JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA,

AT ITS

SESSION OF 1868.

RALEIGH:

N. PAIGE, PRINTER TO THE STATE.

1868.
FIRST DAY.

WEDNESDAY, July 1st, 1868.

At a General Assembly of North Carolina, begun and held at the Capitol, in the City of Raleigh, on Wednesday, the first day of July, in the year of our Lord one thousand eight hundred and sixty eight,

On which day, being the first Wednesday in the month of July, and the day appointed by W. W. Holden, the Governor elect of North Carolina, for the meeting of the General Assembly, at twelve o'clock meridian, the House was called to order by Associate Justice Edwin G. Reade, who proceeded to administer to all the members present, excepting those banned from taking their seats as active members until the Fourteenth Article of the Constitution of the United States should have been adopted by the General Assembly, the oath of office enjoined by the Constitution of the State,

The following members of the House came forward, were sworn, and took their seats:

Alamance County—John A. Moore.
Alexander—R. P. Matheson.
Alleghany—John L. Smith.
Anson—D. Ingram.
Ashe—Matthew Carson.
Beaufort—Hiram E. Stilley.
Bertie—Parker D. Robbins.
Bladen—F. W. Foster.
Buncombe—W. G. Candler.
Burke—Samuel C. Wilson.
CABARRUS—John P. Gibson.
CARTERET—Joel Henry Davis, Jr.
CASWELL—Phillip Hodnett.
CATAWBA—James R. Ellis.
CHATHAM—William T. Gunter, James B. Long.
CHEROKEE—J. R. Simonds.
CHOWAN—Richard Clayton.
CLEVELAND—Plato Durham.
COLUMBUS—Daniel P. High.
CRAVEN—Augustus S. Seymour, A. W. Stevens, B. W. Morris.
CUMBERLAND—John S. Leary, Isham Sweat.
CURRITUCK—Thomas C. Humphries.
DAVIDSON—Jabez Mendenhall, Geo. Kinney.
DAVIE—James A. Kelley.
DUPLIN—N. E. Armstrong.
EDGECOMBE—Geo. Peck, Henry C. Cherry.
FORSyth—John P. Vest.
FRANKLIN—James T. Harris, John H. Williamson.
GASTON—Jonas Hoffman.
GATES—John Gatling.
GRANVILLE—J. W. Ragland, C. Mayo.
GREENE—Joseph Dixon.
GUILFORD—Stephen G. Horney, David Hodgin.
HERTFORD—Thomas Snipes.
HYDE—Tilman Farrow.
JOHNSTON—B. R. Hinnant, E. W. Pou.
JONES—L. D. Wilkie.
LENOIR—Wallace Ames.
LINCOLN—A. C. Wiswall.
MACON—James L. Robinson.
MADISON—Geo. W. Gahagan.
MARTIN—Jesse J. Smith.
MCDOWELL—W. W. Gilbert.
MECKLENBURG—R. D. Whitley.
MITCHELL—Jacob W. Bowman.
Montgomery—George A. Graham.
Northampton—Roswell C. Parker, Jno. T. Reynolds.
Onslow—Franklin Thompson.
Orange—Thomas M. Argo.
Pasquotank—Thomas A. Sykes.
Perquimans—Jeptha White.
Person—Samuel C. Barnett.
Pitt—Byron Laflin, Richard Short.
Polk—Asberry Waldrop.
Randolph—Joel Ashworth.
Richmond—Richmond T. Long.
Rockingham—Henry Barnes, D. S. Ellington.
Rutherford—James M. Justice.
Sampson—John C. Williams.
Stanly—Lafayette Green.
Stokes—W. W. McCanless.
Surry—A. L. Hendricks.
Transylvania—James W. Clayton.
Tyrrell—Thomas J. Jarvis.
Union—Hugh Downing.
Wake—Joseph W. Holden, Stokes D. Franklin, Fielding
G. Moring, James H. Harris.
Wayne—John T. Person.
Wilkes—William B. Siegrist.
Wilson—George W. Stanton.
Yancey—David Proffitt.
Yadkin—T. M. Vestal.

Mr. Kelly, of Moore, appeared and was sworn.
It appearing that a quorum of members were present.
Mr. Bowman was nominated and chosen as temporary
Speaker of the House.
On motion of Mr. Abbott, the House proceeded to the election of a regular Speaker.

The nominees being Messrs. Joseph W. Holden of Wake, and Plato Durham of Cleveland, the vote was decided in favor of Mr. Holden.


Messrs. Bowman and Seymour were appointed to conduct Mr. Holden to the Chair, when he addressed the House as follows:

Members of the House of Representatives:—No Legislative body which has assembled in this State, since the first under the Constitution of 1776, has had such onerous matters awaiting its attention as this first General Assembly under the Constitution of 1868. The system then devised by our ancestors has measurably passed away. Admirable in many respects, yet among its institutions were some evil to the happiness of posterity, but which have been happily consumed in the fire and flame of war. New ideas, new principles and new institutions have taken their place, and the fundamental law of North Carolina now gives no shadow of protection to
slavery, makes no discrimination against any race of men, nor any oppressive distinction against the humble, but it breathes in every letter the pure and holy spirit of liberty to all men.

It is not my province, gentlemen, to dictate the course of your deliberations. The current of reform, which runs high in your midst, needs no hand to guide its waves and no arm to direct its motion. The channels, through which it is to flow, are laid broad and deep in the State Constitution. But while your work is scarcely yet begun, a prayer may be wafted to Heaven for its complete success—that no negligence may mar or timidity injure it, and that with you the white-winged Angels of Harmony and Peace may continue to dwell.

Firmness, impartiality, prudence and a close adherence to custom should mark the method of your presiding officer. As such, I shall know no member here save as the peer of the other; and with your assistance, gentlemen, I hope to discharge my duties in a proper manner.

But the end of all your labors and the sum of all your efforts, is the American Union. Twice has restoration failed, but with more liberal laws and greater freedom, our North Carolina is now returning to her place at the family board. Like a wanderer, she comes back and pleads for the love of former days. The mother will lift her up and "smooth from her forehead the furrows of care," for she who was lost has been found, who was dead, is alive again!

This is the land of our love and the home of our affections. But still no paltry State limits confine our patriotism or curb our energies. As grand and vast as American soil, are our future hopes! As high as her mountain peaks, are our aspirations! As swift as the hill torrent are the feet of her sons, and as terrible as the winds is the wrath of her children. Mighty nation! Grand Republic! May North Carolina be the brightest in thy constellation and the loveliest of thy train!

I thank you for the honor which you have conferred upon me.
On motion of Mr. Estes, the House then proceeded to the
election of Principal Clerk.

Messrs. John H. Boner, of Forsyth, and Seaton Gales, of
Wake, being in nomination, the vote was decided in favor of
Mr. Boner.

On motion of Mr. Laflin, the House then proceeded to the
election of Assistant (or Reading) Clerk.

Messrs. Candler of Buncombe, O'Hara of Wayne, Charlotte
of Carteret and Ebeck of Granville, being in nomination, the
vote was decided in favor of Mr. Thos. J. Candler.

By resolution of Mr. Bowman, a message was sent to the
Senate informing that body that the House of Representatives
was organized and ready for the transaction of business.

The following resolution, introduced by Mr. Estes, was
passed and ordered to be sent to the Senate, asking the con-
currence of the same:

Resolved, That a Joint Committee of Five, three on the
part of the House, and two on the part of the Senate, be ap-
pointed to wait upon the Governor and inform him that the
Legislature is organized and ready to receive any communica-
tion he may have to make.

The House then adjourned until four o'clock, P. M.

AFTERNOON SESSION.

Mr. Ellis moved that the House adjourn, in honor of the
late Edmund B. Freeman, until 11 o'clock on Thursday.

A quorum not voting, the motion was lost.

Mr. Seymour introduced the following resolution, which
was passed:

Resolved, That until the adoption of permanent rules, the
rules of the late Constitutional Convention, with the exception
of rule 30, be adopted for the regulation of the proceedings of this House in so far as they are applicable.

Mr. Abbott gave notice that he would on to-morrow, (Thursday,) or at some subsequent day, introduce a bill to incorporate the "Cumberland and Bladen Rail Road."

The House then adjourned until 11 o'clock Thursday.

SECOND DAY.

Thursday, July 2d, 1868.

The House was called to order at 11 o'clock, A. M., by the Speaker.

Prayer by the Rev. Mr. Ashley.

The Journal of the preceding day were read and approved.

Messrs. Rhodes, Blair, and Justice appeared and were sworn in.

Mr. Pou gave notice that he would, on to-morrow, (Friday) or on some subsequent day, introduce a joint resolution petitioning Congress to remove from all citizens of this State the political disabilities imposed by the fourteenth article of the Constitution of the United States.

Mr. Harris, of Wake, introduced the following resolution, which was passed:

Be it Resolved by the House of Representatives of North Carolina, That a Committee of Seven, one from each Congressional District in this State, be appointed by the Speaker to consider a plan whereby immediate relief may be granted to the suffering poor, and to the medium class of farmers who have not the means to finish their crops, and report to this body as soon as possible.

The Speaker appointed the following named members to
serve as the Committee provided for: First district, Mr. Stilley; Second district, Mr. Ames; Third district, Mr. Proctor; Fourth district, Mr. Harris; Fifth district, Mr. Horney; Sixth district, Mr. Ellis; Seventh district, Mr. Bowman.

On motion of Mr. Estes, the House then took a recess until 12 o'clock, to await the organization of the Senate.

12 o'clock, M.

The House was called to order.

A message was received from the Senate, concurring in the proposition to raise a Joint Committee of Five, three on the part of the House, and two on the part of the Senate, to wait upon the Governor, and inform him of the organization of the Legislature, and its readiness to receive any communication he might have to make.

Also a message from the Senate informing the House that the Senate was organized and ready for the transaction of business.

A message was sent to the Senate informing that body that Messrs Estes, Jarvis, and Williamson had been appointed on the part of the House, on the Joint Committee to wait on the Governor, and requesting the names on the part of the Senate.

The following resolution, introduced by Mr. Stilley was passed:

Resolved, That a Committee of Five be appointed by the Speaker, to prepare and report to the House a code of rules for the regulation of its proceedings.

The Speaker appointed the following named members on the committee provided for: Messrs. Abbott, Durham, Leary, Stilley and Laflin.

A message was received from the Senate informing the House that Messrs. Lassiter and Barrow had been appointed on the part of the Senate, on the Joint Committee to wait on the Governor.
Also a message from the Senate, asking the concurrence of
the House in the proposition to appoint a Joint Committee of
two on the part of the Senate and three on the part of the
House to form a code of rules for the government of inter-
course between the Houses.

The proposition was concurred in, and the Speaker appoint-
ted on the part of the House; Messrs Abbott, Durham and
Stilley; whereupon a message was sent to the Senate inform-
ing that body of the action of the House.

Mr. Estes, from the Joint Committee to wait upon the
Governor, reported that the Governor had been duly waited
upon, and that he had informed the Committee that he would
communicate a message to the Legislature at 12½ o'clock.

The report was accepted, whereupon the appointed hour
having arrived, the following communication from His Excel-
dency was brought to the House by His Excellency's Private
Secretary, pro tem. W. R. Richardson:

EXECUTIVE DEPARTMENT OF N. C.,
RALEIGH, July 2d, 1868.

Gentlemen of the Senate and House of Representatives:

Allow me to congratulate you on the auspicious circum-
stances under which you have assembled. Our heartfelt
gratitude is due to Almighty God for the suppression of the
Rebellion, the preservation of the Union, the just and liberal
principles on which it has been reconstructed, and the assur-
ance that we have of future peace and tranquility. The first
business to be performed by the Legislature will be the ratifi-
cation of the amendment to the Constitution of the United
States, known as the 14th Article, proposed by the 39th Con-
gress. I respectfully recommend the immediate ratification
of this Article.

By an Act of Congress, approved July 25th, 1866, it is pro-
vided 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 so going out of office." There are two vacancies to be filled by this Legislature. One of the terms to be thus filled will expire on the 4th of March, 1871, and the other on the 4th of March, 1873.

If it should be the pleasure of the General Assembly, I propose to address the body on Saturday next, the 4th day of July. During your session, Gentlemen, it will afford me pleasure to communicate to you any information within the scope of my power, and to make such suggestions from time to time as may seem to be expedient and proper.

Very respectfully,

W. W. HOLDEN.

The message was read and ordered to be sent to the Senate. Mr. Sinclair introduced a resolution providing for the appointment of a Joint Committee to report immediately, by bill or otherwise, such action as might be necessary to enable the General Assembly to adopt at once the fourteenth article of the Constitution of the United States.

On motion of Mr. Seymour, the resolutions was laid on the table.

Mr. Seymour introduced the following resolution, ratifying the fourteenth article of the Constitution of the United States, the article known as the Howard Amendment:

WHEREAS, The General Assembly has received notification of the passage by both Houses of the 39th Congress of the United States at its first session, of the following proposition to amend the Constitution of the United States, by a constitutional majority of two thirds thereof in words following, viz:

JOINT RESOLUTION PROPOSING AN AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES.

Be it Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two-
thirds of both Houses concurring, That the following article be proposed to the Legislatures of the several States, as an amendment to the Constitution of the United States, which when ratified by three-fourths of said Legislatures shall be valid as a part of the Constitution of said United States, viz:

ARTICLE XIV.

Section 1. 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. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Sec. 2. 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, 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.

Sec. 3. 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 and comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

Sec. 4. 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. But 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.

Sec. 5. The Congress shall have power to enforce by appropriate legislation the provisions of this article.

Therefore Resolved, That the said proposed amendment to the Constitution be, and the same is hereby ratified by the General Assembly of the State of North Carolina.

Resolved further, That certified copies of the foregoing preamble and resolutions be forwarded by the Governor, to the President of the United States, to the President of the United States Senate, and the Speaker of the United States House of Representatives.

The resolution was read.

Mr. Seymour moved that the resolution be adopted and sent to the Senate for concurrence.

Mr. Seymour called the previous question.

The call was sustained.

Mr. Seymour called for the yeas and nays.

The House agreeing, the Clerk proceeded to call the roll.

The vote was decided in the affirmative:


Mr. Estes introduced, (H. 1.) an act to provide for the qual- ification of certain officers recently elected under the provi- sions of the Constitution of the State of North Carolina.

On motion, it was ordered to be printed.

Mr. Ferrebee appeared and was sworn in.

Mr. Sinclair introduced the following resolution:

WHEREAS, It is just and right, that the voice of the major- ity, when fairly expressed according to the forms of law, in our popular elections, should be respected and obeyed, it be- ing the tenure and the only tenure, by which we hold our own seats; and the only proper source also, of any authority whatever in a free and Republican Government, therefore,

1. Be it Resolved by the General Assembly of the State of North Carolina, That the Congress of the United States is hereby respectfully and earnestly requested to remove imme- diately the disabilities imposed by the various acts of the Na- tional Legislature, from every man elect to any office in the State of North Carolina, under the existing Constitution.

2. Be it further Resolved by the General Assembly of the State of North Carolina, That immediately on the adoption of the foregoing resolution a copy of the same shall be trans- mitted without delay, to the proper authorities at Wash- ington, D. C.
Mr. Abbott moved to lay the resolutions on the table.

The yeas and nays being called, and one-fifth of the House agreeing, the vote was decided in the affirmative:


A message was received from the Senate informing the House that Messrs. Sweet and Brogden had been appointed, by the President of that body, on the Joint Committee to prepare rules for the government of intercourse between the two Houses.

Also a message informing the House that the message of the Governor, had been received and read in the Senate, and that the Senate had ordered two hundred copies of the same to be printed for the use of members of the Legislature, and in this, the Senate ask the concurrence of the House.

The proposition was concurred in.

The House then adjourned until 4 o'clock, P. M.
AFTERNOON SESSION.

The House was called to order.
On motion of Mr. Sinclair, the House adjourned until Friday morning at 10 o'clock.

THIRD DAY.

Friday, July 3d, 1868.

The House was called to order at ten o'clock by the Speaker.
Prayer by the Rev. Mr. Franklin.
The journal of the preceding day was read. Several corrections were made.
Mr. Abbott introduced a bill to provide for the holding of a special term of the Superior Court of Law in Caldwell county.
Laid over under the rules.
Mr. Stilley moved that the House proceed immediately to the election of Principal Doorkeeper.
The motion was carried; whereupon Mr. Sinclair nominated Edgar Miller, and Mr. Argo nominated Leroy Couch.
The Speaker appointed Messrs. Sinclair and Argo to superintend the election.
The vote was decided in favor of Mr. Miller, who was declared elected.
On motion, the House then went into the election of an Assistant Doorkeeper.
Mr. Seymour nominated Israel B. Abbott, and Mr. Ellis nominated Jno. H. Hill.
The Speaker appointed Messrs. Seymour and Ellis to superintend the election.
The vote was decided in favor of Mr. Abbott, who was declared elected.
Mr. Miller as Principal Doorkeeper, and Mr. Abbott as Assistant, were then sworn into office.

Mr. Moring moved that the House adjourn until ten o'clock on Monday morning.

The motion was lost.

Mr. Abbott, from the Joint Committee appointed to prepare rules for the government of intercourse between the two Houses of the General Assembly, informed the House that the Committee had finished the business assigned to them, and made a report, which was read, accepted and ordered to be sent to the Senate for concurrence.

The report was also ordered to be printed.

Mr. Barnett moved that the members of the House draw for seats.

Mr. Blair objected to the motion; and on motion of Mr. Blair the motion of Mr. Barnett was indefinitely postponed.

Mr. Argo moved that the members not permitted to qualify under Gen. Canby's order be now permitted to come forward, present their credentials, qualify and take their seats.

Mr. Abbott requested Mr. Argo to withdraw his motion for the present.

Mr. Argo refused to withdraw his motion.

Mr. Abbott then moved to lay Mr. Argo's motion on the table, but withdrew this motion, and subsequently moved that the matter be referred to a special Committee of five, to be selected by the Speaker.

The motion prevailed; whereupon

The Speaker appointed Messrs. Abbott, Durham, Argo, Bowman and Dixon.

A message was received from the Senate concurring in the joint resolution to ratify the Fourteenth Article of the Constitution of the United States.

Mr. Laflin moved that the resolutions be enrolled on parchment, signed by the Speaker of the House, and sent to the President of the Senate to be signed by him.

The motion prevailed.

On motion of Mr. Estis, H. 1, being "An Act to provide
for the qualification of certain officers," &c., &c., was taken up and put upon its second reading.

Section 1st was read.

Mr. Estes moved to amend, by inserting after the word "Court," in fifth line, the words "or County Commissioners."
The amendment was adopted.

Mr. Bowman moved that the bill be referred to a Joint Committee for perfection.

On motion of Mr. Estes, Mr. Bowman's motion was laid on the table.

Mr. Seymour moved to amend section first, by adding to the section the words, "or County Commissioners."
The amendment was adopted.

Section 2d was read.

Mr. Estes moved to amend by striking out in fourth line the words, "the Clerks of the Superior Courts," and inserting in lieu thereof the words, "any magistrate or other officer qualified to administer the oath."
The amendment was adopted.

Section 3d was read and adopted.

Section 4th was read.

Mr. Argo moved to amend, by striking out in second and third lines the words, "with the Register of Deeds, and inserting in lieu thereof the words, "in the office of the Clerk of the Superior Court."
The amendment was not adopted.

Section 5th was read.

Mr. Estes moved to amend by inserting in fifth line, after the word "State," the words, "when duly qualified."
The amendment was adopted.

Section 6th was read.

Mr. Estes moved to amend by inserting after the word, "provisions," in third line, the words of "section fifth."
The amendment was adopted.

Mr. Seymour moved to amend the section by striking out in second line the words, "or who shall hereafter hold office."
The amendment was adopted.

Section 7th was read.

Section 8th was read.
Then the bill passed its second reading, and was, on motion, ordered to be engrossed.

Mr. Abbott moved the suspension of the rules, that the bill might be put upon its third reading, but afterwards withdrew the motion.

Mr. Abbott moved that when the House adjourned, it should do so to meet at ten and a half o'clock to-morrow (Saturday) morning.

The motion prevailed.

Mr. Abbott introduced a bill in regard to the bond of the Public Treasurer.

The bill passed and was ordered to be transmitted to the Senate for concurrence.

On motion of Mr. Estes, H. 1 was put upon its third reading.

Sections 1st, 2d, 3d, 4th, 5th and 6th were read.

Mr. Argo moved to amend third line of section 6th, so as to read, instead of "shall fail," "shall wilfully fail or refuse."

The amendment was accepted.

Sections 7th and 8th were read.

Mr. Bowman offered the following as an additional section to the bill, to follow section sixth.

Sec. 7. Be it further enacted, That if in any County there shall be no person authorized to administer an oath, it shall be competent for any one of the County Commissioners, who, having been qualified before a Judge of the Superior Court of the District, to administer the oath to the remaining Commissioners.

The section was adopted.

The bill was then put upon its passage as amended.

The vote was decided in the affirmative; and the bill was ordered to be engrossed, and sent to the Senate for concurrence.

A message was received from the Senate asking concurrence of the House in a resolution that the General Assembly
would be pleased to hear the proposed address of the Governor on the fourth of July ensuing, and that a Committee of two on the part of the Senate and three on the part of the House of Representatives be appointed to inform His Excellency of the fact.

The resolution was immediately concurred in, and a message ordered to be sent to the Senate informing that body of the same, and transmitting the names of Messrs. Ashworth, Argo and Cherry as the House part of the Joint Committee.

The message was being sent when information was received that the Senate had adjourned.

Mr. Laflin introduced the following resolution, which was passed.

Resolved, That Brevet Major-General Hinks be requested, by the Speaker of this House, to place in the hands of the Committee on Election, when appointed, all papers and testimony taken by Capt. Wm. H. Doherty, Military Commissioner, in relation to the recent election in the county of Camden.

The House then adjourned until ten and a half o'clock on Saturday.

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FOURTH DAY.

Saturday, July 4th, 1868.

The House was called to order at ten and a half o'clock by the Speaker.

Prayer by the Rev. Wm. Warwick.

On motion of Mr. Proctor, the reading of the Journal of Friday was postponed.

Mr. Sinclair introduced the following preamble and resolution:
WHEREAS, Public rumor charges a gentleman occupying a high Judicial position, on the Superior Court Bench of the State, with conduct in the public streets of this City and other places, which is deemed highly offensive to good morals and degrading to the ermine of the Bench: therefore

Be it resolved by the House of Representatives of the State of North Carolina, That a Committee consisting of five members be appointed to investigate the truth of these rumors, and report thereon to the House at an early day, in order that such action may be had in the premises as may comport with the dignity of the body and the time honored purity of the Bench of the State.

Mr. Bowman moved to lay the resolution on the table.
On this motion, Mr. Sinclair called the yeas and nays.
The call was sustained.
The vote was then taken and decided in the negative.

Mr. Estes rose to a point of order, which was that the person evidently alluded to in the resolution of Mr. Sinclair had not yet been qualified.
The point was declared well taken, whereupon,
Mr. Sinclair withdrew the resolution.
A message was received from the Senate informing the
House that the President of the Senate had appointed Messrs. Smith and Mason on the Joint Committee to wait upon the Governor and inform His Excellency that the General Assembly would be pleased to hear his proposed address, &c.

Mr. Sinclair stated that he had just been informed that the gentleman alluded to in the resolution which he had withdrawn had been qualified.

Mr. Downing moved that in case he had not been qualified the House oppose his qualification.

The Speaker ruled the motion out of order.

Mr. Sinclair re-offered his resolution, when,

On motion of Mr. Seymour, the same was laid over until Monday the 6th instant.

Mr. Ashworth, from the Joint Committee appointed to wait upon the Governor and inform His Excellency that the General Assembly would be pleased to hear his proposed address, &c., reported that the Governor would be pleased to have both Houses repair to the platform erected in the capital square, with Doorkeepers acting as marshals, where he would deliver his address.

On motion of Mr. Estes, the House adopted the report of the Committee and unanimously agreed to follow the recommendation of the Governor as stated.

The House then adjourned to meet again at ten o'clock, A. M., on Monday next.

FIFTH DAY.

MONDAY, July 6th, 1868.

The House was called to order at 10 o'clock by the Speaker. Prayer by the Rev. Mr. Branson.

The Journals of Friday and Saturday were read and approved.

Mr. Estes introduced a petition from one Cooper Huggins,
of New Hanover County, in reference to taxes paid the County of Duplin.

The petition was referred to the Committee on Claims to be appointed.

Mr. Gunter introduced the following resolution, which was passed:

*Resolved*, That His Excellency Wm. W. Holden, Governor of North Carolina, be requested to furnish each member of the House of Representatives with a copy of the Constitution of the State; also the ordinances and resolutions of the late Constitutional Convention.

Mr. Hodgin introduced the following resolution, which was passed:

*Resolved*, That the Commissioners appointed by the Convention of 1868, to prepare a Code of Practice and Procedure, and to codify the laws of the State of North Carolina, who are directed to report to the General Assembly, at its first session, a general analysis of the Code projected by them, and the progress made to that time, be permitted to address the House, in Committee of the Whole, upon the subject matter entrusted to the Commission, and to answer inquiries in relation to the same.

Mr. Blair introduced a resolution in favor of the Sheriff of Randolph County, which being read,

Mr. Hodnett moved to amend by adding Caswell County; whereupon Mr. Blair withdrew his resolution.

Mr. Abbott introduced a resolution authorizing the Governor to appoint a Committee to enquire into the disposition of the Literary Fund of the State.

Mr. Durham moved to amend the resolution by instructing the Committee on Education to enquire into the disposition of the Literary Fund, and report to the next session of the Legislature, when,

Mr. Durham acceding, Mr. Abbott modified his resolution.
so that instead of the power of appointment being given to the Governor, the Speaker of the House be empowered to appoint a Committee of three to make the proposed investigation.

The resolution was adopted as modified.

* Mr. Sinclair introduced a bill to change the method of electing Judges of the Superior Court.

Mr. Justice, of Rutherford, moved to lay the bill on the table.

On this motion Mr. Sinclair called for the yeas and nays.

The call being sustained, the vote was decided in the negative, yeas 46, nays 50.

On motion of Mr. Abbott, the Bill was then referred to the Committee on the Judiciary yet to be appointed.

A bill providing for the holding of a Special Term of the Superior Court of law in Caldwell County, introduced by Mr. Abbott, was taken from the Calendar and placed upon its second reading.

The bill passed its second and third readings, and was ordered to be Engrossed and sent to the Senate for concurrence.

* Mr. White introduced a bill to provide for the relief of Sheriffs and their Sureties.

The bill passed its first and second readings, and was,

On motion of Mr. Seymour, laid over until Tuesday.

* Mr. Kinney introduced a bill to amend an act entitled "An act to incorporate the Davidson Copper Mining Company."

The bill passed its third reading, and was ordered to be Engrossed and sent to the Senate.

The resolution of Mr. Sinclair respecting the behavior of a certain Judge of the Superior Court of the State, was taken from the Calendar, when the Speaker ruled, that unless the resolution especially mentioned the name of the gentleman implicated therein, it was out of order and could not be entertained; whereupon,

Mr. Sinclair amended the resolution by inserting the name of E. W. Jones; when,
On motion of Mr. Seymour, the further consideration of the subject was postponed until Thursday next.

The House then adjourned until 4 o'clock, P. M.

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AFTERNOON SESSION.

Mr. Estes presented a petition from J. T. Schenck, contesting the seat of W. W. Grier, of Mecklenburg County.

The petition was referred to the Committee on Privileges and Elections, yet to be appointed.

A message was received from the Senate proposing to print for each member of the General Assembly, fifty copies of the Inaugural Address delivered by His Excellency, Governor Holden, on the fourth day of July.

Mr. Abbott moved to amend the resolution by having ten thousand copies of the Inaugural Address printed, instead of fifty copies for each member.

The resolution of the Senate, as amended, was then concurred in; and a message was sent to the Senate asking concurrence in the amendment.

A message was received from the Senate informing the House that the Senate had passed a Joint resolution requesting the military authorities to forward to the General Assembly of North Carolina, the papers in the case of the alleged election frauds in Caswell County.

Mr. Harris, of Wake, moved to amend the resolution by adding all other evidence pertaining to similar cases in the State; whereupon,

Mr. Harris acceding, Mr. Estes moved to refer the resolution to the Committee on Privileges and Elections, yet to be appointed.

Mr. Durham moved to lay this motion on the table, which motion did not prevail.

The House refused to refer the resolution to the Committee on Privileges and Elections; when the question came upon the amendment offered by Mr. Harris, of Wake.

