JOURNALS

OF THE

SENATE AND HOUSE OF COMMONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA,

AT ITS SESSION IN 1825.

TRANSMITTED, ACCORDING TO LAW, TO

ONE OF THE MEMBERS OF THE GENERAL ASSEMBLY, FOR THE COUNTY OF

RALEIGH:

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Printers to the State,

1826.
At a General Assembly, begun and held in the City of Raleigh, on Monday, the 21st day of November, in the year of our Lord one thousand eight hundred and twenty-five, and in the fiftieth year of the Independence of the United States of America: It being the first session of this General Assembly.

The Returning Officers of the several counties certified that the following persons were duly elected to represent the counties in the Senate, respectively, to wit:


On motion of Mr. Love, Bartlett Yance, Esquire, the member of this House from the county of Caswell, was unanimously chosen Speaker of the Senate, and conducted to the Chair accordingly.

On motion of Mr. Wilson, Benjamin H. Covington was appointed Principal Clerk of the Senate, and James W. Clark, Clerk Assistant.

On motion of Mr. Davis, Thomas B. Wheeler was appointed Principal Doorkeeper to the Senate, and, on motion of Mr. Whitfield, Robert Ray was appointed Assistant Doorkeeper.

Mr. Whitfield presented the resignation of John H. Bryan, the Senator elect from the county of Craven; which was read and accepted. Thereupon, on motion of Mr. Whitfield, it was ordered that a writ issue to the Sheriff of Craven county, commanding him to hold an election at the several places now prescribed by law in said county, on the twenty-fifth day of this instant, for the purpose of electing some person qualified to fill the said vacancy.

On motion of Mr. Wilson, it was ordered that a writ issue to the Sheriff of Northampton county, commanding him to hold an election at the several places now prescribed by law in said county, on the first day of December next, for the purpose of electing some person qualified to fill the vacancy in the Senate, occasioned by the death of John Peebles, Esq.

On motion of Mr. Hill, of Franklin, it was ordered that the rules for the government of the Senate be printed, one copy for each member.

On motion of Mr. Speight, a message was sent to the House of Commons, informing them of the organization of the Senate, by the appointment of Bartlett Yance, Esquire, Speaker; Benjamin H. Covington, Clerk; and James W. Clark, Clerk Assistant; Thomas B. Wheeler and Robert Ray, Doorkeepers; and of their readiness to commence their public duties.

The Senate adjourned to ten o'clock, to-morrow morning.

Tuesday, November 22, 1825.

The Senate met.

On motion of Mr. Hill, of Franklin, it was ordered that a writ issue to the Sheriff of Wake county, commanding him to hold an election at the
several places now prescribed by law in said county, on the 25th day of this instant, for the purpose of electing some person qualified agreeably to law to fill the vacancy in the Senate, occasioned by the death of Samuel Alston, Esquire.

Received from the House of Commons a message, stating the due organization of that House, by the appointment of John Stanly, Speaker; Pleasant Henderson, Clerk; and Charles Manly, Clerk Assistant; John Lumsden and Richard Roberts, Doorkeepers; and are prepared to enter upon public business.

Received also a message from that House, proposing that a joint select committee be appointed by the two Houses to wait on his excellency the Governor, and inform him that the Legislature has met agreeably to law, and is now ready to receive any communication he may think proper to make; and appointing Messrs. Iredell, Scott, and Daniel the committee on the part of that House. Which proposition was agreed to, and Messrs. Jones, of Wilkes, Sneed, and Wilson, of Edgecombe, compose the said committee on the part of the Senate.

Received from the House of Commons a message, proposing that the two Houses proceed immediately to the election of three Engrossing Clerks, and nominating the following persons, to wit: John Bragg, Samuel F. Patterson, Charles G. Rose, Joseph B. Collier, James Cook, Thomas G. Stone, Joseph H. Pool, Wm. J. Cowan, Matthew Beard, Jesse Turner, Lauriston B. Harden, Oscar G. Parsley, Joshua E. Lumsden, and Calvin C. Covington; which proposition was agreed to. Wm. Bond was added to the nomination, and Mr. Hill and Mr. Leak were appointed superintendents of the balloting on the part of the Senate.

Mr. Sneed, from the committee appointed to wait on his excellency the Governor, reported that the committee were authorised to state, that he would make a communication to the Legislature at twelve o'clock this day.

Received from the House of Commons a message, stating that Mr. Bateman and Mr. Wilson are appointed superintendents of the ballotting for three Engrossing Clerks on the part of that House.

On motion of Mr. Hill, of Franklin, the Senate proceeded to the appointment of standing committees, which were made as follows:


Committee of Finance, on the part of the Senate, are Messrs. Pickett, Hargrave, Speight, Love, Hussey, Sneed, Hill of Franklin, and Bullock.

Mr. Hill, of Stokes, from the committee appointed to conduct the ballotting for three Engrossing Clerks, reported that Samuel F. Patterson was duly elected; and that no other person in nomination had received a majority of the votes; which report was concurred in. Thereupon, on motion of Mr. Hill, of Stokes, a message was sent to the House of Commons, proposing that a further ballotting immediately take place for the two Engrossing Clerks yet to be elected.

Received from the House of Commons a message, agreeing to ballot
immediately for two Engrossing Clerks, and stating that Mr. Donoho and Mr. Drake attend the Senate to receive the ballots. Thereupon Mr. Baker and Mr. Hawkins were appointed superintendents on the part of the Senate.

The Senate adjourned to 10 o'clock, to-morrow morning.

WEDNESDAY, NOVEMBER 23, 1825.

The Senate met.

Mr. Hawkins, from the committee appointed to conduct the balloting for two Engrossing Clerks, reported that no person in nomination had received a majority of the votes.

On motion of Mr. M'Dowell, of Burke, a message was sent to the House of Commons, proposing to ballot immediately for the two Engrossing Clerks yet to be elected; and, on motion of Mr. Hill, of Franklin, the name of Wm. Banner was withdrawn from the nomination.

Received from the House of Commons a message, agreeing to ballot immediately for two Engrossing Clerks, as proposed by the Senate, and stating that the names of Joshua E. Lumsden, James Cook, Jesse Turner, and Oscar G. Parsley are withdrawn from the nomination; and that Mr. Cowan and Mr. Lewis now attend the Senate to receive the ballots. Thereupon Mr. M'Dowell, of Burke, and Mr. Marsh were appointed superintendents of the balloting on the part of the Senate.

Received from the House of Commons a message, from his Excellency the Governor, endorsed in that House "read and ordered to be printed;" which was also read and ordered to be printed by the Senate.

Mr. Boykin presented the resignation of Hardy Draughorn, as Justice of the Peace of the County of Sampson; which was read and accepted, and sent to the House of Commons.

Mr. M'Dowell of Burke, from the committee appointed to conduct the balloting for two Engrossing Clerks yet to be elected, reported that no person in nomination had received a majority of the votes. Thereupon, on motion of Mr. Forney, a message was sent to the House of Commons, proposing that a further balloting immediately take place for the two Engrossing Clerks yet to be elected; and, on motion of Mr. Hill, of Franklin, the name of Calvin C. Covington was withdrawn from the nomination.

Received from the House of Commons a message, agreeing to ballot immediately for the two Engrossing Clerks yet to be elected, and stating that Mr. Marshall and Mr. Wilcox attend the Senate as superintendents of the balloting; and that the name of Mr. Collier is withdrawn from the nomination. Thereupon Mr. Melvin and Mr. Bullock were appointed superintendents of the balloting on the part of the Senate.

The Senate adjourned to ten o'clock, to-morrow morning.

THURSDAY, NOVEMBER 24, 1825.

The Senate met.

Mr. Melvin, from the committee appointed to conduct the balloting for the two Engrossing Clerks yet to be elected, reported that Thomas G. Stone was duly elected; and that no other person in nomination had received a majority of the votes; which report was concurred in.

Received from the House of Commons a message, proposing that ano-
ther balloting immediately take place for the Engrossing Clerk yet to be elected; and that the name of Charles G. Rose is withdrawn from the nomination. Thereupon the proposition to ballot was agreed to by the Senate, and Mr. Vanhook and Mr. Baker were appointed superintendents of the balloting.

Received from the House of Commons a message, stating that they have passed a resolution, relative to the disposition of certain deeds of conveyance for lands situated in the purchase lately made of the Cherokee Indians; in which they ask the concurrence of the Senate. Thereupon the said resolution was read and agreed to, and ordered to be enrolled.

Received from the House of Commons a message, stating that Mr. Picot and Mr. Lassiter are appointed superintendents of the balloting, on the part of that House, for one Engrossing Clerk yet to be elected.

Mr. Forney presented the following resolutions, which were read and agreed to, to wit:
Resolved, That so much of the Governor's Message as relates to the election of the President and Vice President of the United States, be referred to a select committee.
Resolved, That so much as relates to the reception of General Lafayette, and the expenditure thereof, be referred to the Committee of Finance.
Resolved, That so much as relates to Internal Improvement, be referred to a select committee.
Resolved, That so much as relates to the draining of Swamps, be referred to the committee on Internal Improvement.
Resolved, That so much as relates to Education and primary Schools, be referred to a select committee.
Resolved, That so much as relates to the application of the United States for acession of Territory, be referred to a select committee.
Resolved, That so much as relates to the amendment of the Constitution of the United States, proposed by the States of Ohio and New Jersey, be referred to a select committee.
Resolved, That so much as relates to the Cherokee Contract, be referred to the Committee of Finance.
Resolved, That so much as relates to the Judiciary, be referred to a select committee.

Mr. Speight presented the following resolution, to wit:
Resolved, That a select committee be appointed, to whom shall be referred all subjects relating to the Militia Laws and Public Arms of this State.

Which was agreed to.

Mr. Baker, from the committee appointed to conduct the balloting for one Engrossing Clerk, reported that no person in nomination had received a majority of the votes. Thereupon, on motion of Mr. Speight, a message was sent to the House of Commons, proposing that a further balloting immediately take place; and a message was received from that House, agreeing to the proposition to ballot, and stating that Mr. Hardy and Mr. McMullan are appointed superintendents; and Mr. Poindexter and Mr. Melvin were appointed superintendents on the part of the Senate.

Received from the House of Commons a message, proposing that the two Houses immediately proceed to the election of a Judge of the Superior Courts of Law and Equity in this State, to supply the vacancy occurring by the resignation of George E. Badger, Esq. and stating that Thomas Ruffin, Esq. of Hillsborough, is in nomination; which proposition was agreed to, and Mr. Forney and Mr. Gilchrist were appointed superintendents of the balloting on the part of the Senate; and a message was re-
received from the House of Commons, stating that Mr. Sheppard and Mr. Wright are appointed to conduct the balloting on the part of that House.

Mr. Poindexter, from the committee appointed to superintend the balloting for the Engrossing Clerk yet to be elected, reported that no person in nomination had received a majority of the votes. Thereupon Mr. Love moved that a message be sent to the House of Commons, proposing that a further balloting take place for that appointment, at the meeting of the two Houses to-morrow morning; which was not agreed to.

Mr. Williams moved that a balloting for Engrossing Clerk take place immediately; which was agreed to, and a message to that effect sent to the House of Commons.

Received from the House of Commons a message, agreeing to ballot immediately for an Engrossing Clerk, and stating that the name of John Bragg is withdrawn from the nomination; and that Mr. Poor and Mr. Simmons are appointed to conduct the balloting on the part of that House. Thereupon Mr. Wilson, of Edgecombe, and Mr. Montgomery were appointed to conduct the balloting on the part of the Senate.

Mr. Vanhook presented the resignation of Stephen Pleasant, as Justice of the Peace of the County of Person; and Mr. Davidson, of Iredell, presented the resignation of Thomas Fortune, as Justice of the Peace of the county of Iredell; which were severally read and accepted by the Senate, and sent to the House of Commons.

The Senate adjourned to ten o'clock, to-morrow morning.

Friday, November 25, 1825.

The Senate met.

Mr. Forney, from the committee appointed to conduct the balloting for a Judge of the Superior Courts of Law and Equity in this State, reported that Thomas Ruffin, Esq. was duly elected; which report was concurred in.

Mr. Wilson, of Edgecombe, from the committee appointed to conduct the balloting for Engrossing Clerk, reported that no person in nomination had received a majority of the votes. Thereupon Mr. Love moved that a message be sent to the House of Commons, proposing that a further balloting immediately take place for the Engrossing Clerk yet to be elected; which was agreed to, and, on motion of Mr. M'Dowell, the name of Mr. Beard was withdrawn from the nomination.

