suffer death."

Mr. Hutchison moved to amend the amendment by striking out the words "shall suffer death," and inserting "shall be sentenced to hard labor, with ball and chain, upon any public road, or Rail Road, for a period not exceeding twenty years, under such conditions as may be made by the Court imposing the sentence."

Which did not prevail.

Mr. May's amendment was not adopted.

Mr. Crawford, of Macon, moved to amend by adding, at the end of the Bill, the following proviso:

Provided, That the death penalty shall not be inflicted in cases where the evidence is circumstantial."

Which did not prevail.

The Bill then passed its third reading,—Yeas 61, Nays, 40.

Mr. Jordan demanded the Yeas and Nays.

Those who voted in the affirmative were:

Those who voted in the negative were:


Ordered, to be sent to the Senate for concurrence in the amendment.

On motion of Mr. Waugh, Bill (S. 21,—H. 292) to protect property sold under execution from sacrifice, which had been made the special order for this day, but which had been superseded by the unfinished business, was made the special order for this evening, 8½ o’clock.

On motion of Mr. Jenkins, of Gaston, the House took a recess until 7½ o’clock, P. M.

THURSDAY, 7½ O’CLOCK, P. M.

Received a message from the Senate, announcing the adoption, by that body, of the following Resolution, and asking the concurrence of the House therein, viz:
Resolved, That the General Assembly adjourn on Thursday, 28th inst., at 2 o'clock, P.M., to meet again on the 2nd Tuesday in October, 1867.

Mr. Beasley moved to amend by inserting "2nd Tuesday in August," in lieu of "2nd Tuesday in October." Lost.

Mr. Holderby moved to lay the Resolution on the table; which did not prevail.

Mr. Hutchison moved to amend by striking out the words "To meet again on the 2nd Tuesday in October, 1867." Lost.

Mr. Black moved to amend by striking out "Thursday, 28th inst.," and inserting "Monday, the 4th proximo." Not adopted.

The Resolution was then concurred in and the Senate informed thereof.

Mr. Richardson offered the following Resolution, and asked that its consideration might be deferred for the present, viz:

Resolved, (the Senate concurring,) that, in the present great financial distress of the people of the State of North Carolina, it would be unwise and inexpedient, at this time, to burden them with the additional tax necessary for the payment of the interest upon the public debt, but that we recognize the same, nevertheless, as a sacred and binding obligation, to the ultimate discharge of which our honor as a people is pledged.

On motion of Mr. Lyon, Bill (H. 364,) to extend the regular terms of the County Courts of Granville, was taken up, and, under a suspension of the rule, it passed its several readings and was ordered to be engrossed.

On motion of Mr. Latham, of Craven, House Bill 382, to consolidate the Fire Companies of Newbern, was taken up, and, under a suspension of the rule, it passed its several readings and was ordered to be engrossed.

Mr. Murrill (by leave) introduced
House Bill 398, to regulate the cultivation of oysters;

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

The hour having arrived for the consideration of the first Special Order, viz: House Bill 137, to regulate assignments,
&c., the same was postponed until to-morrow, 12 o'clock, M.

The Calendar of Bills on their second reading was taken up, and the following dispositions made, viz:

House Bill 286, to secure a better drainage of the low-lands of Lower River, in Caldwell county. Passed several readings and ordered to be engrossed.

Bill (S. 2—H. 216,) to repeal an Ordinance of the Convention, authorizing the exchange of stocks, &c. Indefinitely postponed, on motion of Mr. Harper.

House Bill 217, for the relief of the people. Tabled.

House Bill 234, for compensating Justices of the Peace in Lincoln county. Tabled, on motion of Mr. Brown.

House Bill 237, to give the County Court of Randolph jurisdiction over the sale of real estate for division among joint tenants and tenants in common. Passed second reading; when, with a view to having a general Bill reported,

It was referred to the Committee on the Judiciary.

House Bill 236, to amend section 2, chapter 46, Revised Code. The substitute of the Committee, viz: House Bill 280, same title, being adopted, its further consideration was informally passed over.

The hour having arrived for the consideration of the second Special Order, viz: Bill (S. 31—H. 292,) to protect property sold under execution from sacrifice, the same was read the second time.

Mr. Holderby moved to amend the amendment recommended by the Committee, by striking out the words "three-fourths of its value," and inserting "its full value;" which was not adopted—Yea's 41, Nays 53.

Mr. Holderby demanded the Yeas and Nays.

The who voted in the affirmative were:

Messrs. Ashworth, Anxry, Barden, Black, Blythe, Bowe, Bright, Carson, Galloway, Garris, Godwin, Guess, Henderson, Hinnant, Holderby, Horton, of Watauga, Horton, of Wilkes, Jones, Jordan, Logan, Lyon, May, Moore, of Chatham, Morehead, Morton, Neal, Richardson, Rogers, Scoggin, Scott, Shelton, Smith, of Duplin, Trull, Unsted, Vestal, Walker, Waugh, Williams, of Harnett, Williams, of Pitt, Williams, of Yancey, and Womble—41.
Those who voted in the negative were:


Mr. Russ moved to lay the Bill, with the amendments, on the table; which was decided in the negative,—Yea 19, Nays 75.

Mr. Russ demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


The amendments of the Committee were then adopted, and the Bill, as amended, passed its second reading.
Under a suspension of the rule, being read the third time,

Mr. Teague offered the following proviso, by way of amendment, viz:

"Provided, That this act shall not apply to notes or other evidence of debt held by Guardians, Administrators or Executors of deceased persons' estates as such, unless the creditor or heir shall be compelled to receive said property at the price the said Guardian, Administrator, or Executor may have to pay for the same, under the provisions of this Act, as a part or whole of his claim."

Which was not adopted.

The Bill passed its final reading—Yeas 75, Nays 18.

Mr. Westmoreland demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Ordered, to be sent to the Senate for concurrence in the amendments.

On motion of Mr. Garriss, the House adjourned until to-morrow morning, 10 o'clock.
FRIDAY, FEBRUARY 22, 1867.

Mr. Latham, of Washington, obtained leave to record his vote in the negative, and Mr. Martin leave to record his vote in the affirmative, on the Bill (S. 17.—H. 243) for the better suppression of horse-stealing, passed finally in this House on yesterday.

Mr. Patton, from the Committee on Internal Improvements, reported favorably, with amendments, on House Bill 385, to amend the Charter of the Wilmington Railway Bridge Company.

Favorably on Bill (H, 386) to aid the Williamston and Tarboro R. R. Co. And unfavorably on House Bill 389, to incorporate the Charlotte and Georgetown Rail Road; and House Bill 343, in regard to the Norfolk and Great Western Rail Road.

Mr. Perry, of Carteret, from the Committee on Claims, reported unfavorably on Resolution (H. P. 110) in favor of Charles Byrd. And favorably on Resolution (H. P. 78) in favor of Wm. Patterson, late Sheriff of Alamance.

Mr. Perry, from the same Committee, to whom was referred a resolution, directing an enquiry as to what compensation should be allowed the Attorney General for certain investigations into the affairs of the Cape Fear Navigation Company, reported back House Resolution 399, in favor of the Attorney General; which was placed on file.

Mr. McKay, from the Committee on the Judiciary, reported unfavorably on House Bill 227, for the relief of Executors, Administrators, &c.

Mr. Bryson, from the Committee on Cherokee Lands, reported favorably on House Bill 394, to repeal an "Act for the better regulation of the Western Turnpike Road."
The following Resolution and Bills were introduced, read, referred, or otherwise disposed of, as stated, viz:

By Mr. Whitfield: Resolution providing for a Committee of five, to whom shall be referred all propositions touching the payment of interest on the public debt. Laid on the table, on motion of Mr. Latham, of Washington.

By Mr. Horton, of Watauga: House Bill 400, to amend an Act to improve the public road from Taylorsville to Boone, by way of Russell's Gap and Holdman's Ford. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

From the Senate:
Bill (S. P. 96,—H. P. 126) to amend an Act to incorporate Hillsboro' Military Academy. Filed.
Bill (S. 199,—H. 401) in regard to repairs on the Executive Mansion. Filed.
Bill (S. 200,—H. 402) in regard to Burke Square and other public property. Filed.
Bill (S. 201,—H. 403) for the assignment of certain rooms in the Capitol. Filed.
Bill (S. 156,—H. 404) to protect certain interests of the Common Schools, &c. Referred to the Committee on Education.
Bill (S. 151,—H. 405) to incorporate the North Western Rail Road Company. Under a suspension of the rule, passed several readings and ordered to be enrolled.

The resolution, restricting debate, introduced on yesterday by Mr. Woodard, was called up and adopted as a rule of the House.

The resolution, introduced by Mr. Holderby, on yesterday, providing for a change in the daily sessions of the two Houses, was taken up, adopted, and transmitted to the Senate for concurrence.

Mr. Morehead moved that a message be sent to the Senate, proposing to rescind the joint order relative to adjournment on the 28th inst.

Mr. Autry moved to lay the motion on the table; and

The question being thereon, it was decided in the negative,—Yeas 43, Nays 53.
Mr. Morehead demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


The motion then prevailed, and a message was sent accordingly.

Received a message from the Senate, announcing the concurrence of that body in the report of the Committee of Conference upon the Bill to establish Freehold Homesteads, &c.; which report recommended:

"That the Senate Bill should stand, with the following amendments, viz:

(1.) Add to title "also to exempt certain personal property."

(2.) Add the following at the end of sec. 1, viz:

Provided, That if any building, other than the necessary out-houses or houses belonging to the curtilage, shall be erected on any part of said homestead in a town or city, then so much of the land as is covered by said buildings shall not be exempted longer from execution under the provisions of this Act.

26
(3.) Add at the end of sec. 7:

Libraries of licensed Attorneys, practicing Physicians and Ministers of the Gospel; also instruments of Surgeons and Dentists used in their profession."

The House concurred, and the Senate was informed thereof by message.

Ordered to be enrolled.

The hour having arrived for the consideration of the first Special Order, viz: House Bill 377, to confine the original jurisdiction of all crimes and misdemeanors, below capital felonies, to the Courts of Pleas and Quarter Sessions,

The same passed its second reading; and,

On motion of Mr. Peebles, the rule was suspended and it read the third time; when

Mr. Crawford, of Macon, moved to amend by adding the following:

"Be it further enacted, That the provisions of this Act shall not apply to the County of Macon."