The amendment was adopted.
Mr. Durham moved to lay the resolution on the table; and on this motion called for the yeas and nays.

The call was sustained, and the vote decided in the negative.


On motion of Mr. Blair, the resolution was ordered to be sent back to the Senate, asking the concurrence of that body in the amendment.

Mr. Abbott, from the Committee appointed to prepare rules for the government of the House, submitted a report, which was ordered to be printed.

A message was received from the Senate concurring in the bill in regard to the Bond of the Public Treasurer.

A message was received from the Senate asking the concurrence of the House in a resolution providing that the rules of the Senate, together with the joint rules of both Houses, be printed with marginal notes.

In this proposition the House concurred.

A message was received from the Senate refusing to concur in the amendment to the resolution regarding the printing of the Inaugural Address of the Governor.
On motion of Mr. Bowman, the House receded from its amendment, and a message ordered to be transmitted informing the Senate of the same.

The House then adjourned until Tuesday at 10 o'clock, A. M.

SIXTH DAY.

TUESDAY, July 7th, 1868.

The House met pursuant to adjournment.
Mr. Seymour in the Chair.
Prayer by the Rev. Mr. Welker, of the Senate.
The Journal of Monday was read and approved.
A message was received from the Governor, acknowledging the receipt of a resolution requesting His Excellency to furnish each member of the House with a copy of the Constitution of the State, &c., and stating that the requisition had been complied with.

Mr. Rhodes introduced a bill concerning the settlement of Public Taxes, which was,

On motion of Mr. Abbott, referred to the Committee on Finance, yet to be appointed.

The bill to relieve Sheriffs and sureties was then taken from the Calendar, and put on its third reading.

Mr. Abbott moved to amend the bill by striking out the first section.

The amendment was adopted.

Mr. Abbott moved to amend the second section by adding thereto the words: “Provided, The lien of the State shall not be impaired.”

The amendment was adopted.

The bill was then finally passed and ordered to be sent to Senate for concurrence.

Mr. Bowman introduced a bill to change the name of the
town site in the County of Mitchell from "Davis," to that of "Bakersville."

The bill passed its final reading and was ordered to be sent to the Senate for concurrence.

Mr. Abbott introduced a resolution in favor of Rev. Henry Hardie, which was passed.

On motion of Mr. Durham, a message was sent to the Senate proposing to go at once into the election of an Enrolling Clerk.

A message was received from the Senate proposing to raise a Joint Committee of three on the part of the Senate and four on the part of the House, to consider and report at an early day on the subject of removal of disabilities from citizens of North Carolina, and informing the House that Messrs. Galloway, Welker and Love had been appointed on the proposed Committee on the part of the Senate.

The House concurred, and the Speaker appointed Messrs. Graham, Sinclair, Foster and Sykes, on the Committee on the part of the House.

A message was received from 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 examine into and report the condition of the accounts of the Public Auditor, and informing the House that Messrs. Burns and Brogden had been appointed on the Committee on the part of the Senate.

The House concurred in the proposition, and the Speaker appointed Messrs. Estes, Davis and Blair on the Committee on the part of the House.

A message was received from the Senate concurring in the proposition to go at once into the election of an Enrolling Clerk, informing the House that Jno. A. McDonald was in nomination in the Senate, and that the President had appointed Messrs. Sweet and Wilson on the part of the Senate to superintend the election.

Messrs. Jno. A. McDonald and John Syne were placed in nomination in the House, and the Speaker appointed Messrs. Vest and Harris, of Franklin, to superintend the election on
the part of the House, information of which was sent to the Senate.

The vote being taken, Mr. McDonald received, in the House, sixty-nine, and Mr. Syme received twenty, whereupon the Committee superintending the election retired to meet the Senate Committee and make out a report.

Mr. Seymour renewed a motion previously made, that the House proceed at once to the election of an Engrossing Clerk.

The motion prevailed, when,

Messrs. J. E. O'Hara, R. W. Best and T. T. Best were placed in nomination.

Messrs. Seymour, Stanton and Vestal were appointed to superintend the election.

The vote being announced, Mr. O'Hara was declared duly elected.


Mr. Vest from the Committee on examining the votes cast for Enrolling Clerk, reported that John A. McDonald received in the Senate 23; in the House 69; total 92. That John Syme received in the Senate 00; in the House 20. Whole number of votes cast 112; necessary to a choice 62.
Mr. McDonald was declared elected.


Mr. Bowman introduced a resolution in relation to Public Schools, which was, on motion, referred to the Committee on Education, yet to be appointed.

Mr. Abbott moved that hereafter the hour for the daily meeting of the House be 11 o'clock.

Mr. Justice, of Rutherford, moved to amend the motion by saying 10½ o'clock instead of 11.

Mr. Abbott accepted the amendment, and the motion prevailed.

On Motion of Mr. Laflin, the House adjourned until 4 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment, and was called to order by the Speaker.
Mr. Morris introduced a resolution in favor of Isaiah Har
die, which was laid over under the rules.

The report made by Mr. Abbott, from the Committee ap
pointed to prepare Rules of Order for conducting the busi
ness of the House, being printed, was taken up.

Mr. Sweat moved to amend the sixth rule by striking there
from the first clause.

The amendment was rejected.

Mr. Durham moved to amend the twenty-first rule by in
serting the words "bar of the," before the word "House," in
the first line.

Mr. Abbott accepted the amendment.

Mr. Durham moved to amend line second of rule thirty-
eight by striking out the words "or suspended," and insert-
ing the "or" after the word "reconsidered."

Mr. Abbott accepted the amendment.

Mr. White moved to amend rule thirty-nine by adding thereto the words "except quakers."

The amendment was adopted.

Mr. Durham moved to strike out rule forty.

The motion did not prevail, whereupon,

Mr. Durham moved to amend the rule by adding thereto
the following proviso:

"Provided, That no one shall move the previous question
except the Chairman of a Committee whose report is under
consideration, the mover of a resolution or bill, or the author
of a minority report."

Mr. Abbott accepted the amendment.

Mr. Argo moved to amend rule forty, as amended, by stri
king out in third line, the words "all amendments or;" and
inserting after the word "debate" in same line, the words "on
said question."

The amendment was rejected.

The report was then adopted, as amended, and ordered to
be engrossed and printed.

Mr. Justice, of Rutherford, gave notice that he would, on
Wednesday, or at some subsequent day, introduce a bill authorizing the several Judges of the Superior Court Bench to examine applicants for license to practice law and to grant license to all persons whom they may deem qualified.

On motion of Mr. Parker the House then adjourned.

SEVENTH DAY.

Wednesday, July 8th, 1868.
The House met pursuant to adjournment.
Prayer by the Rev. Mr. Shaver of the House.
The journal of the preceding day was read and approved.
Leave of absence was granted Mr. Downing until Monday next.
The Speaker called the attention of the House to rule twelve of the rules for the government of the House, and after explanatory remarks, ruled as follows.
1st. That all reporters must abstain from personal reflections.
2d. That they must respect each and every rule of this House.
3d. That in personal appellations, affixed or prefixed, to the names of members, they must conform to the journals of the House; but that known, recognized and accepted distinctions of parties are not objectionable when not coupled with insulting epithets.
4th. That failing to obey the rules of this House, reporters will be hereafter excluded, under rule twelve, without further explanation by the Speaker.

Mr. Abbott, from the Committee appointed on persons banned by the Fourteenth Article of the Constitution of the United States, rose to ask for information as to the duty of the Committee.
Mr. Sinclair offered the following as an amendment to the original resolutions:

Resolved, That the Committee be instructed to investigate each case on its own merits.

Mr. Seymour offered, as a substitute for Mr. Sinclair's amendment, the following:

Resolved, That the Committee on persons banned by the Fourteenth Article, so called, be instructed to confine their report to the general question of whether persons banned by the tenure of said Article shall be admitted.

The substitute was adopted.

A message was received from the Senate transmitting a resolution in relation to the per diem of the officers and members of this Legislature, and proposing to refer the same to a Joint Committee.

The House concurred in the proposition; and the Speaker appointed Messrs. Lafiin, Wilkie and Gahagan, on the Committee on the part of the House.

The following report from the Commissioners of the Code was received:

OFFICE OF COMMISSIONERS OF THE CODE,
RALEIGH, N. C., July 8th, 1868.

To the House of Representatives, State of North Carolina:

Gentlemen:—Your Clerk has transmitted to the Commissioners of the Code, the resolutions of your honorable body, by which they are permitted and requested to address the House in Committee of the Whole. In returning their sincere thanks for this courtesy, the Commissioners beg leave to add their earnest desire to co-operate in every possible manner, with the General Assembly in the organization of our State affairs, under the provisions of the new Constitution,
and in developing and perfecting a harmonious and systematic code of laws.

To this end the Commissioners have devoted themselves to a thorough, laborious and careful comparison of the polity and organizations of States, in which similar provisions have been for some time in operation.

As the result of this, they will submit for the consideration of the two Houses of the General Assembly, at an early day, that portion of the projected Code, relating to the general government of the State, the functions of its public officers, its general police and civil polity, as also a general analysis of all the Codes.

Should occasion serve, during the consideration of their several reports, they will avail themselves of the courtesy of your honorable body.

Very respectfully,

Your most obedient servants,

WILL. B. RODMAN,
V. C. BARRINGER,
A. W. TOURGEE,

Commissioners of the Code.

Mr. Pou introduced the following joint resolutions:

Resolved, by the Senate and House of Representatives of the State of North Carolina in General Assembly convened, That the Congress of the United States is respectfully requested now to remove from all citizens of this State, the political disabilities imposed by the Fourteenth amendment of the Federal Constitution.

Resolved, further, That properly authenticated copies of this resolution be immediately forwarded to the President of the United States Senate, and to the Speaker of the United States House of Representatives.

Pending the discussion of these resolutions,

On motion of Mr. Abbott, the House adjourned.
EIGHTH DAY.

THURSDAY, July 9th, 1868.

The House met pursuant to adjournment.
Prayer by the Rev. Mr. Warrick.

The journal of the preceding day was read and approved.
A communication was received from General Hinks in reply to the request asking him for the papers in the case of the contested election in Camden county.

The Speaker announced the following standing Committees:


On Privileges and Elections.—Messrs. Pou, Stilley, Durham, Smith of Martin, Sykes, Moring, Short, Long of Richmond, Peck, Siegrist and Harris of Franklin.

Leave of absence was granted Messrs. Jarvis, Hodgin, Crawford and Dixon until Monday next.

Mr. Hicks appeared and was qualified.

Mr. Gunter introduced a joint resolution providing for the appointment of a Committee, to consist of one from each Congressional District, to consider and report on the location, erection and management of a State Penitentiary.

Laid over under the rule.

Mr. Justice of Rutherford, introduced a bill authorizing District Judges to grant law licenses.

The bill was referred to the Committee on the Judiciary.

Mr. Hutchings introduced a resolution in relation to the distillation of corn.

Referred to the Judiciary Committee.

Mr. Kinney introduced a bill authorizing the Superintendent of Public Works and two Commissioners, to select and report a suitable site for the erection of a State Penitentiary.

The Bill was referred to the Committee on Penal Institutions.

Mr. Wilkie introduced a bill providing for the abatement of taxes in Jones county.

The bill was referred to the Committee on Finance.

The unfinished business of Wednesday, being Mr. Pou’s resolution in regard to the relief of citizens from disabilities imposed by the Fourteenth Article of the Constitution of the United States, was taken up.

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

On this motion Mr. Sinclair called the yeas and nays.

The call being sustained, the motion was decided in the affirmative.


The resolution of Mr. Sinclair, being the Special Order, was then taken up.

Mr. Seymour moved to postpone the resolution indefinitely.

On this motion Mr. Sinclair called the yeas and nays.

The call being sustained, the vote was decided in the affirmative.


Mr. Morris withdrew his resolution in favor of Isaiah Hardee.
A message was received from the Senate with information that Messrs. Shoffner and Moore had been appointed by that body, on the Committee to consider and report on the joint resolution regarding per diem.

A message was received from the Senate proposing to raise a Joint Committee of five, to prepare a bill fixing the salaries and fees of public officers in the State, and that they report as early as possible.

The House concurred in the proposition.

Mr. Seymour moved to amend (H) rule forty-two, by inserting in line ten after the word "bills," the words "a Committee on Immigration," also, by adding to line nine, after the words "Penal Institutions," the words and "Public Charities."

The amendments were rejected.

Mr. Abbott moved that the Judiciary Committee be instructed to investigate and report on the subject of registration in cities and towns.

The motion prevailed.

Leave of absence was granted Mr. Moring till Monday next.

Mr. Estes moved to adjourn.

A quorum not voting, the motion was lost: when Mr. Parker renewed the motion, and the House adjourned.

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NINTH DAY.

Friday, July 10th, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hudson, of the City.

The journal of the preceding day was read and approved.

Mr. Abbott, from the Committee appointed to investigate the subject of admitting to seats in the House such members as are banned by the 14th article of the Constitution of the
United States, submitted both the majority and minority reports of the Committee.

The following is the majority report:

The Committee to whom was referred the subject of admitting to seats in this House, persons banned by the proposed 14th article of the Constitution of the United States, respectfully submit the following report:

The claims of the persons who ask to be admitted to their seats, is that the 14th article of the Constitution of the United States has not become a part of the Constitution and is therefore inoperative.

Your Committee suggest that the question, whether the 14th article is a part of said Constitution of the United States is yet undecided.

They also suggest that whether it is a part of the Constitution of the United States or not, it has been adopted by both Houses of the General Assembly, and is, in some sense at least, binding upon them.

It is further to be noticed that the condition precedent upon which this State resumed its place among the States of the Union, or specified in the reconstruction measures and in the bill adopting the Constitution of this State were that no person coming within the restriction of the 14th article should hold office.

For these and other reasons which might be stated, your committee are of the opinion that no person banned by the said 14th article is entitled to a seat in this House, and they therefore report the following resolution.

Resolved, That no person coming within the restriction of the 14th article of the Constitution, whose disabilities have not been removed by Congress is entitled to a seat in this House.

JOSEPH C. ABBOTT,
HIRAM E. STILLEY,
JOSEPH DIXON.

The following is the minority report:
The undersigned, a minority of the Committee to whom was referred the subject of admitting to seats in this House persons duly elected, but supposed to be banned by the proposed amendment to the Constitution of the United States and known as the 14th article, dissent from the report submitted by the majority of the Committee, and respectfully submit that, in our opinion, there is no provisions in the Constitution of North Carolina, to prevent the immediate admission of such members elect to their seats in this House. We therefore submit the following resolution, and respectfully recommend its adoption.

Resolved, That all persons holding certificates of election, from General Canby as members elect to this House, who have not been admitted to their seats, be allowed to qualify and take their seats upon presentation of such certificates of election to the Speaker.

P. DURHAM.
T. M. ARGO.

Mr. Durham moved that the minority report be accepted as a substitute for the majority report; and on the motion called the yeas and nays, which call being sustained, the vote was decided in the negative.

Yeas—Messrs. Argo, Armstrong, Clayton of Transylvania, Davis, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Hicks, High, Hawkins, Ingram, Kelly of Davie, Moore, Matheson, Robinson, Smith of Alleghany, Shaver, Thompson, Whitley and Williams—24.

The question was then taken upon the majority report, and the same was adopted.

Mr. Abbott introduced a bill to amend the Charter of the City of Wilmington, which bill, on suspension of the rules, passed its third reading and was ordered to be engrossed and sent to the Senate for concurrence.

Mr. Abbott also introduced a bill to amend Chapter 85, of the Revised Code of North Carolina.

Mr. Abbott introduced a resolution as follows:

Resolved, That the Military Commander of this Post be requested to furnish to this House all papers in his possession relating to the recent election in Caswell County.

The resolution was adopted.

Mr. Sinclair offered a resolution providing for the relief of certain persons from political disabilities; which was laid over under the rules.

Mr. Moore offered a resolution instructing the Committee on Privileges and Elections to examine each individual case supposed to be banned by the 14th article to the Constitution upon its own merits, and make an early report.

The resolution was laid over under the rules.

Mr. Candler introduced a bill to amend the Charter of the Western North Carolina Rail Road; which was referred to the Committee on Internal Improvements.

Mr. Morris introduced a bill to prevent the sale of intoxicating liquors, which was laid over under the rules.

Mr. Proctor offered a resolution requiring the Clerk of the House to furnish members with stationery, &c., which was laid over.

Mr. Reynolds introduced a bill to make land holders responsible for the taxes of insolvent tax payers; which was laid over.

Mr. Hinnant introduced a bill authorizing the Commissioners of Johnston County to borrow money and issue bonds, which was referred to the Judiciary Committee.

Mr. Blair offered a resolution requesting the Committee on
Finance to take in consideration the impoverished condition of the Country, &c., which was laid over.

Mr. Leary introduced a bill to change the manner of payment of States' subscription to the capital stock of the Western Rail Road Company, which was referred to the Committee on Finance.

Mr. Clayton, of Transylvania introduced a bill to incorporate the town of Brevard, which was passed and ordered to be engrossed and sent to the Senate.

Mr. Proctor offered a resolution authorizing the Speaker to appoint a standing Committee on Printing which was laid over.

Mr. Estes offered a resolution authorizing the appointment of two messengers, which was laid over.

Mr. Hayes introduced a bill to prohibit the distillation of liquors, which was referred to the Committee on Propositions and Grievances.

Mr. Durham offered a resolution regarding the ejectment of the reporter for the Sentinel, which was laid over.

Mr. Morris offered a resolution sustaining the action of the Speaker in ejecting the reporter for the Sentinel.

On motion of the introducer, the rules were suspended, when the question was on the adoption of the resolution, which by general consent was withdrawn.

A message was received from the Senate amending (H. 5.) by adding another section.

The House concurred in the amendment, and the Senate was so informed.

A message was received from the Senate transmitting an act in relation to the continuance in office of the municipal officers of Salisbury, which was referred to the Committee on Incorporations.

A communication was received from the Governor, transmitting a report from the directors of the Deaf and Dumb and Blind Asylum, which was ordered to be printed.

The House then adjourned.
TENTH DAY.

Saturday, July 11th, 1868.

The House met pursuant to adjournment.
Prayer by the Rev. Mr. Long of the House.
The journal of the preceding day was read and approved.

Mr. Harris, from the select Committee appointed to consider and devise some means to provide for the destitute poor, and the medium class of farmers, submitted a report which was ordered to be printed.

Mr. Abbott introduced a bill authorizing the Superintendent of Public Works to obtain and furnish, with all necessary materials, adequate office room for the department of Public Instruction.

Laid over.

Mr. Abbott called for the bill to amend chapter eighty-five of the Revised Code, and offered the following as an additional section thereto:

Sec. 2. *And be it further ordained*, That the first election for Commissioners of Navigation and Pilotage aforesaid, be held on the 20th day of July, 1868, at the same time and place as the election for Mayor and Aldermen of the city of Wilmington.

The amendment was adopted.

The joint resolution of Mr. Gunter, in relation to the location and erection of a Penitentiary, was taken from the calendar and referred to the Committee on Penal Institutions.

The resolution of Mr. Sinclair in relation to the removal of disabilities, was then taken from the calendar and made special order for Tuesday at 11 o'clock, A. M.

The resolution of Mr. Proctor requiring the Clerk to furnish the members with stationery, &c., &c., was taken up and adopted.

The resolution of Mr. Blair, instructing the Finance Com-
committee to consider and report on the subject of the inability of certain persons to pay taxes, was taken up and adopted.

The resolution of Mr. Moore, instructing the Committee on Privileges and Elections, to consider and report on the removal of disabilities from persons according to their merits, was taken up and adopted.

The resolution of Mr. Proctor, authorizing the Speaker to appoint a Standing Committee on printing, was taken up and adopted.

The resolution of Mr. Estes, to authorize the appointment of two messengers, was laid on the table.

Mr. Seymour introduced a bill to provide for the registration of voters in the city of Wilmington, which, having been slightly amended, passed its third reading and was ordered to be engrossed and sent to the Senate.

Mr. Vest introduced a bill to legalize the Municipal Officers of the town of Salem, in the County of Forsyth.

The bill was referred to the Judiciary Committee.

The resolution of Mr. Durham, censuring the Speaker for the ejectment of the reporter for the "Sentinel," was taken up.

Mr. Estes offered the following as a substitute:

*Whereas, The rights of members occupying seats in this House are equal; and whereas, when any reporter comes upon the floor of the House, he does so by the courtesy of the whole House; and whereas, certain newspapers, in published proceedings of this body, have stigmatized a portion of its members; therefore,*

*Resolved, That no reporter for any newspaper shall be allowed in the hall or galleries of this House whose published reports do not, in speaking of members, conform to the Journal of the House.*

*Resolved further, That this House sustains the Speaker in promptly removing the reporter of the "Sentinel" for refusing to comply with the decision of the Speaker, in reference to the colored members of this House.*
Mr. Estes moved to amend the fourth clause of the substitute by striking out the words "the Journal of the House," and inserting in lieu thereof the words, "to the decision of the Speaker."

Adopted.

Mr. Pou moved to strike out the first resolve, but withdrew that motion and offered the following as a substitute for the substitute:

Resolved, That the action of the Speaker of this House, in notifying the reporter of the "Sentinel," that his seat as a reporter is vacant, is sustained.

The substitute of Mr. Pou was rejected.

The question then recurred on the substitute offered by Mr. Estes.

On this motion Mr. Durham called for the yeas and nays.

The call being sustained, the vote was decided in the affirmative, yeas 46, nays 26.


Mr. Ellis stated that he desired to enter upon the Journal his protest against the action of the House, in adopting the substitute of Mr. Estes.

The protest was read, when Mr. Abbott objected to its being entered upon the Journal, as the protest, in his opinion, did not embody truth in regard to the matter.
The Speaker ruled the protest in order, and it was entered as follows:

"We, the undersigned, members of the House of Representatives now in session, do hereby enter our most solemn protest against this tyrannical infringement, by the dominant party, on the liberties of the press, thus preventing the people of the country from obtaining true information of what is done in the General Assembly.

The term negro is only genuine in signification, as Caucasian, Mongolian, Indian and Malay; and to suppress this information from the people, is to suppress the truth and keep from them by power, what is impossible to be changed by fact.

J. R. ELLIS,
JNO. GATLING,
P. DURHAM,
D. P. HIGH,
J. A. MOORE,
T. L. ROBINSON,
N. E. ARMSTRONG,
I. M. SHAVER,
J. A. KELLEY,
J. W. CLAYTON,
R. P. MATHESON,
P. HODNETT,
F. THOMPSON,
J. P. GIBSON,
JNO. L. SMITH,
JOS. S. HAWKINS,
JNO. C. WILLIAMS,
T. M. ARGO,
W. B. FERREBEE,
T. FARROW,
W. W. BODDIE."

On Motion of Mr. Renfrow, the House adjourned.
ELEVENTH DAY.

Monday, July 13, 1868.

The House met pursuant to adjournment.
The Journal of Saturday was read and approved.
A message was received from the Senate refusing to concur in the House bill to hold a special term of the Superior Court in the County of Caldwell.
Also, a message from the Senate concurring in the House bill to change the name of the town site in the County of Mitchell.

RESOLUTIONS.

By Mr. Gilbert, a resolution instructing the Committee on Military Affairs to take into consideration, prepare and report a bill for the immediate organization of the Militia, &c., &c. Adopted.

By Mr. Proctor, a resolution instructing the Judiciary Committee to report a bill providing for the distribution of property of deceased insolvent debtors among all their creditors, in proportion to their respective claims, &c., &c. Adopted.

By Mr. Vestal, a resolution instructing the Judiciary Committee to report a bill regulating the bonds of officers, &c., &c. Adopted.

By Mr. McCanless, a resolution inviting immigration to the State, &c., &c.
Referred to the Committee on Immigration.

By Mr. Leary, a resolution instructing the Committee on Elections, to prepare and report a uniform system for the regulation of elections. Adopted.

BILLS.

By Mr. Smith of Martin, a bill repealing all Stay Laws.
Referred to the Judiciary Committee.
By Mr. Candler, a bill confirming a decree made by the Superior Court of Buncombe County at the fall term of 1867.

The bill passed its third reading under a suspension of the rules, and was ordered to be engrossed and sent to the Senate.

By Mr. Sinclair, a bill regulating taxation in the corporate towns of the State.

Referred to the Judiciary.

On motion of Mr. Seymour, the House agreed to reconsider the vote on the bill providing for the registration of voters in the city of Wilmington; and a message was sent to the Senate requesting a return of the bill.

The bill introduced by Mr. Reynolds, to make land-holders responsible for the taxes of insolvent tax payers, was taken from the calendar, and, on motion of Mr. Sinclair, was indefinitely postponed.

The bill introduced by Mr. Morris, to prevent the sale of intoxicating liquors on days of election, was taken from the calendar and referred to the Judiciary Committee.

The House concurred in the Senate resolution providing for the appointment of a Committee to confer with the heads of departments on matters of necessary legislation, &c., &c., and the Speaker appointed on the Committee on the part of the House, Messrs. Bowman, Laflin and Price.

The bill introduced by Mr. Abbott, instructing and authorizing the Superintendent of Public Works to furnish a suitable apartment for the Superintendent of Public Instruction, was put upon its second reading.

On the passage of the bill, Mr. Durham called the yeas and nays.

The call being sustained, the vote was decided in the affirmative, yeas 66, nays 18.


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

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TWELFTH DAY.

Tuesday, July 14th, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Welker, of the Senate.

The Journal of the preceding day was read and approved.

Mr. Seymour, from the Judiciary Committee, reported back to the House, with several amendments, the bill to provide for the registration of the voters in the City of Wilmington, and moved a suspension of the rules, that the bill might pass its second and third readings.

On the second reading of the bill, Mr. Sinclair moved to amend by striking out the words "and strike off the names of persons who are not legal voters from."

The amendment was rejected.

The bill passed its second and third readings, and was ordered to be engrossed and sent to the Senate for concurrence.

Mr. Bowman from the Committee on Education, reported back the House resolution providing for the establishment of different public schools for the white and colored races, with the recommendation that it do pass.

Mr. Bowman introduced a joint resolution to go at once
into the election of a United States Senator for the term to expire on the 4th of March, A. D. 1873.

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

Mr. Vest introduced a resolution that the House should concur in the Senate resolution authorizing the appointment of a committee of one from each Congressional District to select a site for a Penitentiary, and order the appointment of a like committee to act jointly with the committee of the Senate, asking the Senate to concur in the same.

Laid over.

A message was received from the Senate concurring in the resolution introduced by Mr. Gilbert, in relation to the landless population, and informing the House that Messrs. Forkner and Hayes had been appointed on the Joint Committee on the part of the Senate.

Mr. Stilley introduced a resolution asking for papers and names of persons banned, and which was adopted.

Mr. Wilkie introduced a bill to remove obstructions in Trent River; which was referred to the Committee on Internal Improvements.

Mr. Hodnett introduced a bill to repeal the ordinance passed by the Constitutional Convention, and ratified on the 14th day of March, 1868, to provide for the payment of the interest on the public debt of the State.

The bill was made the special order for Monday next at 11 o'clock.

Mr. Sinclair introduced a bill conferring certain rights on the faculty of the Edinburgh Medical College in Robeson County.

The rules were suspended.

The bill passed its second and third readings, and was ordered to be engrossed and sent to the Senate for concurrence.

Mr. Bowman called up the resolution in relation to public schools, and on the passage of the same called the yeas and nays.

Mr. Estes moved the joint resolution; but withdrew the motion, when a message was received from the Senate con-
curring in the proposition to go into the election of a Senator for the term to expire on the 4th of March, 1873; whereupon, Mr. Bowman nominated Hon. John Pool, of Pasquotank; and Mr. Durham nominated Hon. Wm. A. Graham, of Orange.

The Speaker appointed Messrs. Durham and Bowman to superintend the election on the part of the House, and the House proceeded to vote.


For Mr. Graham—Messrs. Argo, Armstrong, Boddie, Davis, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Hodnett, Hicks, High, Hawkins, Jarvis, Kelly of Davie, Moore, Matheson, Proffit, Robinson, Smith of Alleghany, Thompson, Whitley, and Williams—25.

The Committee to superintend the election on the part of the House, retired to meet the Senate Committee, and subsequently reported as follows:

Whole number of votes cast  144
Mr. Pool received  113
Mr. Graham received  31

Mr. Pool was declared elected.

Mr. Estes moved to send a message to the Senate proposing to go at once into the election of a United States Senator for the term to expire in 1871; when a message was received from the Senate asking concurrence in the same proposition.