Received from the House of Commons a message, agreeing to ballot immediately for Engrossing Clerk, and stating that Mr. Matthews and Mr. Skinner are appointed superintendents of the balloting on the part of that House. Thereupon Mr. Gibbs and Mr. Boddie were appointed superintendents of the balloting on the part of the Senate.

L. H. Alexander, the Senator from the county of Cabarrus, appeared, produced the certificate of his election, was qualified, and took his seat.

On motion of Mr. Wilson, of Edgecombe, Mr. Hill, of Franklin, obtained leave of absence from the services of the Senate from and after this day, until Monday next.

Mr. Pickett presented a bill to amend an act for the better care of orphans, and security and management of their estates; which was read the first time and passed. Mr. Vanhook moved that the bill be printed, and the question thereon was determined in the negative. Thereupon the
said bill, on motion of Mr. Hill, of Franklin, was referred to the committee on the Judiciary.

Mr. Boddie, from the committee appointed to conduct the balloting for Engrossing Clerk, reported that no person in nomination had received a majority of the votes

Received from the House of Commons a message, proposing that another balloting immediately take place for an Engrossing Clerk; which was agreed to, and Mr. Leak and Mr. Williams were appointed superintendents of the balloting on the part of the Senate.

Mr. Boddie presented a bill to repeal an act passed in the year 1811, entitled "an act to authorise the County Court of Nash to appoint Commissioners to contract with some person or persons for building public houses on the public ground at Nash Court House, and for other purposes;" which was read the first, second and third times and passed, and ordered to be engrossed.

Mr. Love presented a bill to incorporate the North Carolina Gold Company; which was read the first time and passed; and the same being read the second time, was, on motion of Mr. Forney, referred to the committee on the Judiciary.

Received from the House of Commons a message, stating that Mr. Elliott and Mr. Williams form the committee on the part of that House to conduct the balloting for the Engrossing Clerk yet to be elected.

The following persons were appointed on the several select committees, ordered on the message of the Governor.

On the Judiciary—Messrs. Pickett, Gilchrist, Davidson of Mecklenburg, Alexander and Hogan.


On Education and Primary Schools—Messrs. Hill of Franklin Sneed, Davidson of Fredell, Jones of Wilkes, and Hawkins.


On the proposed amendment to the Constitution of the United States, as respects President and Vice President—Messrs. Hill of Stokes, Hargrave, Bullock, Boddie and Smithwick.

On the amendment to the Constitution of the United States, proposed by the States of Ohio and New Jersey—Messrs. Gilchrist, Pickett, Speight, Davidson of Mecklenburg, and Vanhook.

On the resolution offered by Mr. Speight, relative to the Militia Laws and Public Arms—Messrs. Speight, Williams, Harrell, McDowell of Burke, and Jones of Rowan.

Mr. Williams, from the Committee appointed to conduct the balloting for an Engrossing Clerk, reported that no person in nomination had received a majority of the votes, and moved that a message be sent to the House of Commons, proposing that a further balloting immediately take place for that appointment, which was agreed to; and a message was received from the House of Commons, agreeing to the proposition of the Senate to ballot, and stating that Mr. Edwards and Mr. Durrett were appointed superintendents of the balloting on the part of that House. Thereupon Mr. Harrell and Mr. Smithwick were appointed superintendents on the part of the Senate.

Mr. Sneed presented a bill to authorise Willis Lewis, of Granville county, to erect two gates across the public road in said county; which was read the first time and passed, and, on motion of Mr. Sneed, was referred to the committee of Propositions and Grievances.
Mr. M'Dowell, of Burke, presented a bill to repeal an act, passed in the year 1818, entitled "an act fixing the sum hereafter to be paid to the State for vacant lands;" which was read the first time and passed, and, on motion of Mr. M'Dowell, was referred to the Committee of Finance.

A message was sent to the House of Commons, stating that the Senate, in pursuance of a rule of the two Houses, have appointed a Library Committee, consisting of Messrs. Forney, Pickett and Gilchrist.

Received from the House of Commons a message, stating that, in pursuance of a joint rule of the two Houses, they have appointed a Committee of Finance, consisting of Messrs. Carson, Williamson, Sheppard, Gary, Iredell, Blount, Gause and Elliott; also a Library Committee, consisting of Messrs. Moore of Brunswick, Sheppard and Iredell.

Received from the House of Commons a message, proposing that a joint select committee be appointed, whose duty it shall be to revise the fees of Clerks of the counties, Sheriffs, Constables, and County Solicitors, and to enquire into the expediency of compelling Clerks of Courts to make their bills of cost and to issue all tickets in dollars and cents, and that they have leave to report by bill or otherwise; and stating that Messrs. Martin, Scott, Miller, Dunn and L.H. Simmons form the committee on the part of that House; which proposition was agreed to, and Messrs. Davidson of Mecklenburg, Hill of Stokes, Hogan, Montgomery, and Speight of Greene, form the committee on the part of the Senate.

Mr. Formydaual presented the petition of William Baldwin, of Columbus county, praying to be divorced from his wife Amelia; which was referred to the committee of Propositions and Grievances.

On motion of Mr. Parker, a committee was appointed on Divorce and Alimony, consisting of Messrs. Parker, Matthews, Pool, Poindexter and Sanders.

Mr. Parker presented the petition of Sarah Wooters, of Guilford county, wife of John Wooters, praying that the property she may hereafter acquire be secured to her separate use; which was referred to the last mentioned committee.

Mr. Whitfield presented the resignation of Joel Hines, of Lenoir county; and Mr. Boddie presented the resignation of George Boddie, of Nash county, Justices of the Peace; which were read and accepted; and sent to the House of Commons.

Received from the House of Commons the resignations of Joseph Williams, Col. Commandant of the Militia of Martin county; D. McGuire, Lieutenant Colonel of the Fork Regiment of Rowan Militia; and John Matthews, Lieutenant Colonel of the Gates Militia; also the resignations of James Townes, of Cumberland county; Joseph J. Gore, of Brunswick county; Lewis Daniel, of Person county; Aretas Jones, of Lenoir county; John Harris, of Hyde county; Archibald Durham, of Rutherford county; John Pollock, of Onslow county; John Wall, of Rutherford county; James Little, of Montgomery county; and Charles Stephens, of Johnston county, Justices of the Peace; which were severally read and accepted by the Senate.

The Senate adjourned to ten o'clock, to-morrow morning.
JOURNAL OF THE SENATE.

SATURDAY, NOVEMBER 26, 1825.

The Senate met.

Mr. Harrell, from the committee appointed to conduct the balloting for Engrossing Clerk, reported that no person in nomination had received a majority of the votes.

Received from the House of Commons a message, proposing that a further balloting immediately take place for that appointment; which proposition was agreed to by the Senate, and Mr. Baker and Mr. Hill of Stokes were appointed superintendents of the balloting; and a message was received from the House of Commons, stating that Mr. Bell and Mr. Whitfield are appointed superintendents of the balloting, on the part of that House.

Mr. Davidson, of Mecklenburg, presented a bill concerning the Catawba Navigation Company; which was read the first time and passed, and, on motion of Mr. Whitfield, was referred to the committee on Internal Improvement.

Mr. Davidson, of Mecklenburg, presented the petition of Matthew Miller, a soldier in the Revolutionary war, praying to be placed on the pension list of this State; which was referred to the committee of Propositions and Grievances.

Mr. Davidson, of Iredell, presented the petition of Silas Sharpe, of Iredell county, praying the emancipation of a certain slave therein mentioned; which was referred to the committee of Propositions and Grievances.

Mr. Jones, of Wilkes, presented the petition of Elizabeth Witherspoon, of Wilkes county, praying that the property which she may hereafter acquire, be secured to her free from the claims of her husband, David Witherspoon; which was referred to the committee of Divorce and Alimony.

Mr. Hill, of Stokes, from the committee appointed to conduct the balloting for the third Engrossing Clerk, reported that no person in nomination had received a majority of the votes; and, on motion of Mr. Formbyduval, a message was sent to the House of Commons, proposing that a further balloting immediately take place for that appointment; and received from the House of Commons a message, agreeing to ballot, as proposed by the Senate, for the third Engrossing Clerk, and stating that Mr. Miller and Mr. M'Cauley are appointed superintendents of the balloting on the part of that House. Thereupon Mr. Speight and Mr. Legrand were appointed superintendents on the part of the Senate.

Mr. Speight, from the committee appointed to conduct the balloting for the third Engrossing Clerk, reported that no person in nomination had received a majority of the votes.

Mr. Vanhook moved that a message be sent to the House of Commons, proposing that a further balloting immediately take place for that appointment, which was agreed to; and a message was received from the House of Commons, agreeing to ballot, as proposed by the Senate, and stating that Mr. Glasgow and Mr. Richardson are appointed superintendents of the balloting on the part of that House. Thereupon Mr. Hawkins and Mr. Gilchrist were appointed superintendents on the part of the Senate.

Mr. Hawkins, from the committee appointed to conduct the balloting for the third Engrossing Clerk, reported that Mr. Cowan was duly elected; which report was concurred in,
The following resignations were presented, to wit: By Mr. Wilson, of Edgecombe, the resignation of Joshua Pender, as Col. Commandant of the 2nd regiment of the Edgecombe militia; by Mr. M'Dowell, of Burke, the resignations of J. Butler, Col. Commandant, and Wm. Kincaid, Lieutenant Colonel of the militia of Burke county; by Mr. M'Dowell, of Buncombe, the resignation of James Hamblin; and by Mr. Jones, of Wilkes, the resignation of H. Standly, Justices of the Peace; which were severally read and accepted by the Senate, and sent to the House of Commons.

The Senate adjourned to Monday, 10 o’clock.

Monday, November 28, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to repeal an act, passed in the year 1811, entitled “an act to authorise the County Court of Nash to appoint commissioners to contract with some person or persons for building public houses on the public ground at Nash Court House, and for other purposes;” in which they ask the concurrence of that House.

Mr. Henry Seawell, the Senator from the county of Wake, appeared, produced the certificate of his election, was qualified, and took his seat.

Mr. Speight presented the following resolution:

Whereas it appears that many deficiencies exist in our present judiciary system, and to such an extent as almost to amount to a denial of justice, and more particularly in the chancery department; and whereas it is the opinion of this General Assembly, that, upon a well regulated judiciary system, (faithfully and impartially dispensing justice to individuals,) depends the lives, rights and liberties of our fellow citizens;

Resolved, therefore, That the committee on the Judiciary be instructed to inquire into the propriety of so amending our judiciary system, as to hold Courts of Chancery separate and distinct from Courts of Law, one in each judicial circuit, and to be holden by the present Supreme Court Judges; and that they report by bill or otherwise.

Which was agreed to.

Mr. Davidson, of Iredell, presented the resignation of Alexander Torrence, as a Justice of the Peace of the County of Iredell; which was read and accepted by the Senate.

The Senate adjourned to 10 o’clock, to-morrow morning.

Tuesday, November 29, 1825.

The Senate met.

Edward Ward, the Senator from the county of Onslow, appeared, produced the certificate of his election, was qualified, and took his seat.

Mr. Booldie presented the following resolution, to wit:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending the several acts of this State to prevent excessive gaming, so far as relates to playing cards in public houses; and that they report by bill or otherwise.

Which was agreed to.

Mr. Montgomery presented a bill concerning the election of Sheriffs; which was read the first time and passed; and, on motion of Mr. Speight, this bill was committed to a committee of the whole House, and made the order of the day for Tuesday next, and ordered to be printed.
Mr. Pickett presented the petition of Thomas C. Dunn and George C. Mendenhall, praying that certain money paid into the public Treasury for land therein mentioned, be refunded to them; which was referred to the committee of Claims. And Mr. Hill, of Stokes, presented the petition of Thomas Bennett, of Stokes county, praying that the privileges of a citizen be restored to him. Which was referred to the committee of Propositions and Grievances.

Mr. Pickett, from the committee on the Judiciary, reported a bill to advance the administration of justice in Courts of Equity, and to establish a Court for that purpose; which was read the first time and passed; and, on motion of Mr. Love, the said bill was committed to a committee of the whole House, and made the order of the day for Friday next, and ordered to be printed.

Mr. Pickett, from the same committee, to whom was referred a bill to amend an act for the better care of orphans, and security and management of their estates, reported the said bill without amendment; which was made the order of the day for to-morrow.

Received from the House of Commons the following resolution, to wit:

Resolved, That the committee of Finance be instructed to inquire into the expediency of reducing the tax on Pedlars by land and on the navigable streams in this State.

Which was agreed to by the Senate.

Received from the House of Commons a message, stating that they have passed the engrossed bill to keep open French Broad River, in the county of Buncombe, and the bill to incorporate the trustees of the Cole rain Academy, in the county of Bertie; in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first and second times and passed.