Mr. Jordan moved to amend the amendment by striking out all after the enacting clause, and inserting, "That the provisions of this Act shall not apply to counties in which there are no juries."

Mr. Morehead moved that the Bill, with the amendments, be re-referred to the Judiciary Committee; and it was so ordered.

Received a message from the Senate, announcing the refusal of that body to concur in the proposed change in the joint order, so as to have afternoon instead of night sessions.

Also, announcing the concurrence of the Senate in the House amendment (striking out section 3) to the Bill (S. 17—H. 243) for the better suppression of horse-stealing.

Ordered to be enrolled.

Also, announcing its concurrence in the proposition to rescind the joint resolution fixing the day of adjournment of the General Assembly.

On motion of Davis, House Bill 280, to amend section 2, chapter 46, Revised Code, which was informally passed over on yesterday, was taken up.
Mr. Bowe offered a substitute for the same, (same title,) which was adopted and passed its second reading.

Under a suspension of the rule, being read the third time, Debate arose; pending which,
The hour having arrived for the consideration of the remaining Special Order, viz: House Bill 137, to regulate assignments and protect creditors, the same was taken up and read.

Mr. McRae moved that the Bill be laid on the table.

And the question being thereon, it was put and decided in the negative—Yeas 41, Nays 52.

Mr. McRae demanded the Yeas and Nays.

Those who voted in the affirmative were:

Those who voted in the negative were:

Mr. Crawford, of Macon, moved that the Bill be referred to the Committee on the Judiciary; and it was so ordered.

The consideration of the unfinished business was resumed, House Bill 280.

Mr. Latham, of Washington, moved to amend by adding the following proviso at the end of section 1, viz—
"Provided, That the County Court may, in its discretion, require the Sheriff of the county to give bond in such sum as the Court may deem just, for the faithful discharge of the duty hereby imposed."

Which was adopted; and

The Bill then passed its final reading and was ordered to be engrossed.

The Calendar of Bills on their second reading was taken up, and the following disposition made, viz:

House Bill 369, explanatory of the Act of Amnesty and Pardon: The substitute of the Committee, viz: House Bill 387, same title, was adopted, and, under a suspension of the rule, passed its several readings and ordered to be engrossed.

House Bill 227, for the relief of Executors, Administrators, &c. Tabled.

House Bill 233, to amend the Act of 1866, "to extend the time for the registration of deeds and other conveyances." Tabled.

Bill (S. 11—H. 242,) to amend chapter 58, Acts of 1866: Passed several readings and ordered to be enrolled.

House Bill 277, for the relief of purchasers of vacant lands in Macon county. Passed several readings and ordered to be engrossed,—the amendments recommended by the Committee having been first adopted.

Bill (S. 33,—H. 245) allowing compensation to Judges for holding Courts of Oyer and Terminer:

Mr. Autry moved to lay the same on the table; which did not prevail.

The Bill failed to pass its second reading.

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

[There was no Night-Session,—the Hall of the House having been granted, prior to the joint order, to the Ladies of the Memorial Association, for the evening.]
SATURDAY, February 23, 1867.

The House was called to order at 10 o'clock,—Mr. Kennan in the chair.

Prayer by the Rev. Dr. Smedes, of the Episcopal Church.

Mr. Whitfield, from the Committee on the Judiciary, reported adversely on
House Bill 137, to regulate assignments and protect creditors.

On motion of Mr. Whitfield, the Bill was made the special order for Monday, 25th, at 11 o'clock, A. M.

Mr. McKay, from the same Committee, to whom was referred House Bill 237, to give the County Court of Randolph jurisdiction over the sale of real estate, for division among joint tenants and tenants in common, reported a substitute for the same, viz:

House Bill 406, to give the County and Superior Courts authority to decree a sale of land for partition in certain cases;

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

Mr. McArthur, from the Committee on Corporations, reported favorably on
House Bill 388, to amend an Act of 1835, concerning the Howard Gap Turnpike Road;

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

Mr. Beasley asked and obtained leave to record his vote in favor of the Bill for the abolition of imprisonment for debt.

Leave of absence, until Tuesday next, was granted to Mr. Crawford, of Rowan.

Recommendations of magistrates for the Counties of Wayne, Chatham, Yadkin, Davidson, Sampson, Randolph, Moore and Mecklenburg, were submitted, approved and sent to the Senate for concurrence.

Mr. May introduced the following Resolution, viz:

Resolved, That a message be sent to the Senate, proposing that the two Houses of the General Assembly adjourn on
Monday, the 4th of March, at 6½ o'clock, A. M., to meet again on the 2nd Tuesday in August next, at 12 o'clock, M.

Mr. Blair moved to amend by striking out "the 4th of March," and inserting "the 28th of February," and striking out all after "A. M.," and inserting "sine die," which did not prevail.

Mr. Lowe moved to amend by striking out all after the word "Resolved," and inserting:

"That, the Senate concurring, this General Assembly do adjourn sine die on the 4th of March next, at 6 o'clock, A. M."

And the question being thereon, it was decided in the affirmative,—Yea 70, Nays 19.

Mr. Boyd demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


The resolution, as amended, was then adopted, and transmitted to the Senate for concurrence.

The following Resolutions and Bills were introduced, read, referred, or otherwise disposed of, as follows, viz:

By Mr. Daniel: Resolution (H. P. 127) for the relief of Jas. S. Snow, Sheriff of Halifax. Under a suspension of the rule, passed several readings and ordered to be engrossed.
From the Senate:

Bill (S.—,—H. 407) to authorize Wake County Court to borrow money, &c. Under a suspension of the rules passed several readings and ordered to be enrolled.

Bill (S. 16 —H. 408) to amend the Charter of the Raleigh and Gaston Rail Road. Referred to the Committee on Internal Improvements.

Resolution (S. 168—H. 409) in regard to the Cape Fear Navigation Company. Filed.

Bill (S. 223—H. 410) to repeal an Act “to amend the Charter of the Washington Toll Bridge Company.”

Mr. Williams, of Pitt, moved that the same be referred to the Committee on Propositions and Grievances; which did not prevail.

Under a suspension of the rule, the Bill passed its several readings and was ordered to be enrolled.

The Calendar of Private Bills on their third reading was taken up and the following dispositions made, viz:

Severally tabled:
Resolution (H. P. 110) in favor of Charles Byrd; and
Bill (S. 82,—H. 114) to incorporate the Cleveland Springs Mineral Company.

Indefinitely postponed, on motion of Mr. Moore, of Hertford:

Bill (S. 17—H. 116) to incorporate the North Carolina Dental Association.

Severally passed and ordered to be engrossed:
House Bill 275, to incorporate the American Industrial Association of North Carolina;
Resolution (H. P. 78) in favor of Wm. Patterson, late Sheriff of Alamance; and
Bill (H. P. 122) to incorporate the Raleigh Memorial Association.

Bill (H. P. 124) in favor of the representatives of the late D. F. Bagley, &c., coming up, passed its second readings, and, under a suspension of the rule, being put upon its third,

Mr. Latham, of Washington, moved to amend by striking out the words and figures “for the year 1865;” which did not prevail.
The Bill then passed and was ordered to be engrossed.

Severally passed and ordered to be enrolled:

Bill (S. 95—H. 112) to incorporate the American Agricultural and Mining Company;

Bill (S. 104—H. 113) to incorporate the Wilmington Hook and Ladder Company;

Bill (S. 74—H. 115) to incorporate the Mecklenburg Female College;

Bill (S. 61—H. 394) to repeal an Act for the better regulation of the Western Turnpike Road;

Bill (S. 87—H. 117) to incorporate the Kittrell's Springs Female College;

Bill (S. 92—H. 118,) to set apart and make perpetual the McIntyre Cemetery in Cumberland county;

Bill (S. 92—H. 119,) to incorporate the town of Franklinville;

Bill (S. 145—H. 120,) to authorize the sale of the Academy Lot in Elizabeth City;

Bill (S. 87—H. 125,) to establish the Edinborough Medical College, in Robeson county; and

Bill (S. 96—126,) to amend an Act to incorporate the Hillsboro' Military Academy.

Received a message from the Senate, announcing the passage of the following Resolutions, and asking the concurrence of the House, viz:

Resolved, That the joint rules be altered so as to permit any Bill, that has passed either House, written in a plain, legible hand, without any erasure, interlineation or amendment, to be transmitted to the other House as an Engrossed Bill.

Resolved, That, when necessary, the Speaker may employ additional Engrossing Clerks.

The House concurred and the Senate was informed thereof.

Received a message from the Senate, announcing the passage of House Bill 297, to authorize the President and Directors of the Western North Carolina Rail Road Company to put said Road under contract, with an amendment, in which the concurrence of the House was asked.

The House concurred, and the Senate was informed thereof.
Received a message from the Senate, announcing its concurrence in the House amendment to Bill (S. 31—H. 292,) to protect property sold under execution from sacrifice.

Ordered to be enrolled.

On motion of Mr. Richardson, a message was sent to the Senate, proposing to rescind the joint order instituting night sessions, so far as this night is concerned.

The Senate subsequently concurred.

On motion of Mr. Blythe, House Bill 371, to secure Creditors, was made the Special Order for Monday, 25th, 12 o'clock, M.

On motion of Mr. Peebles, House Bill 318, to abolish Usury, was made the Special Order for Monday, 1 o'clock, P. M.

On motion of Mr. Latham, of Washington, Bill (S. 197—H. 386,) to aid the Williamston and Tarboro Rail Road, was made the Special Order for Monday evening, 8 o'clock.

The Calendar of Public Bills, on their 2nd reading, was taken up, and the following dispositions made, viz:

Severally tabled:

House Bill 247, to amend an Act "to prevent enticing servants from fulfilling their contracts and harboring them; and

House Bill 254, to tax fire-arms kept for any other purpose than military use.

Passed to a third reading:

House Resolution 257, in regard to testing the legality of the tax on Cotton.

Passed several readings and ordered to be engrossed:

House Bill 250, to amend section 6, chapter 90, Revised Code;

House Bill 370, to provide for the collection and payment into the Treasury of monies due by paying patients in the Insane Asylum;

House Bill 359, to authorize the consolidation of the securities of the State held by the Literary Board, and for other purposes; and

House Bill 251, to incorporate the Holston Annual Conference of the M. E. Church, South.
House Bill 252, giving to the County and Superior Courts authority to sentence criminals to work the public roads coming up,

Mr. Logan moved to lay the same on the table; which did not prevail.