The House concurred, whereupon Mr. Seymour nominated
Mr. Joseph C. Abbott, of New Hanover County, and Mr. Argo nominated Hon. M. E. Manly, of Craven County.

The Speaker appointed Messrs. Seymour and Argo to superintend the election, whereupon the House proceeded to vote.


Mr. Ellis voted for Hon. Nathaniel Boyden.

Mr. Hodnett voted for Hon. Bedford Brown.

The Committee to superintend the election on the part of the House retired to meet the Senate Committee, and subsequently gave the following report:

Mr. Abbott received in the House, 70
In the Senate, 34

Total, 104

Mr. Manly received in the House, 23
In the Senate, 5

Total, 28
Mr. Abbott was declared elected.

A message was received from the Senate proposing to go into the election of a Public Printer at twelve o'clock on Wednesday.

The House concurred.

Mr. Morris moved to make the resolution of Mr. Bowman's regarding Public schools, the special order for Tuesday next, at eleven o'clock.

Mr. Harris, of Wake, moved to lay this motion on the table.

Mr. Bowman moved the previous question, whereupon the House proceeded to vote, the yeas and nays being granted.


The resolution then passed by a vote yeas 91, nays 2.

On motion of Mr. Sinclair, the House then adjourned.
THIRTEENTH DAY.

Wednesday, July 15th, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Brewer, of this City.

The Journal of the preceding day was read and approved.

The following letter of resignation, from Mr. Abbott, elected to the United States Senate on Tuesday, was received and read:

Raleigh, July 15th, 1868.

Hon. Joseph W. Holden,
Speaker of the House of Representatives:

Sir—I hereby resign the seat which I now hold in this House as a member from New Hanover, the resignation to take effect on Thursday, July 16th.

Very respectfully,

JOSEPH C. ABBOTT.

Mr. Seymour, from the Judiciary Committee, to whom was referred a bill to be entitled “An act to change the method of electing Judges of the several Superior Courts,” reported back the same recommending its indefinite postponement.

Also, an act to prevent the sale of intoxicating liquors on the days of election, recommending its passage as amended.

Also, a bill to legalize the Municipal Officers of the town of Salem, recommending its rejection.

Also, a resolution instructing the Judiciary Committee to report a bill regulating the bonds of officers, asking to be discharged from its further consideration.

Also, a bill regulating taxation in the Corporate towns of the State, recommending its rejection.

Mr. Barnett, from the Committee on Incorporations, to whom was referred the Senate bill to continue in authority the municipal Officers of the town of Salisbury and to legal-
ize the acts of the same, reported back the same recommend-
ing its passage.

The Speaker announced the following Committees:

On Finance.—Messrs. Estes, Downing, Franklin, Siegrist, Cherry, Hicks, Dixon, Hodgin, Proctor, Kinney and Clayton of Transylvania.

On Printing.—Messrs. Blair, Farrow and Sweat.

Mr. Ellington was added to the Judiciary Committee.

JOINT COMMITTEES.

On Public Buildings and Grounds.—Messrs. Hodgin, More-
ing, Robinson, Stanton and Sykes.

On the Public Library.—Messrs. Smith of Martin, Laflin, Hayes, Davis and Candler.

On the Deaf and Dumb and the Blind Asylum.—Messrs. Mendenhall, Moore, Sinclair, Short and Leary.

Mr. Rhodes introduced a resolution instructing the Com-
mmittee on Propositions and Grievances, to report a bill in fa-
vor of J. R. Parker and others.

The rules were suspended and the resolution passed.

Mr. Hendrick introduced a resolution in regard to the or-
ganization of the Militia.

Laid over.

Mr. Sinclair moved a reconsideration of the vote by which the bill granting certain rights to the Edinburgh Medical Col-
lege was adopted, that the same might be referred to the Ju-
diciary Committee for report, as to whether the bill was of a public or private nature.

The motion prevailed.

Mr. Stilley introduced a resolution requesting from the Code Commissioners the report of a bill for the organization of cities and towns, &c., &c., which, under suspension of the rules, was adopted.

The bill introduced by Mr. Harris of Wake, to devise
means for the relief of the suffering poor, &c., was taken up from the calendar.

Mr. Rhodes moved to amend the first and second sections by striking therefrom the word "five," and inserting "one," so that the sections would read "one thousand."

The amendment was lost.

Mr. Argo moved to amend section first by adding thereto, after the words "property taxable under the Constitution," the words "also upon the polls."

Mr. Sinclair moved an amendment to the amendment offered by Mr. Argo, when

Mr. Downing moved to table the bill.

On this motion Mr. Harris of Wake, called the yeas and nays.

The call being sustained, the vote was decided in the affirmative.


Mr. Pou moved a reconsideration of the vote, when

The hour of twelve having arrived, the Honorable Senate was announced coming to sit in joint session to hear the decision of the votes cast for United States Senators on the preceding day. The assembly being called to order, the Secre-
tary of the Senate, and the Clerk of the House separately read extracts from their journals in regard to the said elections, whereupon the President of the Senate addressed the Assembly as follows:

_Gentlemen of the Senate and House of Representatives:_

It appearing from the Journals of the General Assembly of the State of North Carolina that the two Houses composing the same did, on Tuesday the 14th day of July, A. D. 1868, in conformity with the law, proceed to elect a Senator to represent said State in the Congress of the United States, for the unexpired term ending on the 4th of March, A. D. 1873, and it also appearing that the Honorable John Pool did, in said election, receive a majority of all the votes in each House of the said General Assembly. I do, therefore, hereby declare that the said John Pool is duly elected Senator as aforesaid, to represent the State of North Carolina in the Congress of the United States.

_Gentlemen of the Senate and House of Representatives:_

It appearing from the Journal of the State of North Carolina, that the two Houses composing the same, did on Tuesday, the 14th day of July, A. D. 1868, in conformity with the law, proceed to elect a Senator to represent said State in the Congress of the United States for the unexpired term ending on the 4th of March, A. D. 1871, and it also appearing that the Honorable Joseph C. Abbott did, in said election, receive a majority of all votes cast in each House of the General Assembly, I do hereby declare that the said Joseph C. Abbott is duly elected Senator as aforesaid, to represent the State of North Carolina in the Congress of the United States.

The Senate having retired,

Mr. Poff offered to withdraw his motion to reconsider the vote by which Mr. Harris' bill to relieve the poor was tabled, and proposed to offer instead a resolution. Objection being raised, the motion was not withdrawn.
Mr. Harris moved to postpone the matter until Thursday at eleven and a half o'clock.

The motion prevailed.

A message was received from the Senate concurring in the message of the Governor in regard to the Deaf and Dumb, and Blind Asylum, and approving his appointment of Directors for the same; whereupon

A message was transmitted to the Governor stating that the House had acted in accordance with the Senate.

Mr. Seymour introduced a resolution allowing per diem to members banned by the Howard Amendment, and which was, with a slight amendment, on motion of Mr. Harris, of Wake, postponed until Thursday.

The House then adjourned.

FOURTEENTH DAY.

Thursday, July 16th, 1868.

Prayer by the Rev. Mr. Smith, of the House.

The Chair announced the following Standing Committees:


On Insane Asylum.—Messrs. Stilley, Proffitt, Armstrong, Foster, Waldrop.


On Printing.—Messrs. Candler, Blair, Sweat, Gatling, Williamson.

A message was received from the Senate concurring in the proposition made by the House on Wednesday, to go into the election of a Public Printer at 12 o'clock, and informing the
House that Messrs Welker and Banner were appointed to
superintend the election on the part of the Senate.

The Speaker appointed Messrs. Horney and Boddie to su-
perintend the election on the part of the House.

Mr. Hinnant presented a memorial from Neil S. Stuart, of
Harnett County, which was referred to the Committee on
Privileges and Elections.

Information having arrived from Washington City, through
telegraph, that Messrs. Davidson and Nicholson had been re-
lieved of their disabilities, the gentlemen came forward and
were qualified.

Mr. Pou, from the Committee on Privileges and Elections,
to whom was referred the resolution instructing said Com-
mittee to examine each individual case supposed to be banned,
by the proposed 14th Article to the Constitution of the United
States, upon its own merits; &c., submitted the following re-
port, which was adopted:

Messrs. T. A. Nicholson and Geo. F. Davidson, of the
County of Iredell; Walter Brown, of the County of Haywood;
J. C. Harper, of Caldwell; W. W. Grier, of Mecklenburg;
Neil S. Stuart, of Harnett; and Joseph Keener, of Jackson,
have each appeared before your Committee, and have stated
the facts which induced them severally to stand aside on the
meeting of this House, and not present themselves to be qual-
ified as members of the same. These persons aforesaid have
each of them a certificate of election signed by Gen. Canby.

Each one of the persons aforesaid having previously taken
an official oath to support the Constitution of the United
States, did afterwards, in the opinion of a majority of your
Committee, either engage in insurrection or rebellion against
the United States, or give aid and comfort to the enemies
thereof. Consequently, in the opinion of the Committee, each
one of the persons are banned from holding office by the pro-
visions of the 14th amendment to the Constitution of the
United States.

E. W. POU, Chair. Com,
The Committee asked to be discharged from the further consideration of the cases enumerated, and were discharged.

Mr. Durham alone dissented from the above report.

Mr. Downing introduced a resolution authorizing the Speaker to appoint a Committee of Five on Contingent Expenses.

Laid over.

Mr. Laflin, a resolution discharging the Committee on contested elections from further action in the case of Camden County, and authorizing the Speaker to appoint a Committee of Five.

Laid over.

The hour for the Special Order having arrived, it being the resolution of Mr. Sinclair to petition Congress in behalf of all persons banned by the 14th amendment of the Constitution of the United States, the same was taken up.

Mr. Seymour moved to postpone indefinitely, and on this motion called the previous question, which call was sustained.

Mr. Sinclair called for the yeas and nays, which were granted, and the vote was decided in the affirmative:


Mr. Morris introduced a bill to amend an act entitled "An act to re-organize the corporation government of the City and Academy of Newbern, which was referred to the Committee on Corporations.

Mr. Justice, of Rutherford, a resolution protecting the laboring class from unjust proscription as to their political opinions.

Laid over.

Mr. Stilley, a resolution to vacate the seats of members banned by the Howard Amendment.

Laid over.

Mr. Pou, a resolution requesting Congress to remove the disabilities of the following named members of the House: Messrs. Harper, Grier, Stuart, Keener and Brown.

Laid over.

Mr. Laflin, a bill extending the time allowed for widows to dissent from their husband's wills.

Laid over.

By Mr. Sinclair, a bill authorizing Medical Colleges in the State to dissect dead bodies.

Referred to the Committee on Incorporations.

Mr. Laflin, a bill concerning Inspectors for the City of Wilmington.

On motion of Mr. Laflin, the rules were suspended, the bill passed and was sent to the Senate.

Mr. Pou renewed his motion of the previous day, to reconsider the vote on the relief bill introduced by Mr. Harris.

The House refused to reconsider.

In reply to a resolution of the House requesting the Code Commissioners to draft and report a bill in relation to municipal officers, a communication was received from the Commission, accompanied by a bill in relation to provisional officers.

Laid over.

On motion of Mr. Seymour, the Senate bill to provide for the representation of stock owned by the State and Counties of Carteret, Craven and Lenoir, in the Atlantic and North Carolina Rail Road was taken up.

The following is the report of the Joint Committee appointed to superintend the election:

Whole vote 129.
Mr. Paige received in the Senate, 32; in the House, 69; total, 101.
Mr. Pell received in the Senate, 5; in the House, 23; total, 28.

Mr. Paige was declared elected.

On motion of Mr. Seymour, the resolution in regard to granting per diem to banned members was taken up.

Mr. Seymour offered a substitute for the original resolution, which having been slightly amended, reads as follows:

Resolved by the Senate and House of Representatives, That those persons who have been duly elected to seats in this House, but who are prevented from taking their seats by reason of
their being under the ban of the 14th Article, be allowed the same per diem and mileage as members of the Senate and House of Representatives: Provided, That this per diem shall cease on and after the 16th of July, instant.

Mr. Stilly moved to postpone the resolution until a full report could be had from the Committee on persons banned by the 14th Article.

Mr. Blair moved to postpone indefinitely; when, The question recurred upon Mr. Stilley's motion, which was lost.

Mr. Seymour offered the following proviso to the substitute, which was adopted:

"Provided also, That this resolution shall not apply to persons who have not been in attendance at the meetings of the Legislature during the current session."

Mr. Harris moved to table the substitute; upon which motion Mr. Leary called for the yeas and nays.

The call being sustained, the House refused to table, as follows:


Nay—Messrs. Argo, Armstrong, Bowman, Boddie, Barnes, Banner Candler, Clayton of Transylvania, Cawthorn, Davis, Durham, Davidson, Downing, Ellis, Ferebee, Gatling, Gibson, Hodnett, Hicks, Humphries, Harris of Franklin, Hinnant, Hawkins, Ingram, Jarvis, Kelly of Davie, Long of Chatham, Long of Richmond, Leary, Moore, Mendenhall, Nicholson, Peck, Pou, Parker, Proffitt, Robinson, Smith of Alleghany,
Sinclair, Short, Shaver, Stanton, Thompson, Vestal, Vest, Wiswall, Whitley, White and Williams—50.

The question then recurring upon the substitute, which was adopted by the following vote:


The House then adjourned.

FIFTEENTH DAY.

Friday, July 17th, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Shaver, of the House.

The Journal of the preceding day was read and approved.

A message was received from the Governor, directing the attention of the House to the necessity of an immediate organization of the Militia, and the organization of a Police Force in each County.
The message was approved and transmitted to the Senate.
Mr. Laflin moved that that part of the message relative to Police Force be referred to the Committee on Military Affairs; and that so much of it as related to the appointment of officers, be referred to the Committee on Judiciary.

The motion prevailed.

A message was received from the Senate, transmitting a substitute for the House bill, to provide for the qualification of certain officers recently elected under the provisions of the Constitution of the State of North Carolina.

The substitute passed its second reading.

Mr. Pou moved to amend section eight by striking out the words, "and no officer whose election is contested shall qualify until the fact of election has been determined by competent authority."

Mr. Durham moved to amend the amendment by striking out the whole of section eight.

The question was taken upon the amendment offered by Mr. Pou, which was rejected.

Mr. Seymour moved a reconsideration of the vote.

This motion prevailed.

Mr. Pou's amendment was adopted.

The question then recurred upon the motion of Mr. Durham, to strike out section eight.

The motion was lost.

Mr. Jarvis moved to strike out from section eight, the words "qualify under this act, or," and to insert in lieu thereof, the words "after the fact of his disability has been determined by the proper authorities."

The amendment was rejected.

Mr. Pou moved to amend section nine by inserting the word "wilfully" after the word "shall," where it occurs the second time.

The amendment was adopted.

The bill then passed its second reading.

Mr. Smith, of Alleghany, moved to amend the first section
by inserting after the word "oath" the words "or before a County Commissioner of any other County, who has been previously qualified."

The amendment was adopted.

The bill then passed its final reading, and was ordered to be sent to the Senate as amended.

Mr. Bowman, from the Joint Committee to whom was referred the resolution in regard to adjournment, reported that the Committee had consulted with the Governor and other State Officers, and had concluded that the business necessary to be transacted in order to put in operation the civil government of the State, could be done in ten or fifteen days; and the Committee submitted the following resolution:

Resolved, by the Senate and House of Representatives in General Assembly convened, That this General Assembly adjourn on Monday, the 10th day of August next, (if practicable) to meet on Tuesday, the 10th day of November next.

Mr. Candler moved to amend the resolution by striking out "10th" and inserting "3d," but immediately withdrew the motion.

Mr. Bowman moved to strike out the words "if practicable."

The amendment was lost.

The question then recurred upon the resolution, which was passed.

Mr. Ingram introduced a bill to provide for the representation of stock owned by the Counties of Richmond, Anson and all other counties owning stock in the Wilmington, Charlotte and Rutherford Rail Road Company.

Referred to the Committee on Corporations.

Mr. Whitley moved that the House meet hereafter at ten o'clock instead of at ten and-a-half.

Mr. Ashworth moved to amend the motion by saying nine and-a-half, instead of ten.
The amendment was accepted by Mr. Whitley, when Mr. Ashworth, by leave, withdrew the amendment.

The original motion then prevailed.

Mr. Downing introduced a joint resolution providing a manner to fill offices where candidates elected are banned by the Howard Amendment.

Laid over.

Mr. Long, of Chatham, presented a petition from the citizens of Chatham, praying the removal of obstructions to the passage of fish in Haw River.

Referred to the Committee on Propositions and Grievances.

A message was received from the Senate accompanied by a resolution instructing the Joint Committee appointed to investigate the affairs of the Aditor’s Office, to burn and destroy all the coupons in said office after carefully examining and comparing all said coupons with each and every entry in the books in the Auditor’s Office.

The House concurred in the resolution, and the Senate was so informed.

Mr. Laflin moved that five thousand copies of the Governor’s Message read this A. M., be printed for the use of the members of the House.

The motion prevailed.

Mr. Bowman introduced a resolution instructing the Board of Education to prepare and report a plan and code of laws for the organization, and maintenance of the Public Free Schools contemplated by the Constitution of the State.

Laid over.

The following Acts received the signature of the Speaker, for ratification:

An Act to change the name of the town site of Mitchell.

An Act to amend the Charter of the City of Wilmington.

Also the following resolutions:

A Resolution authorizing the printing of the Governor’s Inaugural, and the speeches of Judge E. G. Read and Lt. Gov. T. R. Caldwell.
A Resolution in relation to the alleged frauds in the recent elections for members of the General Assembly.

The House then adjourned.

SIXTEENTH DAY.

Saturday, July 18th, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Eppes, of the Senate.

The Journal of the preceding day was read and approved.

The Speaker ratified and transmitted to the Senate a bill to amend the charter of the Davidson Copper Mining Company.

Mr. Renfrow introduced a resolution to instruct the Clerk to make requisition on the Secretary of State for postage for the use of members.

Laid over.

Mr. Vestal introduced a resolution concerning *per diem*, which was referred to the Committee appointed to report on that subject.

Mr. Peck introduced a bill to suspend the collection of taxes for 1868, which was referred to the Committee on Finance.

Also, a bill to enable incoming Sheriffs to sell under the levies and advertisements of their predecessors, which was referred to the Committee on the Judiciary.

Also, a bill to incorporate the Union Joint Stock Banking Company, which was referred to the Committee on Finance.

Mr. Estes introduced a bill in relation to proceedings in cases of contested elections.

Laid over.
Also, a bill to aid the Wilmington and Weldon Rail Road to construct branches of their Road, &c., which was referred to the Committee on Internal Improvements.

Also, a bill to provide for the attendance of witnesses out of the State in certain cases, which was referred to the Committee on the Judiciary.

Mr. Estes moved a reconsideration of the vote on the Senate substitute for the bill in relation to qualification of certain officers.

A quorum not voting, the motion was lost.

The roll was called to ascertain if a quorum was present, and ninety-two answered to their names: when,

Mr. Harris, of Wake, renewed the motion to reconsider, which motion was again lost by a quorum not voting.

The bill was sent to the Senate.

A message was received from the Senate, with a resolution providing for the printing of the Code of North Carolina when completed, &c.

The House concurred.

Mr. Laflin moved to suspend the rules that the resolution might pass; when

Mr. Bowman moved to refer the resolution to the Joint Committee on Printing; which motion prevailed.

A bill to change the method of electing Superior Court Judges was taken up and postponed till next session.

The bill to prevent the sale of intoxicating liquors on days of elections was taken up.

Mr. Bowman moved to amend the bill by inserting after the word "elections" the words "or during the days of holding Superior Courts;" when

Mr. Pou moved to make the bill a Special Order for Wednesday next at eleven o'clock; which motion prevailed.

The hour for the Special Order having arrived, it being the bill in relation to Provisional Municipal Officers, the same was taken up.
A message was received from the Senate refusing to concur in the amendment to the bill in relation to the qualification of certain officers, and recommending the appointment of a Joint Committee of Conference on the subject.

The House refused to recede from its amendments to the bill, and concurred in the proposition to raise a Committee of Conference. The Speaker appointed on the Committee, Messrs. Seymour, Durham and Pou. The Senate was so informed.

Mr. Pou moved to refer the bill, in relation to Municipal Officers, to the Judiciary Committee.

On motion of Mr. Seymour, it was made the Special Order for Monday at twelve o'clock.

Mr. Parker introduced a bill for the indulgence of the Sheriff of Northampton County, which was referred to the Committee on Propositions and Grievances.

Mr. Sykes introduced a bill providing for the election of members to the Forty-first Congress, on the 3d of November, 1868.

Laid over.

The resolution, instructing the Judiciary Committee to report a bill regulating the bonds of officers, was taken up.

Mr. Bowman moved to table the bill; and the motion prevailed.

The resolution regulating taxation in the Corporate Towns, &c., was taken up, and on motion of Mr. Bowman, was returned to the calendar.

The bill to continue in authority and legalize the acts of the Municipal Officers of Salisbury was taken up, and on motion of Mr. Bowman, was made the Special Order for Monday at ten o'clock.

The resolution concurring in the Senate resolution to raise a Committee of one from each Congressional District to select a site for a Penitentiary, and asking the Senate to make the same a Joint Committee, &c., was taken up and passed.

The resolution in regard to organizing the Militia was taken up and referred to the Committee on Militia.
The resolution authorizing the Speaker to appoint a Committee of Five on contingent expenses, was taken up and adopted.

The resolution discharging the Committee on Elections from further action in the case of Camden County, and authorizing the Speaker to appoint a Committee of Five, &c., was taken up and adopted.

The resolution authorizing the appointment of a Committee of Five to prepare and report a bill to protect the laboring classes of the State from unjust proscription on account of political opinions, was taken up.

Mr. Justice, of Rutherford, moved that the resolution be printed.

Mr. Moore moved to lay the motion on the table; and on this motion called for the yeas and nays.

The call being sustained, the vote was decided in the negative as follows:


The question then recurred on the motion to print, which motion prevailed.

The Speaker appointed Messrs. Pou, Rea, Harris, of Wake, Graham and Jarvis, on the Special Committee provided for
by the resolution discharging the Committee on Elections from further consideration of the Camden County case, &c.

Mr. Seymour, from the Joint Special Committee of Conference on the bill in regard to the qualification of certain officers, reported an amendment to the same, which was adopted.

The House then adjourned.

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SEVENTEENTH DAY.

Monday, July 20th, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Smith, of the City.

The Journal of Saturday was read and approved.

Mr. Hodgin presented a memorial from citizens of Guilford and Randolph, petitioning for a revision of the Penal Code of the State.

The memorial was referred to the Judiciary Committee.

Mr. Hodgin, from the Committee to whom was referred the resolution authorizing the Superintendent of Public Works to secure and furnish a suitable room for the Department of Public Instruction, reported the same without any recommendations.

Mr. Seymour moved to suspend the rules, that the resolution might go upon its passage.

The motion prevailed.

Mr. Seymour then moved to amend the resolution by inserting after the word "obtained" the words "at not more than thirty dollars per month."

The question then recurred upon the resolution, which was adopted by the following vote:


A message was received from the Senate concurring in the amendments to the bill in regard to the qualification of certain officers, and proposing to print two thousand copies of the same for distribution.

The proposition was agreed to.

The following joint resolution, introduced by Mr. Proctor, was laid over under the rules:

Resolved, That upon the ratification of any enactment by this General Assembly, there shall be printed, of each enactment, ten copies for each member of the General Assembly for distribution to the officers elect in their several Counties.

Mr. Laflin introduced a resolution authorizing the Governor to communicate with General Grant for the purpose of obtaining two regiments of United States troops as a present safeguard to the peace of the State.

Pending the discussion of this resolution, the hour for the Special Order arrived, it being the bill introduced by Mr. Hodnett, to repeal the ordinance of the Convention providing for the payment of the interest of the public debt of the State.

Mr. Laflin moved to refer the bill to the Committee on Finance, which motion prevailed; whereupon
The House resumed consideration of the resolution requesting the Governor to communicate with General Grant, &c.

Mr. Barnett moved to table the resolution; and on that motion called the yeas and nays.

The call being sustained, the vote was decided in the affirmative as follows:


Mr. Gilbert introduced a resolution praying the removal of disabilities from certain citizens.

Laid over.

A message was received from the Senate announcing the concurrence of that body in the bill to incorporate the town of Brevard, in the County of Transylvania.

Also a message from the Senate transmitting for ratification by the Speaker an “Act to provide for the representation of stock owned by the State, and the Counties of Carteret, Craven and Lenoir in the Atlantic and North Carolina Rail Road.”

A message was received from the Governor, enclosing papers from General Canby in relation to the establishment of a quarantine system throughout the State.

The resolution introduced by Mr. Vest, to legalize the present municipal officers of the town of Salem, was taken up and rejected.
The bill introduced by Mr. Estes, in relation to proceedings in cases of contested elections, was taken up, and was, on motion of Mr. Durham, referred to the Judiciary Committee.

Twelve o'clock having arrived, it being the hour which the bill in relation to Provisional Municipal Officers was specially ordered, the same was taken up.

Mr. Seymour moved to amend the first section by inserting after the word "officer" the words "in any town, city or incorporated village."

Mr. Barnett offered the following as a substitute for the whole bill:

Whereas, Difficulty has arisen between the Executive and Municipal Officers of the cities, towns and incorporated villages of the State, relating to municipal elections; therefore be it

Resolved, That in order to obviate all difficulty, an election of Municipal Officers in said cities and towns may be held on the second Monday in August next.

Resolved, further, That the present magistrates of said cities and towns, recently appointed by the Governor, shall constitute the board of registration.

Whereon, Mr. Seymour moved the previous question.

The motion being sustained, the vote was decided in the affirmative; and the bill passed its second reading as follows:


Nay—Messrs. Durham, Davidson, Ellis, Farrow, Ferebee,

Mr. Seymour moved a suspension of the rules, that the bill might be put upon its third reading.

Mr. Downing moved to amend the second section by striking out "October" and inserting "January."

Carried.

Mr. Sweat moved to amend the third section by adding thereto the words "and a residence within the corporate limits shall be required to constitute an elector."

Mr. Durham moved to adjourn; and on this motion called for the yeas and nays.

The call being sustained, the vote was decided in the negative.

The question then recurred on the amendment offered by Mr. Sweat.

Mr. Durham moved to table the amendment, and called for the yeas and nays on the motion.

The call was sustained, and the vote decided in the negative as follows:


Mr. Sweat then withdrew his amendment.

The motion of Mr. Seymour to suspend the rules then prevailed, and the bill passed its third and final reading.

The House then adjourned.

EIGHTEENTH DAY.

TUESDAY, July 21st, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Atkinson, of the City.

The Journal of the preceding day was read and approved.

The following bills were received from the Senate for concurrence:

A bill appointing Clerks of the Superior Courts to take privy examination of *feme coverts* in the conveyance of real estate.

Referred to the Judiciary Committee.

A bill to extend the time for registering grants, *mesne conveyances*, powers of Attorneys, deeds of sale, deeds of gift, deeds of trust and marriage settlement.

A bill to repeal an act directing the time and place for selling land in the Counties of Halifax, Northampton, Hertford and Martin.

Mr. Harris, of Wake, from the Committee to whom was referred the case of the contested election in the County of Camden, submitted the following majority report:

Your Committee have examined the legal question involved in the matter, and, in their judgment, it is due to the sitting member, Mr. Ferebee, as well as the contestant, Mr. Taylor, that an investigation should be had.

The Committee, however, are divided upon the question as
to the necessity of thirty days' notice not being given by the contestant, according to the Revised Code of North Carolina regulating contested elections; and therefore, some of them decline an investigation. Your Committee held that that section of the Revised Code has no application to the case; that it has application only to elections under the laws of North Carolina, and not to elections under the Reconstruction Acts of the Federal Government; that the election of members being under the Reconstruction Acts, and regulated and managed by the military authority, a contest for a seat under such election, must be controlled by the laws under which said election was held; and inasmuch as the Reconstruction Acts are silent upon the subject of any notice being necessary, your Committee deem it unnecessary, that the formal notice of thirty days, as required by the Revised Code, be given; that it is sufficient that the parties should know that a contest was to be made; that both parties have been here since the beginning of the session, and know that a contest was, and had been waged.

Your Committee, therefore, suggest the following resolution:

Resolved, That the Special Committee of Five appointed upon the subject of the contested election in Camden, be directed to investigate the claims of the parties to a seat in the Legislature, and report the same at an early day, together with such recommendations as the case may require.

J. H. HARRIS,
J. J. REA,
G. A. GRAHAM,
Majority.

Mr. Pou, of the same Committee, submitted the following as the report of the minority:

The minority of the Committee to whom was referred the Camden contested election, beg leave to submit to the House their reasons for not concurring with the majority on the pre-
liminary question which has been decided by said Special Committee.