Received from the House of Commons, a message from his excellency the Governor, in relation to the expenditure accruing from the visit of General Lafayette, accompanied with a proposition from that House, that the said message, together with the papers and documents therein referred to, be referred to the joint committee of Finance; which was agreed to by the Senate.

Received from the House of Commons a certificate of an allowance, made by the County Court of Cumberland, to Isabella Campbell, widow of James Campbell, a soldier in the continental line of this State in the revolutionary war; which was countersigned by the Speaker of that House, and the same being read, was, on motion of Mr. Bethune, countersigned by the Speaker of the Senate.

On motion of Mr. Forney, a message was sent to the House of Commons, proposing that a balloting take place, at the meeting of the two Houses to-morrow, for a Chief Magistrate of this State for the ensuing year, and nominating for the appointment Hutchins G. Burton.

Mr. Wilson, of Edgecombe, presented the following resolutions:

Resolved, by the General Assembly of the State of North Carolina, That the Constitution of the United States ought to be amended, so that Electors to vote for President and Vice President of the United States shall be elected uniformly in each State by districts; and that the said Electors, when elected for that purpose, shall assemble at the Capitol in the City of Washington, on the last Monday in February preceding the expiration of the term for which the President elect shall be elected; and, when so assembled, shall proceed (after organizing their body by ap-
pointing a President and Secretary, members of their own body) to elect a President and Vice President of the United States in the following manner: Each Elector shall give in his ballot for some one person, a native born citizen of the United States, expressing on the same the name of the person, and the State of which he is a resident, for President of the United States; and the person receiving a majority of the whole number of Electors, shall be declared duly elected President of the United States. But, after counting the ballots, if it shall be found that no person in nomination shall have received a majority of the whole number of Electors, they shall proceed to a second ballot, voting in the second place only for the three highest on the list of those voted for on the first ballot; and if, on the second ballot, neither of the three voted for shall have received a majority of the whole number of Electors, then they shall proceed to ballot the third time, voting only on the third ballot for the two highest on the list at the second ballot; and the person who shall receive the greatest number of votes on the third ballot, shall be declared to be duly elected President of the United States for four years from and after the fourth day of March next ensuing; and the Vice President of the United States shall be elected in like manner as the President.

Resolved, That our Senators in Congress be instructed, and our Representatives be requested, to use their exertions in obtaining the foregoing amendments to the Constitution of the United States; and that the Governor be requested to transmit a copy of the said resolution to each of the Senators and Representatives in Congress from this State; and also to the Governors of each of the States in the Union.

The foregoing being read, was, on motion of Mr. Wilson, referred to the committee on the proposed amendments to the Constitution of the United States, as respects President and Vice President.

Mr. Sneed presented the petition of Richard Ballock, of Granville county, praying compensation for certain services rendered by him in the late war; which was referred to the committee of Claims.

Mr. Jones, of Wilkes, presented the petition of Elizabeth Furguson, praying to be divorced from her husband James Furguson; which was referred to the committee of Divorce and Alimony.

Mr. Davidson, of Mecklenburg, from the committee of Propositions and Grievances, moved that the said committee be discharged from the further consideration of the petition of William Baldwin, praying to be divorced from his wife Amelia; and that the said petition be referred to the committee of Divorce and Alimony; which was agreed to.

Mr. Joiner presented a bill concerning company musters of militia; which was read the first time and passed, and, on motion of Mr. Joiner, was referred to the committee on the Militia Laws and Public Arms.

Mr. Hill, of Franklin, presented the resignation of John Kelly, a Justice of the Peace of Franklin county; which was read and accepted by the Senate.

Received from the House of Commons the following resignations, to wit: The resignations of J. H. Hill, Col. Commandant of the militia of Carteret county; P. Ballew, as Lieutenant Colonel of the militia of Burke county; Samuel Strayhorn, as Major of the militia of Orange county; and Jacob Guldin, as Major of Cavalry in the 3rd Division of the militia of this State; also Timothy Teachy, Edward Pearsall, Hosea Murray, and John Linton, of Duplin county; Daniel Holt, of Mecklenburg county; John Coulter, of Lincoln county; Larkin Shepherd, of Wilkes county; Luke Duncan, of Columbus county; J. S. Shepperd, of Halifax county; James Perkins, of Pitt county; and Joseph Keer, of Rowan county, Justices of the Peace; which were severally read and accepted by the Senate.

The Senate adjourned to ten o'clock, to-morrow morning.
Richard D. Spaight, the Senator from the county of Craven, appeared, produced the certificate of his election, was qualified, and took his seat.

The following bills were presented, to wit: By Mr. Wilson, of Edgecombe, a bill to establish Pleasant Grove Academy, in the county of Edgecombe, and to incorporate the trustees thereof; and for other purposes; by Mr. Formyduval, a bill to repeal an act passed in 1834, entitled "an act making compensation to the Jurors of the Superior and County Courts of the county of Columbus, and for laying a tax for the same;" by Mr. Jones, of Wilkes, a bill to amend the several acts of Assembly, passed to extend and improve the State road leading from Wilkesborough to the foot of the Laurel Hill, by the way of Holman's ford, in the county of Wilkes, and for other purposes; by Mr. M'Dowell, of Burke, a bill to repeal, in part, an act passed in the year 1811, entitled "an act for the better regulation of roads in the counties of Buncombe, Haywood, Burke, Wilkes and Ashe;" by Mr. Boughn, a bill to establish Shady Grove Academy, in the County of Rockingham, and to incorporate the trustees thereof; and by Mr. Vanhook, a bill to incorporate Ebenezer Academy, in the county of Person. Which bills were severally read the first time and passed.

Mr. Davidson, of Mecklenburg, from the committee of Propositions and Grievances, to whom was referred the petition of Matthew Miller, of the county of Mecklenburg, reported the following resolution, to wit:

Resolved, That the public Treasurer of the State of North Carolina be, and is hereby directed to pay annually to Matthew Miller, of the county of Mecklenburg, in North Carolina, the sum of seventy-five dollars, during the life of the said Matthew Miller, as a pensioner of the State.

Which was read the first time and passed.

Mr. Davidson, of Mecklenburg, from the same committee, to whom was referred the petition of Silas Sharpe, praying for the emancipation of a slave therein mentioned, reported a bill to emancipate a girl of colour, named Eliza; which was read the first time and passed.

Mr. Leak presented the petition of the trustees of the Richmond Euphradian Academy; which was referred to the committee of Propositions and Grievances.

A message was received from the House of Commons, stating their agreement to ballot for a Governor for the ensuing year, as proposed by the Senate. Thereupon Mr. Spaight, of Craven, and Mr. Hargrave were appointed superintendents of the balloting on the part of the Senate.

Received from the House of Commons a message, of the date of yesterday, proposing that a balloting be had on this day for Public Printer for the ensuing year, and stating that Messrs. Bell & Lawrence and Gales & Son are in nomination for the appointment; which proposition to ballot was not agreed to.

Mr. Speight, of Greene, presented the following resolution:

Resolved, That it be referred to a select joint committee of both Houses of this General Assembly, to inquire whether any, or what contract was made with Joseph Gales & Son, State Printers, at the last session of the General Assembly; and that they also inquire for what price the public printing can be obtained.

Mr. Forney moved to amend the resolution, by striking out all the words from the word "inquire," in the 4th line, to the word "for," in
the 8th line; which was not agreed to. The question then recurred on
the adoption of the resolution; which was determined in the affirmative,
and Messrs. Speight, of Greene, Seawell, Forney, Love, and Jones, of
Wicke's, were appointed the said committee on the part of the Senate.

On motion of Mr. Speight, of Greene, a message was sent to the House
of Commons, proposing that a balloting take place at the meeting of the
two Houses to-morrow morning, for a public Treasurer and Comptroller,
for the ensuing year, and nominating John Haywood, as Public Treasurer,
and Joseph Hawkins for Comptroller.

Received from the House of Commons, a message, stating that Mr. Wil-
liamson and Mr. Wilcox form the committee on the part of that House
to conduct the balloting for a Governor for the ensuing year; also that
they have passed a resolution in favor of Amos Jackson, of the county
of Stokes; in which they ask the concurrence of the Senate. Thereupon
the said resolution was read and agreed to, and ordered to be enrolled.

The bill to incorporate the trustees of the Colerain Academy, in the
county of Bertie, being an engrossed bill from the House of Commons,
was read the third time and passed, and ordered to be enrolled.

Received from the House of Commons, the annual report of the
Public Treasurer, accompanied with a proposition from that House that
the same be referred to the committee of Finance, and that it be printed,
with the exposes and statements, for the use of the members; which was
agreed to by the Senate.

Mr. Forney presented the petition of sundry inhabitants of the county
of Lincoln, praying the passage of a law for the incorporation of the town
of Lincolnton, accompanied with a bill to carry the prayer of the petition-
ers into effect; which were referred to the committee on the Judiciary.

Received from the House of Commons, a resolution, in the following
words, to wit:

Resolved, That the committee of Finance be instructed to inquire into the expe-
diency of providing by law that licenses to retailers shall be signed by the Comptrol-
er, and issued and accounted for by the Sheriffs of the several counties in this State,
in the same manner that pedlars' licenses are now signed, issued and accounted for.

Which resolution was agreed to by the Senate.

Received from the House of Commons, the resignation of Clinton Hart-
ley, as Colonel Commandant of the militia of Burke county and Jeremiah
Pearsall, as Major of the militia of Duplin county; which were severally
read and accepted by the Senate.

The Senate adjourned to 10 o'clock, to-morrow morning.

THURSDAY, DECEMBER 1, 1825.

The Senate met.

Mr. Spaight, of Craven, from the committee appointed to conduct the
balloting for a Governor of the State for the ensuing year, reported that
Hutchins G. Burton was duly elected; which report was concurred in.

Mr. McDowell, of Burke, presented the petition of sundry inhabitants
of the county of Burke, on the subject of the State road from Fayetteville
to Morganton; which was referred to the committee on Internal Improve-
ment.

Mr. Matthews presented the petition of Elizabeth Brickell, praying to
be divorced from her husband Samuel Brickell; which was referred to
the committee of Divorce and Alimony.
Mr. Howell presented the petition of sundry inhabitants of the county of Wayne, praying the passage of a law to restore to credit George Jerigan; which was referred to the committee of Propositions and Grievances.

The bill to emancipate a girl of colour, named Eliza, was read the second time, and, on motion of Mr. Spaight, of Craven, the same was indefinitely postponed.

The Resolution in favor of Matthew Miller, of Mecklenburg county, was read the second time and passed.

The bill to establish Pleasant Grove Academy, in the county of Edgecombe, and to incorporate the trustees thereof, and for other purposes, was read the second time and passed; and the same being read the third time, Mr. Boykin moved to strike out the second and third sections of the bill; and Mr. Wilson, of Edgecombe, moved that the bill, with the amendment under consideration, be laid on the table; which was agreed to.

Received from the House of Commons, a message, stating that they agree to the resolution of the Senate to raise a select joint committee to inquire whether any, and what contract was made with Joseph Gales & Son, State Printers, at the last session of the General Assembly, &c. and that they have appointed Messrs. Scott, Bain, Blount, Cowan and Martin, to form the said committee on the part of that House.

Received from the House of Commons, a message, proposing that a select joint committee be appointed to wait on his excellency Hutchins G. Burton, and inform him of his election as Governor of the State for the ensuing year, and to inquire of him at what time it will be agreeable to him to take the oaths of his qualification; and appointing Messrs. Picot, Miller and Williamson to form the committee on the part of that House. Thereupon Messrs. Davidson of Mecklenburg, Legrand and Speight of Greene, were appointed the committee on the part of the Senate.

Received from the House of Commons, a report from the Comptroller, accompanied with a proposition from that House that the exhibit of monies expended in the respective counties in support of the poor be printed, one copy for each member of the Assembly; which proposition was agreed to by the Senate.

The bill to repeal an act, passed in 1824, entitled "an act making compensation to the jurors of the Superior and County Courts of the county of Columbus, and for laying a tax for the same;" the bill to repeal, in part, an act passed in the year 1811, entitled "an act for the better regulation of roads in the counties of Buncombe, Haywood, Burke, Wilkes and Ashe;" the bill to establish Shady Grove Academy, in the county of Rockingham, and to incorporate the trustees thereof; and the bill to incorporate Ebenezer Academy, in the county of Person, were severally read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons, a message, stating that they have passed a bill to establish Oak Grove Academy, in the county of Greene, and to incorporate the trustees thereof; a bill compelling the Register of Rowan county to keep his office in the Court-House of said county; a bill to locate the Poor House of Davidson county; and a bill to declare in force, in the county of Rowan, the provisions of an act, passed
in the year 1824, entitled "an act to regulate the time of appointing Overseers of roads in the counties of Montgomery and Person;" in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first, second and third times and passed, and ordered to be enrolled.