The Bill passed its second reading; and,

On motion of Mr. Whitfield, the rule was suspended, and the Bill passed its final reading, and was ordered to be engrossed.

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

MONDAY, FEBRUARY 25, 1867.

The House was called to order at the usual hour,—Mr. Kenan in the Chair.

Messrs. McLammy, McGougan, Morehead, Shelton and York were designated as the Committee on Enrolled Bills for the week.

Leave of absence was granted to Messrs. McNair and Turnbull.

The following Resolutions and Bills were introduced and disposed of, as stated, viz:

By Mr. Granbery: House Resolution 411, empowering the Treasurer to transfer stock owned by the State, in liquidation of its bonds. Filed.

By Mr. Trull: Resolution (H. P. 128,) in favor of Ann May. On motion of Mr. Allen, laid on the table.

By Mr. Guess: Bill (H. P. 129,) authorizing the formation of the Durham North Carolina Industrial Association, in Orange county. Corporations.

From the Senate:

Bill (S. 292—H. 412,) to provide for taxing shad-nets;

Bill (S. P. 125—H. P. 130,) to incorporate Wiccacon Lodge, No. 240;

Bill (S. P. 159—H. P. 131,) to increase the Capital Stock of the Clarendon Bridge Company;
Bill (S. P. 122—H. P. 132,) to incorporate the Charlotte Water Works; and
Resolution (S. P. 123—H. P. 133,) in favor of James H. White;
All of which were placed on file.
By Mr. Waugh: House Resolution 413, in regard to soldiers who lost both eyes in the military service. Propositions and Grievances.
The Calendar of Bills on their second reading was taken up, and the following dispositions made, viz:
House Bill 260, for the relief of the people of North Carolina: Tabled, on motion of Mr. Martin.
House Bill 264, to amend section 9, chapter 104, Revised Code: The substitute recommended by the Committee, viz: House Bill 279, amendatory of an Act of 1866, to amend section 9, chapter 104, Revised Code, entitled "Roads, Ferries and Bridges," was adopted, and, under a suspension of the rule, passed its several readings and was ordered to be engrossed.
Bill (S. 146—H. 393,) prescribing the duties of Clerks in issuing marriage licenses: Passed 2nd reading; and, being put on third,
Mr. Lowe moved to amend by striking out "forty" cents, as the fee of Clerks, and inserting "twenty-five" cents; which did not prevail.
The Bill passed and was ordered to be enrolled.
House Bill 253, to authorize the Public Treasurer to negotiate a loan for the relief of the Treasury, and to establish the North Carolina Savings Bank:
Mr. McKay moved to amend by adding the names of "A. McLean, M. Patton, J. M. Leach, M. L. Wiggins and Seaton Gales" to the list of Commissioners, and filling the blanks with "six per cent," and "75 cents on the dollar," respectively; which prevailed.
Mr. Autry moved to lay the Bill on the table; which was decided in the affirmative,—Yeas 64, Nays 27.
Mr. Jenkins, of Gaston, demanded the Yeas and Nays.
Those who voted in affirmative were:

Those who voted in the negative were:


The hour having arrived for the consideration of the first Special Order, viz: House Bill 137, to regulate assignments and protect creditors,

Mr. Latham, of Washington, moved to strike out the 5th section.

Mr. Blair moved to lay the Bill and amendment on the table; and it was so ordered,—Yea 60, Nay 27.

Mr. Durham demanded the Yeas and Nays.

Those who voted in the affirmative were:

Those who voted in the negative were:

The consideration of the Calendar was resumed:
House Bill 267, to repeal an Act "to establish the rates of interest," ratified March 12th, 1866: Postponed, and made the special order for Wednesday, 27th, 11 1/2 o'clock, A. M.
House Bill 268, allowing debtors the privilege of paying their old debts in State Bank money, or its equivalent in current funds: Tabled; on motion of Mr. Whitley.
House Bill 273, relating to hunting on the Sabbath: Tabled, on motion of Mr. Whitley.
House Bill 274, to incorporate the Rockingham and Henry Rail Road Company: Passed several readings and ordered to be engrossed.
On motion of Mr. Latham, of Washington, Bill (S. 232,—H. 412) to provide for taxing shad-nets, was made the special order for to-morrow, 12 o'clock, M.
Received a message from the Senate, announcing the passage of Bill (H. P. 104) to amend the Charter of Olin High School, with an amendment, in which the concurrence of the House was asked.
The House concurred, and the Senate was informed thereof.
Also, announcing concurrence in recommendations of magistrates transmitted from the House, except those for Chatham and Randolph.
Also, transmitting certain recommendations of Magistrates for Randolph County; in which the House refused to concur.
Also, announcing Messrs. Hall, Cardwell and Jones as the Senate branch of the Committee on enrolled Bills (No. 1) for the week; and Messrs. McCorkle, Matthews and Marshall as Committee No. 2.
The hour having arrived for the consideration of the second Special Order, viz: House Bill 371, to secure Creditors, the same was taken up; when
Mr. Latham, of Craven, moved to lay the Bill on the table. And the question being thereon, it was decided in the affirmative,—Yeas 49, Nays 37.

Mr. Russ demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


Received a message from the Senate, announcing the non-concurrence of that body in the House resolution to adjourn sine die on the 4th of March.

Also, announcing that the Senate had passed the following resolution, and asking the concurrence of the House therein, viz:

"Resolved, (the House concurring,) that the two Houses of the General Assembly adjourn on the 4th of March, at 6 ¼ o'clock, A. M., to meet again the third Monday in August next, at 12 o'clock, M."

Mr. Crawford, of Macon, moved to amend, by striking out all after "6 ¼ o'clock, A. M.;" which was decided in the negative,—Yeas 43, Nays 48.

Mr. Crawford demanded the Yeas and Nays.

Those who voted in the affirmative were:

Those who voted in the negative were:


The question recurring on concurring in the Resolution of the Senate, it was decided in the affirmative,—Yeas 49, Nays 45.

Mr. Boyd demanded the Yeas and Nays.

Those who voted in the affirmative were:

Messrs. Autry, Barden, Beasley, Black, Blair, Bythe, Bowe, Bright, Carson, Chadwick, Clark, Daniel, Durham, Everett, Galloway, Gambril, Garris, Henderson, Hinnant, Horton, of Wilkes, Jenkins, of Granville, Jones, Latham, of Craven, Logan, Lyon, Lutterloh, May, Martin, Moore, of Chatham, Moore, of Hertford, Morton, Neal, Perry, of Wake, Richardson, Rogers, Rountree, Scoggin, Simpson, Smith, of Duplin, Stone, Sudderth, Trull, Umsted, Waugh, Whitfield, Williams, of Harnett, Williams, of Pitt, Williams, of Yancey, and Womble—49.

Those who voted in the negative were:


The consideration of the Calendar was resumed:
Severally tabled:
  House Bill 276, to subject the lands covered by Long Lake, in Craven County, to entry; and
  House Bill 284, to re-enact section 9, chapter 42, Revised Code, entitled "Entries and Grants."
Severally passed and ordered to be engrossed:
  House Bill 278, relating to Deeds of Trust and Mortgages;
  House Bill 282, authorizing the Chairman of the County Court of Anson to sell certain lots in Wadesboro;
  House Bill 283, extending the several terms of the County Courts of Anson;
  House Bill 285, to authorize a public road from Shelby to the South Carolina line, and the construction of a toll-bridge and dam across Broad River; and
  House Bill 287, to amend the Charter of the Western N. C. Rail Road.

The hour having arrived for the consideration of the remaining Special Order, viz: House Bill 318, to abolish Usury, the same was taken up; when

Mr. Latham, of Washington, moved to lay the same on the table; and it was so ordered,—Yeas, 55, Nays 31.

Mr. Martin demanded the Yeas and Nays.

Those who voted in the affirmative were:
Walker, Waugh, Wilson, of Perquimans, Williams, of Pitt, Williams, of Yancey, and Womble.

Those who voted in the negative were:


Mr. Peebles moved to reconsider the vote by which the foregoing action had been taken.

Mr. Waugh moved to lay that motion on the table; and it was so ordered.

Received a message from the Senate, announcing the passage of the following engrossed Bill, and asking the concurrence of the House therein, viz:

Bill (S. 238—H. 414) in favor of Sheriffs.

Under a suspension of the rule, the Bill being placed on its second reading,

Mr. Latham, of Washington, moved to amend, by adding, after the word "Sheriffs," the words "and Tax Collectors;" which was adopted.

The Bill then passed its several readings and was transmitted to the Senate for concurrence in the amendment.

Mr. Holderby introduced a resolution, providing that, from and after to-day, there shall be no suspension of the rules, in order to take up specific Bills, but that Bills on the Calendar shall be considered in their regular order. Laid over one day under the rules.

The House took a recess until 7½ o'clock, P. M.

MONDAY, 7½ O'Clock, P. M.

Mr. McArthur, from the Committee on Corporations, reported favorably on Bill (H. P. 129,) to incorporate the Durham North Carolina Industrial Association;
Which, under a suspension of the rule, passed its several readings and was ordered to be engrossed.

Received a message from the Senate, concurring in the House amendment to the Resolution (S. 238—H. 414,) in favor of Sheriffs.

Ordered to be enrolled.

Also, announcing that the Senate had passed the engrossed House Bill 199, to regulate taxation in the County Courts, with amendments, in which the concurrence of the House was asked.

The House concurred, and the Senate was informed thereof by message.

Mr. Martin moved that a message be sent to the Senate, proposing to rescind the joint order concerning adjournment; which, on motion of Mr. Clark, was laid on the table.

Mr. Bowe introduced a Resolution directing the Public Printer to complete the publication of the Laws and Journals, and the Secretary of State to transmit the same, together with the Ordinances of the Convention, without waiting for the adjourned session in August; which was adopted and transmitted to the Senate for concurrence.

Received a message from the Senate, announcing the passage of the following engrossed Bill, and asking the concurrence of the House therein, viz:

Bill (S. 171—H. 416,) to authorize the Comptroller to employ a Clerk; which,

Under a suspension of the rule, being placed on its second reading, failed to pass the same.—Yeaas 11, Nays 72.