The new Constitution provides, (Article third, section twenty-fourth,) "The laws of North Carolina not repugnant to this Constitution, nor to the Constitution and laws of the United States, shall be in force until lawfully altered."

All laws, therefore, of this State not repugnant to the new Constitution, nor the Constitution and laws of the United States, either in the Revised Code or the Statutes of this State, are continued in force, by the sovereign power of this State, until lawfully altered.

A contestant for a seat in this House might have made his contest before General Canby. If he had done so, that contest would have been conducted under regulations determined by General Canby.

A contestant failing to present his claims to General Canby, may, nevertheless, demand an investigation of them now by this House. But this House, when it goes into the investigation, is bound to conform in the proceedings upon the same, to the laws of North Carolina regulating proceedings in cases of contested elections, so far as said laws, regulating such proceedings, are not repugnant to the new Constitution, nor to the Constitution and laws of the United States.

Chapter fifty-two, section thirty-one, of the Revised Code (page 310) provides that "no person shall be allowed to contest the seat of any member of the General Assembly, unless he shall have given to the member thirty days' notice thereof in writing."

There is nothing in the new Constitution, nothing in the Constitution of the United States, nothing in the Reconstruction Acts, or any other law of the United States, repugnant to the regulation of the Code.

Consequently the minority of the Committee felt bound by their oath of office, to give effect to said regulation of the Code and to require of said contestant, before proceeding with the
investigation, to furnish evidence that notice had been given in accordance with the same.

The majority of the Committee entertaining a different opinion, the undersigned ask the decision of this House upon the difference.

Respectfully submitted,

THOS. J. JARVIS,  
EDWIN W. POU,  
Minority.

Mr. Pou moved the adoption of the minority report as a substitute for the majority report.

On this motion, Mr. Durham called for the yeas and nays.

The call being sustained, the vote was decided in the negative as follows:


The majority report was then adopted.

Mr. Sykes introduced a resolution instructing the Committee on Propositions and Grievances to enquire into and report upon
the expediency of doing away with the present system of working on public bridges and highways.

Adopted.

Mr. Renfrow called up the resolution authorizing the Secretary of State to furnish members with postage stamps, and moved a suspension of the rules, that the resolution might go upon its passage.

The rules were suspended, when

Mr. Ellis moved to lay the resolution on the table, and on that motion called the yeas and nays.

The call being granted, the vote was decided in the affirmative as follows:


Mr. Foster moved a reconsideration of the vote; which motion was lost.

The Senate resolution in regard to printing the Code of North Carolina was taken up and concurred in.

Mr. Downing moved a suspension of the rules, that the resolution providing for the vacation of offices in certain cases, giv-
ing the Governor the power to appoint, &c., might be put upon its passage; when

Mr. Seymour offered the following as a substitute for the resolution:

AN ACT TO PROVIDE FOR FILLING VACANCIES IN COUNTY OFFICES.

The General Assembly of the State of North Carolina do enact as follows:

Section 1. Immediately after their qualification the County Commissioners of the several Counties of the State shall notify the various County officers to appear before them forthwith by a notice in writing specifying the time and place of their appearance, to be examined touching their competency to hold office under the provisions of section three of the fourteenth amendment to the Constitution of the United States.

Sec. 2. Such Commissioners shall, at such time and place or at any time thereafter, examine such officers under oath in regard to such competency, and are authorized to decide thereupon, and if they shall decide that any officer elect is incapable of filling his office by reason of his being under the ban of said amendment, and if such officer elect shall not have been relieved by Congress from his disability, they shall forthwith certify such fact to the Governor, giving notice thereof to such officer elect.

Sec. 3. In case any County officer elect shall fail upon being notified as herein provided for, to appear before the County Commissioners, the Commissioners shall have power to examine under oath, witnesses in regard to his competency, and to decide thereupon with the same effect as if he were present.

Sec. 4. Upon receiving official notification of the incompetency of any officer elect as provided in this act, the Governor shall fill his office by appointment, and such appointee shall hold such office until his successor shall be duly elected and
qualified under the provisions of the Constitution and according to law.

Sec. 5. The provisions of this act shall apply to Clerks of the Superior Court: Provided, however, That notice of the incompetency of any Clerk of such Court shall be sent to the Judge of the Superior Court for his district, who shall fill the same.

Sec. 6. The County Commissioners shall have power for the purposes of this act to cause the attendance of witnesses, administer oaths, examine witnesses and punish for contempt in the same manner, and with the same effect as Judges of the Superior Court.

Sec. 7. If any officer elect or witness, examined under the provisions of this act, shall wilfully and corruptly commit perjury on his oath or affirmation, he shall be subject to the same punishment as is provided by law in case of perjury committed in the trial of a suit or controversy in the Courts of the State.

Sec. 8. In case a majority of the County Commissioners are unable to qualify, those who have duly qualified shall have all the power given in this act.

Sec. 9. This act shall take effect from and after its ratification.

On motion of Mr. Seymour, the substitute was ordered to be printed and made the Special Order for Wednesday at eleven o'clock.

The resolution offered by Mr. Justice, of Rutherford, authorizing the appointment of a Committee of Five to prepare and report a bill to protect the laboring classes from unjust proscription on account of political opinions, was taken up and adopted.

The resolution offered by Mr. Pou, to petition Congress for the political relief of certain members disabled by the Fourteenth Article of the Constitution of the United States was taken up.

Rejected.

The bill introduced by Mr. Sinclair, regarding the regulation
of taxation in the corporate towns of the State, was also taken up and postponed till Thursday.

The bill introduced by Mr. Sykes, providing for the election of Congressmen on the third day of November, was taken up and referred to the Committee on Privileges and Elections.

The Senate bill in relation to the time and place for selling lands in the Counties of Halifax, Northampton, Hertford and Martin, was read the second time and referred to the Committee on Corporations.

The Senate bill to extend the time for registering grants, &c., passed its second reading.

The resolution introduced by Mr. Bowman, instructing the Board of Education to prepare and report a plan and code of laws for the organization, government, &c., of Public Free Schools, was taken up and adopted.

The resolution offered by Mr. Gilbert, praying the removal of political disabilities from certain citizens, was taken up, and, on motion of Mr. Seymour, was postponed till Thursday.

A message was received from the Senate transmitting for the signature of the Speaker, the act to incorporate the town of Brevard in the County of Transylvania.

On motion of Mr. Estes, the House then took a recess until twelve and a half o'clock.

AFTERNOON SESSION.

A message was received from the Governor, accompanied by a report from the Commissioner of Claims, which was referred to the Committee on Claims, and two hundred and twenty copies ordered to be printed.

The Committee on Enrolled Bills reported for ratification an act to provide for the qualification of certain officers recently elected under the Constitution; also, a resolution authorizing the Joint Committee on the Audi-
tor's Office to burn and destroy all the Coupons in said office after careful examination, &c.

These were signed by the Speaker, when

The House adjourned.

NINETEENTH DAY.

Wednesday, July 22d, 1868.

The House met pursuant to adjournment.
Prayer by the Rev. Mr. Pritchard, of the City.
The Journal of the preceding day was read and approved.
Mr. Seymour, from the Judiciary Committee, reported back the bill to provide for the attendance of witnesses in certain cases, with amendments, and recommending its passage.
Also, the bill to prohibit the distillation of corn, without recommendation.

✓ Also, the bill to enable incoming Sheriffs to sell under the levies and advertisements of their predecessors, with amendments, recommending its passage.

Also, the Senate bill appointing Clerks of Superior Courts to take privy examination of feme coverts in the conveyance of real estate, recommending its passage.

Mr. Barnett, from the Committee on Corporations, reported back the bill authorizing Medical Colleges in the State of North Carolina, to dissect dead bodies, with amendments, and recommending its passage.

Also the Senate bill to repeal an act directing the time and place for selling land in the Counties of Halifax, Northampton, Hertford and Martin, recommending its passage.

Mr. Stilley introduced a resolution providing for the future rejection of certain matter coming before the House; and
moved a suspension of the rules, that the resolution might go upon its passage.

Mr. Durham moved to make the resolution a Special Order for Tuesday, at eleven o'clock.

The motion prevailed.

Mr. Seymour moved a suspension of the rules, for the purpose of reconsidering the vote by which the majority report of the Special Committee on the Camden election case was adopted.

Mr. Harris, of Wake, moved to lay the motion on the table.

On which motion, Mr. Ellis called for the yeas and nays.

The call being sustained, it was decided in the negative by the following vote:


Mr. Stevens moved a reconsideration of the vote on the aforesaid report.

The hour for the Special Order arrived, it being the bill to prevent the sale of intoxicating liquors on days of elections, and the same was taken up, the question being on the amendment offered by Mr. Bowman, to include the days of holding Superior Courts.
Mr. Barnett moved to lay the amendment of Mr. Bowman on the table; but withdrew the motion, when

Mr. Stevens moved to postpone the bill till Monday next, at 11 o'clock, and, on suggestion by Mr. Williamson, substituted Tuesday for Monday.

The motion prevailed.

The substitute offered by Mr. Seymour, for the resolution providing for vacancies of office in certain cases, was then taken up.

Mr. Ingram moved to strike out the fifth section, but immediately withdrew the motion.

The bill then passed its second reading.

A message was received from the Senate concurring in the bill in relation to Provisional Municipal Officers.

The substitute bill of Mr. Seymour was then placed on its third reading.

Mr. Sinclair moved to amend section four by striking out all after the word "act" and inserting in lieu thereof, the words "it shall be the duty of the Governor to take proper and Constitutional steps, to have all such vacancies filled in the various Counties by the voice of the people at the ballot box, or otherwise as is provided for in the Constitution."

The amendment was rejected.

Mr. Seymour moved to amend the ninth line of section two by adding after the word "elect" the words "except Sheriffs and Coroners."

The amendment was adopted.

Mr. Ellis moved to amend section four by adding thereto the following proviso:

"Provided, That all appointments made by the Governor, or otherwise, to fill vacancy of any office made vacant, by those persons elected who are under disabilities, shall expire when said elected officers shall have their disabilities removed, or at the next regular election."
The amendment was rejected.
Mr. Argo moved to amend section two by striking from line two and three the words "under oath."
The amendment was lost.
Mr. Seymour moved to amend section six by adding thereto the following words:

"Provided, That no power shall be given by this section to Commissioners to punish officers elect for contempt."

Mr. Ellis moved the following words in substitute for section nine:

Sec. 9. This act shall take effect from and after the present Congress adjourns.

The amendment was lost.
The bill then passed its third and final reading.
A message was received from the Senate, refusing to concur in the resolution allowing per diem to members banned by the Howard Amendment.

The speaker appointed the following named gentlemen on the Committee of Five, provided for in the resolution offered by Mr. Justice, of Rutherford, in regard to the protection of the laboring classes from proscription on account of political opinions:

Messrs. Seymour, Justice, of Rutherford, Durham, Cawthorn and Wilkie.

And the following named gentlemen were announced as the Committee on Contingent Expenses:

Messrs. Downing, Hawkins, Mayo, Banner, and Smith, of Martin.

Mr. Seymour moved the adoption of the Minority Report of the Committee on the Camden election case, and on this motion called the previous question.
The call was sustained.
Mr. Seymour then called for the yeas and nays.
The call was granted.

The Minority Report was adopted by the following vote:


Mr. Ashworth, from the Committee on Military Affairs, reported as authorized, a bill to provide for a State Police, which was ordered to be printed, and made the Special Order for Friday at eleven o'clock.

Mr. Vest introduced a bill in relation to County Commissioners, fixing the time and place of meeting, their pay, &c., which was ordered to be printed.

Laid over.

Mr. Sinclair moved a reconsideration of the vote, by which a minority report of the Committee on the Camden election case was adopted.

Mr. Ellis moved to lay this motion on the table.
The motion prevailed.
Mr. Reynolds introduced a bill in relation to the organization of the Militia.

The bill was referred to the Committee on Military Affairs.
Mr. Pou introduced a resolution instructing the Judiciary
Committee to inquire and report, what legislation is necessary to provide for the legal issuing of marriage licenses.

The resolution was adopted.

The House then adjourned.

TWENTIETH DAY.

THURSDAY, July 23d, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Shaver, member of the House.

On motion of Mr. Sinclair, the reading of the Journal was dispensed with.

Mr. Laflin arose to announce to the House the death of the Hon. Lorenzo D. Hall, Senator from the Sixteenth Senatorial District; and after delivering a solemn and appropriate address, offered the following resolutions:

Whereas, This body has learned with deep regret, of the sudden demise of the Hon. Lorenzo D. Hall, Senator from the Sixteenth Senatorial District; therefore

Be it Resolved, That we tender to his family and friends our heart-felt sympathies in this their hour of affliction.

Be it further Resolved, That we, as a body, follow his remains to the depot.

Be it further Resolved, That a copy of these resolutions be sent, by the Speaker of the House, to his wife and family.

The resolutions were unanimously adopted; and on motion of Mr. Sinclair, were ordered to be spread upon the Journal.

On motion of Mr. Sinclair, the House then took a recess of ten minutes.

On re-assembling, Mr. Sinclair moved that a Committee of
Three be appointed to act with a Committee appointed in the Senate in making necessary arrangements for the funeral services of the deceased.

The motion prevailed.

The Speaker appointed on the Committee, Messrs. Sinclair, Argo and Kinney.

A message was received from the Senate, accompanied with the following resolutions, which were unanimously concurred in:

Resolved, That the affliction which has fallen upon us, in the decease of Lorenzo D. Hall, fills our hearts with sadness; while we recognize the hand of that mysterious Providence, which has taken this patriotic counsellor, the faithful friend and the genial gentleman from our midst.

Resolved, That we tender to the friends and relations of the deceased our heart-felt sympathy in this sad bereavement.

Resolved, That a Committee of three be appointed by the President to attend the body of the deceased to its final resting place.

Resolved, That the Senate wear the usual badge of mourning for thirty days.

Resolved, That these resolutions be published in the Sentinel and Standard of this City, and a copy furnished to the family of the deceased.

Mr. Sinclair moved that the usual badge of mourning be worn by the members of the House for thirty days.

The motion was unanimously sanctioned.

Messrs. Laflin, Pearson and Leary were then appointed by the Speaker, as the House branch of the Committee to accompany the remains of the deceased to their final resting place.

On motion of Mr. Sinclair, the House then adjourned till to-morrow at eleven o'clock.
The House met pursuant to adjournment.
Prayer by the Rev. Mr. Hudson, of the City.
The Journals of Wednesday and Thursday were read and approved.
Mr. Grier appeared, presented satisfactory evidence of his relief from political disability under the Fourteenth Article of the Constitution of the United States, and was qualified.
Mr. Ellis moved that the House adjourn until the first Monday in October proximo, but immediately withdrew the motion.
Mr. Rhodes, from the Committee on Enrolled Bills, reported as correctly enrolled, the bill in relation to Provisional Municipal Officers, which was signed by the Speaker and transmitted to the Senate.
Mr. Estes, from the Committee on Finance, reported back a bill to incorporate the Union Joint Stock Banking Company, recommending its passage.
Also a bill concerning the settlement of public taxes, recommending that it do not pass.
Also a bill to suspend the collection of taxes for the year eighteen hundred and sixty-eight, recommending that it do not pass, from the fact that the Committee had prepared a bill for presentation which would embrace the object contemplated by the bill returned.
Through Mr. Estes, the Finance Committee, to whom was referred a resolution offered by Mr. Blair, instructing said Committee to prepare and report a bill to relieve certain persons from present taxation, reported a bill to extend the time of collecting taxes for the year 1868, which was laid over.
A message was received from the Senate transmitting for concurrence the following named bills:
A bill in relation to Marriage Licenses.
A bill to provide for the filling of vacancies occurring in the
offices provided for in Article VII. of the Constitution of North Carolina; and
A bill for the relief of Willis S. Grandy.
Also a message from the Senate, announcing their concurrence in the resolution offered by Mr. Vest, providing for the appointment of a Committee of one from each Congressional District, to co-operate with a like Committee on the part of the Senate, to select a site for the erection of a Penitentiary, and report to the General Assembly.
Mr. Jarvis was added to the Judiciary Committee.
Also, a message from the Senate, returning the resolution regarding adjournment on the tenth of August proximo, amended by striking out the words “if practicable,” and asking the concurrence of the House in the amendment.
Mr. Seymour moved that the House concur in the amendment to the bill.
On this motion, Mr. Bowman called for the yeas and nays.
The call being sustained, the vote was decided in the affirmative as follows:
Mr. Bowman moved to reconsider the vote just taken; but
withdrew the motion, and subsequently renewed it, and moved that it be laid upon the table; and on this motion called the yeas and nays.

The call being sustained, the vote was decided in the negative as follows:


Mr. Estes then moved that the vote aforesaid be reconsidered, and that the matter be postponed till next Wednesday.

The motion prevailed.

Mr. Barnett, from the Committee on Corporations, reported back the bill to provide for representation of stock owned by the Counties of Richmond, Anson and all other Counties owning stock in the Wilmington, Charlotte and Rutherford Rail Road Company, with amendments, and recommending its passage as amended.

Mr. Seymour introduced a bill providing for laying off the Counties of the State into Townships.

Laid over.

By the same: A bill to establish Special Courts in the cities of Wilmington and Newbern.

Referred to the Judiciary Committee.
By the same: A bill to amend an act entitled "an act to provide for the qualification of certain officers recently elected under the provisions of the Constitution of the State of North Carolina."

Mr. Seymour moved a suspension of the rules, that the bill might be put upon its several readings.

The motion prevailed.

Mr. Estes offered to amend by adding a further proviso, as follows:

"Provided, further, That Notaries Public shall qualify before the Clerks of the Superior Courts."

The amendment was accepted by Mr. Seymour; and the bill passed its several readings, and was ordered to be engrossed and sent to the Senate.

Mr. Estes called up the Senate bill to fill vacancies occurring in offices provided for in the Constitution of North Carolina, and moved that the same be printed, which motion prevailed.

Mr. Ladin, from the Special Committee on per diem and mileage, submitted a report providing for the payment of ten dollars per day to the President of the Senate and Speaker of the House; seven dollars per day to the members, principal and assistant clerks, enrolling and engrossing clerks, and doorkeepers; three dollars per day to pages; and that mileage, at the rate of twenty cents per mile each way, be granted to the President of the Senate and Speaker of the House and to the members of both Houses.

On motion of Mr. Seymour, the report was made the Special Order for Wednesday next at eleven o'clock.

The bill set aside as the Special Order for Friday, it being a bill to provide for a State Police Force; the same was taken up; and on motion of Mr. Argo, the bill was made the Special Order for Wednesday next at twelve o'clock.
The following communication was received from the Code Commissioners:

**Office of Commissioners of the Code,**
**Raleigh, N. C., July 24th, 1868.**

*To the House of Representatives:*

The Commissioners of the Code beg leave to present for the consideration of your Honorable Body, the following acts, as part of the general Code they are instructed to prepare, upon subjects which they consider of most vital importance at the present moment.

These acts are now submitted, viz:

1st. The Code of Civil Procedure to special proceedings.
2nd. An act in relation to the powers and duties of Clerks of the Superior Courts.

The General Analysis is now in press, and we hope to present it to-morrow.

To save the cost of reprinting, the Commissioners, after consulting with the printing committees of the two Houses, have decided to print a sufficient number of copies to supply the members of the Senate and House. Two hundred and twenty copies of the bills now presented are in the hands of the Secretary of the Commission, and will be delivered upon demand of the proper officers of the two Houses.

Very respectfully,

Your obedient servants,

W. B. RODMAN,
V. C. BARRINGER,
A. W. TOURGEE, Sec.

Mr. Ferebee called up the Senate bill in favor of Willis S. Grandy, and moved its reference to the Committee on Propositions and Grievances.

The reference was made.
Mr. Hayes introduced a bill to punish common carriers and keepers of places of amusements for refusing admittance to the same.

The bill was referred to the Judiciary Committee.

Mr. Hutchings introduced a bill to regulate the terms of the Superior Court held in Halifax County.

Laid over.

Mr. Gunter introduced a bill to prevent the distillation of grain till November, 1869.

Laid over.

A bill to prevent the distillation of corn was taken up on its second reading; and

On motion of Mr. Pou, the bill was postponed till the third Monday in November next.

The bill to regulate taxation in the corporate towns of the State was taken up on its second reading, and was, on motion of Mr. Sinclair, ordered to be printed.

The bill to enable incoming Sheriffs to sell under the levies and advertisements of their predecessors, was taken up and ordered to be printed.

The bill authorizing Clerks of the Superior Courts to take privy examination of *feme covert* in the conveyance of real estate, was taken up on its third reading.

Mr. Stevens moved to amend the bill by striking out the words “Clerks of the Superior Courts” and inserting in lieu thereof the words “one of the Justices of the Peace of the Township in which the grantor resides, to be certified to by the Clerk of said Township.”

On motion of Mr. Estes, the bill, with the proposed amendment, was referred to the Judiciary Committee.

The bill to compel witnesses in other States to attend in certain cases, was taken up, and, as amended by the Judiciary Committee, passed its final reading, and was ordered to be engrossed and sent to the Senate.
Mr. Sinclair offered a resolution empowering the Principal Clerk of the House to employ a second assistant.
Laid over.
Mr. Pou called up the Senate bill in relation to marriage licenses.
Mr. Bowman moved to amend by striking out the words "Register of Deeds" and inserting in lieu thereof the words "Clerks of Townships," when the bill was, on motion, referred to the Judiciary Committee.
Mr. Foster introduced a resolution in regard to grape culture in North Carolina.
Laid over.
Mr. Stevens introduced a bill to change the length of time in contested elections.
Laid over.
The House then adjourned.

TWENTY-SECOND DAY.

SATURDAY, July 25th, 1868.
The House met pursuant to adjournment.
Prayer by the Rev. Mr. Shaver, of the House.
The Journal of Friday was read.
Mr. Sinclair, under a suspension of the rules, called up his resolution in regard to the appointment of a second assistant Clerk.
The resolution was read.
Mr. Smith, of Alleghany, called for the yeas and nays.
The call being sustained, the vote was decided in the negative, as follows:

The Speaker announced Messrs. Jarvis and Stilley as additional to the Judiciary Committee.

Mr. Ellis introduced the following resolution:

Resolved, That in view of the fact that the Senate and House of Representatives have determined, by joint resolution, to adjourn on the tenth day of August next, and in order to secure a completion of all the business that is necessary to be done before the adjournment, that this House shall hold evening sessions, meeting at four o’clock on and after Monday next.

Mr. Sinclair moved to amend the resolution by adding thereto the words "if necessary."

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

Upon which motion,

Mr. Bowman called the yeas and nays.

The call being sustained, the vote was decided in the negative, as follows:


NAYS—Messrs. Argo, Ashworth, Armstrong, Bowman, Blair, Banner, Carson, Candler, Clayton of Chowan, Clayton of Transylvania, Cherry, Crawford, Cawthorn, Davis, Davidson, Downing, Ellis, Foster, Farrow, Ferebee, Franklin, Forkner, Gatling, Gaahagan, Hodnett, Hicks, High, Hutchings, Horney, Hodgins, Hinnant, Hawkins, Hendricks, Ingram, Justice of Henderson, Justice of Rutherford, Kinney, Kelly of Moore, Long of Richmond, Mayo, Matheson, Mendenhall, McCanless, Peck, Pou,

The question recurred upon the amendment offered by Mr. Sinclair, which was rejected.

The resolution was then adopted.

A message was received from the Senate refusing to adopt the report of the Special Committee on Per Diem and Mileage.

Also, a message from the Senate concurring in the resolution instructing the Board of Education to prepare and report a plan and code of laws for the organization, government, &c., of the Free Public Schools of the State.

Mr. Sykes introduced a resolution providing for the payment of J. J. Sawyer, who served as Engrossing Clerk before that officer had been elected.

Laid over.

The Senate bill to extend the time for registering grants, mesne conveyances, powers of attorney, &c., was taken up and concurred in, and the Senate was so informed.

Mr. Bowman presented a bill, prepared by the Code Commissioners, in relation to the powers and duties of the Clerks of the Superior Courts; which was made the Special Order for Monday 28th, at twelve o'clock.

Also, a bill prepared by the Code Commissioners, concerning the Government of Counties.

The bill introduced by Mr. Sinclair, to legalize the dissection of dead bodies in Medical Colleges, was taken up on its second reading.

Mr. Foster moved to amend the bill by inserting the words, "and embalm" after the word "dissect."

The amendment was rejected.

Mr. Stilley moved to amend the bill by adding the following proviso:
Provided, That the aforesaid act shall not be so construed as to allow the dissection of dead bodies in any of the Colleges of this State during the summer months, unless embalmed for special examination.

The amendment was lost, and the bill passed its second and third readings.

Mr. Harris, from the Committee on Propositions and Grievances, to whom was referred the resolution in favor of H. B. Guthrie, ex-Sheriff of Orange, reported back the same, recommending its passage.

The rules were suspended and the resolution adopted.

Mr. Rhodes introduced a bill to repeal an act entitled "An act to appoint a tax collector for the County of Wayne and other Counties," (chapter forty-six,) ratified the 14th day of February, 1861, so far as relates to the County of Wayne.

Referred to the Judiciary Committee.

Mr. Stevens moved a suspension of the rules, to consider the bill in relation to changing the length of time in contested elections.

A quorum not voting, a call of the House was ordered, when ninety-two members answered to their names.

The Senate bill, providing for the filling of vacancies occurring in the offices provided for in Article Seven of the Constitution of North Carolina, was called up by Mr. Hodgin, on whose motion the rules were suspended, and the bill passed.

Mr. Pou renewed the motion to suspend the rules in order to put the bill, in relation to the length of time in contested elections, on its passage.

The rules were suspended, and Mr. Argo moved to amend the bill by the following proviso:

Provided, That the provisions of the bill shall not apply to members elect to the present General Assembly.

Mr. Candler moved to lay the entire matter on the table.

The motion prevailed.
A message was received from the Senate transmitting the bill concerning Inspectors for the City of Wilmington, in which the concurrence of the House was asked.

The House concurred in the amendments.

The House then, on motion of Mr. Stilley, adjourned.

TWENTY THIRD DAY.

Monday, July 27th, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Smith, of the House.

Mr. Hinnant, from the Committee on Enrolled Bills, reported as correctly enrolled, a bill concerning Inspectors for the City of Wilmington, and a resolution in favor of H. B. Guthrie, Ex-Sheriff of Orange.

On motion of Mr. Sinclair, a call of the House was ordered, and seventy-one members answered to their names.

A message was received from the Senate transmitting a bill requiring the Trustees for the University of North Carolina to reside in the Counties for which they are chosen.

Mr. Hayes introduced a bill to amend the thirty-second section of Chapter fifty-two of Revised Statutes of North Carolina.

The bill was referred to the Judiciary Committee.

The bill to repeal an act directing the time and place for selling lands in the Counties of Halifax, Northampton and Martin, was taken from the Calendar, and passed its third reading.

The bill concerning the settlement of public taxes was taken up and rejected.

The bill regulating taxation in the Corporate Towns of the State, was taken up.
On motion of Mr. Sinclair, the bill was returned to the Calendar.

The bill providing for the representation of stock owned by the Counties of Richmond, Anson, and all other Counties owning stock in the Wilmington, Charlotte and Rutherford Rail Road Company, was taken up, and

On motion of Mr. Ingram, was made the Special Order for Tuesday, the 4th of August, proximo, at eleven o'clock.

The bill to enable incoming Sheriffs to sell under the levies and advertisements of their predecessors, was taken up, and

On motion of Mr. Harris, of Wake, was made the Special Order for Wednesday, the 5th of August, proximo, at eleven o'clock.

The bill to incorporate the Union Joint Stock Banking Company, was taken up, and

On motion of Mr. Argo, was postponed thirty days.

The hour for the Special Order having arrived, it being a bill in relation to the powers and duties of Clerks of Superior Courts, the same was taken up.

Mr. Vest offered the following as a substitute for the eighth Judicial District:

Surry—First Monday in March and September.
Yadkin—Third " " "
Davie—First Monday after the fourth Monday in March and September.
Rowan—Third Monday after the fourth Monday in March and September.
Forsyth—Fifth Monday after the fourth Monday in March and September.
Davidson—Seventh Monday after the fourth Monday in March and September.
Stokes—Ninth Monday after the fourth Monday in March and September.
Mr. Vestal offered the following as a substitute for the substitute offered by Mr. Vest:

Davie—First Monday in April and September.
Rowan—Third “ “ “
Davidson—Second Monday after the third Monday in April and September.
Forsyth—Fourth Monday after the third Monday in April and September.
Stokes—Sixth Monday after the third Monday in April and September.
Surry—Eighth Monday after the third Monday in April and September.
Yadkin—Tenth Monday after the third Monday in April and September.