Mr. Wilson, of Edgecombe, presented the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of passing a law to prevent the sale of Lottery Tickets in this State; and that they report by bill or otherwise.

Which was agreed to.

On motion of Mr. M'Dowell, of Burke, the name of Wm. B. Hill was added to the nomination for the appointment of Comptroller.

Mr. Parker presented a bill to extend the time for registering of grants, mesne conveyances, powers of attorney, bills of sale, and deeds of gift; which was read the first time and passed; and Mr. Hill, of Franklin, presented a bill to amend an act, passed in 1822, entitled "an act to make compensation to the jurors of the counties of Franklin and Camden; which was read the first, second and third times and passed, and ordered to be engrossed.

The engrossed bill to keep open French Broad river, in the county of Buncombe, was read the second time. Mr. M'Dowell moved that the bill be amended, by adding the words "up to the three forks of the same," after the word "river," in the sixth line of the first section; which was agreed to. Mr. Love moved to further amend the bill, by adding the following words in the title of the bill, after the word "Buncombe," to wit: "and the Tennessee river, in the county of Haywood, for the passage of fish," and to add a second section to the bill, in the following words: "And be it further enacted, that all persons having fish-traps on the Tennessee river, in the county of Haywood, from the Tennessee boundary line to the mouth of the Sugar Town Fork, thence up the Sugar Town Fork to the mouth of Ellijay creek, shall be required so to construct their dams that one fourth of the whole width of the river shall be open and free for the passage of fish after the first day of April next, under the same pains and penalties, and to be recovered in the same manner as prescribed in the first section of this act." Which amendments were agreed to. The question then recurred on the passage of the said bill the second time; which was determined in the affirmative. Thereupon the said bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendments.

The bill to amend the several acts of Assembly, passed to extend and improve the State road leading from Wilkesborough to the foot of the Laurel Hill, by the way of Holman's ford, in the county of Wilkes, and for other purposes, was read the second and third times and passed, and ordered to be engrossed.

The Senate entered upon the orders of the day, and the bill to amend an act for the better care of orphans, and security and management of their estates, was read the second time, and amended, on motion of Mr. Seawell, by adding the following provisions to the bill, to wit: "provided always, that nothing contained in this act shall in any wise affect the liability which the justices composing the Courts are subject to, according to the existing law, for not taking sufficient security from guardians."
The question then recurred on the passage of the bill the second time; which was determined in the affirmative. Thereupon the said bill was read the third time and passed, and ordered to be engrossed.

Mr. Sneed presented the resignation of Thomas J. Hicks, as Colonel Commandant of the militia of Granville county; which was read and accepted by the Senate, and sent to the House of Commons.

Received from the House of Commons, the resignation of James Holland, as Lieutenant Colonel of the first regiment of the militia of Lincoln county, which was read and accepted by the Senate.

The Senate adjourned to ten o'clock, to-morrow morning.

FRIDAY, DECEMBER 2, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the following bills, to wit: A bill to amend the several acts of Assembly, passed to extend and improve the State road leading from Wilkesborough to the foot of Laurel Hill, by the way of Holman's ford, in the county of Wilkes, and for other purposes; a bill to repeal in part an act passed in the year 1811, entitled "an act for the better regulation of roads in the counties of Buncombe, Haywood, Burke, Wilkes and Ashe;" a bill to amend an act for the better care of orphans, and security and management of their estates; a bill to repeal an act, passed in the year 1824, entitled "an act making compensation to the jurors of the Superior and County Courts of the county of Columbus, and for laying a tax for the same;" a bill to amend an act, passed in 1832, entitled "an act to make compensation to the jurors of the counties of Franklin and Camden; and a bill to establish Shady Grove Academy, in the county of Rockingham, and to incorporate the trustees thereof; in which they ask the concurrence of that House.

Mr. Buddie presented the following resolution, to wit:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending an act, passed in the year 1819, entitled "an act to prevent fraudulent trading with slaves, so far as to prevent slaves from selling Cotton to any person, except their master, mistress, or other person, having the management of such slave or slaves.

Which was agreed to.

Received from the House of Commons a message, stating their agreement to the proposition of the Senate to ballot for a Public Treasurer and Comptroller; and that the name of Wm. H. Hill is added to the nomination for Comptroller. Thereupon Mr. Hill, of Franklin, and Mr. Melvin were appointed superintendents of the balloting on the part of the Senate.

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

Whereas the General Government is going on gradually to furnish arms for the whole body of the militia, it is highly important that their organization and discipline should be more perfect than what it is at this time, the encouragement of uniform volunteer regiments, as well as volunteer companies, in different parts of the State, might have a salutary effect;

Resolved, therefore, That the committee on the Militia Laws and Public Arms be instructed to inquire into the expediency of amending the militia laws, so that in each brigade there shall be one regiment of uniform volunteers, to which all companies of riflemen, artillery and grenadiers, now in each brigade, shall be attached, and form a part; and to which regiments the public arms of the State shall be dis-
tibuted, under sufficient responsibility for their safe keeping; and said regiments, when formed, shall, at all times, be subject to the call of the State for the purpose of suppressing insurrection, invasion, &c. and that the committee report by bill or otherwise.

Which resolution was agreed to.

Received from the House of Commons, a message, proposing that the balloting for Treasurer and Comptroller be separated; and that the Treasurer alone be balloted for this morning, and stating that the name of Jno. G. A. Williamson, of Person county, is added to the nomination for Comptroller, and that Mr. W. T. Williams and Mr. Cowan form the committee to conduct the balloting on the part of that House, and have received the votes of the House of Commons for Treasurer. Which proposition was not agreed to by the Senate.

Mr. Dowd presented the following resolution:

Resolved, That the Secretary of State be, and is hereby authorised and required to issue a grant to Dugald M'Farland, for one hundred acres of land, situate, lying and being in the county of Moore, agreeably to the entry and survey heretofore made.

Which was referred to the Committee of Claims.

Mr. Parker, from the committee of Divorce and Alimony, reported a bill to divorce Elizabeth Brickell from her husband Samuel Brickell, and to alter her name; which was read the first time and passed.

Mr. Parker, from the same committee, reported a bill to divorce Elizabeth Ferguson, of Wilkes county, from her husband James Ferguson, and a bill to secure to Elizabeth Witherspoon, of Wilkes county, such property as she may hereafter acquire. Which bills were severally read the first time and passed.

Mr. Parker, from the same committee, reported unfavorably to the prayer of the petition of William Baldwin, praying to be divorced from his wife Amelia; which was concurred in.

Mr. Gilchrist, from the committee of Claims, to whom was referred the petition of Thomas C. Dunn and George C. Mendenhall, reported the following resolution, to wit:

Resolved, That the public Treasurer pay to Thomas C. Dunn and the guardian of James Ruffin Mendenhall, heirs of Barnaba Dunn, the sum of two hundred and sixty-seven dollars and forty two cents, being the amount of purchase money paid into the Treasury by Barnaba Dunn for eight thousand nine hundred and fourteen acres of land, previously purchased by, and granted to Murry Crymble and James Hewey; and that he be allowed the same in the settlement of his accounts.

Which was read the first time and passed.

Mr. Davidson, of Mecklenburg, from the committee of Propositions and Grievances, to whom was referred the petition of sundry inhabitants of Wayne county, in favor of George Jernigan, reported a bill to restore to credit George Jernigan, of Wayne county; which was read the first time and passed.

Mr. Speight, of Greene, from the committee of Finance, to whom was referred a bill to repeal an act, passed in the year 1818, entitled "an act fixing the sum hereafter to be paid to the State for vacant lands," reported the said bill without amendment; which was made the order of the day for to-morrow.

Mr. Davidson, of Iredell, presented the memorial of sundry inhabitants of Iredell county, praying for the improvement of a road leading from Smith's, in Iredell county, to David Law's, in Wilkes county; which was referred to the committee on Internal Improvement.
Mr. Hawkins presented the resignation of Stephen Turner, as Justice of the Peace for the county of Warren; which was read and accepted, and sent to the House of Commons.

The Senate resolved itself into a committee of the whole House, Mr. Wilson, of Edgecombe, in the chair, to take into consideration the bill to advance the administration of justice in Courts of Equity, and to establish a Court for that purpose; and, after some time spent therein, the committee rose, reported progress, and asked leave to sit again; which was agreed to.

Mr. Sneed presented the petition of Horace A. Burton, of Granville county, executor of Robert Burton, deceased, praying compensation for certain services rendered by his testator in the revolutionary war; which, with the accompanying documents, was referred to the committee of Claims.

Thereupon the Senate adjourned to 10 o'clock, to-morrow morning.

Saturday, December 3, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to incorporate Ebenezer Academy, in the county of Person, in which they ask the concurrence of that House.

Mr. Speight, of Greene, from the joint select committee, to whom was referred the resolution of the Senate, directing an inquiry whether any, or what contract was made with Joseph Gales & Son, at the last Session of the General Assembly, for the public printing; and also to inquire for what price the public printing can be obtained, made a report thereon; which was read, and ordered to be sent to the House of Commons.

Mr. Love presented the petition of William Welch; which was referred to the committee of Propositions and Grievances.

Mr. Pickett, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of passing a law to prevent the sale of Lottery Tickets in this State, reported that it is inexpedient to legislate upon the subject; which was agreed to.

Mr. Pickett, from the same committee, to whom was referred the resolution of the Senate, instructing them to inquire into the expediency of amending the several acts of this State, so far as relates to gaming in public houses, reported that it is inexpedient to add to the penalties already prescribed by law to restrain this pernicious vice. Mr. Boddie moved that the resolution be recommitted to the same committee, which was not agreed to. The question then recurred on concurring in the report, which was determined in the affirmative.

Received from the House of Commons, a message, proposing that a balloting be had immediately for a Public Printer for the ensuing year; which proposition was agreed to, and Mr. Hill, of Franklin, and Mr. Bethune were appointed superintendents of the balloting on the part of the Senate; and a message was received from the House of Commons, stating that Mr. Scott and Mr. Bain were appointed superintendents of the balloting on the part of that House.

Mr. Boykin moved that a committee be appointed on Agriculture; which was agreed to. Thereupon Messrs. Forney, Boykin, Love, Ward and Sanders was appointed the said committee.
Received from the House of Commons, a memorial or representation of the Grand Jury of Chatham county, on the subject of a Penitentiary, accompanied with a proposition from that House that the same be referred to a joint select committee, and appointing on the part of that House Messrs. Underwood, Polk, Spruill, Miller and Marshall to form the said committee. Thereupon Messrs. Gilchrist, Joiner, Hogan, Montgomery, and Hill of Stokes were appointed the committee on the part of the Senate.

On motion of Mr. Hill, of Stokes, a message was sent to the House of Commons, proposing that the superintendent of the ballot ing for a Public Printer be directed to wait on the sick members, to receive their ballots.

A message was received from the House of Commons, stating their dis- agreement to the said proposition.

Mr Speight, of Greene, presented the following resolution:

Resolved, That a select joint committee be appointed to inquire into the expediency of altering the time of the meeting of the General Assembly, and that they report by bill or otherwise.

Which was agreed to, and Messrs. Speight, of Greene, Love, Forney, Pickett, and Hill, of Franklin, were appointed the committee on the part of the Senate.

Received from the House of Commons, a resolution, reported by the committee of Finance, in the following words, to wit: "Resolved, that it is not expedient at this time to reduce the tax on Pedlars by land, or on those who peddle or hawk goods, &c. on the navigable streams of this State;" which was agreed to by that House, and the same was read and agreed to by the Senate.

Received from the House of Commons, a message, stating that they agree to the several amendments made by the Senate to the engrossed bill to keep open French Broad River, in the county of Buncombe. Thereupon it was ordered, that the said bill be enrolled.

Mr. Parker, from the committee of Divorce and Alimony, reported a bill to secure to Sarah Wooters, of Guilford county, such property as she may hereafter acquire; which was read the first time and passed.

Mr. Riddick presented the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of making some provision by law, so as to enable executors and administrators to settle the estate of deceased persons, in such manner as will secure the faithful execution of such trusts, and at the same time enable executors and administrators to be relieved from their responsibilities.

Which was agreed to.

The resolution in favor of Matthew Miller, of Mecklenburg county, was read the third time and passed, and ordered to be engrossed.