Mr. Waugh demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Messrs. Allen, Ashworth, Blair, Blythe, Boyd, Bowe, Bright Brown, Bryson, Carson, Chadwick, Clark, Clement, Daniel, Davis, Durham, Galloway, Gambril, Garrett, Granbery, Guess, Henderson, Hinnant, Hodnett, Horton, of Watauga, Horton, of Wilkes, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of

The Calendar of Bills on their second reading was taken up and the following dispositions made, viz:

Severally passed and ordered to be engrossed:

House Bill 289, in regard to Standard Weights and Measures;

House Bill 293, to amend section 20, chapter 34, Revised Code;

House Bill 316, to amend section 6, chapter 40, Acts of 1866, concerning negroes, and persons of color, or of mixed blood; and

House Bill 317, to amend chapter 62, section 16, Revised Code.

The hour having arrived for the consideration of the special order, viz: Bill (S. 197,—H. 386,) to aid the Williamston and Tarboro Rail Road Company, the same was taken up, and,

Under a suspension of the rules, passed its several readings and was ordered to be enrolled.

The Calendar was resumed.

Severally tabled:

House Bill 300, to repeal an Ordinance of the Convention to prohibit the sale of spirituous liquors within one and a half miles of Company Shops;

House Bill 304, providing for a Mechanics' Lien Law;

House Bill 308, to change the mode of appointing Auctioneers for Wilmington, and House Bill 345, to change the mode of appointing Auctioneers, reported as a substitute from the Committee;

House Bill 314, to repeal an Act "to amend the Charter of Washington Toll Bridge Company";
House Bill 315, extending the jurisdiction of Justices of the Peace;
House Bill 319, to change the tenure of the office of Sheriff; and
House Bill 322, to tax writs, warrants, &c., in civil cases on debts contracted prior to May 1, 1865.

Mr. Harper offered a substitute for the same, viz:
House Bill 415, to change the mode of appointing Auctioneers:

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

House Bill 299, to enable Guardians and others to adjust their accounts, passed its several readings; but, subsequently,

On motion of Mr. Waugh, the vote, by which the Bill passed its final reading, was re-considered, and it was laid on the table.

Bill (S. 114,—H. 302) to extend the time for the return to the County Courts of lands to be sold for taxes, coming up, was, on motion of Mr. Perry, of Carteret, referred to the Committee on Finance.

House Bill 306, to change the location of the County site of Haywood County, coming up, passed its second reading.

Being read the third time,

Mr. Patton moved to amend by adding another section, as follows:

"Be it further enacted, That the citizens of Haywood County, voting for the removal of the town, shall pay to the owners of lots in Waynesville the damages they may sustain by such removal; and, in order to ascertain the voters for removal, the vote shall be viva voce. The damages to be ascertained by three Commissioners, to be appointed by the Judge of the Superior Court, at the first term of said Court after the voting of the people, if they decide to remove the town."

Which was not adopted; when

The bill passed its final reading, and was ordered to be engrossed.
Bill (S. 91,—307,) to enable the city of Wilmington to provide for the payment of its debts, after being amended, on motion of Mr. Harper, passed its several readings, and was transmitted to the Senate for concurrence in the amendment.

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

TUESDAY, FEBRUARY 26, 1867.

Prayer by the Rev. Mr. Atkinson, of the Presbyterian Church.

Mr. Waugh, from the Committee on Propositions and Grievances, reported favorably on House Resolution, 413, with regard to soldiers who lost both eyes in the service.

Mr. Lutterloh, from the Committee on Internal Improvements, reported favorably on Bill (S. 160,—H. 408,) to amend the Charter of the Raleigh and Gaston Rail Road.

Mr. McKay, from the Committee on the Judiciary, to whom was referred House Bill, 377, reported back a substitute for the same, viz:

House Bill 418, to give the County Courts exclusive original jurisdiction in all criminal cases in which they now have concurrent jurisdiction with the Superior Courts;

Which was placed on file.

Mr. Jenkins, of Granville, from the Committee on Education, to whom was referred a resolution of enquiry as to the expediency of borrowing a sufficient amount of money to revive the Common School system, reported adversely thereon.

Mr. Jenkins, from the same Committee, reported favorably on Bill (S. 156,—H. 404,) to protect certain interests of the Common Schools;
Which, under a suspension of the rule, passed its several readings, and was ordered to be enrolled.

Bills of the titles named were introduced, read, referred, or otherwise disposed of, as follows, viz:

By Mr. Logan, House Bill 417, in favor of Sheriffs and Tax Collectors.

Mr. Logan moved for a suspension of the rule, in order to put the Bill on its several readings, which did not prevail.

On motion of Mr. Richardson, it was referred to the Committee on Finance.

From the Senate: Bill (S. 213,—H. 419,) to change the time of holding the Courts in the 7th Judicial District.—On motion of Mr. Whitfield, referred to the Committee on the Judiciary.

From the Senate: Bill (S. 176,—H. 420,) to secure advances for agricultural purposes. Same reference.

From the Senate: Bill (S. 176,—H. 432,) to consolidate the Chatham Rail Road and the Western Rail Road. On motion of Mr. Smith, of Duplin, referred to the Committee on Internal Improvements.

By Mr. McKay: House Bill 421, to incorporate the Cumberland Savings' Bank. Corporations.

By Mr. Morehead: Bill, (H. P. 134.) to incorporate the Cranbery Mining and Manufacturing Company. Filed.


The resolution introduced by Mr. Holderby, on yesterday, concerning a suspension of the rules, was, on motion of Mr. McClammy, laid on the table.

On motion of Mr. Richardson, Resolution (S. 168—H. 409,) in regard to the Cape Fear Navigation Company, was made the Special Order for to-morrow, 11 o'clock.

A recommendation of magistrates for the county of Union was submitted, approved and sent to the Senate for concurrence.

Received a message from the Senate, announcing the concurrence of that body in the House amendment to the engrossed Bill to enable the city of Wilmington to provide for the payment of the debt of said city.
Ordered to be enrolled.

The Calendar of Bills on their second reading was taken up, and the following dispositions made, viz:

Passed several readings and ordered to be engrossed:

House Bill 350, to authorize a Special Court for Wilson county.

House Resolution 324, in regard to printing the Reports of Rail Road and other Companies; and

House Bill 328, to authorize the County Court of Cumberland to appoint Inspectors of crude turpentine in Fayetteville.

Severally tabled:

House Bill 321, to appoint a special magistrate for Goldsboro;

House Bill 325, in favor of Mount Pleasant Academy;

House Resolution 333, to authorize the Public Treasurer to refund certain taxes overpaid by the Southern Express Company;

House Bill 335, to protect the fishing interest on the coast of North Carolina;

House Bill 336, to amend section 5, chapter 29, Revised Code, entitled "County Trustee;"

House Bill 339, to make valid the acts of Justices of the Peace, that did so act during the war; and

House Bill 340, for the encouragement of immigration, &c. Bill (S. 12—H. 329,) to protect landlords against insolvent tenants, passed its several readings, under a suspension of the rule, and was ordered to be enrolled.

House Bill 327, for the relief of Executors, Administrators, Guardians, and others, and to extend the jurisdiction of Justices of the Peace, coming up on its second reading,

Mr. Guess offered an amendment; whereupon,

On motion, the Bill, with the amendment, was referred to the Committee on the Judiciary.

House Bill 341, to amend section 21, chapter 34, Revised Code, coming up,
The substitute recommended by the Committee, viz; House Bill 349, for the protection of grape-growers, was adopted.

Being read the second time,

After debate,

The Bill was re-referred to the Committee on the Judiciary, on motion of Mr. Patton.

The resolutions, concerning the condition of the People, some days since introduced by Mr. Granbery, were, on motion of Mr. Patton, laid on the table.

The hour having arrived for the consideration of the Special Order, viz: (S. 232—H. 412,) to provide for taxing shad-nets, Mr. Latham, of Washington, moved that the same be indefinitely postponed; and it was so ordered.

The Calendar was resumed:

Severally tabled:

House Bill 343, in regard to the Norfolk and Great Western Rail Road;

House Bill 348, for the protection of Guardians; and

House Bill 354, to allow maimed Confederate Soldiers to retail spirituous liquors without paying for license.

Severally passed and ordered to be engrossed:

House Bill 342, to repeal the Act of 1865-6 to establish a Board of Commissioners of Navigation for Ocracoke and Hatteras, &c.;

House Bill 346, to authorize Courts of Law to grant relief in cases of lost negotiable bonds, &c.;

House Bill 351, to authorize the Chairman of Lenoir County Court to sell the old jail lot in Kinston; and

House Bill 352, to amend an Act to encourage the raising of sheep in Watauga and Ashe, ratified January 28, 1851.

House Bill 347, to empower the Supreme Court Judges to hold extra terms, was rejected on its second reading.

House Bill 389, to incorporate the Charlotte and Georgetown Rail Road, being read the second time,

Mr. Scoggin moved that the same be laid on the table,

Pending the consideration of which,
On motion of Mr. Allen, the House took a recess until 7½ o’clock, P. M.

TUESDAY, 7½ O’CLOCK, P. M.

Mr. Moore, of Hertford, introduced the following Resolution, viz:

Resolution (H. P. 136) in favor of Jas. W. Dunning, a disabled soldier; which was read.

On motion of Mr. McKay, the foregoing Resolution, together with all other Bills and Resolutions at present on the Calendar relating to disabled soldiers, was referred to a Special Committee of five.

Whereupon, the Speaker designated Messrs. McKay, Moore, of Hertford, Waugh, Sudderth, and Crawford, of Macon, as said Committee.

The Calendar of Bills on their second reading was taken up and the following action had, viz:

House Resolution 399, in favor of the Attorney General, being put on its second reading, failed to pass the same.

Whereupon, Mr. Houston moved to re-consider the vote; and the motion prevailed.

Mr. Clark then moved to amend by striking out “$300,” and inserting “$100.”

Mr. Houston moved to amend the amendment by striking out “$100” and inserting “$200;” which was not adopted.

The original amendment was then lost; and the Resolution passed its second reading.

Under a suspension of the rule, being read the third time, it passed the same.—Yeas 52, Nays 30.

Mr. Lutterloh demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Ordered to be engrossed.
Severally tabled:
House Bill 356, concerning creditors; and
House Bill 372, for the protection of landlords.
Rejected:
House Bill 358, to authorize the County Courts of Perquimans to elect County officers.

Passed several readings and ordered to be engrossed:
House Bill 355, to stay executions in Courts of Record; and
House Bill 360, to provide for keeping up a public road near Sampson Mountain; and
House Bill 367, to amend the Act, ratified December 23, 1864, to authorize attachments against Corporations.