This was adopted.
The question then came upon its adoption as a substitute for the original section.
The vote was decided in the affirmative.
Mr. Matheson moved to amend the tenth section by striking out after “Alexander” the words “second Monday in April and September,” and inserting last “Monday in February and August.”
The amendment was lost.
Mr. Bowman moved to amend section first, of part section, by striking out in fifth and sixth lines the words “in a penalty of ten thousand dollars” and inserting in lieu thereof, the words “as is required by law.”
The amendment was adopted.
Mr. Bowman also moved to amend the first section by striking out all after the word “law” in the fifteenth line.
The amendment was adopted.
Mr. Bowman moved to amend section seven, by striking out the first clause thereof.
The amendment was adopted.
By consent, Mr. Foster introduced a bill to pay Magistrates for service in trying civil warrants, which was,
On motion of Mr. Stilley, referred to the Committee on Salaries and Fees.
By consent, Mr. Harris, of Wake, introduced a bill to incorporate the North Carolina Iron and Steel Company.
The bill being of such a nature that it required thirty day’s notice before introduction,
Mr. Harris withdrew the bill and gave the notice necessary.
The House then adjourned.

AFTERNOON SESSION.

Mr. Bowman introduced a bill authorizing the Public Treasurer to borrow money.
Laid over.
Mr. Bowman from the Judiciary Committee, to whom was referred the Senate bill in relation to Marriage Licenses, reported back the same without recommendation.
Under a suspension of the rules,
Mr. Bowman moved to amend the bill by inserting, after the words “Register of Deeds” in the first and second section, the words “or Clerks of Townships.”
The amendment was subsequently withdrawn.
Mr. Sinclair moved to amend the third section by inserting the words “celebrate or” before the word “solemnize.”
The amendment was adopted, and the bill passed its final reading.
The House then adjourned.
TWENTY-FOURTH DAY.

Tuesday, July 28th, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Blythe, of the Senate.

Mr. Hinnant, from the Committee on Enrolled Bills, reported as correctly enrolled, the resolution providing for the organization, government, &c., of the Free Public Schools of the State.

Mr. Gilbert introduced a resolution in regard to homesteads and exemptions.

Laid over.

Also a resolution by Mr. Gilbert introduced to carry into effect the provisions of the Constitution in behalf of the poor, the unfortunate and orphans.

Laid over.

Mr. McCanless introduced a resolution on suffrage and eligibility to office.

Laid over.

Mr. Stilley presented a bill (prepared by the Code Commissioners) to empower the County Commissioners to draw jurors for the Superior Courts.

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

Mr. Davis moved to amend the first section by inserting the words "or real estate" after the word "tax" in the sixth line.

Mr. Stevens moved to amend by striking out all after the word "as" in the sixth line, but subsequently withdrew the motion.

Mr. Bowman offered the following as an amendment to the first section, and as a substitute for the amendment pending:

Provided, That in all suits where the title to real estate shall be called in question, a freehold of fifty acres of land, or
a town property with three hundred dollars shall be necessary as a qualification for a juror.

Mr. Harris moved to amend the amendment by inserting after the word "land" the words "or its equivalent in value."

Mr. Bowman accepted the amendment.

On motion of Mr. Sinclair, the bill with its pending amendments was referred to the Judiciary Committee, with instructions to report as soon as possible.

Mr. Foster presented a memorial from a Committee appointed by the Chamber of Commerce of the City of Wilmington, in relation to the taxes on mercantile sales and purchases.

Referred to the Committee on Finance.

Mr. Stilley introduced a bill to provide for the registration of voters in the State as required; also to provide for the same in towns, cities and incorporated villages.

Referred to the Judiciary Committee, with instructions to report as soon as possible.

Mr. Foster presented a bill to provide for the inspection of guano.

Laid over.

Mr. Leary presented a bill to regulate fishing in the Cape Fear River.

Referred to the Committee on Propositions and Grievances.

Mr. Bowman called up, under a suspension of the rules, the bill authorizing the Public Treasurer to borrow money.

Mr. Pou moved to insert after the word "interest" the words "not to exceed eight per cent. per annum."

The amendment was lost.

The bill then passed its second reading by the following vote:


Nays—Messrs. Davis, Binman, Matheson, Smith of Alleghany and Shaver—5.

A message was received from the Senate concurring in the amendment to the bill in relation to marriage licenses.

Also, a message transmitting a bill to authorize the Air Line Rail Road Company in South Carolina to construct and operate its Road within the limits of this State, asking the concurrence of the House.

Also, a message transmitting a bill ratifying and confirming the charter of the North-Western North Carolina Rail Road Company.

Also, a message transmitting a resolution requesting the North Carolina members of Congress to exert their influence to secure an appropriation to improve the bar of the Cape Fear River.

On motion of Mr. Bowman, the rules providing for the holding of evening sessions was rescinded.

The House then adjourned.
The House met pursuant to adjournment.

Prayer by the Rev. Mr. Pritchard, of the City.

Mr. Seymour, from the Judiciary Committee, reported back the Senate bill appointing Clerks of the Superior Courts to take privy examination of *feme covert* in the conveyance of real estate, recommending its passage.

Also, the bill to empower the County Commissioners to draw jurors for the Superior Courts, amended by the Committee by adding the words "and of sufficient intelligence" to the first section, and by striking out the seventh section, recommending its passage as amended.

Mr. Laflin, from the Committee on Internal Improvements, reported back the Senate bill authorizing the Air Line Rail Road Company in South Carolina, to construct and operate its road within the limits of this State, amended by striking out the words "or near" in the eleventh line of the first section, and recommending its passage as amended.

Mr. Pou, from the Judiciary Committee, to whom was referred the bill to authorize District Judges to grant law licenses, reported a substitute for the bill, viz: A bill to regulate the admission of Attorneys to practice law in the several Courts of the State, recommending the passage of the substitute.

Mr. Shaver introduced a resolution in regard to the *per diem* of Clerks.

Laid over.

A message was received from the Senate proposing to print one thousand copies of all the acts of the Assembly relating to County Officers, for the use of members.

Mr. Leary presented a petition from Wilson Carey, of Caswell County, which was referred to the Committee on Privileges and Elections.
Mr. Hayes introduced a resolution to prevent members from going away without leave of absence.

Laid over.

On motion of Mr. Bowman, the rules were suspended, and the bill to empower the County Commissioners to draw jurors for the Superior Courts, was taken upon its second reading.

The amendments offered by the Committee were adopted.

Mr. Stevens moved to amend section first by inserting the words "registers and" before the word "tax" in the fourth line, but soon withdrew the amendment.

Mr. Hayes moved to table the bill.

The motion to table was lost.

Mr. Moore moved to amend the first section by adding the following proviso:

Provided, That no practicing physician or regular Minister of the Gospel shall be required to serve as a juror.

Mr. Bowman moved to amend the amendment by inserting the words "or keeper of a public grist mill" after the word "Gospel."

The amendment was accepted, and the proviso was adopted.

Mr. Estes moved to amend by inserting the words "and regularly licensed pilots" after the word "mill."

Adopted.

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

A message was received from the Governor, with papers from Ex-Governor Worth in relation to the condition, etc., of the Governor's Mansion.

The message was ordered to be printed and referred to the Joint Committee on Public Grounds, Buildings, &c.

A message was received from the Senate withdrawing the resolution in regard to the borrowing of one hundred thousand dollars.

On motion of Mr. Bowman, the House bill instructing the
Public Treasurer to borrow money, was taken up, and the bill passed its third reading by the following vote:


Mr. Williamson moved a reconsideration of the vote by which the bill empowering County Commissioners to draw jurors for Superior Courts was passed.

Mr. Bowman moved to lay this motion on the table, upon which,

Mr. Sweat called for the yeas and nays.

The call being sustained, the vote was decided in the affirmative as follows:

mour, Short, Shaver, Stanton, Thompson, Vestal, Vest, Wilson, Wiswall, Whitley, Waldrop and Williams—73.


The hour for the Special Order having arrived, the same was taken up, it being the bill to provide for a State Police Force, pending the discussion of which,

The House adjourned.

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TWENTY-SIXTH DAY.

THURSDAY, July 30th, 1868.

The House met pursuant to adjournment.
Prayer by the Rev. Mr. Shaver, of the House.
On motion of Mr. Bowman, the rules were suspended in order to take up the question of per diem.
Mr. Bowman offered the following resolution:

Resolved, That the per diem of members and officers of this General Assembly be the same as was received by the members and officers of the General Assembly of 1866-'67.

Mr. Sinclair moved to amend the resolution by striking out all after "same" and inserting "as the per diem received by the legislators of New York."

Mr. Pou offered the following as a substitute for the whole:

Resolved, That the per diem of the presiding officer of each branch of the General Assembly be six dollars; that of the Principal Clerks, five dollars; that of the Members, four dollars; and that mileage be ten cents per mile going and returning.
Mr. Estes moved to lay this resolution on the table, and the motion prevailed.

Mr. Gunter introduced a resolution in favor of the Sheriff of Chatham, which was referred to the Committee on Finance.

Mr. Reynolds introduced a bill to repeal the eighty-first section of the thirty-first chapter of the Revised Code, which was referred to the Judiciary Committee.

On motion of Mr. Peck, the bill to enable the incoming Sheriffs to sell under the levies and advertisements of their predecessors, was taken up.

Mr. Pou offered the following as an additional section:

All sales that have heretofore been made, or that may hereafter be made, before the ratification of this act, by Sheriffs elected under the new Constitution, in pursuance of levies and advertisements under retiring Sheriffs, shall be valid to all intents and purposes, as if such levies and advertisements had been made by the present Sheriffs.

On motion of Mr. Seymour, the bill, with the amendment, was re-referred to the Judiciary Committee.

The rules being suspended,

Mr. Bowman offered a resolution to fix the per diem of members and officers of the Legislature as follows:

The Speaker of the House and President of the Senate, ten dollars; Principal Clerks, eight dollars; Assistant Clerks, Members and Doorkeepers, seven dollars; and Pages, three dollars.

Mr. Hodgin offered, as a substitute for Mr. Bowman's resolution, a resolution to fix the per diem and mileage as follows:

The President of the Senate and Speaker of the House, eight dollars; Principal Clerks, seven dollars; Assistant Clerks, five dollars; Members, and Enrolling and Engrossing Clerks, six dollars.

Mr. Robinson offered, as a substitute for the whole, a resolution to fix the per diem as follows:

The President of the Senate and Speaker of the House, six
dollars; Principal and Assistant Clerks, four dollars; Members and Doorkeepers, four dollars; and mileage ten cents per mile.

On this resolution, Mr. Durham called for the yeas and nays.

The call being sustained, the resolution was rejected by the following vote:


Mr. Leary then moved to amend Mr. Hodgson's resolution as follows:

The President of the Senate and Speaker of the House, ten dollars; Principal Clerks, eight dollars; Assistant Clerks, seven dollars.

By permission, Mr. Leary amended his amendment by making the per diem for the Assistant Clerks, six dollars instead of seven, and called for the yeas and nays.

Mr. Ames moved to postpone this entire matter until the third Monday in December, proximo; when

On motion of Mr. Harris, of Wake, the motion to postpone was laid on the table.

The hour for the Special Order having arrived, the same was postponed.
Mr. Leary renewed his call for the yeas and nays, but the call was not sustained; when
Mr. Leary moved to lay his amendment on the table, and it was so disposed of.
The question then recurred on the amendment offered by Mr. Hodgin, who called for the yeas and nays.
The call being sustained, the amendment was rejected by the following vote:


The question then recurred on the resolution offered by Mr. Bowman.

Mr. Stilley moved to amend the resolution as follows: Principal Clerks, seven dollars.
The amendment was adopted, when
The resolution, as amended, was rejected by the following vote:


Mr. Rhodes introduced a resolution fixing the *per diem* as follows:

President of the Senate and the Speaker of the House, ten dollars; Principal and Assistant Clerks, six dollars; Members, six dollars; Doorkeepers, five dollars.

Mr. Stevens moved to amend by making *per diem* for members seven dollars instead of six.

Mr. Bowman moved to amend the amendment by striking out "seven" and inserting "four."

Mr. Wilkie moved to lay the whole matter on the table.

The motion did not prevail.

Mr. Jarvis then moved to refer the subject to a Joint Committee of Fifteen—five on the part of the Senate, and ten on the part of the House—which motion was lost.

By leave, Mr. Laflin introduced a resolution in favor of the Farmer's Bank of North Carolina.

Laid over.

Mr. Bowman's amendment was then voted on and rejected.

The question then came upon the amendment offered by Mr. Stevens, upon which

Mr. Bowman called for the yeas and nays.

The call being sustained, the amendment was rejected by the following vote:

*Yea*—Messrs. Ames, Carson, Cherry, Crawford, Ellington, Estes, Hutchings, Laflin, Mayo, Morrill, Morris, McCanless,


The question then recurred upon the resolution offered by Mr. Rhodes, which was lost.

Mr. Holden introduced a resolution (Mr. Seymour being in the Chair,) fixing the per diem as follows:

President of the Senate and Speaker of the House, ten dollars; Principal and Assistant Clerks, eight dollars; Members, six dollars; Doorkeepers, five dollars; and mileage, twenty cents per mile.

The resolution was rejected; whereupon

Mr. Laflin offered a resolution fixing the per diem as follows:

President of the Senate and Speaker of the House, nine dollars; Members, seven dollars; Clerks, eight dollars; Doorkeepers, seven dollars; and mileage to and from the Capitol, twenty cents per mile.

Mr. Harris, of Wake, moved to lay the resolution on the table; but the motion did not prevail, when

The resolution was adopted.

The House then adjourned.
TWENTY-SEVENTH DAY.

Friday, July 31st, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Smith, of the House.

A message was received from the Senate, transmitting to the House for concurrence, the following named bills:

A bill in relation to records in the late County Courts.

A bill to repeal an ordinance of the Constitutional Convention, passed March 16th, 1868.

A bill to make bank bills a set off.

Referred to the Judiciary Committee.

A bill to extend the charter of the High Shoals Manufacturing Company.

Referred to the Committee on Internal Improvements.

Mr. White presented a memorial from the citizens of Perquimans in relation to clearing out the Perquimans River.

Referred to the Committee on Internal Improvements.

Mr. Parker presented a petition from the citizens of Northampton, praying a revision of the Penal Code.

Referred to the Judiciary Committee.

Mr. Stilley introduced the following resolution, prefacing its introduction by reading a letter in relation to Mr. Humphries:

Whereas, The laws of Congress, known as the Reconstruction Acts, under which this General Assembly was elected, prohibit certain persons from holding office in the States recently in rebellion; and whereas, section eighth of the act entitled "An act to provide for the qualification of certain officers elected under the provisions of the Constitution of North Carolina," prohibits those banned by section three of the Howard Amendment, from holding office in this State; therefore

Resolved, That the case of Thomas C. Humphries, member of this House from the County of Currituck, be referred to the Committee on Privileges and Elections, with instruction to ex-
amine and report upon the merits of said case; and that the Committee, if necessary, have power to send for persons and papers.

Mr. Seymour offered the following as a substitute, the rules being suspended:

Whereas, A statement has been made in this House, upon the personal avouchment of Mr. Stevens, of Craven, that a certain member of the House, viz: Mr. Humphries, of Currituck County, is under the ban of the Fourteenth Amendment to the Constitution of the United States; therefore

Resolved, That the Committee on Privileges and Elections be instructed to investigate the question of the disability of the sitting member from Currituck; also, that said Committee be instructed to investigate any case in which any sitting member is charged, upon the personal avouchment of any member of this House, with being under the ban of said Amendment.

Resolved, That, for the purpose of such investigation, the Committee be authorized to send for witnesses and papers.

Mr. Durham moved to lay the substitute on the table, and on this motion called the yeas and nays.

The call being sustained, the vote was decided in the negative, as follows:


Nay—Messrs. Ames, Ashworth, Barnes, Banner, Carson, Cherry, Cawthorn, Dixon, Downing, Ellington, Estes, Foster, Gahagan, Gunter, Gilbert, Graham, Humphries, Harris of Franklin, Harris of Wake, Horney, Hodgin, Hayes, Hinnant, Hendricks, Ingram, Justice of Henderson, Justice of Ruther-

Mr. Jarvis offered the following as a substitute for the substitute pending:

Resolved, That the Committee on Privileges and Elections be instructed to enquire into the case of any sitting member of this House who is alleged, by any member of this House, to be banned by the Howard Amendment, and report the same to the House; and that the Committee are authorized to send for persons and papers, to enable them fairly to examine into all cases.

On the passage of the substitute, Mr. Jarvis called for the yeas and nays.

The call being sustained, the vote was decided in the negative, as follows:


Seymour, Stevens, Sykes, Siegrist, Vestal, Wilson, Wiswall and Waldrop—43.

The question then recurred on the resolution offered by Mr. Seymour, which was adopted.

A message was received from the Governor accompanied by a report from the Hon. Charles Manly, late Secretary and Treasurer to the North Carolina University, addressed to the present Board of Trustees; which was ordered to be printed.

A message was received from the Senate, transmitting for concurrence, a resolution authorizing the Public Treasurer to negotiate a loan.

Laid over.

Mr. Seymour, from the Judiciary Committee, to whom was referred the bill to establish Special Courts in Wilmington and Newbern, reported back the same favorably.

On motion of Mr. Bowman, the rules were suspended, and the bill in relation to the powers and duties of the Superior Court Clerks, was taken up.

Mr. Seymour presented new amendments, suggested by the Code Commissioners, who prepared the original bill.

The amendments were adopted.

Mr. Seymour then moved to amend the provisions for the Third Judicial Circuit by transposing the Terms of Carteret and Wayne;

Also, to amend the provisions for the Sixth Judicial Circuit by Transposing the Terms of Wake and Johnston.

The amendment was adopted.

Mr. Estes moved to amend the provisions for the Fourth Judicial Circuit as follows:

Strike out "six" after "Brunswick" and insert "seven;" strike out "eight" after "New Hanover" and insert "nine;" strike out "ten" after "Sampson" and insert "eleven;" strike out "twelve" after "Duplin" and insert "thirteen."

The amendment was adopted.
Mr. Justice, of Rutherford, moved to insert "Catawba" in the Tenth Judicial Circuit, after "Iredell."
The amendment was adopted.
Mr. Candler moved to reverse the reading of the Twelfth Judicial Circuit.
The amendment was lost.
The bill then passed its third and final reading.
Mr. Estes introduced a bill to establish a lien in favor of builders and others.
Referred to the Judiciary Committee.
The resolution introduced by Mr. Proctor, in relation to printing the acts of the General Assembly, was called up and adopted.
The bill to regulate the admission of Attorneys to the practice of law in the several Courts, was called up; and the bill passed its third and final reading.
The Senate bill to authorize the Air Line Rail Road Company in South Carolina, to extend their Road into North Carolina, was called up.
Mr. Stevens moved to print, but the motion was lost.
The bill then passed its third and final reading as amended by the Committee on Internal Improvements.
A message was received from the Senate refusing to concur in the resolution on per diem and mileage, and asking the concurrence of the House in the following amendments thereto, viz:
Presiding officers ten dollars; Members six dollars; Clerks seven dollars, and Doorkeepers six dollars.
The House refused to concur in the amendment, and a message was transmitted to the Senate informing that body of the fact, and asking a Committee of Conference on the subject.
Mr. Barnett, from the Committee on Corporations, reported a bill providing for the representation of stock owned by the Counties of Anson, Richmond, and all other Counties owning stock in the Wilmington, Charlotte and Rutherford Rail Road Company, and recommended its passage.
Mr. Stevens introduced a bill to provide teachers for the Common Schools.
Laid over.
The House then adjourned.

TWENTY-EIGHTH DAY.

Saturday, August 1st, 1868.

The House met pursuant to adjournment.
Prayer by the Rev. Mr. Long, of the House.
On motion of Mr. Seymour, the rules were suspended, and the bill to establish Special Courts in Wilmington and Newbern, was taken up.
Mr. Seymour moved to amend by striking out "Cumberland" and inserting "Robeson."
Mr. Proctor moved to have the bill printed, and made the Special Order for Wednesday at twelve o'clock.
The motion prevailed.
A message was received from the Senate concurring in the amendment to the South Carolina Air Line Rail Road bill.
Mr. Downing, from the Joint Committee of conference on per diem and mileage, submitted a report, giving the Presiding Officers, each, ten dollars per day; Principal and Assistant Clerks, seven dollars; Members, seven dollars; Doorkeepers, six dollars; and mileage twenty cents.
The report was adopted, and
A message was received from the Senate announcing that that body had adopted the same.
On motion of Mr. Estes, the rules were suspended, and the Senate resolution authorizing the State Treasurer to negotiate a loan, was taken up, and
The resolution passed its second reading by the following vote:


On motion of Mr. Ashworth, the bill providing for a State Police Force, was made the Special Order for Monday, at eleven o'clock.

Mr. Estes, from the Committee on Finance, to whom was referred the bill to change the manner of payment of the State's subscription to the capital stock of the Western Rail Road Company, reported back the same, recommending its postpomement, until the first Monday in December, proximo.

Also, the resolution authorizing the Sheriff of Chatham to settle his accounts with the Public Treasurer by the first of January, 1869, recommending its rejection.

Mr. Harris, from the Committee on Propositions and Grievances, to whom was referred the resolution in regard to Public Roads and Bridges, reported back the same, recommending its postponement till next session.

Also, the bill to regulate fishing on Cape Fear River, recommending its rejection.

Also, the petition from sundry citizens of Chatham, praying the removal of obstructions from Haw River, recommending action thereon.

Mr. Graham, from the Committee on Penal Institutions, to
whom was referred the resolution introduced by Mr. Gunter, and the bill introduced by Mr. Kinney, in relation to the selection of a site for the State Penitentiary, reported back; the same unfavorably, and offered a resolution in substitution.

Laid over.

Mr. Justice, of Rutherford, introduced a bill to repeal the thirty-ninth section of the one hundred and second Chapter of Revised Code.

Laid over.

Mr. Laflin, from the Committee on Internal Improvements, to whom was referred the bill to extend the Charter of the Chatham Rail Road Company, reported the same favorably.

Mr. Ashworth offered a resolution, instructing the Judiciary Committee to prepare a bill for the protection of Administrators and Guardians.

Referred to the Judiciary Committee.

Mr. Reynolds introduced a bill to repeal the fifth section of the seventieth Chapter of the Revised Code.

Referred to the Judiciary Committee.

Mr. Bowman, from the Committee, to whom was referred the resolution in favor of Rev. Henry Hardie, submitted a favorable report thereon, and offered therewith, a resolution proposing to subscribe for twenty-five hundred copies of the work projected by Mr. Hardie.

Laid over.

Mr. Sinclair introduced a bill in relation to Public Roads and Public Works, and to prevent crime.

Ordered to be printed.

Mr. Laflin, under a suspension of the rules, called up the Senate bill to extend the Charter of the Chatham Rail Road.

Mr. Proctor moved to amend the bill by striking out the words "except for the survey."

The amendment was rejected, and the bill passed its second and third readings.

Mr. Leary, under a suspension of the rules, called up the bill to prevent the sale of intoxicating liquors on the days of
holding elections, the question being on the amendment previously offered by Mr. Bowman, viz: to insert after the word "thereof" the words "or during the days of holding Superior Courts."

Mr. Jarvis moved to amend the amendment by adding the words, "nor within five miles of the Capital during the session of the Legislature."

The amendment was lost, when

Mr. Downing moved to amend the amendment as follows:

Provided, That all cities and towns with a population of one thousand or upwards shall be excepted.

The amendment was lost, when

The question recurred on the amendment offered by Mr. Bowman.

Mr. Bowman called for the yeas and nays, and the call being sustained, the amendment was rejected by the following vote:

Yeas—Messrs. Bowman, Candler, Downing, Gahagan, Gunter, Gilbert, Hicks, Hutchings; Horney, Hodgin, Hendricks, Ingram, Long of Chatham, Morris, Mendenhall, Price, Proffitt, Reynolds, Stevens, Sykes, Vest and White—22.


The bill then passed its third and final reading.

The House then adjourned.
TWENTY-NINTH DAY.

MONDAY, AUGUST 3RD, 1868.

The House met pursuant to adjournment.
Prayer by the Rev. Mr. Shaver, of the House.
A communication was received from the Code Commissioners, submitting a bill concerning the fees of Clerks, Sheriffs and other officers.
A message was received from the Senate, transmitting a bill for the Government of Counties and the Code of Civil Procedure.
Mr. Seymour, from the Judiciary Committee, to whom were referred a memorial from the citizens of Guilford and Randolph, and a petition from the citizens of Northampton, both praying for the abolition of capital punishment, reported back the same, recommending no immediate action.
Also, a bill repealing all Stay Laws, with the recommendation that it do not pass.
Mr. Stevens offered a resolution in favor of John J. Sawyer, which, under a suspension of the rules, was adopted.
Mr. Barnett, from the Committee on Corporations, to whom was referred the bill to provide for laying off the Counties of the State into townships, reported back the same, with a majority and a minority report.
Ordered to be printed.
The Senate resolution, authorizing the State Treasurer to negotiate a loan, was taken from the calendar, and passed its final reading by the following vote:


The Senate bill, authorizing Clerks of the Superior Courts to take privy examination of *feme covert* in the conveyance of real estate, was taken up.

Mr. Laflin moved to amend the bill by inserting after the word "Clerk" in first section, the words "or before any Justice of the Peace."

Adopted.

The bill then passed its third and final reading.

The bill to extend the time for the collection of taxes for 1868, was taken from the calendar, and, on motion of Mr. Downing, ordered to be printed.

The hour for the Special Order having arrived,

Mr. Ashworth moved to postpone the same till Tuesday half after eleven o'clock.

Mr. Pou moved to postpone the bill indefinitely.

Mr. Harris, of Wake, moved to lay that motion on the table; upon which motion,

Mr. Sinclair called for the yeas and nays.

The call being sustained, the vote was decided in the affirmative as follows:


**Nays**—Messrs. Argo, Armstrong, Boddie, Clayton of

The bill was then made the Special Order, as moved by Mr. Ashworth.

The resolution introduced by Mr. Hayes, to prevent members from going away without leave of absence, was taken from the calendar and adopted.

Mr. Stevens moved a reconsideration of the vote by which the bill to prevent the sale of intoxicating liquors on days of elections, was adopted.

The motion prevailed, and a message was sent to the Senate, asking the return of the bill.

On motion of Mr. Seymour, the bill concerning the Government of Counties, was taken up

Mr. Seymour moved to amend section eighth, subdivision fifteenth, line fifth, page fifth, by striking out the words "Clerk of the Superior Court" and inserting in lieu thereof the words "Clerk of the Board of Commissioners."

Also, to amend subdivision twenty-one by striking out all from the word "necessary" in the sixteenth line, to the end of the paragraph, and inserting the following proviso:

"Provided, That the provisions of this subdivision shall not apply to the City of Wilmington so far as the same are in conflict with the provisions of an act entitled 'An act concerning inspectors for the City of Wilmington,' ratified the 27th of July, A. D. 1868."

The amendments were adopted, and the bill was, on motion of Mr. Downing, referred to the Judiciary Committee, with instructions to report by Thursday at eleven o'clock.
A message was received from the Senate, announcing their concurrence in the resolution in favor of John J. Sawyer.

Also, a message returning the bill in relation to the selling of spirituous liquors on days of elections.

Mr. Stevens moved to amend the first section by adding to the first line the words "give away," and by striking out in the second line the words "small measure."

Mr. Seymour moved to amend the amendment by adding after the words "give away" the words "at any public place."

The amendments were severally adopted; and the bill passed, and was re-transmitted to the Senate.

On motion of Mr. Seymour, the Code of Civil Procedure, as prepared and submitted by the Code Commissioners, was read the first time by its title, and referred to the Judiciary Committee, and made the Special Order for Thursday at twelve o'clock.

Mr. Ashworth offered a resolution to protect the incoming sheriffs where a portion of the taxes have been collected by the retiring Sheriffs; which was referred to the Committee on Propositions and Grievances.

The bill concerning the fees of Clerks of the Superior Courts, &c., was made the Special Order for Friday at eleven o'clock.

Mr. Estes introduced a resolution requiring the resumption of the payment of interest on the public debt.

Also, a bill to provide for the payment of the interest on the lawful debt of the State.