Mr. Montgomery presented the petition of Rachael Dickey, of Orange county, praying to be divorced from her husband Moses Dickey; which was referred to the committee of Divorce and Alimony.

The bill to divorce Elizabeth Brickell from her husband Samuel Brickell, and to alter her name, was read the second and third times and passed; and ordered to be engrossed.

The following bills were presented, to wit: by Mr. M'Dowell, of Burke, a bill to establish a poor house in the county of Burke; by Mr. Alexander, a bill to amend the road laws; by Mr. Hill, of Stokes, a bill to incorporate the Agricultural Society of Stokes county; and by Mr. Sneed, a bill concerning the entry of land in this State. Which bills were severally
read the first time and passed; and the last mentioned bill was, on motion of Mr. Shurz, referred to the committee on Internal Improvement, and the bill to amend the road laws, was referred to the committee on the Judiciary.

The Senate resolved itself into a Committee of the Whole, Mr. Wilson in the Chair, to take into consideration the unfinished business of yesterday, being a bill to advance the administration of Justice in Courts of Equity, and to establish a Court for that purpose; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Wilson, Chairman of the committee of the whole House, reported the said bill with sundry amendments; which were agreed to by the Senate.

Thereupon the Senate adjourned to ten o'clock, on Monday morning next.

MONDAY, DECEMBER 5, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to divorce Elizabeth Brickell, of Halifax county, from her husband Samuel Brickell, and to alter her name; also the resolution in favor of Matthew Miller; in which they ask the concurrence of that House.

On motion of Mr. Wilson, of Edgecombe, Mr. Matthews, the Senator from the county of Halifax, obtained leave of absence from the services of this House until Tuesday next, including this day.

Mr. Speight, of Greene, from the committee appointed to wait on the Honorable Hutchins G. Burton, and inform him of his election to the office of Governor of the State, and to know of him when he will attend to take the oaths prescribed by law, reported that they are authorised to state, that he will attend for that purpose in the Hall of the House of Commons at twelve o'clock to-morrow.

Received from the House of Commons, a message, proposing that a select joint committee be appointed, for the purpose of inquiring into the propriety of establishing a Medical Board for the State, and informing that Messrs. Scott, Ashe, W. W. Jones, Allen and Wilson form the committee on the part of that House. Thereupon Mr. Spaight, of Craven, Mr. Dowd, Mr. Shuford, Mr. Montgomery, and Mr. M'Dowell; of Buncombe, were appointed the committee on the part of the Senate.

Mr. Bethune, from the committee appointed to conduct the balloting for a Public Printer for the ensuing year, reported that Bell & Lawrence was duly elected; which report was concurred in.

Received from the House of Commons, a message, proposing that a balloting take place immediately for a Public Treasurer for the ensuing year; which proposition was agreed to, and Mr. Davenport and Mr. Shuford were appointed the committee on the part of the Senate to conduct the said balloting; and a message was received from the House of Commons, informing that Mr. Jones and Mr. Bozman form the committee to conduct the balloting on the part of that House.

Mr. Davidson, of Mecklenburg, presented the following resolution, to wit:

Resolved, That the committee on Internal Improvement be instructed to inquire into the expediency of appropriating a part of the public funds of the State towards
improving the public road from Fayetteville west, by way of Wadesborough, Charlotte, Lincolnth, Morganton, &c. and that they report by bill or otherwise.

Which was agreed to.

Mr. Poindexter presented the following resolution, to wit:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending the laws of this State on the subject of Usury, as not to impose any other penalty on those who loan money, than a forfeiture of the interest on the sum loaned.

Which was agreed to.

Mr. Hawkins presented the certificate of an allowance, made by the County Court of Warren, in favor of Elizabeth Harris, widow of Burwell Harris, a soldier in the revolutionary war; which was read, and, on motion of Mr. Hawkins, the same was countersigned by the Speaker of the Senate, and sent to the House of Commons.

Mr. Davenport, from the committee appointed to conduct the balloting for a Public Treasurer, reported that John Haywood was duly elected; which report was concurred in.

Received from the House of Commons, a message, proposing that a balloting take place immediately for a Comptroller for the ensuing year; which was agreed to, and Mr. Montgomery and Mr. Vanhook were appointed superintendents of the balloting on the part of the Senate; and a message was received from the House of Commons, informing that Mr. Dungan and Mr. Webb are appointed superintendents on the part of that House.

Received from the House of Commons, a message, stating their concurrence with the resolution of the Senate, proposing to raise a joint select committee to inquire into the expediency of altering the time of the meeting of the General Assembly; and that they have appointed to form the said committee, on the part of that House, Messrs. Polk, Barnett, Elliott, Gary and Gause.

Mr. Riddick presented the petition of John Stallings, of the county of Perquimons, on the subject of a road therein mentioned; which was referred to the committee of Propositions and Grievances.

Mr. Love presented the petition of Susannah Tindal, praying to be divorced from her husband, James Tindal; which was referred to the committee of Divorce and Alimony.

Mr. Davidson, of Mecklenburg, from the committee of Propositions and Grievances, reported a bill to restore to credit Thomas Bennett, of Stokes county; which was read the first time and passed.

Mr. Hill, of Stokes, presented a bill to authorise the County Court of Stokes to appoint a committee of Finance; which was read the first time and passed.

The bill to restore to credit George Jernigan, of Wayne county; and a bill to establish a poor house in the county of Burke, were severally read the second time and passed.

The bill to divorce Elizabeth Ferguson, of Wilkes county, from her husband James Ferguson; the bill to secure to Sarah Wooters, of Guilford county, such property as she may hereafter acquire; the bill to secure to Elizabeth Witherspoon, of Wilkes county, such property as she may hereafter acquire; and the bill to incorporate the Agricultural Society of Stokes county, were severally read the second and third times and passed, and ordered to be engrossed.
The Senate entered upon the orders of the day, and the bill to advance the administration of justice in Courts of Equity, and to establish a Court for that purpose, was read the second time; and, on motion of Mr. Wilson, of Edgecombe, the said bill was ordered to be laid on the table.

The bill to repeal an act passed in the year 1818, entitled "An act fixing the sum hereafter to be paid to the State for vacant lands, was read the second time; and, on motion of Mr. Speight, of Greene, the same was indefinitely postponed. And upon this question, the yeas and nays were demanded by Mr. M'Dowell, of Burke, and are as follows:


The bill to extend the time for registering of grants, mesne conveyances, powers of attorney, bills of sale and deeds of gift, was read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons, the resignation of N. G. Rand, Major of the first regiment of the militia of Wake county; which was read and accepted by the Senate.

The Senate adjourned to 10 o'clock, to-morrow morning.

TUESDAY, DECEMBER 6, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to divorce Elizabeth Ferguson, of Wilkes county, from her husband James Ferguson; a bill to secure to Sarah Wooters, of Guilford county, such property as she may hereafter acquire; a bill to secure to Elizabeth Witherspoon, of Wilkes county, such property as she may hereafter acquire; a bill to extend the time for registering grants and mesne conveyances, powers of attorney, bills of sale and deeds of gift; and a bill to incorporate the Agricultural Society of Stokes county; in which they ask the concurrence of that House.

Mr. Vanhook, from the committee appointed to conduct the balloting for a Comptroller, reported that Joseph Hawkins was duly elected; which was concurred in.

Mr. Gilchrist, from the committee of Claims, to whom was referred the petition of William Bullock, praying compensation for services rendered by him as commissary to a detachment of militia, ordered from the county of Granville to Newbern in August, 1813, reported unfavorable to the prayer of the petitioner; which was concurred in. Mr. Sneed moved that the petitioner have leave to withdraw the documents accompanying his petition; which was agreed to.

Mr. Gilchrist, from the same committee, to whom was referred the resolution of the Senate of the 2nd instant, in favor of Dugald M'Farland reported the said resolution, and recommended its adoption. Thereupon the resolution was agreed to, and ordered to be engrossed.
Mr. Gilchrist, from the same committee, to whom was referred the petition of Horace A. Burton, executor of Robert Burton, deceased, of Granville county, praying compensation for services rendered by the testator in the revolutionary war, reported unfavorable to the prayer of the petitioner. Mr. Sneed moved that the petition and documents be recommitted to the same committee; and Mr. Forney moved that the same be laid upon the table; which was agreed to.

Mr. Love presented the petition of Lindsey Fortune, of Haywood county, praying to be restored to credit; which was referred to the committee of Propositions and Grievances.

The following bills were presented, to wit: By Mr. Riddick, a bill for the improvement of the navigation of Perquimons River, above Newby's Bridge; by Mr. Smith, a bill making compensation to the Jurors of the Superior and County Courts of Ashe county; by Mr. Hill, of Stokes, a bill to revive and continue in force the provisions of an act, passed in 1818, entitled "An act directing a road to be laid out and opened from the town of Leasvile, in Rockingham county, by Rockford, in Surry county, to the town of Wilkesborough, and to amend the same;" by Mr. Pointdexter, a bill to regulate the Courts of Pleas and Quarter Sessions of Surry county; and by Mr. Seawell, a bill to raise a fund to complete the navigation of Neuse River, from Turner's Bridge, in Johnston county, to Cobbs' Mill, in Wake county. Which bills were severally read the first time and passed, and the last mentioned bill was, on motion of Mr. Seawell, referred to the committee on Internal Improvement.

Received from the House of Commons, the report of the Adjutant General of this State, accompanied with a proposition from that House that the same be printed, one copy for each member of this General Assembly; which was agreed to by the Senate.

Received from the House of Commons, a message, proposing that the select joint committee appointed to wait on his Excellency the Governor, and inform him of his re-election, be directed to wait on him, and to conduct him into the Commons Hall, at twelve o'clock, this day, for the purpose of his qualification; which was agreed to by the Senate.

The hour having arrived that the Governor intimated he would attend the Legislature, for the purpose of his qualification as Governor of the State for the ensuing year, and the Senate being informed that the House of Commons is in readiness to receive the Senate on the occasion; thereupon the two Houses convened in the Hall of the House of Commons, when the necessary oaths prescribed by law were administered to the Governor by the Honorable John L. Taylor, Chief Justice of the Supreme Court of this State. After which the Senate returned to their Chamber for the purpose of legislation.

Received from the House of Commons, a message, stating that they have passed a bill to establish a poor and work house in the county of Berne; a bill to incorporate Line Academy, in the county of Sampson; a bill to repeal in part an act, passed in the year 1820, entitled "an act to authorise and empower the commissioners of the several towns of Fayetteville, Newbern, Wilmington and Tarborough to organize and keep up fire engines;" a bill to repeal so much of the law now in force as provides for the payment of talismen jurors in the County or Superior Courts, so
JOURNAL OF THE SENATE.

far as relates to the county of New-Hanover; a bill to establish Lexington Academy, in the county of Davidson, and to incorporate the trustees thereof; a bill allowing compensation to the jurors of the Superior and County Courts of Martin county; and a bill to authorise the trustees of the Salisbury Academy to raise, by way of lottery, ten thousand dollars; in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to amend the several acts of Assembly, passed to extend and improve the State road leading from Wilkesborough to the foot of the Laurel Hill, by the way of Holman's ford, in the county of Wilkes, and for other purposes, with an amendment, to strike out the words "and made void," in the last line of the last section but one; in which they ask the concurrence of the Senate. Thereupon the amendment was agreed to, and the House of Commons was informed thereof by message.

The bill to restore to credit George Jernigan, of Wayne county, was read the third time, and it was resolved by the Senate that this bill shall not pass.

The bill to restore to credit Thomas Bennett, of Stokes county, was read the second time. Mr. Hill, of Franklin, moved that the bill be indefinitely postponed; which was not agreed to. Thereupon the same was passed the second and third times, and ordered to be engrossed.

Received from the House of Commons, a message, stating that they have passed a bill to authorise the County Court of Perquimons to distribute and apportion the hands belonging to the inhabitants of the town of Hertford on the streets of said town, and the public roads adjacent there-to, in a just and equitable manner; a bill to establish a distinct militia company and battalion muster in the county of Carteret; a bill to divorce John Chambers, of the county of Haywood, from his wife Rainey; and a bill to authorise John Matthews to erect a gate on the public road leading to Matthews' ferry, in the county of Cumberland; in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed.

The bill to establish a poor house in the county of Burke, was read the third time and passed, and ordered to be engrossed.