Bill (S. 148,—H. 385) to amend the Charter of the Wilmington Railway Bridge Company, coming up, the amendment recommended by the Committee on Internal Improvements was adopted, and the Bill then passed its several readings, and was sent to the Senate for concurrence in the amendment.

Mr. Hodnett (by leave) introduced the following Resolution, viz:

Resolution (H. P. 137) in favor of Wm. Sanders, a disabled soldier;
Which, on motion, was referred to the Select Committee just raised.
Mr. Durham, from the Committee on the Judiciary, reported favorably on

Bill (S. 213,—H. 419) to change the time of holding Courts in the 7th Judicial District.

On motion of Mr. Durham, House Bill 377, to confine original jurisdiction of all crimes and misdemeanors, below capital felonies, to the Courts of Pleas and Quarter Sessions, was taken from the Calendar and considered.

The substitute of the Judiciary Committee, viz.: House Bill 418, to give the County Courts original jurisdiction, in all criminal cases in which they now have concurrent jurisdiction with Superior Courts, was adopted.

Being put upon its second reading,

Mr. Patton moved to amend by striking out the word "original," and inserting the word "concurrent," in lieu thereof; which did not prevail.

Mr. Morehead moved to amend by inserting, at the end of section 1, the words "except cases of felony and trespass vi et armis."

Mr. Blair moved to lay the Bill on the table; and the question being thereon, it was decided in the negative,—Yea 32, Nay 46.

Mr. Jones demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Pending discussion on the amendment,
On motion of Mr. Latham, of Craven, the House adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, FEBRUARY 27, 1867.

Mr. McArthur, from the Committee on Corporations, reported back, asking to be discharged from its further consideration;
House Bill 421, to incorporate the Cumberland Savings Bank.

Mr. Lutterloh, from the Committee on Internal Improvements, reported favorably on
Bill (S. 175—H. 422) to consolidate the Chatham and Western Rail Roads.

Mr. Harper, from the Committee on Finance, reported adversely on
House Bill 417, in favor of Sheriffs and Tax Collectors.
And favorably on
Bill (S. 114—H. 302) to extend the time for the return to the County Courts of the lands to be sold for taxes.

Mr. Harper, from the same Committee, to whom was referred a Memorial of the Fayetteville and Florence Rail Road Company, reported the same back, and asked to be discharged from its further consideration; which was so ordered.

Mr. Perry, of Carteret, from the Committee on Claims, reported back, asking to be discharged from its further consideration,
Resolution (H. P. 135) in favor of C. Perkins.

Mr. McKay, from the Committee on the Judiciary, reported unfavorably on
House Bill 380, for the relief of such debtors as have executed deeds of trust or mortgages; and
House Bill 327, for the relief of Executors, Administrators, Guardians, and others, and to extend the jurisdiction of Justices of the Peace.
And favorably on
Bill (S. 176—H. 420) to secure advances for agricultural purposes; and
House Bill 119, concerning Dormant Judgments.
Mr. Whitfield, from the same Committee, to whom was referred
House Bill 349, for the protection of grape-growers,
Reported back a substitute for the same and recommended its passage, viz:
House Bill 424, for the protection of fruits and vegetables. Filed.

Mr. May moved that a message be sent to the Senate, proposing to rescind the joint order for holding night sessions; which did not prevail.

Bills and Resolutions were introduced and disposed of, as stated, viz:
By Mr. Harper: House Bill 423, supplemental to an Act to incorporate the North-Western Rail Road. Filed.
By Mr. Granbery: Resolution (H. P. 138) in favor of Jesse B. Lee, late Sheriff of Currituck.
On motion of Mr. Granbery, the rule was suspended and the Resolution put upon its second reading,
When Mr. May moved to lay the same on the table; which did not prevail.

On motion, the Resolution was referred to the Committee on Propositions and Grievances.
From the Senate:
Bill (S. 187,—H. 425,) to incorporate the Colored Educational Society of North Carolina; filed
Bill (S. 226,—H. 426,) to authorize the Justices of the Court of Pleas and Quarter Sessions of Robeson County to appoint a special magistrate; filed.
Resolution, (S. 211,—H. 428) concerning wounded and disabled soldiers; filed.
Bill (S. 26,—H. 428) to amend sec. 3, ch. 7, Revised Code; filed.
Bill (S. P. 169,—H. P. 139) for the relief of the County Court Clerk of Beaufort County; filed.
Bill (S. 224,—H. 429) explanatory of an Act "to change the jurisdiction of the Courts and the rules of pleading therein." Passed second reading, and then referred to the Judiciary Committee.

Bill (S. 228—H. 430,) to authorize the Mayors or Chief Magistrates of incorporated towns and cities to enforce collection of fines and penalties; Filed.

Bill (S. 173,—H. 432,) to harmonize and give through freight and travel on the various Rail Road lines in the State. Referred to the Committee on Internal Improvements.

By Mr. Harper: House Bill 431, to amend the Act for the collection of Revenue, ratified March 12, 1866. Under a suspension of the rule, passed several readings and ordered to be engrossed.

Mr. Latham, of Washington, moved to re-consider the vote by which House Bill 358, to authorize the County Courts of Perquimans to elect County officers, was rejected on its second reading, last night; which motion prevailed.

Mr. Waugh moved to amend, by adding the following proviso at the end of the Bill, viz:

"Provided, That the provisions of the Bill shall not apply to Clerks or Sheriffs."

Which was adopted.

Mr. Jones moved further to amend by adding "Pasquotank," after "Perquimans," and Mr. Latham, by adding "Washington," after "Pasquotank;" which were severally adopted.

And the bill passed its several readings and was ordered to be engrossed.

On motion of Mr. Horton, of Watauga, the vote by which House Bill 352, to amend an Act to encourage the raising of sheep in Watauga and Ashe, ratified January 28, 1851, had passed its final reading, was re-considered, and the same was replaced on file.

The consideration of the unfinished business of the last session of the House was taken up, viz:

House Bill 418, to give the County Courts exclusive original jurisdiction in all criminal cases, in which they now have concurrent jurisdiction with the Superior Court.
The pending question being on the amendment offered by Mr. Morehead, the same was rejected.

Mr. Crawford, of Macon, moved to amend by the addition of the following section, viz:

"Be it further enacted, That the provision of this Bill shall not extend to the Counties of Macon, Clay, Cherokee, Jackson, Haywood, Buncombe, Caldwell, Stanly, Forsyth, Brunswick, McDowell, Gaston, Davidson, Perquimans, Lincoln, Alexander, Halifax, Watauga, Moore, Davis, Carteret, Columbus, Rockingham, Lenoir, Cabarrus, Madison, Chatham, Granville, Bladen, Wayne, Harnett, Jones, Yancey and Mitchell."

Mr. Clark moved to amend the amendment by striking out all after the enacting clause and inserting:

"That this Act shall only apply to the Counties of Cleveland, Rockingham and Washington;"

Which was not adopted.

The amendment prevailed; when

Mr. Jenkins, of Gaston, moved to lay the Bill on the table.

And the question thereon was put and decided in the negative,—Yeas 46, Nays 52.

Mr. Jenkins demanded the Yeas and Nays.

Those who voted in the affirmative:


Those who voted in the negative were:

The Bill, as amended, passed its several readings and was ordered to be engrossed.

The hour having arrived for the consideration of the second Special Order, viz: House Bill 267, to repeal an Act "to establish the rates of interest," ratified March 12, 1866,

Mr. Boyd moved that the same be laid on the table; and it was so ordered.

On motion of Mr. Richardson, Resolution (S. 168—H. 409,) in regard to the Cape Fear Navigation Company, which had been made the first Special Order for this day, but which had been superseded by the unfinished business, was taken up.

Mr. McKay moved to amend by inserting, after the word "information," the words "in the Superior Court of Cumberland;" which was adopted.

Mr. McKay moved further to amend by adding the following, at the end of the Resolution, viz:

"Whereas, The State is a joint owner with individuals in the Capital Stock of the Cape Fear Navigation Company, and interested in defending the Company: Therefore,

Be it further resolved, That the Public Treasurer be, and he is hereby, instructed to employ counsel to defend the interest of the State in the suit hereby authorized to be brought, and to pay the amount agreed on out of any money in the Treasury not otherwise appropriated."

Which was adopted.

Mr. McKay moved to lay the Resolution on the table; which did not prevail.

The Resolution, as amended, then passed its second reading; and, under a suspension of the rule, being read the third time,

Mr. McKay offered a substitute for the same, entitled a "Bill to amend the Charter of the Cape Fear Navigation Company;" which was not adopted.
Mr. Kenan moved to strike out the additional section, offered by Mr. McKay, which was incorporated in the Resolution on its second reading,

And the question being, "Shall the section stand?" it was decided in the negative.

So the motion prevailed; and

The Resolution then passed its third reading and was sent to the Senate for concurrence in the amendment.

On motion of Mr. Whitfield, Bill (S. 213—H. 419,) to change the time of holding the Courts in the 7th Judicial District, was made the Special Order for this evening, 8 o'clock.

On motion of Mr. Jenkins, of Gaston, Resolution(S.P. 123—H. P. 153,) in favor of James H. White, was taken up and considered; and, under a suspension of the rule, it passed its several readings and was ordered to be enrolled.

Received a message from the Senate, announcing that that body had rejected the following House Bills, viz:

(143.) To convert the debt due the State from the Atlantic and North Carolina Rail Road into Capital Stock.

(32.) To amend section 30, chapter 54, Revised Code, entitled "Guardian and Ward." And

(47.) Concerning the County site of Clay County.

Also, a message announcing the concurrence of the Senate in the House amendment to the Bill to amend the Charter of the Wilmington Railway Bridge Company.

Ordered to be enrolled.

Also, concurring in the recommendations of magistrates for Union County, and those for Franklin, heretofore transmitted and ordered to lie on the table.

Also, announcing the passage, by the Senate, of House Bill 286, to secure the better drainage of the low lands on Lower Creek, in Caldwell County, with amendments, in which the concurrence of the House was asked.

The House concurred, and the Senate was informed thereof by message.

Also, announcing the passage, by the Senate, of House Bill 262, to exchange a certain amount of the stock in the North Carolina Rail Road Company with the Cheraw and Coalfields
Rail Road Company, with an amendment, striking out sections 1, 2 and 3, and altering the title so as to read "A Bill to authorize the subscription of lands, bonds and stocks to the Cheraw and Coalfields Rail Road."