Both of which were referred to the Finance Committee.

The House then adjourned.
THIRTIETH DAY.

TUESDAY, August 4th, 1868.

The House met pursuant to adjournment.
Prayer by the Rev. Mr. Smith, of the City.
The Speaker ratified the following named acts:
An act authorizing the Public Treasurer to negotiate a loan.
An act to extend the charter of the Chatham Rail Road Company.
An act authorizing the South Carolina Air Line Rail Road Company to extend their Road into this State.
Also a resolution authorizing the printing of one thousand copies of all acts relative to County officers, their duties, &c.
Mr. Pearson presented a memorial from certain citizens of Wayne, praying a revision of the Penal Code of the State.
Referred to the Committee on Internal Improvements.
Mr. Stanton introduced a bill to repeal an act entitled "an act to amend an act to appoint a tax collector for the County of Wayne."
Under a suspension of the rules, the bill passed its first, second and final readings.
A message was received from the Senate transmitting a resolution in relation to the pay of Pages.
Also, a message rejecting the House bill to regulate the admission of Attorneys to the practice of law.
Also, a resolution providing for the payment of N. Paige, for the printing of certain bills and acts.
Mr. Laffin introduced a resolution providing for the payment of Mr. Durfee, for services rendered as Engrossing Clerk.
Adopted.
On motion of Mr. Ingram, the bill providing for the representation of stock owned by the Counties of Anson, Richmond and all other Counties owning stock in the Wilmington, Charlotte and Rutherford Rail Road Company, was taken up.
Mr. Downing moved to lay the bill on the table.
The motion prevailed.
The bill to extend the time for the collection of taxes for 1868, was taken up, and
On motion of Mr. Downing, the bill was referred to the Finance Committee.
A communication was received from the Governor, recommending immediate legislation in regard to certain matters.
The communication was referred to the Judiciary Committee.
The bill to regulate the terms of Superior Courts of Halifax County, was taken up and passed its second reading.
The bill to amend an act entitled "an act to provide for the qualification of certain officers recently elected under the Constitution of North Carolina," was taken up, and under a suspension of the rules, passed its final reading.
The hour for the Special Order having arrived, it being the bill to provide for a State Police Force, the same was taken up.
Mr. Seymour offered the following as a substitute for the bill:

AN ACT PROVIDING FOR THE ORGANIZATION OF A SPECIAL MILITIA.

The General Assembly of North Carolina do enact:

Sec. 1. That the Governor is hereby authorized and directed to appoint, organize and equip, a sufficient force of Militia in the various Counties of the State, to preserve the peace and enforce the laws.

Sec. 2. That the number of said Militia shall not exceed fifty to each member of the House of Representatives, unless the Governor shall deem said number insufficient for the preservation of the peace or the enforcement of the laws. There shall be a Captain appointed for each company, and a Lieutenant for each platoon of fifty men, and a Sergeant for every ten men comprising the force. But when the organization does not exceed fifty men, there shall be no Lieutenant.
Sec. 3. That said Militia shall be provided with proper arms and badges. That every member of the force shall be entitled to one dollar per diem while on actual duty, and shall be allowed no other pay or compensation whatever. Each Captain may be allowed pay at the rate of three dollars per diem, and each Lieutenant at the rate of two dollars per diem, for the time necessarily spent in organizing and supervising the force under his command while on actual duty.

Sec. 4. The Governor shall appoint an Adjutant General, who shall receive a salary of one hundred dollars per month, and the necessary travelling expenses while organizing and supervising the Militia.

Sec. 5. No man shall be an officer or private in this organization unless he be an elector of the State, and first take and subscribe the Constitutional oath of office.

Sec. 6. In case it shall be necessary to call out this force to quell any riot, or suppress or prevent any violence, the expense of the same while on duty, shall be defrayed by the Town, City or County in which such riot or violence shall occur or be apprehended.

Sec. 7. Every officer of this organization shall have power to call out the whole or any of the force under his command, to preserve the peace and enforce the law, at the written request of any Judge, Justice of the Peace, Sheriff or his Deputy, County or Town Constable, or any County Commissioner, and such request shall state the reason of the call, and a copy of the same shall at once be forwarded to the Adjutant General of the State.

Sec. 8. Each officer or member of the Special Militia, shall have power, and it shall be his duty, at any time, to arrest for breach of the peace, and to hold the offender until he can be brought before some Justice of the Peace or other judicial officer, to be dealt with according to law: Provided, That no man shall be detained more than thirty-six hours except by judicial order.

Sec. 9. It shall be the duty of the Adjutant General to pre-
pare and forward to each man, appointed a member of this organization, a printed copy of the rules prescribed to govern his conduct, and any willful violation, shall be a misdemeanor punishable with fine not to exceed one hundred dollars.

Sec. 10. The said militia shall be under the command of the Governor, and be subject to his orders, and may be sent to any portion of the State by him. He shall report to each session of the General Assembly, the condition and efficiency of the organization, and propose any legislation he may deem proper and necessary therefor.

Sec. 11. The badge of this organization shall bear these initials, N. C. S. M., the badge of a Captain shall be marked Co. ——, No. —— Captain; that of a Lieutenant Co. ——, No. —— Platoon, No. —— Lieutenant; and that of a Sergeant, Co. ——, No. —— Platoon, No, —— Section, No. —— Sergeant; and no arrest shall be made, or authority exercised without the same. The loan or transfer of said badge to another shall be an indictable offence, punishable with imprisonment for not less than one month, or more than two years. The Adjutant General shall have power to designate the number of each company, platoon and section.

Sec. 12. Any officer of said Special Militia shall have power, and it shall be his duty to use such force as may be necessary to overcome resistance in quelling riots or making arrests, and not otherwise.

Sec. 13. That the white and colored members of the Special Militia shall not be compelled to serve in the same sections.

Sec. 14. Each officer shall be allowed necessary travelling expenses and postage incurred in the discharge of his duties.

Sec. 15. Each Captain shall require monthly reports from each Sergeant in his company, and shall make monthly reports to the Adjutant General of the State.

Sec. 16. That officers shall take rank according to the date of their Commissions, and that the Adjutant General shall furnish to each officer a list of all the officers according to rank.
Sec. 17. The sum necessary to carry out the provisions of this act is hereby appropriated and ordered to be paid from any money not otherwise appropriated.

Sec. 18. This act shall be in force from and after its passage.

The bill having been read, Mr. Seymour moved the previous question.

Mr. Durham moved to adjourn, and on the motion called the yeas and nays.

The call being sustained, the vote was decided in the negative by the following vote:


Mr. Seymour renewed the call for the previous question; whereupon

Mr. Durham moved to table the motion, and on that motion called for the yeas and nays.

The call being sustained, the vote was decided in the negative, as follows:

**Yeas**—Messrs. Argo, Armstrong, Boddie, Clayton of Transylvania, Davis, Davidson, Farrow, Gatling, Gibson, Grier,


Mr. Durham changed his vote from the affirmative to the negative, and then moved a reconsideration of the vote by which the House refused to table the call for the previous question, but immediately withdrew the motion, and moved to adjourn, and on this motion called for the yeas and nays.

The call being sustained, the vote was decided in the negative, as follows:


Mr. Durham moved to adjourn, and called for the yeas and nays.

The Speaker ruled the motion out of order.

Mr. Durham appealed from the decision of the Speaker, and called for the yeas and nays.

The call being sustained, the House sustained the decision of the Speaker, by the following vote:


Mr. Sinclair renewed the motion to adjourn, and on this motion called for the yeas and nays.

The call being sustained, the vote was decided in the negative, as follows:


Mr. Durham moved to commit the substitute to the Committee on Military Affairs.

The Speaker ruled this motion out of order, as the call of the previous question, made by Mr. Seymour, had precedence.

Mr. Durham appealed from the decision of the Speaker, and called for the yeas and nays.

The Speaker ruled this motion out of order also, on account of the rule tacitly made by the decision of the House when the opinion of the Speaker was last appealed from.

Mr. Durham then moved to adjourn, and called for the yeas and nays.

The call being sustained, the vote was decided in the negative, by the following vote:


Smith of Martin, Stilley, Simonds, Seymour, Stevens, Sykes, Siegrist, Vestal, Vest, Wilson, Williamson, Wiswall and Waldrop—59.

Mr. Argo called for the reading of the bill.

Objection being made thereto,

Mr. Argo moved that the bill be read, and on this motion called for the yeas and nays.

The call being sustained, the vote was decided in the affirmative, as follows:


The question then came upon the passage of the bill on its first reading, as a substitute for the original.

Mr. Durham called for the yeas and nays on the vote.

The call being sustained, the vote was decided in the affirmative, and the bill passed is first reading, as follows:

Yeas—Messrs. Ashworth, Bowman, Barnett, Blair, Barnes, Banner, Carson, Candler, Clayton of Chowan, Cherry, Cawthorn, Dixon, Downing, Ellington, Estes, Foster, Franklin, Forkner, Gahagan, Gunter, Gilbert, Graham, Hutchings, Harris of Wake, Horney, Hodgin; Hayes, Hendricks, Ingram, Kinney, Long of Chatham, Laflin, Morrill, Morris, Mendenhall,


Mr. Argo moved to adjourn, and on the motion called for the yeas and nays.

The call being sustained, the vote was decided in the negative, as follows:


The rules being suspended, the question then came up on the passage of the bill on its second reading.

Mr. Durham called for the yeas and nays.

The call being sustained, the vote was decided in the affirmative, and the bill passed its second reading, as follows:


On motion of Mr. Seymour, the bill was then ordered to be printed and made the Special Order for Wednesday at ten o'clock.

A message was received from the Senate, amending the House Bill, in favor of Mr. Durfee, as follows:

Provided, That the Engrossing Clerk of the House shall receive pay only from the date of his election.

The House concurred in the amendment.
The House then adjourned.
THIRTY-FIRST DAY.

WEDNESDAY, August 5th, 1868.

The House met pursuant to adjournment.
Prayer by Rev. Mr. Long, of the House.
On motion, the reading of the Journal was dispensed with.
On motion of Mr. Seymour, the bill to notify the Governor, in certain cases, of the disqualification of certain officers, was taken up, and, under a suspension of the rules, passed its several readings, and transmitted to the Senate.

Mr. Argo moved to reconsider the vote by which the bill to create a Special Militia passed its second reading.

The hour for the Special Order having arrived, Mr. Argo moved a suspension of the rules in order to renew his first motion.

Mr. Seymour having obtained the floor previously, the Speaker ruled Mr. Argo out of order.

Mr. Durham appealed from the decision of the Speaker, and called for the yeas and nays.

The call being sustained, the vote was decided in favor of the Speaker as follows:


NAYS—Messrs. Argo, Armstrong, Boddie, Clayton of Transylvania, Davis, Durham, Farrow, Ferebee, Gatling, Gibson,
Mr. Argo then moved to postpone the bill until the third Monday in November, 1869.

The Speaker ruled Mr. Argo out of order.

The bill was being read, when Mr. Argo renewed his motion to postpone.

The Speaker again ruled Mr. Argo out of order, as Mr. Seymour, who had obtained the floor, asked for the reading of the bill as a portion of his remarks.

Mr. Durham appealed from the decision of the Speaker, and called for the yeas and nays.

The call being sustained, the vote was decided in favor of the Speaker as follows:


Mr. Durham arose to a point of order, which was, that the
bill, according to the rules of the House, must be read by sections.

The Speaker decided adversely.

Mr. Durham appealed from the decision of the Speaker, and called for the yeas and nays.

The call being sustained, the House decided in favor of the Speaker by the following vote:


Mr. Seymour moved the previous question; whereupon
Mr. Durham moved to lay the bill on the table, and called for the yeas and nays.

The call being sustained, the motion was decided in the negative by the following vote:


**Nays**—Messrs. Ames, Ashworth, Blair, Barnes, Banner, Carson, Candler, Clayton of Chowan, Cherry, Crawford, Cawthorn,

Mr. Argo moved to reconsider the vote, but withdrew the motion, and moved to adjourn; and called for the yeas and nays.

The call being sustained, the motion was decided in the negative by the following vote:


The question then recurred upon Mr. Seymour’s call for the previous question.

The question being “Shall the main question be now put?”

Mr. Durham called for the yeas and nays.

The call being sustained, the vote was decided in the affirmative, as follows:


Mr. Argo moved to adjourn.

Mr. Durham moved to lay that motion on the table, and called for the yeas and nays.

The call being sustained, the vote was decided in the affirmative, as follows:


Nays—Messrs. Armstrong, Boddie, Banner, Davis, Durham, Farrow, Gatling, Gibson, Grier, Hodnett, Hicks, High, Humphries, Kinney, Kelly of Davie, Moore, Nicholson, Proffitt,
Mr. Argo changed his vote from the negative to the affirmative, and renewed his motion to reconsider.

The Speaker ruled Mr. Argo out of order.

Mr. Argo appealed from the decision of the Speaker, and called for the yeas and nays.

The call being sustained, the House decided in favor of the Speaker by the following vote:


Mr. Argo called up the Special Order for twelve o'clock.

The Speaker ruled Mr. Argo out of order, as the bill pending, according to parliamentary usage, had precedence over all other bills.

Mr. Durham appealed from the decision of the Speaker.

The Speaker was sustained.

Mr. Argo renewed the motion to reconsider.

The Speaker ruled Mr. Argo out of order.

The question then came up on the passage of the bill.

Mr. Durham called for the yeas and nays.
The call being sustained, the bill passed its final reading by the following vote:


Mr. Argo moved to reconsider the vote by which the bill was passed, changing his vote, for that purpose, from the negative to the affirmative.

Mr. Seymour moved to lay that motion on the table; whereupon

Mr. Argo moved to make the motion for reconsideration the Special Order for Thursday at half after ten o'clock.

Upon which motion,

Mr. Ashworth called for the yeas and nays.

The call being sustained, the vote was decided in the negative as follows:

**Yea**—Messrs. Argo, Armstrong, Boddie, Banner, Clayton of Transylvania, Cawthorn, Davis, Durham, Estes, Foster, Farrow, Ferebee, Gatling, Gibson, Hodnett, Hicks, High, Humphries, Horney, Hinnant, Hawkins, Jarvis, Kelly of Davie, Moore, Matheson, Mendenhall, Nicholson, Parker, Proffitt, Robinson,
Smith of Alleghany, Simonds, Sinclair, Short, Shaver, Thompson, Vest, Whitley and Williams—39.


Mr. Durham moved to adjourn, and called for the yeas and nays.

The call being sustained, the vote was decided in the negative as follows:


On motion of Mr. Seymour, the motion to reconsider was finally made the Special Order for nine o'clock on Thursday.

The bill to establish Special Courts in the Cities of Wilmington and Newbern was then taken up, and passed its third and final reading as amended.

A message was received from the Senate, transmitting the following named bills for concurrence:
Bill to amend sections two, six and eight of chapter one hundred and twenty of the Revised Code.

Bill in relation to County Treasurer.

Bill to provide for the filling of vacancies that may occur in the General Assembly.

Bill to provide for the payment of the burial expenses of the late Hon. Lorenzo D. Hall, and for other purposes.

Also, a message transmitting a resolution in relation to adjournment.

Also, a message informing the House that the Senate had concurred in the bill in relation to Medical Colleges.

Mr. Estes, from the Finance Committee, reported back the resolution requiring the resumption of payment of the interest on the public debt.

Also, bill to provide for the payment of the interest of the lawful debt of the State, recommending their passage.

On motion of Mr. Estes, the resolution and the bill were ordered to be printed.

Mr. Estes also reported back, from the Finance Committee, the memorial from the Chamber of Commerce of Wilmington, recommending its postponement till the second Monday in November.

Mr. Estes presented a petition from Joseph Bachalan and other Coroners, asking an increase of fees.

Mr. Stevens introduced a bill to equalize and regulate the Road tax.

Ordered to be printed.

The Speaker made the following rule in regard to the previous question:
When a motion for the previous question is made and pending the second thereto by a majority, debate shall cease, but if any member obtains the floor, he may move to lay the matter under consideration on the table, or move an adjournment, and when both or either of these motions is pending, the question shall stand:

1st. Previous question.
2d. To adjourn.
3d. Lay on the table.

And then upon the main question; or amendments, or the motions to postpone indefinitely, postpone to a day certain, to commit or amend, in the order of their precedence, until the main question is reached or disposed of; but after the previous question has been called by a majority, no motion, amendment, or debate shall be in order.

All motions below the motion to lay on the table must be made prior to a motion for the previous question; but pending and not after the second therefor, by a majority of the House, a motion to adjourn or lay on the table, or both, are in order. This constitutes the precedence of the motions to adjourn and lay on the table over other motions, in rule twenty-five.

Motions stand as follows in order of precedence, in rule twenty-five:

Adjourn.
Lay on the table.
Previous question.
Postpone indefinitely.
Postpone definitely.
To commit or amend.

When the previous question is called, all motions below it fall, unless made prior to the call, and all motions above it fall after its second by a majority required. Pending the second,
the motions to adjourn and lay on the table are in order, but not after a second. When in order, and every motion is before the House, the question stands as follows:

Previous question.
Adjourn.
Lay on the table.
Postpone indefinitely.
Postpone definitely.
To commit.
Amendment to amendment.
Amendment.
Substitute.
Bill.

The previous question covers all other motions when seconded by a majority of the House, and proceeds by regular gradation to the main question, without debate, amendment, or motion until such question is reached or disposed of.

A communication was received from the Board of Commissioners of Washington County, in relation to laying off said County into township districts.

On motion of Mr. Seymour, the House then adjourned to meet again at nine o’clock, A. M., on Thursday.

THIRTY-SECOND DAY.

THURSDAY, August 6th, 1868.

The House met pursuant to adjournment.
Prayer by the Rev. Mr. Shaver, of the House.
On motion of Mr. Seymour, the reading of the Journal was dispensed with.

The Special Order being the motion made by Mr. Argo, on
Wednesday, viz: to reconsider the vote by which the bill to provide a Special Militia was passed, the same was taken up.

After a protracted debate,

Mr. Seymour moved to lay the motion to reconsider on the table.

Mr. Durham called for the yeas and nays.

The call being sustained, the vote was decided in the affirmative as follows:


The following protest, offered by the gentlemen whose names are attached thereto, was ordered to be spread upon the Journal:

**STATE OF NORTH CAROLINA,**

**House of Representatives,**

*Raleigh, August 6th, 1868.*

The undersigned, members of the House of Representatives, believing that the "Act to provide for the organization of a
Special Militia" is unconstitutional, subversive of the rights and liberties of the people of North Carolina, and well calculated to invoke the country in a disastrous civil war, do solemnly protest against its passage.

J. L. ROBINSON,
J. W. CLAYTON,
B. R. HINNANT,
JOHN O. HICKS,
JAMES SINCLAIR,
J. A. KELLY,
JOHN L. SMITH,
THOMAS A. NICHOLSON,
J. J. ALLISON,
G. F. DAVIDSON,
WM. J. JARVIS,
J. A. MOORE,
TILMAN FARROW,
T. C. HUMPHRIES,
P. DURHAM,
J. HENRY DAVIS,
W. W. BODDIE,
J. P. GIBSON,
W. B. FEREBEE,
F. THOMPSON,
J. C. WILLIAMS,
JNO. GATLING,
J. R. ELLIS,
R. P. MATHESON,
N. E. ARMSTRONG,
PHILIP HODNETT,
R. D. WHITLEY,
W. W. GRIER,
D. P. HIGH.
The following named act was ratified by the Speaker:
An act to notify the Governor, in certain cases of the disqualification of County Commissioners.
Also, the following resolutions:
A resolution in relation to the address of the Governor on the Fourth of July, 1868.
A resolution requesting the Military Authorities to forward to the General Assembly the papers in the case of alleged frauds in the election in Caswell County.
The following communication was received from His Excellency, the Governor:

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, August 6th, 1868.

To the Speaker of the House of Representatives:
Sir—I am authorized by Wm. A. Smith, Esq., President of the North Carolina Rail Road, to extend to the members and officers of the General Assembly, and to the officers of the several departments of the State Government, an invitation to visit Morehead City on Saturday next, or any day thereafter that may be designated, with the request that two days' notice may be given him of the appointed time.

Very respectfully,

W. W. HOLDEN.

Mr. Stevens introduced a bill in regard to the registration of deeds.
Referred to the Judiciary Committee.
Mr. Allison came forward and qualified and took his seat.
Mr. Morris introduced a bill to provide for bail in criminal cases.
Referred to the Judiciary Committee.
A report was received through a message from the Senate,
from the Joint Committee appointed to investigate affairs in
the Auditor's Office.
Ordered to be printed.
The House then adjourned.

THIRTY-THIRD DAY.

Friday, August 7th, 1868.

The House met pursuant to adjournment.
Prayer by the Rev. Mr. Hudson, of the City.
Mr. Justice, of Rutherford, called up the communication from
His Excellency, the Governor, in relation to an excursion to
Morehead City, and
On motion of Mr. Justice, a Committee of Three was ap-
pointed to draft resolutions expressive of the sense of the House
in relation to the matter.
The Speaker appointed Messrs. Justice, of Rutherford, Estes
and Sinclair.
On motion, the House concurred in the Senate resolution fix-
ing the day of adjournment on the 17th of August.
Also, in the Senate resolution fixing the pay of Pages at three
dollars per day.
Mr. Estes, from the Finance Committee, to whom was refer-
red the bill to extend the time for the collection of taxes for
1868, reported back the same, recommending its indefinite post-
ponement.
On motion of Mr. Downing, the bill was so disposed of.
Mr. Harris, of Wake, from the Committee on Propositions
and Grievances, to whom was referred the bill to prohibit the
distillation of spirituous liquors, reported back the same, recom-
mending its indefinite postponement.
Mr. Harris, from the same Committee, also reported back the
Senate bill in favor of Willis S. Grandy, and asked a suspension of the rules, to put the bill on its several readings.

The rules were suspended and the bill passed.

Mr. Laflin, from the Committee on Internal Improvements, to whom was referred the bill providing for the laying off of the Counties of the State into townships, reported back the same, recommending its postponement till the 4th week in January, 1869.

Also, the Senate bill to extend the Charter of the High Shoal Manufacturing Company, without recommendation.

On motion of Mr. Bowman, the bill providing for the payment of the funeral expenses of the late Hon. Lorenzo D. Hall, and for other purposes, was taken up, and the rules suspended for its passage.

Mr. Sinclair moved to amend the bill by striking out "first" and inserting "seventeenth" day of August.

Adopted.

The bill then passed its several readings.

Mr. Hinnant introduced a bill to secure resident debtors of the State, the Homestead and exemption of personal property, as provided by the Constitution.

Referred to the Judiciary Committee.

A message was received from the Senate, proposing to recommit the majority report of the Committee on Salaries and Fees.

On motion of Mr. Laflin, the proposition was agreed to.

Also, a message transmitting a bill in relation to Sheriffs.

And a message returning the bill in relation to the powers and duties of Superior Court Clerks, with amendments thereto.

On motion of Mr. Justice, of Rutherford, the amendments were concurred in.

On motion of Mr. Vest, the Senate bill to ratify the Charter of the North Western North Carolina Rail Road Company, was taken up and referred to the Finance Committee.

Mr. Stilley, from the Judiciary Committee, reported favora-
bly the bill to regulate and provide for the registration of voters, and the holding of elections in North Carolina.

Mr. Estes offered a resolution in relation to the Currency of National Banks.

Laid over.

Also, a bill relating to the weighing of Rosin at the Port of Wilmington.

Referred to the Committee on Propositions and Grievances.

A message was received from the Senate concurring in the amendments to the bill in relation to the late Hon. Lorenzo D. Hall.

Mr. Sweet introduced a bill to amend an act entitled "an act to improve the Law of Evidence."

Referred to the Judiciary Committee.

Mr. Justice, of Rutherford, called up the bill to repeal the thirty-ninth section of one hundred and second Chapter of the Revised Code.

The bill failed to pass its second reading.

On motion of Mr. Stilley, the rules were suspended, and the bill to regulate and provide for the registration of voters, etc., was taken up.

Mr. Seymour, by permission, made some slight verbal alterations.

Mr. Whitley moved to amend sections sixty-fourth and seventieth by striking out the words "rooms which shall be locked," and inserting in lieu thereof the word "place."

Mr. Seymour moved to amend the amendment by inserting after the word "rooms" the words "if such can be obtained."

Accepted and adopted.

Mr. Seymour moved to amend the fifty-second section to read as follows:

Sec. 52. The General Election shall be held biennially, on the first Thursday of August, in conformity with the Constitution.

Adopted.
Mr. Leary moved to insert the words "Friday and Saturday" after the word "Thursday" in the forty-sixth section.

Adopted.

Mr. Durham moved to amend section forty-five by inserting after the word "deeds" in first line, the words "Clerk of the Superior Court."

Adopted.

Mr. Stilley moved to amend section seventy eight by striking out the words "placed in some convenient condition," and inserting in lieu thereof, the words "conveniently arranged."

Adopted.

Mr. Durham, moved to amend forty-fifth section by adding thereto the words, "Provided, That if the Registration Books are not furnished by the first day of October, the registrars shall provide suitable books for the purposes of the first registration."

Adopted.

Mr. Durham moved a further amendment to the same section as follows:

Provided further, That if the Register of Deeds or the Superior Court Clerk shall fail to report to the Secretary of State, the number of precincts, as above required, before the first day of September next, he shall forward the requisite books upon any other correct information obtained.

Adopted.

Mr. Durham moved to strike out all after the word "obtained" in section sixty-four.

Adopted.

The bill then passed its second reading by the following vote:

Yeas—Messrs. Ames, Ashworth, Armstrong, Barnett, Blair, Barnes, Banner, Carson, Candler, Clayton of Transylvania, Cawthorn, Davis, Durham, Dixon, Ellington, Estes, Foster, Ferebee, Forkner, Gatling, Gahagan, Gunter, Gibson, Grier,

Nays—Messrs. Cherry and Hutchings—2.

Mr. Laflin introduced a bill to amend the Charter of the Chatham Rail Road Company.

Referred to the Committee on Internal Improvements.

Mr. Stilley introduced a bill to amend section thirty, chapter thirty-seven of the Revised Code.

Referred to the Judiciary Committee.

Mr. Justice, from the Select Committee, appointed to consider the communication in relation to an excursion to Morehead City, reported a resolution thanking the courtesy of the President of the Central Road, but respectfully declining his proffered kindness until the important business pending before the Legislature shall have been disposed of.

The Resolution was adopted.

The House then adjourned.

THIRTY-FOURTH DAY.

SATURDAY, August 8th, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Long, of the Senate.

On motion of Mr. Seymour, the bill to provide for the re-
gistration of voters, &c., was re-committed to the Judiciary Committee, with instructions to report on Monday.

On motion of Mr. Sinclair, the vote on the Senate resolution, fixing the day of adjournment for the 17th of August, was re-considered.

A message was received from the Senate, transmitting an act to incorporate the Salisbury Cemetery Association.

Mr. Seymour, from the Judiciary Committee, reported favorably on the following bills:

The Code of Civil Procedure.

A bill to enable incoming Sheriffs to sell under the levies and advertisements of their predecessors; and

A bill to make indictable language calculated to lead to a breach of the peace.

Also, the following bills unfavorably:

A bill to repeal the eighty-first section of the thirty-first chapter of the Revised Statutes of North Carolina.

A bill in relation to proceedings in cases of contested elections; and

A bill to amend the thirty-second section of the fifty-second chapter of the Revised Code.

Also, the following bills, recommending the postponement until the next session:

A bill to punish common carriers and keepers of places of amusements, for refusing passage or admission to the same.

A bill to authorize the Commissioners of Johnston County to borrow money.

A bill to extend the time allowed for widows to dissent from their husbands' wills.

A bill to pay Magistrates for services in trying civil warrants; and

A bill providing that larceny shall be considered a misdemeanor.

The Speaker ratified the following act and resolutions:
An act appointing Superior Court Clerks to take privy examination of 
*feme covert* in the conveyance of real estate.

A resolution in relation to adjournment; and

A resolution in relation to the pay of Pages.

On motion of Mr. Estes, the bill to provide for the payment of the interest on the lawful debt of the State, was taken up under a suspension of the rules.

Mr. Hodnett offered a substitute for the bill, which he, by permission, subsequently withdrew.

Mr. Estes moved the previous question.

The question being, "Shall the main question now be put?"

The vote was decided in the affirmative.

The bill then passed its second reading by the following vote:


On motion of Mr. Laflin, the bill to amend the charter of the Western North Carolina Rail Road Company, was referred to the Committee on Internal Improvements.