The engrossed bills, to wit: A bill to establish a distinct militia company and battalion muster in the county of Carteret; a bill to authorise John Matthews to erect a gate on the public road leading to Matthews' ferry, in the county of Cumberland; a bill to establish a poor and work house in the county of Bertie; a bill to incorporate Line Academy, in the county of Sampson; a bill to establish Lexington Academy, in the county of Davidson, and to incorporate the trustees thereof; a bill to repeal so much of the law now in force as provides for the payment of talisman jurors in the County or Superior Courts, so far as relates to the county of New-Hanover; and a bill to repeal in part an act, passed in the year 1820, entitled "an act to authorise and empower the commissioners of the several towns of Fayetteville, Newbern, Wilmington and Tarborough to keep up fire engine companies, were severally read the second and third times and passed, and ordered to be enrolled.
The bill for the improvement of the navigation of Perquimons river above Newby's bridge; and the bill making compensation to the jurors of the Superior and County Courts of Ashe county, were severally read the second and third times and passed, and ordered to be engrossed.

The engrossed bill to authorise the County Court of Perquimons to distribute and apportion the hands belonging to the inhabitants of the town of Hertford on the streets of said town, and the public roads adjacent thereto, in a just and equitable manner, was read the second time, and, on motion of Mr. Riddick, was referred, together with the petition accompanying the same, to the committee of Propositions and Grievances.

The bill to authorise the County Court of Stokes to appoint a committee of Finance, was read the second time and passed.

The bill to revive and continue in force the provisions of an act, passed in 1818, entitled "an act directing a road to be laid out and opened from the town of Leaks ville, in Rockingham county, by Rockford, in Surry county, to the town of Wilkesborough," and to amend the same, was read the second time and passed, and, on motion of Mr. Jones, of Wilkes, was ordered to be laid on the table.

The bill allowing compensation to the jurors of the Superior and County Courts of Martin county, being an engrossed bill from the House of Commons, was read the second time, and, on motion of Mr. Smithwick, the same was indefinitely postponed.

Received from the House of Commons, the resignation of Thomas D. Kelly, as Colonel Commandant of the first regiment of Surry county; which was read and accepted by the Senate.

The Senate adjourned to 10 o'clock, to-morrow morning.

**Wednesday, December 7, 1825.**

The Senate met.

On motion of Mr. Hill, of Franklin, Mr. Hawkins, the Senator from Warren county, obtained leave of absence from the services of this House until Friday next, including this day.

A message was sent to the House of Commons, stating that the Senate have passed a bill making compensation to the jurors of the Superior and County Courts of Ashe county; a bill to restore to credit Thomas Bennett, of Stokes county; a bill for the improvement of the navigation of Perquimons river above Newby's bridge; a bill to establish a poor house in the county of Burke; and a resolution in favor of Dugald McFarland; in which they ask the concurrence of that House.

Mr. Speight, from the committee on the Militia Laws and Public Arms, reported the bill, heretofore referred to them, concerning company masters of militia, without amendment; which was made the order of the day for to-morrow.

Mr. Davidson, of Mecklenburg, from the committee of Propositions and Grievances, to whom was referred the petition of William Welch, of Haywood county, and the petition of Jesse Stallings, of Perquimons county, made reports unfavorable to the prayer of the petitioners; which were concurred in.

Mr. Davidson, from the same committee, to whom was referred the engrossed bill to authorise the County Court of Perquimons to distribute and apportion the hands belonging to the inhabitants of the town of Hertford
on the streets of said town, and the public roads adjacent thereto, in a just and equitable manner, reported the said bill without amendment; and the same being read, it was resolved by the Senate that this bill shall not pass.

Mr. Pickett, from the committee on the Judiciary, to whom was referred a resolution instructing them to inquire into the expediency of amending an act, passed in the year 1819, entitled "an act to prevent fraudulent trading with slaves," reported that it is inexpedient to amend the said act; which was concurred in.

Mr. Pickett, from the same committee, to whom was referred a bill to amend the road laws, reported the said bill without amendment; which was made the order of the day for to-morrow.

Mr. Forney, from the committee on Internal Improvement, to whom was referred the petition of sundry inhabitants of Iredell county, praying for an appropriation of five hundred dollars, to be laid out in improving a road therein mentioned, reported the following resolution: "Resolved, that the prayer of the petitioners be not allowed." Which was agreed to.

Mr. Hill, of Franklin, presented the following resolution, to wit:

Resolved, That no bill of a private or local nature shall be offered or received in the Senate, during the present session, after the 15th instant.

Which, on motion of Mr. Vanhook, was ordered to be laid on the table.

Mr. Bethune presented a certificate of an allowance, made by the County Court of Cumberland, in favor of Anne Morrison, widow of Alexander Morrison, a soldier in the Revolutionary war, which was read; and, on motion of Mr. Bethune, the same was countersigned by the Speaker of the Senate, and sent to the House of Commons.

Mr. Seawell presented a bill to legitimate and alter the name of Macon Monroe Walker, of Wake county, the natural son of William Andrews, of the same county; and Mr. Boykin presented a bill directing the manner in which dowers shall hereafter be laid off. Which bills were severally read the first time and passed.

The resolution in favor of Thomas C. Dunn and the guardian of James Russin Mendenhall, heirs of Barnabas Dunn, was read the second time, and it was resolved by the Senate that this resolution shall not pass. On this question the yea's and nay's were demanded by Mr. Jones, of Wilkes, and are as follows:

For the passage of the resolution, are Messrs. Boddie, Baughn, Gilchrist, Hogan, Legrand, Melvin, Pickett, Riddick, Speight of Greene, Whifield, Ward—Yea's 11.


The Senate resolved itself into a committee of the whole House, Mr. Forney in the Chair, to take into consideration the bill concerning the election of Sheriffs; and, after some time spent therein, the Speaker resumed the Chair, and Mr. Forney, the Chairman, reported progress, and asked leave to sit again; which was agreed to. Thereupon it was ordered that the committee sit again on Friday next.

And the Senate adjourned to ten o'clock, to-morrow morning.
Thursday, December 8, 1825.

The Senate met.

On motion of Mr. Hill, of Franklin, Mr. Howell, the Senator from the county of Wayne, obtained leave of absence from the services of this House, from and after this day, until Saturday next.

On motion of Mr. Hill, of Franklin, the document accompanying the Comptroller's Report on the subject of the poor, &c. was referred to a select committee; and, thereupon, Messrs. Hill, of Franklin, Spaight, of Craven, Whitfield, Legrand and Poindexter were appointed the said committee.

Mr. Riddick presented the following resolution, to wit:

Resolved, That the committee on the Judiciary be directed to inquire into the expediency of so amending the law of descent, that the half blood shall not share equally with the brothers and sisters of the whole blood, upon the death of one of the latter; and that they report by bill or otherwise.

Mr. Forney, from the committee on Internal Improvement, to whom was referred the bill concerning the entry of land in this State, reported the said bill without amendment; which was made the order of the day for to-morrow.

Mr. Wilson, of Edgecombe, presented a bill to regulate the Tarboro Academy, and for other purposes, and a bill to legitimate Louisa Lodge and Dolly Lodge, children of Josiah Lodge, and William Adams, son of William Adams, of Edgecombe county; which bills were severally read the first time and passed.

The bill to establish Pleasant Grove Academy, in the county of Edgecombe, and to incorporate the trustees thereof, and for other purposes, was read the third time. Mr. Whitfield moved to strike out the second and third sections of the bill, authorising a lottery; and the question on this amendment was determined in the affirmative. Thereupon the bill was passed the third time, and ordered to be engrossed.

Mr. Speight, of Greene, from the committee on the Militia Laws and Public Arms, reported a bill to repeal part of an act, passed in the year 1806, entitled "An act to revise the Militia Laws of this State relative to Infantry; which was read the first time and passed.

The bill to legitimate and alter the name of Macon Monroe Walker, of Wake county, the natural son of William Andrews, of the same county, was read the second time and passed; and, on motion of Mr. Seawell, was referred to the committee of Propositions and Grievances.

The bill to amend the road laws, was, on motion of Mr. Sneed, made the order of the day for Saturday next.

Received from the House of Commons, a message, stating that they have passed a bill to alter the name of Edwin Newton Daniel, and to legitimate him; in which they ask the concurrence of the Senate. Thereupon the said bill was read the first time and passed.

Mr. Hill, of Stokes, moved that the bill to authorise the County Court of Stokes to appoint a committee of Finance, be referred to a select committee; which was agreed to; and Messrs. Hill, of Stokes, Parker, Baughn, Wilson, of Camden, and M'Daniel, were appointed the said committee.

On motion of Mr. Hill, of Stokes, the Senate proceeded to the consideration of the bill to revive and continue in force the provisions of an act, passed in 1818, entitled "An act directing a road to be laid out and
opened from the town of Leaksville, in Rockingham county, by Rock-
ford, in Surry county, to the town of Wilkesborough," and to amend
the same. And the said bill being read the third time, Mr. Hill, of
Stokes, moved to strike out all the words of the first section after the
word "opening;" in the 24th line thereof, and to insert the following, to
wit: "said road, which, when opened, shall be subject to the same rules and
regulations as are now prescribed by law for keeping in repair all other pub-
lic roads in this State." Which amendment was agreed to. The question
then recurred on the passage of the bill the third time; which was deter-
mined in the affirmative, and the same was ordered to be engrossed.

The bill to regulate the Tarborborough Academy, and for other purposes,
was read the second time. Mr. Hill, of Franklin, moved to strike out
the second and third sections of the bill, authorising a lottery; and the
question on agreeing to this amendment was determined in the affirm-
itive. Thereupon the said bill was passed the second and third times,
and ordered to be engrossed.

The bill directing the manner in which dowers shall hereafter be laid
off, was read the second time, and, on motion of Mr. Sneed, referred to
the committee on the Judiciary.

The bill to legitimate Louisa Lodge and Dolly Lodge, children of Josi-
ah Lodge, and William Adams, son of William Adams, of Edgecombe
county, and the bill concerning company musters of militia, were severa-
ly read the second and third times and passed, and ordered to be engross-
ed.

On motion of Mr. Speight, of Greene, the Senate proceeded to the con-
consideration of the bill to advance the administration of justice in Courts of
Equity, and to establish a Court for that purpose; and the same being
read, Mr. Dowd moved that the bill be indefinitely postponed; which was
not agreed to. The yeas and nays on this question being demanded by
Mr. Formyduval, are as follows:

For the indefinite postponement of the bill, are Messrs. Baker, Baughn, Boykin,
Copeland, Davidson of Iredell, Dowd, Devane, Davenport, Formyduval, Gibbs, Har-
rell, Hogan, Melvin, Marsh, Montgomery, Pool, Raddick, Smith, Sanders, Smithwick,

Against the indefinite postponement of the bill, are Messrs. Alexander, Bethune,
Boddiie, Beasley, Davis, Davidson of Mecklenburg, Forney, Gilchrist, Hargrave, Hill
of Franklin, Hill of Stokes, Joiner, Jones of Rowan, Jones of Wilkes, Love, Legrand,
Leak, M'Dowell of Buncombe, M'Dowell of Burke, M'Daniel, Pickett, Parker, Poin-
dexter, Salyer, Sneed, Spaight of Craven, Speight of Greene, Shuford, Seawell,

The question then recurred on the passage of the bill the second time;
which was determined in the affirmative. Thereupon, on motion of Mr.
Dowd, it was ordered that the further consideration of the said bill be
postponed until Monday next.

The engrossed bill to alter the name of Edward Newton Daniel, of
Rowan county, and to legitimate him, was read the second and third times
and passed, and ordered to be enrolled.

The Senate adjourned to ten o'clock, to-morrow morning.

Friday, December 9, 1825.
The Senate met.

On motion of Mr. Hill, of Franklin, Mr. Boddie, the Senator from the
county of Nash, obtained leave of absence from the services of this House, from and after this day, until Monday next.

Mr. Speight, of Greene, from the joint select committee appointed to inquire into the expediency of altering the time of the meeting of the General Assembly, reported "a bill to alter the time of the annual meeting of the General Assembly," which was read the first time and passed.

The following bills were presented, to wit: By Mr. Speight, of Greene, a bill to prevent free persons of colour from migrating into this State, for the good government of such persons resident in the State, and for other purposes; by Mr. Davenport, a bill to alter the time of holding the Courts of Pleas and Quarter Sessions in the county of Washington; by Mr. Gilchrist, a bill to authorize the County Court of Robeson to perfect title for land wherein to erect a new jail; and by Mr. Beasley, a bill to provide more effectually for the poor of Tyrrell county. Which bills were severally read the first time and passed, and the bill first above mentioned, which relates to free persons of colour, was, on motion of Mr. Speight, of Greene, committed to a committee of the whole House, and made the order of the day for Wednesday next, and ordered to be printed.