The House concurred in the amendment, and the Senate was informed thereof by message.

On motion of Mr. Martin, the House took a recess until 7½ o'clock, P. M.

WEDNESDAY, 7½ O'CLOCK, P. M.

Mr. Rosebro, from the Committee on Propositions and Grievances, reported favorably, with an amendment, on Bill (H. P. 138) in favor of Jessee B. Lee, late Sheriff of Currituck.

Mr. McKay, from the Committee on the Judiciary, reported favorably, with an amendment, on Bill (S. 284—H. 429) explanatory of the "Act to change the jurisdiction of the Courts and the rules of pleading therein."

The amendment was adopted, and, under a suspension of the rule, the Bill passed its final reading, and was transmitted to the Senate for concurrence in the amendment.

Mr. McKay, from the Select Committee to whom was referred certain Resolutions (H. 413 and H. P. 136) in reference to disabled soldiers, reported an additional resolution, to come in at the end of House 413,—the said resolution to be in lieu of all others on the same subject.

The report was adopted, and House Resolution 413, thus amended, under a suspension of the rules, passed its second reading, when

Mr. Blythe moved to amend by striking out the word "Confederate," which did not prevail.

The Resolution passed its final reading, and was ordered to be engrossed.

Mr. Hodnett moved to take up Resolution (H. P. 137) in favor of Wm. Sanders; and the motion prevailed.
The Resolution failed to pass its second reading.

The hour having arrived for the consideration of the Special Order, viz: (S. 213,—H. 419) to change the time of holding the Courts in the 7th Judicial Circuit,

The same passed its several readings and was ordered to be enrolled.

The following Resolutions were introduced, (by leave,) and, under a suspension of the rule, they passed their several readings and were ordered to be engrossed, viz:

By Mr. Morehead: House Resolution 433, to authorize the Governor to employ counsel in certain cases; and

By Mr. Durham: Resolution (H. P. 140) in favor of Jas. M. Neal, former Sheriff of McDowell.

The Calendar of Bills on their second reading was taken up, and the following action had, viz:

House Bill 119, concerning Dormant Judgments: Failed to pass second reading; but

On motion of Mr. Kenan, the vote was re-considered: when

Mr. Granbery moved to lay the Bill on the table. Not carried.

Mr. Waugh moved for its indefinite postponement; which did not prevail.

Under a suspension of the rule, the Bill passed its several readings and was ordered to be engrossed.

Bill (S. 114—H. 302) to extend the time for the return to the County Courts of the lands to be sold for taxes: Passed several readings and ordered to be enrolled.

House Bill 327, for the relief of Executors, Administrators, Guardians, and others, and to extend the jurisdiction of Justices of the Peace: Tabled.

House Bill 352, to amend an Act "to encourage the raising of sheep in Watauga and Ashe," ratified January 28, 1851: Amended, so as to embrace within its provisions the counties of Henderson, Transylvania, Macon, Madison and Haywood, and, thus amended, passed and ordered to be engrossed.

Bill (S. 139—H. 375) to establish a State Penitentiary: Laid on the table, on motion of Mr. McKay.
On motion of Mr. Martin, the House adjourned until tomorrow morning, 10 o'clock.

THURSDAY, FEBRUARY 28th, 1867.

Mr. Lutterloh, from the Committee on Internal Improvements, reported favorably on

Bill (S. 173—H. 432) to harmonize and give through freight and travel on the various Rail Road lines in the State.

Received a message from the Senate, recommending a list of magistrates for Stokes County; which was concurred in and the Senate informed thereof.

Mr. Scoggin introduced the following Resolution, prefaced by a preamble, viz:

"Resolved, That it is the sense of the House that we accept, in good faith, the Act recently passed by the Congress of the United States, for the purpose of re-organizing the rebel States, and will use every effort to carry out the same upon a true and loyal basis."

Mr. Hutchison offered a substitute for the same, providing for a submission of the question of Convention to the people, and instructing the Judiciary Committee to report a Bill to that effect.

Mr. Morehead moved to amend the amendment, by inserting, after the word "people," the words "without regard to color."

Mr. May moved to lay the Resolution and amendments on the table; and,

The question thereon was put and decided in the negative,—Yews 6, Nays 85.

Mr. Blair demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Mr. Richardson moved that the whole subject be referred to the Committee on Federal Relations.

And it was so ordered,—Yees 68, Nays 25.

Mr. Blair demanded the Yees and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:

Messrs. Ashworth, Beasley, Black, Blair, Blythe, Bryson, Carson, Garrett, Godwin, Hinnant, Horton of Wilkes, Jenkins of Gaston, Jenkins of Granville, Logan, Lyon, Moore of

On motion of Mr. Moore, of Hertford, the Committee were requested to report by, and their report was made the Special Order for, the third Monday in August next.

Mr. Whitfield moved to reconsider the vote by which Bill (S. 139—H. 375,) to establish a State Penitentiary, had been laid on the table last evening.

Mr. Hutchison moved to lay that motion on the table; which did not prevail.

The motion to reconsider was then adopted; when

Mr. Hutchison moved to lay the Bill on the table; which did not prevail.

Mr. Logan moved that the Bill be indefinitely postponed. And the question thereon was put and decided in the negative—Yea's 38, Nay's 51.

Mr. Logan demanded the Yeas and Nay's.

Those who voted in the affirmative were:


Those who voted in the negative were:


On motion of Mr. Whitley, the House took a recess until 7½ o'clock, P. M.
Received a message from the Senate, announcing the concurrence of that body in the House amendments to
Bill (S. 224—H. 429) explanatory of an Act, entitled an
"Act to change the jurisdiction of the Courts and the rules
of pleading therein;" and
Resolution (S. 168—H. 409) in regard to the Cape Fear
Navigation Company;
Both of which were ordered to be enrolled.
Also, a message announcing the passage, by the Senate,
with amendments, of
House Bill 97, restoring to married women their common
law right of Dower; and
House Bill 330, for the relief of Executors and Administra-
tors,
And asking the concurrence of the House in the same.
The House concurred and the Senate was informed thereof.
Also, transmitting recommendations of magistrates for the
County of Wayne; which were concurred in by the House.
The consideration of the unfinished business of the morning,
viz.: Bill (S. 139—H. 375) to establish a Penitentiary, was
taken up.
Mr. Latham, of Craven, moved that the Bill be postponed
until the third day of next session; and it was so ordered.
Mr. Davis, from the Committee on the Judiciary, to whom
was referred a Resolution of instruction to ascertain and
report the indebtedness of the State, not incurred for war
purposes, submitted a report thereon, at length, and recom-
mended the adoption of the following Bill, viz:
House Bill 434, relating to debts contracted during the
war;
Which, under a suspension of the rule, passed its several
readings and was ordered to be engrossed.
Mr. Davis, from the same Committee, reported back, ask-
ing, for reasons stated, to be discharged from its further con-
sideration,
Resolution (H. P. 70) in favor of W. L. Steele.
Mr. Long introduced a Resolution, proposing to continue the Joint Select Committee to investigate the affairs of the North Carolina Rail Road, and providing, further, for the addition to said Committee of two members from each House; which was adopted, and transmitted to the Senate for concurrence.

On motion of Mr. Hutchison, House Bill 169, to amend the Act "to incorporate the North Carolina Rail Road Company," was made the special order for to-morrow, 12 o'clock, M.

The following Resolutions and Bills were introduced, read, referred, or otherwise disposed of, viz:

By Mr. McKay: House Resolution, 435, to authorize the President and Directors of the Literary Fund to employ counsel to defend the suit directed to be instituted against the Cape Fear Navigation Company.

The rule was suspended, on motion of Mr. McKay, and the Resolution, being put on its second reading, failed to pass the same.

By Mr. Durham: House Resolution 436, in relation to the remains of dead soldiers.

Mr. Durham moved to suspend the rule and put the Resolution on its several readings; which did not prevail.

The Resolution was referred to the Committee on Finance.

From the Senate:

Bill (S. P. 176,—H. P. 142,) to appoint Commissioners to improve the land from Jno. Allen's to Blue Ridge Mounta n; and

Resolution (S. P. 178,—H. P. 143,) in favor of the Joint Select Committee on the affairs of the North Carolina Rail Road Company.

Both of which, under a suspension of the rule, passed their several readings and were ordered to be enrolled.

Received a message from the Senate, announcing the passage, with amendments, of the following engrossed Bills, viz:

House Bill 246, to amend the charter of the Fayetteville and Florence Rail Road Company; and

House Bill 368, in relation to Weights and Measures,
And asking the concurrence of the House in the same. The House concurred, and the Senate was informed there-of.

Also, transmitting a recommendation of magistrates for Chatham County; which was not concurred in.

The Calendar of Bills, on their second reading, was taken up, and the following action had, viz:

House Bill 265, to amend the Act of 1856, in relation to the bridge across Notla River:

Mr. Crawford, of Macon, offered a series of amendments, when

On motion of Mr. Bryson, the Bill, with the proposed amendment, was re-referred to the Committee on Cherokee Lands.

Bill (S. 41,—H. 391,) to repeal part of Section 14, chapter 26, Revised Code: On motion of Mr. Perry, of Carteret, referred to the Committee on Finance.

House Bill 380, for the relief of such debtors as have executed deeds of trust, &c.: Tabled.

House Bill 381, to amend an act of 1861, "To locate, lay off and establish a road from Statesville to Wilksboro:" Passed several readings and ordered to be engrossed.

Bill (S. 47,—H. 392,) to incorporate the North Carolina Land and Immigration Company: Passed several readings, and

Under a suspension of the rule, being placed on its third,

Mr. Morton moved to amend by inserting, at the end of Section 5, the words: "Provided, That said Bonds shall not be issued for less than $100." Which was adopted.

The Bill then passed and was ordered to be sent to the Senate for concurrence in the amendment.

Bill (S. 158,—H. 397) to grant amnesty and pardon to females: Passed several readings and ordered to be enrolled.

Bill (S. 176,—H. 420,) to secure advances for agricultural purposes: Passed several readings and ordered to be enrolled.

On motion of Mr. Martin, the House adjourned until to-morrow morning, 10 o'clock.
Prayer by the Rev. Dr. Smedes, of the Episcopal Church.