Mr. Seymour introduced a bill to amend an act to incorporate the Atlantic Fire Company, No. 1, in the town of Newbern, which, under a suspension of the rules, passed its several readings.
Mr. Parker introduced a bill providing for the security of the property of inebriates.
Laid over.
Mr. Hodgin introduced a bill for the relief of Sheriffs and tax payers in certain cases.
Laid over.
Mr. Peck introduced a bill to amend the charter of the Williamston and Tarboro' Rail Road Company.
Referred to the Committee on Internal Improvements.
A message was received from the Governor, transmitting a report from Dr. Eugene Grissom, Superintendent of the Insane Asylum.
On motion of Mr. Stilley, the report was ordered to be printed and referred to the Joint Committee on Insane Asylum.
The House then adjourned.

THIRTY-FIFTH DAY.

Monday, August 10th, 1868.
The House met pursuant to adjournment.
Prayer by the Rev. Mr. Atkinson, of the City.
Mr. Mendenhall presented a petition from sundry citizens of Davidson County, for relief from financial disabilities.
Referred to the Committee on Propositions and Grievances.
Mr. Laflin presented a communication from W. H. Cuning-gim, general agent for the North Carolina Cottage Loom; which communication respectfully requested the appointment of a Committee of Three to investigate the merits of said Loom and report thereon to the House, with the view of adapting the same to the use of convicts in the projected State Peniten-tiary.
On motion, the Speaker was authorized to appoint a Committee of Three for said purpose; and the Speaker appointed Messrs. Laflin, Ashworth and Davis.

Mr. Gunter presented a memorial from sundry citizens of Chatham, in relation to distillation; which, on motion of Mr. Gunter, was postponed until the next session.

Mr. Seymour, from the Judiciary Committee, to whom was referred the bill in regard to the registration of deeds, reported the same unfavorably.

Mr. Estes, from the Committee on Finance, to whom was referred the bill for the relief of Sheriffs and tax payers in certain cases, reported the same favorably.

Mr. Barnett, from the Committee on Corporations, to whom was referred the bill in relation to the weighing of rosin at the port of Wilmington, reported the same favorably.

Mr. Seymour, from the Judiciary Committee, to whom was referred the bill in relation to the registration of voters, &c., under a suspension of the rules, reported a substitute for the same.

Mr. Durham offered the following as an additional section to follow section five:

"Every male person born in the United States, and every such person who has been naturalized, twenty-one years old or upwards, who shall have resided in this State twelve months next preceding the election, and thirty days in the County in which he offers to vote, shall be deemed an elector, and shall be entitled to register upon application."

The amendment was accepted by Mr. Seymour, and the bill as amended, passed its several readings.

Mr. Seymour, from the Judiciary Committee, to whom was referred the bill in relation to civil rights, reported the same favorably; and the bill, under a suspension of the rules, passed its several readings.
The hour for the Special Order having arrived, it being the bill to provide for the payment of the interest on the lawful debt of the State, the same was taken up.

Mr. Estes offered an amendment to the bill, as a substitute for the third section; which being adopted,

On motion of Mr. Estes, the bill was ordered to be printed, and made the Special Order for Tuesday at half past ten o'clock.

On motion of Mr. Seymour, the Code of Civil Procedure, as amended by the Senate, was taken up; and

The bill, as amended, passed.

On motion of Mr. Downing, the bill to amend sections two, six, and eight, of the Revised Code of North Carolina, was taken up.

Mr. Jarvis moved to amend section first by striking out "five thousand," and inserting in lieu thereof "twenty-five thousand."

Mr. Downing moved to amend the amendment by striking out "twenty-five thousand," and inserting in lieu thereof "fifteen thousand."

Adopted.

The amendment as amended, was then adopted; and

The bill passed its several readings.

A message was received from the Senate, transmitting a resolution in favor of N. Paige, Public Printer; which was concurred in.

Also, a message from the Senate concurring in the report of the House Committee regarding the excursion to Morehead City.

Mr. Seymour, from the Judiciary Committee, to whom was referred the bill to punish bribery and coercion in elections, reported the same favorably; and,

On motion of Mr. Seymour, the bill was ordered to be printed and made the Special Order for Tuesday at twelve o'clock.

Mr. Pou, from the Committee on Privileges and Elections, to whom was referred the petition of Wilson Carey, submitted
a report, asking the House to authorize the Committee to appoint a Commissioner to proceed to Caswell County to take depositions for the use of the Committee in the investigation of the claims of Wilson Carey to a seat in the House.

The report was adopted and the Committee so authorized.

The calendar was then taken up.

The Senate bill, requiring Trustees of the University to reside in the Counties for which they are chosen, passed its final reading.

Mr. Durham, by permission, introduced a bill in regard to drawing jurors; and

Under a suspension of the rules, the bill passed its several readings.

The calendar being resumed, the Senate bill in relation to the liabilities of Sheriffs passed its final reading.

The House bill in relation to grape culture, was, on motion of Mr. Foster, postponed until next session.

The bill in relation to fishing in the Cape Fear River, was, on motion of Mr. Leary, postponed until the second Monday in December next.

The bill to change the manner of payment of the State's subscription to the capital stock of the Western Rail Road Company, was, on motion of Mr. Estes, postponed until the first Monday in December next.

The Senate bill to ratify the charter of the North-Western North Carolina Rail Road Company, passed its final reading.

The Senate bill to repeal an act, entitled "An act to amend an act passed at the present session of the General Assembly, to appoint a tax collector for the County of Wayne," &c., passed its final reading.

The Senate bill, in relation to the records of the late County Courts, passed its second reading.

The bill to provide teachers for the Common Schools, was, on motion of Mr. Candler, postponed until the third Monday in December next.

The bill in relation to the distillation of spirituous liquors, was indefinitely postponed.
A message was received from the Senate transmitting a substitute for the House bill to establish Special Courts in Wilmington and Newbern.

Under a suspension of the rules the substitute was adopted and passed its final reading.

The bill in relation to the weighing of rosin was taken up on motion of Mr. Barnett.

Mr. Farrow moved to amend the bill by striking out "one hundred dollars," and inserting in lieu thereof "twenty-five dollars."

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

The bill to provide for the filling of vacancies occurring in the General Assembly, passed its second reading.

The bill to repeal all stay laws was indefinitely postponed.

The Senate resolution, in relation to County Treasurers, was, on motion of Mr. Seymour, referred to the Judiciary Committee.

Mr. Graham, from the Committee on Penal Institutions, to whom was referred several bills in relation to the State Penitentiary, reported a resolution in regard to the matter, which was adopted.

The bill providing for laying off the Counties of the State into Townships was postponed until next session.

The House then adjourned.
THIRTY-SIXTH DAY.

Tuesday, August 11th, 1868.

The House met pursuant to adjournment.
Prayer by Rev. Mr. Long, of the House.
On motion of Mr. Downing, a call of the House was ordered, and ninety-six members answered to their names.
Mr. Proctor introduced a resolution instructing the Judiciary Committee to report, as soon as possible, a bill in favor of mechanics.
Laid over.
Mr. Rhodes, from the Committee on Enrolled Bills, reported as correctly enrolled the following, which were signed by the Speaker and transmitted to the Senate:
A bill to establish Special Courts in the cities of Wilmington and Newbern.
A bill ratifying the charter of the North Western North Carolina Rail Road Company.
A bill requiring the Trustees of the University to reside in the counties for which they are chosen.
A bill to limit the liabilities of Sheriffs.
A bill in relation to settling certain claims. And
A resolution in favor of the Superintendent of Public Instruction.
Mr. Laflin, from the Committee on Internal Improvements, reported favorably on the following bills:
A bill to amend the charter of the Chatham Rail Road Company.
A bill to amend the charter of the Western Rail Road Company.
A bill to amend the charter of the Western N. C. Rail Road Company. And
A bill to amend the charter of the Williamston and Tarboro Rail Road Company.
Mr. Graham, from the Committee to whom was referred the
memorial from sundry citizens of Wayne in relation to the abolition of capital punishment, reported back the same, recommending a postponement of the matter until the first Monday in January, 1869.

The report was adopted.

The hour for the Special Order having arrived, it being the bill to provide for the payment of the interest on the lawful debt of the State, the same was taken up.

Mr. Rhodes moved to amend the first section by striking out, in first line, the word "dated" and inserting in lieu thereof the words "ordered to be issued," but immediately withdrew the motion, when

Mr. Hodnett moved to amend the eighth line of section first by striking out the word "cash" and inserting in lieu thereof the words "currency of the United States."

The motion was lost.

Mr. Candler then moved to amend the first section by inserting in line fifth after the word "of" the words "October 1868, and."

The amendment was accepted by Mr. Seymour, and the question being on the passage of the bill,

Mr. Farrow called for the yeas and nays.

The call being sustained, the vote was decided in the affirmative as follows:


Nays—Messrs. Allison, Armstrong, Durham, Davidson,
Mr. Laflin called up the bill to amend the charter of the Western N. C. Rail Road Company; and the bill passed its second reading by the following vote:  


Mr. Laflin called up the bill to amend the charter of the Williamston and Tarboro' Rail Road Company, which, under a suspension of the rules, passed its second reading by the following vote:  


Mr. Laflin called up the bill to amend the charter of the Western Rail Road Company, which, under suspension of the rules, passed its final reading.

Mr. Laflin from the Committee on Internal Improvements, to whom was referred the memorial from the citizens of Perquimans, praying an appropriation for the purpose of cleansing said river, reported a bill thereon.

Laid over.

According to previous notice, Mr. Harris, of Wake, introduced a bill to incorporate the North Carolina Iron and Steel Rail Company, which, under suspension of the rules, passed its several readings.

Mr. Seymour presented the concluding portion of the Code of Practice and Civil Procedure, prepared by the Code Commissioners which, under suspension of the rules, passed its several readings.

Mr. Seymour, from the Judiciary Committee, to whom was referred the bill concerning the Government of Counties, reported back the same with an amendment; and the bill, as amended, passed its final reading.

Mr. Whitley introduced a bill to authorize the Public Treasurer to issue new bonds for old ones.

Referred to the Committee on Finance.

Mr. Vest offered a resolution providing that the State shall sell her interest in existing Rail Roads, &c., which was referred to the Committee on Internal Improvements.

Mr. Hayes introduced a bill to relieve the sureties of Sheriffs in certain cases.

Laid over.

Mr. Justice, of Henderson, presented a memorial from sundry citizens of Henderson, which, on motion of Mr. Justice, of Rutherford, was postponed till the second Monday in December next.
Mr. Rea introduced a bill in relation to crimes and outrages perpetrated under the sanction of the pretended authorities during the rebellion.

Referred to the Judiciary Committee.

On motion of Mr. Laflin, the bill to amend the charter of the Chatham Rail Road Company was made the Special Order for half after ten o'clock on Wednesday.

On motion of Mr. Justice, of Rutherford, the bill in relation to bribery and coercion, was made the Special Order for Wednesday at twelve o'clock.

The House then adjourned.

THIRTY-SEVENTH DAY.

Wednesday, August 12th, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Morris, of the House.

On motion of Mr. Sinclair, the bill in relation to regulating taxation in the corporate towns of the State, was taken up, under suspension of the rules.

Mr. Sinclair moved to amend the first section of the bill by adding thereto the words "except for defraying the necessary expenses of said incorporate towns."

Adopted.

Mr. Sinclair moved a further amendment by striking out the word "one" in section two, and inserting in lieu thereof, the word "three."

Adopted, when

On motion of Mr. Seymour, the bill as amended, was

Referred to the Judiciary Committee.

Mr. Rhodes from the Committee on Enrolled bills, reported
the bill in relation to jurors, which was signed by the Speaker and transmitted to the Senate.

Mr. Blair introduced a resolution in relation to the Sheriff of Randolph, which, under a suspension of the rules, was adopted.

A message was received from the Senate, transmitting the following named bill for concurrence:

A bill to regulate capital executions.
A bill to incorporate the North State Swamp land naval store and lumber Company.
A bill to incorporate the North Carolina Life Assurance Annuity and Trust Company, and
A bill to incorporate the Respass Guano Company.
Also, a message concurring in the bill authorizing Medical Colleges in the State to dissect dead bodies.

Under a suspension of the rules,
Mr. Seymour introduced a bill to amend an act to incorporate the Newbern Gas Light Company, which passed its several readings.

The hour for the Special Order having arrived, it being the bill to amend the Charter of the Chatham Rail Road Company, the same was taken up.

Mr. Pon moved to print and make Special Order for Thursday at eleven o'clock.

On motion of Mr. Harris, of Wake, the motion to print and postpone was tabled, when

Mr. Lafin called the previous question.
The question being "Shall the main question now be put?"
The vote was decided in the affirmative.

The bill then passed its third and final reading by the following vote:


Mr. Laflin moved a reconsideration of the vote just taken.

On motion of Mr. Sinclair, the motion to reconsider was tabled.

A message was received from the Senate, refusing to concur in the amendment to the bill in relation to Wreck Masters.

Also, a message concurring in the resolution in favor of N. Paige, Public Printer.

Also, a message transmitting a resolution allowing the Enrolling Clerk to employ assistants, which resolution was concurred in.

Mr. Holden, under suspension of the rules, called up the Senate bill to incorporate the North Carolina Life Assurance, Annuity and Trust Company.

The bill passed its second and third readings.

Mr. Laflin called up the bill to amend the Charter of the Western North Carolina Rail Road Company.

Mr. Pou moved to print and make the Special Order for Thursday, at eleven o'clock.

On motion of Mr. Downing, the motion to print, &c., was laid on the table.

Mr. Candler offered to amend the bill by adding thereto another section.

The amendment was accepted.

The bill passed its final reading by the following vote:

Yea—Messrs. Ames, Ashworth, Barnett, Blair, Carson, Candler, Cherry, Crawford, Cawthorn, Durham, Davidson, Downing, Ellis, Estes, Franklin, Forkner, Gahagan, Gunter, Gibson, Grier, Graham, High, Hutchings, Harris of Franklin,


Mr. Laflin moved a reconsideration of the vote just taken.

On motion of Mr. Hayes, the motion to reconsider was tabled.

Mr. Laflin then called up the bill to amend the Charter of the Williamston and Tarboro', Rail Road Company.

Mr. Sweat offered to amend the bill by adding thereto, several additional sections.

The amendments were accepted.

Mr. Laflin called the previous question.

The question being "Shall the main question now be put?"

The vote was decided in the affirmative.

The bill passed its final reading by the following vote:


Nay—Messrs. Boddie, Farrow, Ferrebee, Hodnett, Hinnant,
Mr. Laflin moved a reconsideration of the vote just taken.

On motion of Mr. Harris, of Wake, the motion to reconsider was tabled.

Mr. Laflin introduced a bill to amend an act to incorporate the Tarboro' and Williamston Rail Road Company.

Laid over.

The bill to provide for the punishment of bribery and coercion in election being the Special Order for twelve o'clock, and the hour having arrived, the same was taken up.

Mr. Argo offered a substitute for the bill.

Mr. Seymour called the previous question.

The question being "Shall the main question now be put?"

The vote was decided in the affirmative.

Mr. Harris, of Wake, then called for the yeas and nays on the substitute offered by Mr. Durham.

The call being sustained, the vote was decided in the negative as follows:


The bill then passed its third and final reading.

Mr. Dixon, from the Committee, to whom was referred the
petition of Cooper Huggins, of New Hanover, reported back the same, asking to be excused from its further consideration until the next session.

The request was granted.

A message was received from the Senate concurring in the resolution in relation to a State Penitentiary.

Also, a message transmitting a bill to provide for the settlement of the estates of deceased persons.

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

THIRTY-EIGHTH DAY.

Thursday, August 13th, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Long, of the House.

Under a suspension of the rules, Mr. Ames introduced a bill for the more effectual punishment of horse and mule thieves, which passed its several readings.

Mr. Holden presented a petition from the Mayor and Commissioners of Salisbury, which was referred to the Judiciary Committee.

Mr. Banner offered a resolution in behalf of the Counties of Watauga, Caldwell and Burke; which was referred to the Committee on Internal Improvements.

Also, a bill to establish a turnpike road from the town of Morganton in Burke County to the Tennessee line; which was referred to the Committee on Internal Improvements.

Mr. Seymour, from the Judiciary Committee, reported the following bills:

A bill to repeal an ordinance of the Constitutional Convention, passed March, 16th, 1868—favorably.
A bill to regulate taxation in the corporate towns of the State—unfavorably.

A bill to amend an act entitled "An act to improve the law of evidence"—favorably; and

A bill to provide for the public roads, and public works, and to prevent crime—unfavorably.

On the motion of Mr. Holden, the House receded from its amendment to the bill amending sections two, six, and eight, of chapter one hundred and twenty of the Revised Code, and the Senate was so informed.

Mr. Rhodes, from the Committee on Enrolled Bills, reported as correctly enrolled, a bill to amend sections two, six and eight of chapter one hundred and twenty of the Revised Code.

On motion of Mr. Dr.ector, the rules were suspended and the bill in relation to County Treasurer, was taken up and passed its second reading.

Mr. Argo moved to postpone till Friday at twelve o'clock; which motion was lost.

The bill then passed its third and final reading.

Received a message from the Senate transmitting the following bills for concurrence:

A bill to provide for the funding of the matured interest of the public debt.

A bill to organize the Militia of North Carolina.

A bill concerning the Register of Deeds.

A bill concerning the jurisdiction and powers of Clerks of the Superior Courts, and proceedings before them as Judges of Probate.

A bill to amend the charter of the Charlotte and North Carolina Rail Road Company; and

A bill entitled "An act to incorporate the Greenville and French Broad Rail Road Company."

On motion of Mr. Laflin, the two latter bills were referred to the Committee on Internal Improvements, and the bill in relation to the Militia was referred to the Committee on Military Affairs.
A message was received from the Senate, concurring in the amendment to the bill in relation to the government of Counties.

On motion of Mr. Vestal, the bill to provide for the settlement of the estates of deceased persons was taken up; and under a suspension of the rules the bill passed its second reading; and

On motion of Mr. Seymour, the bill was referred to the Committee on the Judiciary.

Mr. Vestal, by leave, introduced a bill to protect persons distilling spirituous liquors under United States licenses.

Laid over.

Mr. Robbins introduced a bill to extend the time for payment of taxes in Bertie.

Laid over.

Mr. Laflin called up the bill in relation to cleaning out the Perquimans River.

A quorum not voting, the bill was returned to the calendar.

On motion of Mr. Holden, the bill to regulate capital executions was referred to the Judiciary Committee.

Mr. Hodgin called up the bill to relieve sheriffs and taxpayers, in certain cases, and under a suspension of the rules, the bill passed its several readings.

On motion of Mr. Laflin, the vote on the bill relative to teachers for Common Schools was reconsidered, and referred to the Committee on Education, with instructions to report at twelve o'clock on Friday.

Mr. Harris, of Wake, introduced a resolution to rescind the vote in relation to adjournment on the 17th of August, and fixing the time on the 24th, at six o'clock, A. M.

Mr. Candler moved to lay the resolution on the table, but immediately withdrew the motion; when

Mr. Justice, of Rutherford, called for the yeas and nays on the passage of the resolution.

The call being sustained, the vote was decided in the negative as follows:


The Speaker signed the following named acts:

An act to incorporate the North Carolina Life Assurance, Annuity and Trust Company; also
A resolution in favor of N. Paige.
A resolution in relation to the Public Treasurer; and
A resolution regarding Clerks.

On motion of Mr. Holden, the House then adjourned in respect to the memory of the late Hon. Thadeus Stevens.

THIRTY-NINTH DAY.

Friday, August 14th, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Smith, of the House.

Mr. Seymour, from the Judiciary Committee, to whom was
referred the bill in relation to capital executions, reported back the same favorably.

A message was received from the Senate, transmitting and concurring in a bill to provide for registration of voters; and sending for concurrence a bill concerning the fees of Clerks of the Superior Courts, Sheriffs, &c.; also,

A bill to incorporate the Enterprise Manufacturing Company.

Mr. Estes, from the Committee on Military Affairs, to whom was referred the bill to organize a State Militia, reported back the same favorably.

Mr. Proctor introduced a bill in relation to the Boards of the County Officers of Cumberland; which, under a suspension of the rules, passed its several readings.

On motion of Mr. Seymour, the bill in relation to capital executions was taken up; and, with the amendment of striking out all after the enacting clause in first section, the bill passed its several readings.

Mr. Seymour introduced a bill to amend an act entitled "An act to establish Special Courts in the Cities of Wilmington and Newbern."

Referred to the Judiciary Committee.

A bill to amend the eighty-first section of the thirty-first chapter of the Revised Code, was taken from the calendar and laid on the table.

Mr. Justice, of Rutherford, introduced a bill in relation to County Commissioners; which, under a suspension of the rules, passed its several readings.

A message was received from the Senate, concurring in the amendment to the bill in relation to capital executions; also,

A message transmitting a bill to incorporate the Salisbury Cemetery Association.

The bill in regard to the registration of deeds, introduced by Mr. Stevens, was taken from the calendar and indefinitely postponed.
The bill to enable incoming Sheriffs to sell under the levies and advertisements of their predecessors, was taken up, and, having passed its second reading, the rules were suspended, when

Mr. Williamson called for the yeas and nays on the third reading of the bill.

The call was not sustained.

The bill passed its final reading.

The bill to provide for a State Militia was then taken up as the Special Order, and the same passed its final reading by the following vote:


Mr. Laflin introduced a bill to amend the charter of the Cheraw Coal Fields Rail Road Company.

Laid over.

Mr. Seymour introduced a bill concerning the powers and duties of State officers, as prepared by the Code Commission.

Laid over.

Mr. Sinclair then moved to adjourn.

Mr. Estes moved to amend the motion by saying "until eight o'clock, P. M."

The amendment was accepted and the motion prevailed.
Mr. Laflin called up the bill to amend the charter of the Chatham Rail Road Company, and
On motion of Mr. Laflin, the House concurred in the Senate amendment to the bill.
Mr. Laflin called up the bill to amend an act entitled "An act to incorporate the Greenville and French Broad Rail Road Company," and the same passed its second reading.
The Senate bill to incorporate the North State Swamp Land, Naval Store and Lumber Company was referred to the Committee on Corporations.
Mr. Harris, of Wake, introduced a bill to amend section seventh of chapter twenty-fourth of the Revised Code.
Laid over.
The bill to make indictable language calculated to lead to a breach of the peace was taken from the Calendar and passed its third reading.
The bill in relation to the records of the late County Courts was taken up and referred to the Judiciary Committee.
A message was received from the Senate concurring in the resolution to rescind the vote by which the Assembly agreed to adjourn on the 17th of August.
The bill to provide for the filling of vacancies in the General Assembly was taken up and passed, under a suspension of the rules, its third and final reading.
The Senate bill in relation to Sheriffs was taken up and passed its second reading.
The bill to amend section thirty-second of chapter fifty-second of the Revised Code was taken up and indefinitely postponed.
The bill in relation to the inspection of Guano, and The bill in relation to proceedings in cases of contested elections, were also indefinitely postponed.
The bill in relation to cleansing the head waters of the Per-
quimans river was taken up and postponed till the fourth Monday in November next.

The bill to amend an act entitled "An act to improve the law of evidence," was taken up and passed its second reading.

The bill in relation to providing for the security of the property of inebriates was taken up and postponed till next session.

The bill prepared by the Code Commission, concerning the registration of deeds, was taken up and passed its second reading.

The House then adjourned.

FORTIETH DAY.

Saturday, August 15th, 1868.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Smith, of the House.

Mr. Smith, of Martin, introduced a bill concerning the Williamston Landing, in Martin County, and under a suspension of the rules, the bill passed its several readings.

Mr. Seymour introduced a bill to provide employment for convicts in building a Penitentiary, and

On motion of Mr. Seymour, the bill was ordered to be printed.

Mr. Seymour, from the Judiciary Committee, to whom was referred a Senate bill in relation to settling the estates of deceased persons, reported the same favorably.

Mr. Estes, from the Finance Committee, to whom was referred a Senate bill to provide for the funding of the interest on the public debt, reported the same favorably.

Under a suspension of the rules, Mr. Estes moved to amend the bill by striking out all after the word "interest" in fourth line of section one, down to the word "of" in the sixth line.
The amendment was adopted, and the bill passed its second reading.

Mr. Estes, from the same Committee, also reported favorably on a bill to relieve Sheriffs and their sureties in certain cases.

Mr. Harris, of Wake, called up the bill to amend section seven, chapter twenty-four, of the Revised Code of North Carolina, and under a suspension of the rules, the bill was so amended as to read “two” instead of “one” thousand, and passed its final reading by the following vote:


On motion of Mr. Proctor, the rules were suspended and the bill (prepared by the Code Commission) concerning the register of deeds was taken up.

Mr. Smith, of Alleghany, offered to amend the bill by inserting after the fifth section the following proviso:

_Provided, That this paragraph shall not apply to any County in which offices have not been completed for County officers._

Mr. Sinclair moved to refer the bill to the Judiciary Committee.

The motion was lost.
Mr. Seymour offered the following in substitution for the amendment offered by Mr. Smith:

Unless the County Commissioners shall deem it impracticable.

The substitute was accepted and adopted, and the bill passed its several readings.

By permission, Mr. Sinclair withdrew the bill, which was made the Special Order for twelve o'clock.

Mr. Seymour called up the bill (prepared by the Code Commission) concerning the jurisdiction and powers of Superior Court Clerks, and proceedings before them as Judges of Probate, and under a suspension of the rules, the bill passed its several readings.

Mr. Foster introduced a bill for the support of the Insane Asylum, which, under a suspension of the rules, passed its several readings.

Mr. Peck called for the bill to incorporate the Union Joint Stock Banking Company.

Under a suspension of the rules, the bill was taken up, and the same was made the Special Order for Monday at twelve o'clock and ordered to be printed.

Mr. Hayes called up the bill in relation to Sheriffs and their sureties, and under a suspension of the rules, the bill passed its several readings.

Mr. Sykes introduced a bill to incorporate the Dismal Swamp Steam Transportation Company.

Referred to the Committee on Internal Improvements.

The following bills were taken from the Calendar and passed their final reading:

The House bill to improve the law of evidence.
The Senate bill to incorporate the Salisbury Cemetery Association.

The Senate bill in relation to Sheriffs.
The bill to make indictable language calculated to lead to a breach of the peace was taken up.
Mr. Barnett moved to lay the bill on the table.
On this motion, Mr. Gunter called for the yeas and nays.
The call being sustained, the vote was decided in the affirmative, as follows:


On motion, the House adjourned.

FORTY-FIRST DAY.

Monday, August 17th, 1868.

The House met pursuant to adjournment.
Prayer by the Rev. Mr. Hudson, of the City.
A message was received from the Senate, transmitting a bill to authorize the Norfolk and Great Western Rail Road Company to construct its road through the counties of Granville, Person and Caswell.
Also, a bill regulating the hours of labor.
Also, a message concurring in the bill to amend the Charter of the Western North Carolina Rail Road Company.
And a message returning the bill to provide for the registration of voters, and the bill to amend the charter of the Western Rail Road Company, as amended by the Senate.

Mr. Whitley, from the Committee on Corporations, to whom was referred the bill to incorporate the North State Swamp Land, Naval Store and Lumber Company, reported the same favorably.

Mr. Laflin, from the Committee appointed to investigate the merits of the North State Cottage Loom, submitted a flattering report of the same, accompanied by the following resolution:

Resolved, That we do hereby cheerfully recommend the North Carolina Cottage Loom to our people, and to the several Boards of Commissioners for the different Counties within the State.

The report was unanimously accepted.

Mr. Laflin called up the bill in relation to establishing a Turnpike Road from Morganton to the Tennessee line, and under a suspension of the rules, the bill passed its second and third readings.

Mr. Estes called up the bill to incorporate the Union Joint Stock Banking Company.

On motion of Mr. Proctor, the bill was indefinitely postponed.

The Speaker signed an act to amend the charter of the Williamston and Tarboro' Rail Road Company; and

An act to organize a Militia for North Carolina.

Under a suspension of the rules, Mr. Jarvis called up the Senate bill to incorporate the Enterprise Manufacturing Company.

Mr. Sweat moved to amend section first by striking out "ninety-nine" and inserting in lieu thereof "ten."

The motion was lost.

Mr. Laflin moved to amend the section by striking out all after the word "Pennsylvania."