Received from the House of Commons, a report of the joint committee of Finance, to whom was referred the message of the Governor of the 23th November, with the accompanying papers, in relation to the expenses attending the reception of General Lafayette, stating that they find the account of disbursements appended to the Adjutant General's report is correct and fully supported by the vouchers exhibited to them. Which report was concurred in by the Senate.

Received from the House of Commons, a message, stating that they have passed a bill to cede to the United States an island, called Oak Island, or so much thereof as shall be purchased by the United States for the purpose of erecting a fortification at the mouth of Cape-Fear river; a bill to repeal an act passed in 1824, entitled "an act to regulate the patrol of Ashe and New-Hanover counties; a bill to cede to the United States a certain tract of land, called Bogue Banks; a bill to repeal an act, passed in the year 1824, entitled "an act to regulate the patrol of Richmond county, and for other purposes, so far as relates to the county of Richmond;" a bill to incorporate Farmers' Library Society, in the county of Northampton, and the Library Society of Greensborough, in Guilford county; a bill to incorporate University Lodge, number eighty, in the county of Orange; and a bill to alter the time of holding the Superior Courts of the counties of Davidson and Rowan; also a resolution relative to the town of Fayetteville, in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed, and the resolution was agreed to and ordered to be enrolled.

Received from the House of Commons, a message, proposing that the bill to repeal, in part, an act passed in the year 1811, entitled "an act for the better regulation of roads in the counties of Buncombe, Haywood, Burke, Wilkes, and Ashe," be referred to a joint select committee, and stating that they have appointed Messrs. Miller, Wilson, Love, Whitaker and L. Simmons, to form the committee on the part of that House; which proposition was agreed to, and Messrs. M'Dowell, of Burke, M'Dowell, of Buncombe, Love, Smith, and Jones, of Wilkes, were appointed the committee on the part of the Senate.
Mr. M'Daniel presented the petition of John Mallard, of Jones county, praying that two of his children therein named be legitimated; which was referred to the committee of Propositions and Grievances.

Mr. Spaight, of Craven, presented the following resolution, to wit:

Resolved, That the committee on the Judiciary inquire into the expediency of making provision for the better preservation of justices' judgments and executions, where slaves shall be sold to satisfy the same.

Which was agreed to.

The bill to authorise the County Court of Robeson to perfect title for land, whereon to erect a new jail; the bill to alter the time of holding the Courts of Pleas and Quarter Sessions in the county of Washington; and the bill to provide more effectually for the poor of Tyrrell county, were severally read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons, the resignation of Willis Whitaker, as Colonel Commandant of the first Regiment of Militia of Wake county; also, the resignation of Nathaniel Souls, of Columbus county; and Beuajah Herring, of Wayne county, Justices of the Peace; which were severally read and accepted by the Senate.

The Senate resolved itself into a committee of the Whole House, Mr. Forney in the Chair, on the unfinished business of Wednesday last, being a bill concerning the election of Sheriffs; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Forney, the Chairman, reported progress and asked leave to sit again; which was agreed to. Thereupon it was ordered that the committee sit again on to-morrow.

Exum Hollamon, the Senator from the county of Northampton, appeared, produced the certificate of his election, was qualified, and took his seat.

The Senate adjourned to 10 o'clock, to-morrow morning.

Saturday, December 10, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill concerning Company Musters of Militia; a bill to regulate the Tarborought Academy, and for other purposes; a bill to provide more effectually for the poor of Tyrrell county; a bill to alter the time of holding the Courts of Pleas and Quarter Sessions in the county of Washington; a bill to authorise the County Court of Robeson to perfect title for land whereon to erect a new jail; a bill to establish Pleasant Grove Academy, in the county of Edgecombe, and to incorporate the trustees thereof; and a bill to legitimate Louisa Lodge and Dolly Lodge, children of Josiah Lodge, and William Adams, son of William Adams, of Edgecombe county; in which they ask the concurrence of that House.

Mr. Davidson, of Mecklenburg, from the committee of Propositions and Grievances, to whom was referred the petition of Lindsey Fortune, reported a bill to restore to credit Lindsey Fortune, of Haywood county; which was read the first time and passed.

Mr. Love presented the petition of Susanna Sharp, praying to be divorced from her husband Thomas Sharp; and Mr. Montgomery presented the petition of Sarah M'Cully, praying that the property she may hereafter ac-
quire be secured to her. Which petitions were severally referred to the committee of Divorce and Alimony.

Mr. M'Daniel presented a bill to amend an act, passed in 1803, entitled "An act to incorporate the town of Trenton, in Jones county," and a bill in addition to the several acts heretofore passed concerning the town of Trenton, in Jones county; Mr. Salyear presented a bill to amend an act, passed in the year 1818, entitled "An act respecting the Superior Courts of Law and Equity of the counties of Currituck, Martin and Nash;" Mr. Rowd presented a bill more effectually to suppress Sabbath breaking; and Mr. Jones, of Wilkes, presented a bill to appoint commissioners to contract for the building of a new Court House in the county of Wilkes, to fix the site for the same, and for other purposes. Which bills were severally read the first time and passed.

The engrossed bill to repeal an act, passed in the year 1824, entitled "An act to regulate the patrol of Richmond county, and for other purposes, so far as relates to the county of Richmond," was read the second time. Mr. Leak moved to strike out all the words from the word "repeal," in the first line of the title of the bill, and insert the following, to wit: "all the private acts heretofore passed for the regulation of the patrol of Richmond county." "Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that all private acts heretofore passed for the regulation of the patrol of Richmond county, be, and the same are hereby repealed, so far as they relate to said county." Which amendment was agreed to. Thereupon the said bill passed the second and third time, and a message was sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill to repeal an act, passed in 1824, entitled "An act to regulate the patrol of Ashe and New-Hanover counties," was read the second time; and, on motion of Mr. Devane, the same was indefinitely postponed, and the House of Commons was informed thereof by message.

The bill to amend an act, passed in 1803, entitled "An act to incorporate the town of Trenton, in Jones county;" and the bill in addition to the several acts heretofore passed concerning the town of Trenton, in Jones county, were severally read the second and third times and passed, and ordered to be engrossed.

The bill to restore to credit Linsdey Fortune, of Haywood county, was read the second time, and it was resolved by the Senate, that this bill shall not pass.

The engrossed bill to incorporate Farmers' Library Society, in the county of Northampton, and the Library Society of Greensborough, in Guilford county, and the bill to incorporate University Lodge, number eighty, in the county of Orange, were severally read the second and third times and passed, and ordered to be enrolled.

The Senate entered upon the orders of the day, and Mr. Davidson, of Mecklenburg, moved that the bill concerning the election of Sheriffs be postponed to Monday next; which was not agreed to. Thereupon the Senate resolved itself into a committee of the Whole House, Mr. Forney in the Chair, to take into consideration the unfinished business of yesterday, being the bill concerning the election of Sheriffs; and, after some
time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Forney, the Chairman, reported the said bill with sundry amendments; which were agreed to by the Senate. Thereupon the bill was read the second time. Mr. Poindexter moved that the bill be indefinitely postponed; which was not agreed to. The yeas and nays on this question being demanded by Mr. Poindexter, are as follows:


Against the indefinite postponement of the bill, are Messrs. Baker, Baughn, Boykin, Davidson of Iredell, Davidson of Mecklenburg, Dowd, Devane, Davenport, Forney-Duval, Hill of Franklin, Harrell, Hogan, Hawkins, Melvin, M'Dowell of Buncombe, M'Dowell of Burke, Marsh, Montgomery, Parker, Pool, Riddick, Smith, Salyer, Spaight of Craven, Sanders, Shuford, Vanhook, Williams—Nays 28.

Mr. Hill, of Franklin, moved that the Senate do now adjourn; which was not agreed to. The question then recurred on the passage of the said bill the second time; and on this question, the yeas and nays were demanded by Mr. Davis, which are as follows:


There being an equal number of votes for and against the passage of the bill, the Speaker of the Senate voted in the negative, and the bill did not pass.

The Senate adjourned to ten o'clock, on Monday morning.

MONDAY, DECEMBER 12, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill in addition to the several acts heretofore passed, concerning the town of Trenton, in Jones county, and a bill to amend an act, passed in the year 1803, entitled "An act to incorporate the town of Trenton, in Jones county;" in which they ask the concurrence of that House.

Mr. Williams presented the petition of sundry inhabitants of the county of Beaufort, on the subject of free schools; which was referred to the committee on Education.

Received from the House of Commons, a certificate of an allowance made by the County Court of Chowan to Eleanor Truelove, widow of John Truelove, deceased, a soldier of the revolutionary war; which was countersigned by the Speaker of the Senate.

Received from the House of Commons, a report of the commissioners on Military Land Warrants; which was read, and ordered that the same be laid on the table.

The following bills were presented, to wit: by Mr. Pool, a bill to legitimate Eliza Bailey and Ambrose Bailey, children of John and Nancy
Bailey, of Pasquotank county; by Mr. M'Dowell, of Burke, a bill more effectually to secure book debts in all cases where the statute of limitation might be plead; by Mr. Riddick, a bill to alter the name of Dicey Cart-right, of Perquimons county, and to legitimate her; by Mr. Parker, a bill to make valid certain deeds registered in the county of Guilford; and by Mr. Davenport, a bill to alter the place of holding one of the separate elections in Washington county. Which bills were severally read the first time and passed.

Mr. Seawell presented a statement made by the Neuse River Navigation Company; which, on motion of Mr. Seawell, was referred to the committee on Internal Improvements; and Mr. M'Dowell, of Burke, presented the petition of Margaret Jackson, praying to be divorced from her husband Gabriel Jackson; which was referred to the committee on Divorce and Alimony.

Received from the House of Commons, a message, stating that they have passed a bill granting to the Superior Court of the county of Brunswick, with original and exclusive jurisdiction in all cases where the intervention of a jury is necessary; a bill to prevent persons who have been, or who may be appointed commissioners for any purposes, from becoming contractors; and a bill to divorce Gideon B. Smith from his wife Eleanor, and asking the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed.

The Senate entered upon the orders of the day, and the bill to amend the road laws was read the second time. Mr. Davis moved to amend the same, by adding the words "and Justices of the Peace" after the word "profit," in the fourth line; and Mr. Speight, of Greene, moved that the bill, together with the amendment under consideration, be indefinitely postponed; and the question thereon was determined in the affirmative.

The bill to repeal part of an act, passed in the year 1806, entitled "an act to revise the militia laws of this State relative to infantry," was read the second time; and, on motion of Mr. M'Dowell, of Burke, the same was indefinitely postponed.

The engrossed bill to cede to the United States an island, called Oak Island, or so much thereof as shall be purchased by the United States for the purpose of erecting a fortification at the mouth of Cape-Fear river, and the bill to alter the time of holding the Superior Courts of the counties of Davidson and Rowan, were severally read the second and third times and passed, and ordered to be enrolled.

The engrossed bill to cede to the United States a certain tract of land, called Bogue Banks, was read the second and third times and passed, and amended, on motion of Mr. Davis, by adding the following words in the 30th line of the first section after the word "directed," to wit: "saving and reserving to the present proprietors of the fisheries the right of fishing upon said Banks, as heretofore exercised by them;" and a message was sent to the House of Commons, asking their concurrence in the amendment.

The bill more effectually to suppress sabbath breaking, was read the second time; and, on motion of Mr. Speight, of Greene, the same was indefinitely postponed.

The bill to appoint commissioners to contract for the building of a new Court House in the county of Wilkes, to fix a site for the same, and for
other purposes, was read the second and third times and passed, and ordered to be engrossed.

The bill to amend an act, passed in the year 1818, entitled "an act respecting the Superior Courts of Law and Equity of the counties of Currituck, Martin and Nash," was read the second time, and it was resolved by the Senate, that this bill shall not pass.

On motion of Mr. Speight, of Greene, the Senate resolved itself into a committee of the whole House, Mr. Davidson, of Mecklenburg, in the Chair, to take into consideration the bill to alter the time of the annual meeting of the General Assembly; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Davidson, the Chairman of the committee, reported the said bill without amendment. Thereupon the same was passed the second and third times, and ordered to be engrossed.

The engrossed bill to divorce Gideon R. Smith from his wife Eleanor, was read the second and third times and passed, and ordered to be enrolled.

The bill to alter the name of Dicey Cartright, of Perquimons county, and to legitimate her; the bill to legitimate Eliza Bailey and Ambrose Bailey, children of John and Nancy Bailey, of Pasquotank county; the bill to alter the time of holding one of the separate elections in Washington county; and the bill to make valid certain deeds registered in the county of Guilford, were severally read the second and third times and passed, and ordered to be engrossed.

The engrossed bill to divorce John Chambers from his wife Rainey, was read the second and third times and passed, and ordered to be enrolled.