Mr. Moore, of Chatham, asked permission to record his vote against the Resolution, adopted at the first meeting of the Legislature, non-ratifying the Constitutional amendment, proposed as Article XIV.

Objection was made and leave was not granted.

Mr. Harper, from the Committee on Finance, reported favorably on

Bill (S. 41—H. 391) to repeal part of section 14, chapter 26, Revised, Code.

Recommendations of magistrates for the Counties of Wake, Johnston, Surry and Cleveland, were submitted, approved and sent to the Senate for concurrence.

The following Bills, &c., were introduced, read, referred, or otherwise disposed of, as follows, viz:

By Mr. Holderby: House Bill 437, submitting the question of a Penitentiary to the people. Under a suspension of the rule, passed several readings and ordered to be engrossed.

By Mr. Autry: House Bill 438, to incorporate the Clinton Savings Bank. Filed, and made the Special Order for this evening, at 8 o'clock.

By Mr. Latham, of Craven: Bill (H. P. 144) to incorporate the Neuse and Trent River Ferry Company. Passed several readings and ordered to be engrossed.

By Mr. Richardson: House Bill 439, to empower the Treasurer and Secretary of State to administer oaths in matters pertaining to the Revenue. Passed several readings and ordered to be engrossed.

From the Senate:

Bill (S. P. 181—H. 440) to authorize the Courts of Pleas and Quarter Sessions of Wake County to re-form their financial system. Filed.

Bill (S. P. 180—H. P. 145) to incorporate the Keystone Publishing Company, in Raleigh: Passed several readings and ordered to be enrolled.

Bill (S. 258—H. P. 146) to allow the representatives of W. E. Mann, deceased, late Sheriff of Pasquotank, to collect
arrears of taxes. Passed several readings and ordered to be enrolled.

Bill (S. 256—H. 441) amendatory of the Act to change the jurisdiction of the Courts, &c. Filed.

By Mr. Holderby: House Bill 442, to call a State Convention. On motion of Mr. Holderby, referred to the Committee on Federal Relations, and made the Special Order for this evening, at 9 o'clock.

The hour having arrived for the consideration of the Special Order, viz: House Bill 169, to amend the Act to incorporate the N. C. R. R. Co.,

The further consideration of the same was, on motion of Mr. Latham, of Craven, postponed until the next session of this General Assembly.

On motion of Mr. Boyd, Bill (S. 99—H. 401) in regard to repairs on the Executive Mansion, was made the Special Order for this evening, 8½ o'clock.

Received a message from the Senate, announcing its refusal to concur in the House Resolution concerning the Committee of investigation into the affairs of the North Carolina Rail Road; but transmitting a Resolution, proposing to continue the same Committee, as already raised.

The House concurred.

Also, transmitting a list of magistrates for the County of Person; which was concurred in.

Also, announcing the concurrence of the Senate in the recommendations of Justices for the Counties of Wake, Johnston and Surry.

Also, announcing its concurrence in the House amendment to the Bill (S. 47—H. 392) to incorporate the North Carolina Land and Immigration Company.

Ordered to be enrolled.

The Calendar of Bills, on their second reading, was taken up, and the following dispositions made, viz:

House Bill 389, to incorporate the Charlotte and Georgetown Rail Road: Passed second reading, and, being put on its third,

On motion of Mr. Bryson, it was re-referred to the Committee on Internal Improvements.
House Bill 349, for the protection of grape-growers: The substitute of the Committee, viz: House Bill 424, for the protection of fruits and vegetables, was adopted, and, being placed on its second reading;

Mr. Blair moved that it be laid on the table; which did not prevail.

Mr. Durham moved to amend by striking out all the article specified in the Bill, except "grapes; which was not adopted.

Mr. Farrow moved that the Bill be indefinitely postponed.
And the question thereon was put and decided in the negative—Yeas 29, Nays 47.

Mr. Martin demanded the Yeas and Nays.
Those who voted in the affirmative were:

Those who voted in the negative were:

Mr. Williams, of Pitt, moved to amend by striking out the words "apples and peaches; which did not prevail.

Mr. Williams, of Harnett, moved to amend by striking out the particular fruits specified after the word "grapes," and inserting, in lieu thereof, the words "and other fruits."

Mr. Waugh moved to lay the amendment on the table; which was not agreed to.
The amendment did not prevail.
Mr. Waugh moved to exempt from the operations of the Bill the county of Surry; Mr. Bryson, that of Jackson; Mr. Garrett, that of Haywood; Mr. Sudderth, Burke; Mr. Black Moore; Mr. Carson, Alexander; Mr. Crawford, Macon; Mr. Morton, Stanly; Mr. Blythe, Henderson and Transylvania; Mr. Williams, Yancey and Mitchell, and Mr. Durham, Cleveland; all of which amendments did not prevail.

Mr. Durham moved to amend, by inserting, at the end of the Bill, the following proviso, viz:

"Provided, That no person shall be convicted under the provisions of this Act, unless it is shown, on trial, that the owner of the stolen property shall have given public notice, at three or more public places in the county, to all persons whatever to keep off his premises."

And the question being thereon, it was decided in the negative—Yeas 28, Nays 50.

Mr. Martin demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


The Bill then passed its second reading; and,

Under a suspension of the rule, being placed on its third, it passed the same and was ordered to be engrossed,—Yeas 47, Nays 27.

Mr. Durham demanded the Yeas and Nays.
Those who voted in the affirmative were:

Those who voted in the negative were:
Messrs. Black, Blair, Blythe, Brown, Bryson, Carson, Crawford, of Macon, Durham, Farrow, Gambril, Garrett, Godwin, Hinnant, Horton, of Watanga, Horton, of Wilkes, Jenkins, of Gaston, Martin, Moore, of Hertford, Morton, Morrissett, Neal, Perry, of Wake, Sudderth, Teague, Vestal, Waugh, and Williams, of Yancey—27.

Whereupon, the following protest was allowed to be entered on the Journals of the House, viz:

"We believe that this Bill will be an engine in the hands of bad men to oppress those who are honest; and we protest against its passage:

(Signed,)

W. G. B. Garrett,               P. Durham,
James Blythe,                   T. D. Bryson,
D. A. Jenkins,                  H. M. Waugh,
T. M. Vestal,                   J. G. Crawford,
L. C. Morton,                   J. M. Carson,
E. B. Teague,                   B. R. Hinnant,
William Horton,                 R. S. Perry."

Severally tabled:
House Bill 411, empowering the Treasurer to transfer certain stock owned by the State, in liquidation of its bonds;
House Bill 417, in favor of Sheriffs and Tax Collectors; and
House Resolution 332, directing re-reporting and re-publication of Winston's Reports.
Passed several readings and ordered to be engrossed:
House Bill 421, to incorporate the Cumberland Savings Bank; and
House Bill 423, supplemental to an Act to incorporate the North Western Rail Road Company.
Passed several readings and ordered to be enrolled:
Bill (S. 201—H. 403,) for the assignment of certain rooms in the Capitol;
Bill (S. 200—H. 402,) in regard to Burke Square, and other public property;
Bill (S. 41—H. 391,) to repeal part of section 14, chapter 26, Revised Code; and
Bill (S. 78—H. 395,) to amend chapter 42, Private Laws of 1866.
Resolution (S. 83—H. 396,) in regard to re-printing the Reports of the Supreme Court, coming up,
Mr. Perry, of Carteret, moved to lay the same on the table; which did not prevail.
Mr. Perry moved to amend by inserting the word "re-reporting" before the word "re-printing;" which was adopted.
Mr. Perry moved to amend, further, by striking out "$50" in the last section, and inserting "300;" which did not prevail.
The Resolution passed its second reading; and, under a suspension of the rule, being placed on its third,
Mr. Durham moved to strike out the word "re-reporting;"
Mr. Jenkins, of Gaston, moved to lay the Resolution and amendment on the table; and it was so ordered.
Received a message from the Senate, announcing that the Hon. M. E. Manly, having resigned the position of Speaker of that body, the Hon. Joseph H. Wilson had been elected to supply the vacancy.
Bill (S. 175—H. 422,) to consolidate the Chatham and Western Rail Roads, being taken up,
Mr. McKay moved to amend, by striking out the word "Coalfields," whenever it occurs, and inserting the words "Yadkin Valley."
Mr. Morehead moved that the further consideration of the Bill be postponed until the Tuesday following the 3rd Monday in August; and it was so ordered.

Bill (S. 160—H. 408,) to amend the Charter of the Raleigh and Gaston Rail Road Company, passed its second reading; when

The House took a recess until 7½ o'clock, P. M.

FRIDAY, 7½ O'Clock, P. M.

A recommendation of magistrates for the county of Onslow was submitted, approved and sent to the Senate for concurrence.

Mr. Patton, from the Committee on Internal Improvements, reported favorably, with amendments, on

House Bill 389, to incorporate the Charlotte and Georgetown Rail Road Company.

The amendments were adopted, and, under a suspension of the rule, the Bill passed its several readings and was ordered to be engrossed.

Mr. Crawford, from the Committee on Cherokee Lands, reported favorably, with amendments, on

House Bill 265, to amend the Act of 1866, in relation to the bridge across Notla river.

The amendments were adopted, and, under a suspension of the rule, the Bill passed its several readings and was ordered to be engrossed.

On motion of Mr. May, Bill (S. 256—H. 441,) amendatory of the Act to change the jurisdiction of the Courts, &c., was taken up.

The Bill passed its second reading, and, being read the third time,

Mr. Crawford, of Macon, moved to amend by adding the following section, viz:

"Be it further enacted, That all laws, and clauses of laws, heretofore enacted, imposing penalties upon Clerks and Sheriffs for failing to discharge any of the duties imposed
upon them in civil cases, be and the same are hereby repealed."

Which was not adopted.

Mr. Morehead moved that the Bill be referred to the Judiciary Committee; which did not prevail.

Mr. Patton moved to amend the ratifying clause by striking out "ten days" and inserting "twenty days." Lost.

Mr. Durham moved to amend the ratifying section, by striking out all after the enacting clause, and inserting:

"That this Act shall take effect and be in force from and after the expiration of ten days from the date of its ratification."

Mr. Houston moved to lay the amendment on the table.

And the question thereon was put and decided the negative—Yeas 35, Nays 42.

Mr. Houston demanded the Yeas and Nays.

Those who voted in the affirmative were:


Those who voted in the negative were:


The amendment was then adopted.