Adopted.
The bill then passed its several readings.
A message was received from the Senate, transmitting for concurrence, the following named bills:
A bill to repeal an act ratified February 4th, 1861, concerning tax collectors.
A bill to prohibit the disinterring and sale of dead bodies in this State.
A bill providing for furnishing the Executive Mansion.
Also, a message concurring in the proposition to reconsider the vote by which the bill concerning the powers and duties of Superior Court Clerks was passed.
Mr. Stilley, from the Committee appointed to proceed to Caswell County to investigate and gather evidence in the case of the alleged election fraud in that County, submitted a report on the same, which, on his motion, was referred to the Committee on Privileges and Elections.
Mr. Laflin offered a resolution giving the Prin...


The bill then passed its third and final reading.

The bill concerning Lewis Bond, Sheriff of Bertie, was taken from the Calendar, and

On motion of Mr. Pou, was tabled.

The bill authorizing the Public Treasurer to issue new bonds for old ones, was taken from the Calendar and postponed until next session.

Mr. Estes called up the bill to provide for funding the matured interest of the public debt.

Mr. Hodnett moved to amend the bill by striking out the seventh section.

The motion was lost.

Mr. Durham moved to amend section second, line eleventh, by striking out the words "shall be exempt from taxation."

Mr. Leary called for the yeas and nays.

The call being sustained, the vote was as follows:

A quorum not voting.
On motion of Mr. Durham, a call of the House was ordered, and seventy-nine members answered to their names.
Mr. Estes then accepted the amendment offered by Mr. Durham.
The question then being on the final passage of the bill, Mr. Durham called for the yeas and nays.
The call being sustained, the vote was decided in the affirmative as follows:
Mr. Harris, of Wake, offered a resolution concerning the Public Treasurer, which was laid over.
Mr. Proctor called up the Senate bill to provide for the settlement of the estates of deceased persons, and
On motion of Mr. Estes, the bill was postponed until next session.
Mr. Vestal called up the bill to protect persons distilling spirituous liquors under United States licenses, and, under a suspension of the rules, the bill passed its several readings.
Mr. Sinclair called up the bill to regulate taxation in the corporate towns of the State.
Mr. Proctor moved to indefinitely postpone. 
On which motion, Mr. Sinclair called for the yeas and nays. 
The call being sustained, the vote was decided as follows:
A quorum not voting.
On motion of Mr. Leary, the House adjourned.

FORTY-SECOND DAY.

TUESDAY, August 18th, 1868.

The House met pursuant to adjournment.
Prayer by the Rev. Mr. Shaver, of the House.
A message was received from the Senate, announcing their concurrence in the amendment to the bill incorporating the Enterprise Manufacturing Company.
Also, a message was received announcing that the Senate had concurred in the following named bills:
A bill to relieve the late Sheriffs and their sureties.
A bill confirming a decree made by the Superior Court of Buncombe, at the Fall term of 1867. And
A bill to prevent the sale of intoxicating liquors on days of elections.

Also, a message transmitting for concurrence, a bill to appropriate money for the Deaf and Dumb and Blind Asylum. And

A bill to incorporate the Newbern Ferry Company.

Mr. Seymour, from the Judiciary Committee, reported back a bill in relation to crimes and outrages perpetrated under the sanction of the pretended authorities during the rebellion, recommending its postponement until next session. And

A bill in regard to general elections, favorably.

Mr. Harris, of Wake, from the Committee on Propositions and Grievances, to whom was referred a resolution in favor of J. R. Parker and others, reported back the same, recommending its postponement until next session.

Also, a resolution to protect incoming Sheriffs in certain cases, recommending that it do not pass.

Also, a petition from Joseph Backalan and other coroners, recommending its postponement till next session.

Mr. Downing introduced a resolution in relation to contingent expenses.

Laid over.

The Speaker signed the following named acts:

An act to provide for the filling of vacancies that may occur in the General Assembly.

An act in relation to Sheriffs.

An act to incorporate the Enterprise Manufacturing Company.

An act to amend an act entitled "An act to incorporate the Greenville and French Broad Rail Road Company."

An act to incorporate the Salisbury Cemetery Association.

And Code of Civil Procedure.

Mr. Laflin, from the Committee on Internal Improvements, to whom was referred a resolution in relation to selling the State’s interest in certain Rail Roads, reported back the same, recommending its postponement till next session.

On motion of Mr. Laflin, the Senate’s amendment to the bill
to amend the charter of the Western Rail Road Company was rejected; and

A message was sent to the Senate proposing to raise a Committee on Conference on the subject; and

The Speaker appointed on the part of the House, Messrs. Laflin, Estes, Leary, Downing and Gatling.

Mr. Seymour called up the bill in relation to the registration of voters, as amended by the Senate, and moved to concur in the amendment; and the House concurred.

Mr. Leary moved to suspend the rules in order to call up a bill to change the manner of payment of the State's subscription to the capital stock of the Western Rail Road Company.

The motion was lost.

Mr. Estes introduced a bill to levy taxes on Rail Road receipts to provide for paying the interest on the public debt.

Ordered to be printed, and referred to the Finance Committee.

Mr. Seymour called up the bill in relation to holding general elections.

On motion of Mr. Seymour, the bill was amended by striking out all down to the words "The Election of Electors of President and Vice President," preceding section 109.

Also, by striking out the words "townships or" in section 109.

Also, by the addition of another section.

The bill then passed its final reading.

Mr. Barnett called up the bill to allow the Norfolk and Great Western Rail Road Company to extend their Road through the Counties of Granville, Person and Caswell, and offered to amend the bill by the addition of another section.

The amendment was adopted, and the bill passed its final reading.

Mr. Seymour called up the bill to amend an act entitled "An act to provide for the holding of Special Courts in Wilmington and Newbern, and the bill passed its several readings.
Mr. Stanton called up the bill in relation to tax collectors, and the bill passed its several readings.

Mr. Barnett called up the bill to amend an ordinance of the Convention, incorporating the North Western North Carolina Rail Road Company.

Mr. Seymour moved to indefinitely postpone the bill.

Mr. Harris, of Wake, moved to lay this motion on the table, and called for the yeas and nays.

The call being sustained, the vote was decided in the affirmative as follows:


Mr. Hayes moved to postpone the bill until the third Monday in November next.

Mr. Harris, of Wake, moved to lay this motion on the table, and the motion prevailed.

Mr. Downing moved a call of the House.

A call was ordered, and eighty members answered to their names.

Mr. Barnett called the previous question on the passage of the bill.

The question being, "Shall the main question be now put?"

The vote was decided in the affirmative, and the bill passed its second reading as follows:
Yeas—Messrs. Ashworth, Barnett, Barnes; Banner, Carson; Candler, Cherry, Crawford, Downing; Franklin, Forkner, Gahagan, Gunter, Graham, Harris of Franklin; Harris of Wake, Hoffman, Horney, Hodgin, Hendricks; Justice of Henderson, Kinney, Kelly of Moore, Laflin, Morrill; McCandless, Moring, Pearson, Ragland, Renfrow, Reynolds, Smith of Alleghany, Simonds, Siegrist, Vestal, Vest, Wiswall and Waldrop—38.


Mr. Harris, of Wake, called up the resolution in relation to the Public Treasurer, and the same was adopted.

Mr. Laflin called up the bill providing for furnishing the Executive Mansion.

The rules being suspended,

Mr. Laflin moved to amend the first section by striking out the words “five thousand” and inserting in lieu thereof the words “ten thousand.”

On this motion, Mr. Argo called for the yeas and nays.

The call being sustained, the amendment was rejected by the following vote:


Shaver, Siegrist, Thompson, Vestal, Vest, Wiswall, White, Waldrop and Williams—47.

Mr. Argo moved to adjourn.

The motion did not prevail.

On motion of Mr. Laflin, the rules were suspended, and the bill to incorporate the Ridgeway Land and Immigration Company, was taken up.

Mr. Cawthorn moved to postpone the bill till Wednesday at eleven o'clock.

The motion was lost.

Mr. Cawthorn moved to adjourn.

The motion was lost.

The bill then passed its second reading.

Mr. Cawthorn moved to lay the bill on the table.

The motion was lost.

On motion of Mr. Ames, the bill was then made the Special Order for Wednesday at eleven o'clock.

On motion of Mr. Downing, the House then adjourned to meet again at nine o'clock Wednesday morning.

FORTY-THIRD DAY.

Wednesday, August 19th, 1868.

The House met pursuant to adjournment.

Mr. Seymour in the Chair.

Prayer by the Rev. Mr. Long, of the House.

On motion of Mr. Estes, the rules were suspended.

The Senate bill to incorporate the Respass Guano Company was taken up.

The bill passed its second and third readings.

Mr. Estes introduced a resolution in reference to the validity
of the State Government, and the duties of its officers to maintain and enforce its authority.

A suspension of the rules having been obtained for the passage of the resolution,

Mr. Gunter called for the yeas and nays.

The call being sustained, the resolution was adopted by the following vote:


Mr. Argo offered a resolution in relation to law licenses in certain cases.

Under a suspension of the rules the resolution passed.

Mr. Sinclair called up the Senate bill to incorporate the North Carolina Swamp Land, Naval Store and Lumber Company.

Under a suspension of the rules, the bill passed its several readings.

Mr. Dixon presented a bill, prepared by the Code Commission, in relation to the duties and powers of State officers.

Mr. Dixon offered a resolution in favor of the tax payers of Greene County.

Laid over.

A message was received from the Senate returning the bill for the more effectual punishment of the crime of horse and
mule stealing, with an amendment, in which amendment the House concurred.

Mr. Harris, of Wake, offered a resolution allowing the Pages and the Assistant Engrossing Clerk each the same mileage as that received by members.

Mr. Hayes moved to amend the same by striking out the words "and assistant Engrossing Clerk."

The amendment was adopted.

Mr. Proctor moved a call of the House.

A call of the roll was ordered, and sixty-seven members answered to their names.

The question being on the passage of the resolution, Mr. Barnett moved to lay the resolution on the table.

On this motion, Mr. Harris, of Wake, called the yeas and nays.

The call being sustained, the motion to table prevailed by the following vote:


Mr. Morris offered a resolution allowing the Doorkeepers per diem equal to that of the members.

The resolution was lost.

On motion of Mr. Downing, the resolution concerning contingent expenses was taken up and adopted.

On motion of Mr. Downing, the Senate bill making an appropriation of money to the Deaf and Dumb and Blind Asylum was taken up.
The bill passed its second and third readings.

On motion of Mr. Holden, the bill in relation to crimes and outrages perpetrated during the rebellion was taken up.

Mr. Argo moved to lay the bill on the table.

On this motion Mr. Holden called for the yeas and nays.

The call being sustained, the motion to table was lost by the following vote:


On motion of Mr. Seymour, the bill was then ordered to be printed and made the Special Order for Thursday at eleven o'clock.

Mr. Durham presented an amendment, prepared by the Code Commissioners, to the concluding portion of the Code of Civil Procedure, viz.: to strike out "one" in the third line of the three hundred and ninetieth section, and insert in lieu thereof the word "four."

The amendment was adopted.

Mr. Sinclair called up under suspension of the rules, the Senate bill to provide for furnishing the Executive Mansion, and moved to amend the first section by striking out the word "five" and inserting in lieu thereof the word "ten."

The amendment was adopted.

The question being on the passage of the bill on its final reading, the yeas and nays were ordered.
The bill passed its final reading by the following vote:


Mr. Estes called up, under suspension of the rules, the bill to levy taxes on Rail Roads, for paying interest on the public debt.

The bill passed its second reading.

On the third reading of the bill, Mr. Durham called for the yeas and nays.

The call being sustained, the bill passed its third reading by the following vote:


Mr. Whitley called up, under suspension of the rules, the bill
to amend the Charter of the Atlantic, Tennessee and Ohio Rail Road Company.

The bill passed its third reading.

Mr. Barnett called up, under suspension of the rules, the bill to amend an ordinance of the Convention, incorporating the North Western North Carolina Rail Road Company, and moved to amend the first section by inserting therein, after the word "superstructure," the words "and that when one hundred thousand dollars solvent additional subscriptions shall have been paid to the Treasurer of the Company then."

The amendment was adopted.

Mr. Barnett moved to further amend the bill by striking out in ninth line of section first the word "fifteen" and inserting in lieu thereof, the word "ten."

The amendment was adopted.

The bill being on its third reading,

Mr. Barnett called the previous question.

The question being "Shall the main question now be put?"

The vote was decided in the affirmative.

The yeas and nays being ordered and the roll called,

The vote was decided in the negative.

The bill failed to pass by the following vote:


Mr. Laflin, under a suspension of the rules, called up the Sen-
ate bill to incorporate the Ridgeway Land and Immigration Company.

On motion of Mr. Morris, the bill was postponed until the second Tuesday in December, next.

Mr. Poy, from the Committee on Privileges and Elections, to whom was referred the petition of Wilson Carey, of Caswell County, applicant for a seat in the House of Representatives, submitted a report thereon, which was laid over.

A message was received from the Senate, transmitting the following named bills for concurrence:

A bill to incorporate the Holden Hook and Ladder Fire Company of Newbern, North Carolina.

A bill to provide for the support of the Insane Asylum; and

A bill to punish conspiracy, sedition and rebellion.

The Speaker signed the following named acts:

An act concerning the jurisdiction and powers of Clerks of the Superior Courts, and proceedings before them as Judges of Probate.

An act to relieve the late Sheriffs and their sureties.

An act to legalize and confirm a decree made by the Court of Equity, at Fall Term, A. D. 1867, in the County of Buncombe.

An act to repeal an act ratified the 14th day of February, 1861, concerning tax collectors.

An act to prevent the sale of intoxicating liquors on days of elections, and

An act to amend the Charter of the Western North Carolina Rail Road Company.

On motion of Mr. Seymour, the House then adjourned to meet again at eight o'clock, P. M.
The report of the Committee on Privileges and Elections in relation to the Caswell County election case being the unfinished business, the same was taken up.

Mr. Hodnett offered the following substitute therefor:

"Whereas, Wm. Long, one of the Representatives elect to this House, from the County of Caswell, is banned by the fourteenth Article of the Constitution of the United States; therefore,

Resolved, That the seat of said Wm. Long be, and is hereby declared vacant, and that the Speaker of this House be instructed to report the fact to His Excellency, the Governor, to the end that an election may be ordered to fill said vacancy."

On motion of Mr. Durham, the further consideration of the subject was postponed until Thursday at half-past twelve o'clock.

Mr. Harris, of Wake, introduced a bill to amend an act entitled an act to provide for the registration of voters.

On motion of Mr. Durham, the bill was ordered to be printed.

Mr. Seymour, from the Committee on Judiciary, reported a bill establishing a lien in favor of builders, mechanics, &c.

Under a suspension of the rules, the bill passed its several readings.

Mr. Seymour introduced a bill to amend an ordinance entitled "An ordinance admitting members of the bar of other States to practice in this State."

Under a suspension of the rules, the bill passed its several readings.

Mr. Pon, from the Committee, to whom was referred the bill to provide for laying off the Homestead and setting apart the personal property exempted in favor of residents of this State
by article ten, of the Constitution of this State, reported the same favorably.

Under a suspension of the rules, the bill passed its several readings.

Mr. Pou introduced a bill to prevent the sale or gift of intoxicating liquors in the Capitol, or on the grounds of this Capitol. On motion of Mr. Argo, the bill was referred to the Committee on Internal Improvements.

On motion of Mr. Downing, the rules were suspended, and Mr. Downing moved a reconsideration of the vote by which the bill to amend an Ordinance of the Convention chartering the North Western North Carolina Rail Road Company was lost.

The motion to reconsider prevailed.

Mr. Leary moved to table the bill.

On this motion the yeas and nays were called.

The call being sustained, the House refused to table by the following vote:


Mr. Sweat moved to adjourn.

The motion did not prevail.

The question then being on the final passage of the bill,

The yeas and nays were ordered.

The bill passed its several readings by the following vote:


Mr. Rhodes introduced a resolution in relation to the management of Rail Roads, in which the State has an interest.

Mr. Laflin moved to postpone the same till the third Monday in November next.

Mr. Rhodes moved to lay this motion on the table.

No quoring voting the resolution went over.

A message was received from the Senate, concurring in the bill to establish a Turnpike Road from the town of Morganton to the Tennessee line, amending the same by inserting the name of “E. A. Perkins” after that of “Mr. McDowell,” and asking concurrence of the House in the same amendment.

Also, a message transmitting for concurrence, a bill to establish rates of Bar and River Pilotage for the Cape Fear River.

A bill to incorporate the Roanoke Batteau Transportation Company.

Mr. Downing offered a resolution in favor of J. E. O'Hara, principal Engrossing Clerk to the House.

On motion of Mr. Durham, the resolution was tabled.

On motion, the House then adjourned.
The House met pursuant to adjournment.

Prayer by Rev. Mr. Shaver, of the House.

The reading of the Journal was dispensed with.

Mr. Pou arose to a question of privilege. He had been reported in the Standard as voting in the negative on the proposition to tax Rail Road receipts two cents per mile. He did not vote at all.

Mr. Sinclair introduced a bill to incorporate the McLean Hook and Ladder Company of Fayetteville, which, under a suspension of the rules, finally passed.

The Speaker signed the following named bills:

A bill to incorporate the North Carolina, Western and Ohio Rail Road.

A bill authorizing the Norfolk and Great Western Rail Road Company to construct their Road through the Counties of Granville, Person and Caswell.

A bill in relation to the Executive Mansion.

A bill to incorporate the Respass Guano Company.

A bill to incorporate the North State Naval Store and Lumber Company.

A bill to provide for the payment of the interest of the lawful debt of the State.

A message was received from the Senate, transmitting the following named bills, &c., for concurrence:

A bill to provide for the employment of convicts in building a Penitentiary.

A bill, being the majority report of the Committee on Salaries and Fees.

A bill in relation to the Sheriff of Carteret County.

Afterwards called up by Mr. Laflin and finally passed.

Report of the Committee on Claims.
A bill to amend chapter forty-two of the Revised Code, entitled "Entries and Grants."

On motion of Mr. Estes, the bill to levy taxes on Rail Road receipts to provide for paying interest on the debt of the State, was taken up and passed its final reading.

On motion of Mr. Durham, the bill in relation to Provisional Sheriffs, was taken up.

Mr. Proctor moved to postpone until the second Monday in December next, but immediately withdrew the motion, when the bill passed its second and third readings.

The hour for the Special Order having arrived, it being the bill to amend an act to provide for the registration of voters, the same was taken up; and

The bill passed its final reading.

The bill to provide for funding the matured interest on the public debt of the State, was signed by the Speaker.

The hour for the Special Order having arrived, it being the substitute offered by Mr. Hodnett for the report of the Committee on Privileges and Elections in the Caswell election case,

The substitute was rejected, and

The question recurring upon the original report, the same was adopted, as follows:


Mr. Carey was then sworn in and took his seat.

Mr. Laflin submitted a report from the Committee on Conference, on the bill to amend the charter of the Western Rail Road Company; which was concurred in.

A message was received from the Governor, transmitting letters from Ex-Gov. Smith and M. L. Wiggins in reference to the payment of certain claims.

Referred to the Committee on Claims.

On motion of Mr. Barnett, the bill to provide for punishing claims and outrages committed during the rebellion, was indefinitely postponed.

On motion of Mr. Seymour, the bill in relation to the fees of State officers was taken up; and

The bill, as amended, passed its final reading.

The House then adjourned.

FORTY-FIFTH DAY.

Friday, August 21st, 1868.

The House met pursuant to adjournment.

Mr. Rhodes introduced a resolution in favor of A. J. Summerlin, which was adopted.

On motion of Mr. Sinclair, the bill concerning pilotage on the Cape Fear River was taken up; and

On motion of Mr. Pou, the same was postponed until next session.

A bill to punish conspiracy, sedition and rebellion was taken up and finally passed.

Also, a bill supplemental to an act in relation to salaries and fees.

Also, a bill to make bank bills a set off.
Also, a bill to repeal an ordinance of the Constitutional Convention, ratified March 16, 1868.

Also, a bill in relation to punishments.

A Senate resolution, from the Committee on Claims, was taken up and adopted.

Also, a resolution in favor of N. Paige & Co.

Also, a resolution in relation to currency of National Banks.

The majority report of the Committee on Salaries and Fees was then taken up.

Mr. Durham called for the yeas and nays.

The call being sustained, the majority report was adopted by the following vote:


A bill concerning the Courts of Justices of the Peace and civil proceedings therein, was taken up and adopted.

Also, a bill in relation to selling of lands under execution, as amended in the Senate.

Also, a bill for the relief of the citizens of Anson.

The bill to provide for the erection, location, etc., of a State Penitentiary was then taken up on its third reading.

Mr. Sinclair called for the yeas and nays.

The call being sustained, the bill was adopted by the following vote:


On motion of Mr. Argo, the rules were suspended, and the resolution authorizing the Secretary of State to furnish members with copies of all public laws passed by the General Assembly, was taken up and adopted.

A bill in relation to the Newbern Ferry Company, was taken up, and

On motion of Mr. Harris, of Wake, the same was postponed until the next session.

On motion of Mr. Ames, the vote adopting the bill to regulate hours of labor was reconsidered, and

On motion of Mr. Estes, the same was postponed until the next session.

Mr. Cawthorn moved a reconsideration of the vote by which the bill to incorporate the Ridgeway Land and Immigration Company was adopted.

On this motion, Mr. Sweat called for the yeas and nays.

The call being sustained, the vote was reconsidered as follows:

grist, Stanton, Thompson, Vest, Williamson, Wiswall, Whitley, Waldrop and Williams—52.


Mr. Hayes moved to amend by striking out the words “Land and Immigration” from the title of the bill.

The amendment was adopted.

Mr. Hayes then moved to amend section first by striking out all after the word “of” in the first line to the word “State” in the second line, and inserting in lieu thereof the words “developing the resources of this”; also to amend the fourteenth line of same section by striking out the word “Immigration.”

Both amendments were adopted.

Mr. Morris then moved to postpone the bill till the third Monday in November next.

The motion was lost.

The question recurring upon the passage of the bill on its final reading,

Mr. Sweat called for the yeas and nays.

The call was not sustained.

The bill, as amended, was then adopted.

A bill in relation to the Insane Asylum was taken up and adopted.

Mr. Pou introduced a resolution in favor of the Secretary of State, allowing compensation for the hire of one clerk in addition to the force already employed.

On motion of Mr. Harris, of Wake, the same was indefinitely postponed.

Mr. Durham introduced a resolution complimentary to the Speaker of the House for the fair, impartial and unexceptionable discharge of his duties as an officer, which was unanimously adopted.

A bill to incorporate the N. C. Mining and Lumber Company was taken up and adopted.
Mr. Hayes introduced a resolution in relation to allowing His Excellency, the Governor, an Aid.

On motion of Mr. Durham, the resolution was tabled.

Mr. Downing introduced a resolution authorizing the printing of ten thousand copies of the act to punish bribery and coercion.

Adopted.

Mr. Pou introduced a bill for the relief of certain taxpayers in the county of Johnston; which, under suspension of the rules, passed its second and final readings.

Mr. Seymour introduced a bill in relation to the Federal Cemetery at Raleigh, which, under suspension of the rules, passed its second and third readings.

A bill to amend the charter of the Greenville and Goldsboro' Rail Road Company was taken up and adopted.

Mr. Sykes introduced a bill in favor of Mrs. Sarah Mann, of Pasquotank County, which, under suspension of the rules, passed its second and third readings.

On motion of Mr. Dixon, the resolution in favor of the Sheriff of Greene county was taken up.

Mr. Gunter moved to amend the resolution by inserting also the Sheriff of Chatham, when

On motion of Mr. Barnett, the resolution was tabled.

A message was received from the Senate, transmitting a resolution concerning the burning of Confederate securities in the office of the Public Treasurer, which, under suspension of the rules, was concurred in.

On motion, the House then adjourned.
FORTY-SIXTH DAY.

Saturday, August 22d, 1868.

The House met pursuant to adjournment.

A message was received from the Senate, transmitting for concurrence a resolution in relation to the selection of a room in the Capitol for the Superintendent of Public Instruction.

Mr. Argo moved to concur in the same.

Mr. Hodgin moved to lay the motion to concur on the table.

The motion to table was lost, and the resolution was concurred in.

A message was received from the Senate concurring in the bill to establish a Turnpike road from the town of Morganton to the Tennessee line, amending the same by adding the name of E. A. Perkins, and asking the concurrence of the House in the amendment.

The House concurred.

The Senate bill to incorporate the Deep River Manufacturing Company was taken up and passed its several readings.

The Senate bill to incorporate the Roanoke Batteau Transportation Company, passed its final reading.

The Senate bill to incorporate the Union Immigration Company, was,

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

The petition from Joseph Backalan and other Coroners, was indefinitely postponed.

The bill to amend the charter of the Cheraw and Coal Fields Rail Road Company, was laid on the table.

The Senate bill to incorporate the State Loan and Trust Company of North Carolina, passed its second and final readings.

The Senate bill concerning refunding bonds, passed second and third readings.

The bill concerning judgments and processes issuing from the late Supreme Courts, passed second and third readings.
The bill to facilitate the settlement of the estates of deceased persons, passed its third reading.

The bill to amend section fifth, chapter eighty-fifth, of the Revised Code, in relation to Commissioners, passed its final reading.

The Senate resolution in favor of W. H. & R. S. Tucker, was concurred in.

The report of the Commissioners of Washington County, in relation to laying off the County into townships, was postponed till next session.

The Speaker signed the following named acts and resolutions:

Resolution instructing the Public Treasurer.
Resolution in favor of the Principal Clerk of each House.
An act to incorporate the Ridgeway Land Company.
An act to make Bank Bills a set off.
Resolution in relation to Clerks.
An act to incorporate the North Carolina Land, Mining and Lumber Company.
An act concerning the Register of Deeds.
An act to amend an act to incorporate the Newbern Gas-Light Company.
An act concerning H. E. Stilley and J. B. Respass.
An act to amend the charter of the Southern Air Line Company.
An act concerning the Port of Wilmington.
An act to amend an act to provide for the qualification of certain officers.
An act to amend an ordinance permitting members of the bar of other States to practice in this State.
An act concerning the North Western North Carolina Rail Road Company.
An act to amend the charter of the Western Rail Road Company.

The Senate bill in relation to the Mayor and Commissioners
of the town of Newport was taken up and passed its final reading.

The House then adjourned until eight and a half o'clock, P. M.

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EVENING SESSION.

A message was received from the Senate, transmitting a bill to prevent injuries to the Cape Fear and Deep River Navigation Works.

Mr. Stilley moved to postpone the bill until the next session.

On motion of Mr. Estes, the motion to postpone was laid on the table.

The bill then, under a suspension of the rules, passed its second and third readings.

The House then adjourned.

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FORTY-SEVENTH DAY.

Monday, August 24th, 1868.

The House met pursuant to adjournment.

The Speaker signed the following named acts, &c.:

An act authorizing certain persons to practice law.

An act concerning refunding bonds.

A resolution authorizing the Secretary of State to furnish members with copies of the laws.

An act to incorporate the Holden Hook and Ladder Company of Newbern.

A resolution from the Committee on Claims.
An act in relation to suits pending in the late Superior Courts of this State.
A resolution in relation to the mileage of Pages.
An act in relation to the Mayor and Commissioners of the town of Newport.
An act to punish conspiracy, sedition and rebellion.
An act to amend the charter of the Mecklenburg Female College.
An act to amend section five, chapter eighty-five of the Revised Code.
An act to provide for employment of convicts in the erection of a Penitentiary.
An act to facilitate the settlement of the estates of deceased persons, and for other purposes.
An act to repeal an ordinance, appointing Commissioners to investigate the accounts of the Albemarle and Chesapeake Canal Company.
An act to relieve Messrs. Durham and Moore, of Johnston County, from the payment of certain taxes.
An act being the concluding portion of the Code of Civil Procedure.
An act to provide for the registration of voters.
An act to incorporate the Deep River Navigation Company.
A resolution in relation to the currency of National Banks.
A resolution in relation to contingent expenses.
An act to incorporate the North Carolina Iron and Steel Company.
An act regulating the sale of land under execution.
An act supplemental to an act on salaries and fees.
An act to incorporate the Roanoke Batteau Transportation Company.
A resolution in favor of N. Paige & Co.
An act to incorporate the North Carolina Loan and Trust Company.
An act concerning the fees of the Clerks of Superior Courts, Sheriffs, Registers of Deeds, Solicitors, Coroners, Constables, justices of the Peace and Jurors.
Mr. Sinclair offered a resolution complimentary to the Principal and Assistant Clerks of the House, which was unanimously adopted.

The Speaker appointed Messrs. Downing, Renfrow and Harris, of Wake, as the House branch of the Penitentiary Committee.

A message was received from the Senate, transmitting a resolution declaring that body adjourned, to meet again on the third Monday in November next, in which the House concurred.

The House then adjourned.
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