Mr. Peebles moved further to amend the Bill, by adding the following proviso at the end thereof, viz:

"Provided, That the provisions of this Act shall not apply to debts or matters in contractu, created since May 1, 1865."

Which was adopted.
And the Bill then passed its final reading—Yeas 44, Nays 34.

Those who voted in the affirmative were:
Messrs. Ashworth, Autry, Barden, Black, Blair, Blythe, Bowe, Chadwick, Clark, Daniel, Durham, Farrow, Foard, Freeman, Gambril, Godwin, Guess, Henderson, Hinnant, Holderby, Horton, of Wilkes, Jenkins, of Granville, Kelsey, Latham, of Craven, Lee, Lyon, Lutterloh, May, Moore, of Hertford, Morton, Morrisett, Neal, Perry, of Wake, Rountree, Scott, Stone, Turnbull, Umsted, Vestal, Waugh, Whitfield, Williams, of Harnett, Williams, of Martin, and Williams, of Vance—44.

Those who voted in the negative were:

Ordered to be sent to the Senate for concurrence in the amendments.

The hour having arrived for the consideration of the first Special Order, viz: House Bill 438, to establish the Clinton Savings Bank, the same passed its several readings and was ordered to be engrossed.

On motion of Mr. Russ, Bill (S. 181—H. 440) to authorize the Courts of Pleas and Quarter Sessions of Wake County to re-form their financial system, was taken up.

The Bill was amended, on motion of Mr. Russ; and, having passed its several reading, was sent to the Senate for concurrence in the amendment.

Received a message from the Senate, announcing the adoption of an Engrossed Resolution, viz:
Resolution (S. 257—H. 443) proposing a National Convention.

Mr. Jenkins, of Granville, moved to lay the same on the table.
And the question thereon was put and decided in the negative,—Yea's 17, Nay's 57.

Mr. Jenkins, of Granville, demanded the Yeas and Nays. Those who voted in the affirmative were:


Those who voted in the negative were:


The resolution was then adopted and ordered to be enrolled.

The hour having arrived for the consideration of the second special order, viz: Bill (S. 199—H. 410) in regard to repairs on the Executive Mansion, the same was read, when

Mr. Blair moved to amend by striking out "$5000" and inserting "$300"; which did not prevail.

The Bill passed its second reading, and, being read a third time,

Mr. Bryson moved to amend, by striking out "$5000;" which was not adopted.

The Bill was ordered to enrolment.

On motion of Mr. Granbery,

Resolution (H. P. 138) in favor of Jesse B. Lee, late Sheriff, &c., was taken up; and the amendments of the Committee being adopted, it passed its several readings and was ordered to be engrossed.

Mr. McKay offered the following Resolutions, viz:
"Resolved, That the Joint Resolution, by which the two Houses of the General Assembly have agreed to adjourn on Monday, the 4th of March, to meet again in August next, be and the same is hereby rescinded.

Be it further Resolved, That the General Assembly will adjourn on Monday, the 4th of March, at 6 o'clock, A. M., to meet again at any time his Excellency, the Governor, by and with the advice and consent of his Council, may deem it necessary, to take action in reference to calling a Convention of the people of the State to consider our Federal Relations."

Mr. Blair moved that the Resolutions be laid upon the table; which did not prevail.

The Resolutions were then adopted, and ordered to be sent to the Senate for concurrence.

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

SATURDAY, March 2, 1867.

Received a message from the Senate, concurring in the recommendation of Justices of the Peace for the County of Cleveland.

Also, announcing the passage by the Senate of the engrossed Resolution (H. P. 140) in favor of James M. Neal, with amendments, in which the concurrence of the House was asked,

The House concurred and the Senate was informed thereof.

Also, announcing the concurrence of the Senate in the House amendment to Bill (S. 256,—H. 441) amendatory of the Act to change the jurisdiction of the Courts, &c.

Ordered to be enrolled.

The Calendar of Bills on their third reading was taken up, and the following dispositions made, viz:

Bill (S. 98,—H. 213) concerning the maintenance of Bastard Children. Ordered to enrolment.

Bill (S. 160,—H. 408) to amend the Charter of the Raleigh and Gaston Rail Road Company:
Mr. Davis moved to amend, by striking out the words "own not less than ten shares of stock," and inserting, in lieu thereof, the words, "be a stockholder."
Which was adopted; and
The Bill passed and was sent to the Senate for concurrence in the amendment.
House Resolution 257, in relation to testing the legality of the Cotton tax: Tabled, on motion of Mr. Whitfield.
The Calendar of Bills, &c., on their second reading was taken up.
Tabled:
Resolution (H. P. 70) in favor of W. L. Steele; and
Resolution (H. P. 135) in favor of C. Perkins.
Ordered to be engrossed and sent to the Senate:
Bill (H. P. 134) to incorporate the Cranberry Mining and Manufacturing Company.
Passed several readings and ordered to be enrolled:
Bill (S. P. 125,—H. P. 130) to incorporate Wiccacon Lodge, 240, A. Y. M.;
Bill (S. 159—H. P. 131) to incorporate the Capital Stock of Clarendon Bridge Company;
Bill (S. P. 122—H. P. 132) to incorporate the Charlotte Water Works;
Bill (S. P. 169—H. P. 139) for the relief of the County Court Clerk of Beaufort County;
Bill (S. 187—H. 425) to incorporate the Colored Educational Society of North Carolina;
Bill (S. 226—H. 426) to authorize the Justices of the Courts of Pleas and Quarter Sessions of Robeson County to appoint a special magistrate;
Resolution (S. 211—H. 427) concerning wounded and disabled soldiers;
Bill (S. 219—H. 428) to amend section 3, chapter 7, Revised Code;
Bill (S. 228—H. 430) to authorize the Mayors, &c., of incorporated towns and cities to enforce the collection of fines, &c.; and
Bill (H. 173—H. 431) to harmonize and give through freight and travel on the various Rail Road lines in the State.
Received a message from the Senate, announcing the refusal of that body to concur in the House Resolution proposing to rescind the joint order to adjourn on Monday next, to meet again in August, &c.

Also, announcing the passage, by the Senate, of Bill (H. P. 80) to incorporate the National Loan and Trust Company, with amendments, in which the concurrence of the House was asked.

The House concurred, and the Senate was informed thereof. Also, announcing the passage, by the Senate, of Bill (H. P. 89) to incorporate the Neuse River Ferry Company, with amendments, in which the concurrence of the House was asked.

The House concurred and the Senate was informed thereof.

Mr. Harper introduced a Resolution, viz:

House Resolution 444, to authorize the publication of the Botany of North Carolina, by the Rev. M. A. Curtis;

Which, under a suspension of the rule, passed its several readings and was ordered to be engrossed and sent to the Senate.

Mr. Waugh moved to take from the table House Resolution 332, directing the re-reporting and re-publication of Winston's reports; which motion prevailed.

The Resolution passed its second reading; and, being placed on its third,

Mr. Foard moved that its further consideration be postponed until the next session; which was so ordered.

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

Bill (S. P. 185—H. P. 147) to authorize the County of Cumberland and the town of Fayetteville to issue bonds in payment of their indebtedness; and

Resolution (S. P. 186—H. P. 148) in favor of the Hon. David Outlaw;

Both of which, under a suspension of the rule, passed their several readings and were ordered to be enrolled.

Mr. Davis introduced the following Resolution, viz:

"Resolved, That the thanks of this House are due, and are hereby tendered, to the Hon. R. Y. McAden, for the impartial,
able and efficient manner in which he has discharged the duties of his office, as Speaker of the House of Commons."

Which was unanimously adopted.
Whereupon, the Speaker made his acknowledgments to the House in a feeling and suitable manner.
Mr. Whitfield offered the following Resolution, which was unanimously adopted, viz:

"Resolved, That the thanks of the House be unanimously tendered to the Chief and Assistant Clerks for the efficient and capable manner, in which they have discharged their duties."

On motion of Mr. Patton, the House took a recess until 1 o'clock, P. M

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One O'Clock, P. M.

Received a message from the Senate, announcing its concurrence in the amendments to

Bill (S. P. 181—H. 440,) to authorize and empower the County Court of Wake to reform its judicial system;

And to

Bill (S. 160—H. 408,) to amend the Charter of the Raleigh and Gaston Rail Road Company.
Ordered to be enrolled.

Received the following Engrossed Bills from the Senate:

Bill (S. 35—H. 445,) to repeal that portion of an Act, passed at the session of 1865-'6, which relates to persons committed for fines and costs of criminal prosecution. Tabled, on motion of Mr. Bryson.

Bill (S. P. 158—H. P. 149,) to incorporate Crane's Creek Lodge, No. 213, F. and A. M., in Moore county. Passed several readings and ordered to be enrolled.

Bill (S. P. 177—H. P. 150,) to establish a free Ferry across Pamlico River, opposite the town of Washington: Passed several readings and ordered to be enrolled.

Bill (S. P. 279—H. 446,) to establish a Board of Regents for the Male Colleges of North Carolina. Passed second reading, and, under a suspension of the rule, being read the third time,
Mr. Kenan moved that it be referred to the Committee on Education; which was so ordered.

Received a message from the Senate, announcing the passage of House Bill 231, to incorporate the Flat Swamp, Lock's Creek and Evans' Creek Canal Company, with an amendment, in which the concurrence of the House was asked.

The House concurred, and the Senate was informed thereof.

Mr. Holderby offered the following Resolution, viz:

Resolved, That the thanks of this House are due, and are hereby tendered, to the Clergy of this city, for their ministrations in the House during the present session.

Which was unanimously adopted.

On motion of Mr. Blair, a message was sent to the Senate, proposing to rescind the joint order requiring the holding of night sessions.

The Senate subsequently concurred.

Mr. McKay, by leave, introduced the following Bill:

House Bill 447, supplemental to, and explanatory of, an Act to abolish imprisonment for debt;

Which, under a suspension of the rule, passed its several readings, and was engrossed and sent to the Senate.

On motion of Mr. Crawford, of Rowan, the House adjourned until Monday morning, 5 o'clock.

MONDAY, MARCH 4, 1867.

The Speaker announced the ratification of a number of enrolled Bills.

Received a message from the Senate announcing that, the hour having arrived, it was ready to execute the joint order in regard to adjournment.

Whereupon, the Speaker announced that the House of Commons would adjourn until the third Monday in August, 1867.

R. Y. McADEN,
Speaker.

SEA TON GALES,
Clerk,
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