On motion of Mr. Seawell, Mr. Jones, the Senator from the county of Wilkes, obtained leave of absence from the services of the Senate, from and after yesterday, the 11th instant, until the end of the present session.

Received from the House of Commons, the resignation of John Black, Colonel Commandant of the first regiment of the militia of Cumberland county; and Murdock Bain, of Robeson county, and Gabriel Russel, of Randolph county, Justices of the Peace, which were severally read and accepted by the Senate.

The Senate adjourned to 10 o'clock, to-morrow morning.

Tuesday, December 13, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to appoint commissioners to contract for the building of a new Court-House in the county of Wilkes, to fix the site for the same, and for other purposes; a bill to alter the place of holding one of the separate elections in Washington county; a bill to legitimate Eliza Bailey and Ambrose Bailey, children of John and Nancy Bailey, of Pasquotank county; a bill to alter the name of Dicey Cartright, of Perquimons county, and to legitimate her; a bill to make valid certain deeds registered in the county of Guilford; and a bill to alter the time of the annual meeting of the General Assembly; in which they ask the concurrence of that House.

Mr. Davidson, of Mecklenburg, from the committee of Propositions
and Grievances, to whom was referred a bill to authorise Willis Lewis, of Granville county, to erect two gates across the public road in said county, reported the said bill without amendment; which was read the second and third times and passed, and ordered to be engrossed.

Mr. Gibbs presented the petition of sundry inhabitants of the county of Hyde, on the subject of a turnpike road therein mentioned; which was referred to the committee on Internal Improvement.

Mr. Hill, of Franklin, moved that a member be added to the committee on Education, in the place of Mr. Jones, of Wilkes, who has obtained leave of absence from the services of the Senate during the present session; which was agreed to, and Mr. Spaight, of Craven, was appointed on the said committee.

Mr. Pickett, from the committee on the Judiciary, to whom was referred a bill directing the manner in which dowers shall be hereafter laid off, reported the said bill without amendment; which was made the order of the day for to-morrow.

Mr. Pickett, from the same committee, to whom was referred the petition of the citizens of Lincolnton, reported a bill to provide for the better government of the town of Lincolnton; which was read the first time and passed.

Mr. Pickett, from the same committee, to whom was referred a resolution of the Senate of the 8th instant, directing an inquiry into the expediency of amending the law of descents, reported the following resolution: "Resolved, that it is inexpedient to change, alter or amend the laws now established respecting the descent of real estate;" which, on motion of Mr. Seawell, was laid on the table.

Received from the House of Commons, the memorial of Archibald D. Murphey, accompanied with a proposition from that House that the same be referred to a select joint committee, and appointing Messrs. Scott, A. Moore, Shepperd, Spruill and Pugh to form the said committee on the part of that House; which proposition was agreed to, and Messrs. Seawell, Spaight, of Craven, Forney, Davidson, of Mecklenburg, and Hill, of Franklin, were appointed the committee on the part of the Senate.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to authorise the County Court of Robeson to perfect title for land whereon to erect a new jail, with an amendment, to strike out the words "and in the name," in the 14th line of the first section, and asking the concurrence of the Senate in the amendment; which was read and agreed to, and the House of Commons was informed thereof by message.

Mr. Love presented the following resolutions:

Resolved by the Senate and House of Commons of the State of North Carolina, That the Government of the United States, in a Treaty it made with certain Cherokee Indians, on the 27th February, 1819, for lands in this State, having agreed to allow a reservation of six hundred and forty acres to each head of an Indian family residing in the ceded territory, who should choose to become citizens of the United States, in manner stipulated in said Treaty, did, without the consent of this State, appropriate a considerable part of the most valuable land of the territory acquired under the Treaty, to the use of the said Indians, which lands be-
Jonged exclusively to this State; and that to prevent any difficulty ari-
sing under the Treaty, or dissatisfaction to the Indians, with sentiments
of respect and attachment to the government of the Union, and with a
view to that humane and liberal policy which has always distinguished the
conduct of the United States towards the Indian tribes, this state has pur-
chased, at a full and fair price, the interest and estate of the said Indians
in the aforesaid lands reserved, for the sum of $19,940, which has
been paid in equitable proportions, and to the entire satisfaction of the
said Indians, and which sum ought to be refunded to this State by the Uni-
ted States.

Resolved, That this State having ceded to the United States a large
tract of country on the waters of the Mississippi, which constituted a va-
luable portion of the public lands, the government of the United States
ought, upon principles of moral justice, to extinguish as soon as may be
practicable, the Indian title to the balance of lands in this State, upon
which a part of the Cherokee Indians now reside, and that the said go-
vernment be respectfully requested to give this subject an early consid-
eration.

Resolved, That the Senators from this State in the Congress of the U-
ited States be instructed, and the Representatives requested to make
application to Congress, for an appropriation of money for the objects a-
foresaid, and that they be requested to co-operate with the Legislature
in such manner as may seem to them expedient and compatible with the
honor and interest of this State.

Resolved, That the Governor of this State be requested to transmit to
each of the Senators and Representatives, from this State in Congress, a
copy of the aforesaid resolutions.

Which were read, and, on motion of Mr. Spaight, of Craven, ordered
to lie on the table.

Mr. Parker, from the committee of Divorce and Alimony, to whom
was referred the petition of Rachel Dickey, of Orange county, praying
to be divorced from her husband; made a report unfavorable to the pray-
er of the petitioner; which was concurred in.

Mr. Parker, from the same committee, reported the following resolu-
tion, to wit:

Resolved, That the committee on the Judiciary be instructed to inquire into the
expediency of so amending the laws of this State, relative to divorce, as to give to
the Superior Courts jurisdiction of all cases of divorce; and that they report by
bill or otherwise.

Which was agreed to.

Mr. Sanders presented a bill to amend the several acts heretofore in
force regulating proceedings in Courts of Equity; and Mr. Love present-
ed a bill to revive and continue in force, for and during the time therein
mentioned, an act of the General Assembly of 1824, entitled "an act to
alter and amend the act of the General Assembly of 1823, entitled 'an
act for the relief of such persons as became purchasers of the Cherokee
lands sold under the authority of this State." Which bills were se-
verally read the first time and passed.

The bill to incorporate the Gold Company, was read the second time,
and, on motion of Mr. Seawell, the same was indefinitely postponed.
The yeas and nays on this question being demanded by Mr. Davis, are
as follows:

Against the indefinite postponement, are Messrs. Alexander, Bethune, Beasley, Davidson of Mecklenburg, Forney, Gilchrist, Hargrave, Jones of Rowan, Love, Leak, Melvin, M'Dowell of Buncombe, Pickett, Poindexter, Sneed, Shuford, Williams—Nays 17.

The bill more effectually to secure book debts, in all cases where the statute of limitation might be plead, was read the second time, and, on motion of Mr. Pickett, the same was indefinitely postponed.

Received from the House of Commons, a message, stating that they have passed a bill to regulate the time of closing the polls at the several elections in the county of Lenoir, and asking the concurrence of the Senate. Thereupon the said bill was read the first time and passed.

Mr. Wilson, of Edgecombe, presented a bill to authorise a certain number of Justices of the Peace for the county of Edgecombe to appropriate the county monies; which was read the first time and passed.

The engrossed bill granting to the Superior Court of the county of Brunswick original and exclusive jurisdiction in all cases where the intervention of a jury is necessary; was read the second time and passed.

The Senate proceeded to the third reading of the bill to advance the administration of justice in Courts of Equity, and to establish a Court for that purpose. Mr. Seawell moved to amend the same by striking out the word "Nashville," and inserting "Raleigh," in the 11th line of the 7th section; which was not agreed to Mr. Joiner moved to amend the 12th section, by adding the following, to wit: "and the like causes of the county of Pitt shall be transferred for trial to the Court to be held by this act at Newbern?" which was agreed to. Mr. Seawell moved further to amend the said bill, by inserting the following proviision after the word "causes," in the 10th section of the bill, to wit: "Provided always that all evidence which would have been admissible, in case the trial had been in the Circuit Court, shall be admissible in the Courts constituted by this act;" which amendment was agreed to. The question then recurred on the passage of the said bill the third time; which was determined in the negative. The yeas and nays on this question being demanded by Mr. Formyduval, are as follows:

For the passage of the said bill, are Messrs. Bethune, Boddie, Davidson of Mecklenburg, Forney, Gilchrist, Hargrave, Hill of Stokes, Joiner, Love, Legrand, Leak, M'Dowell of Buncombe, M'Dowell of Burke, Pickett, Parker, Poindexter, Smith, Sneed, Spaight of Craven, Speight of Greene, Shuford—Yeas 21.


Received from the House of Commons, a message, proposing that on Friday next the two Houses ballot for seven Counsellors of State for the ensuing year, and stating that Peter Browne, Meshack Franklin, Gideon Alston, John M'Dowell, of Rutherford, Geo. W. Jeffreys, William Blackledge and Thomas Manny, are in nomination for the appointments; which proposition was agreed to.
Received from the House of Commons, the resignations of Henry Hoo-
ver, Lieutenant Colonel, and Joseph Smith, Major of the militia of Meck-
lenburg county; and John Blue, of Richmond county, Justice of the
Peace; which were severally read and accepted by the Senate.

The Senate adjourned to 10 o'clock, to-morrow morning.

WEDNESDAY, DECEMBER 14, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate
have passed a bill to revive and continue in force the provisions of an act,
passed in 1818, entitled "an act directing a road to be laid out and open-
ed from the town of Leaksville, in Rockingham county, by Rockford, in
Surry county, to the town of Wilkesborough, and to amend the same;"
and a bill to authorize Willis Lewis, of Granville county, to erect and
keep up on his own lands two gates across the public road leading from
Clay's Cross Roads to Grassey creek; in which they ask the concurrence
of that House.

Mr. Parker, from the committee of Divorce and Alimony, reported a
bill to divorce Susannah Tindal, of the county of Haywood, from her hus-
band James Tindal; Margaret Jackson of the county of Burke, from her
husband Gabriel Jackson; and Susannah Sharpe from her husband Tho-
mas Sharpe; which were read the first time and passed.

Mr. Gilchrist presented a bill to alter, in part, the times of holding the
Superior Courts of Law and Equity in the 5th Judicial Circuit; which
was read the first time and passed; and, on motion of Mr. Gilchrist, the
same was referred to the Senators from the counties composing the fifth
Judicial Circuit.

Received from the House of Commons, a message from his Excellency
the Governor, enclosing a report from the committee appointed by the last
Legislature to prepare a plan or system of Public Education, accompa-
nied with a proposition from that House that the same be printed, four cop-
ies for each member; which proposition was agreed to.

Received from the House of Commons, a communication from the
Public Treasurer, containing a statement of the State Bank, accompa-
nied with a proposition that the same be printed for the use of the mem-
bers; which proposition was agreed to.

On motion of Mr. Sneed, the report of the committee appointed by the
last Legislature to prepare a plan of Public Education, was referred to
the committee on Education.

Received from the House of Commons, a message, stating that they do
not concur with the Senate in the amendment made in the engrossed bill
to repeal an act, passed in the year 1824, entitled "an act to reguate the
patrol of Richmond county, and for other purposes," so far as relates to
the county of Richmond. Thereupon, on motion of Mr. Leak, the Senate
insisted on their amendment, and the House of Commons was informed
thereof by message..

Received from the House of Commons, a message, stating that they
do not concur with the Senate in the amendment made in the engrossed
bill to cede, to the United States a certain tract of land, called Rogue
Banks. Thereupon Mr. Wilson, of Edgecombe, moved that the Senate do recede from their amendment; which was agreed to.

The engrossed bill to regulate the time of closing the polls at the several elections in the county of Lenoir, was read the second time and passed.

The bill to authorise a certain number of Justices of the Peace for the county of Edgecombe to appropriate the county monies; and the bill to provide for the better government of the town of Lincolnton, were severally read the second and third times and passed, and ordered to be engrossed.

Mr. Love presented a bill to establish and regulate a turnpike road in the counties of Rutherford and Buncombe; and Mr. Williams presented a bill to legitimate Peggy Orrell, Lovey Hassel and Sidney Hassel, and alter the names of Lovey Hassel and Sidney Hassel; which bills were severally read the first time and passed.

Received from the House of Commons, a message, stating that they have passed a bill to keep open, for the passage of fish, Main White Oak river, in the county of Rutherford; a bill to divorce Judith De La Chapel from her husband Gabriel De La Chapel; and a bill to amend the first section of an act, passed in 1819, concerning the town of Concord; in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed.

The Senate resolved itself into a committee of the whole House, Mr. Pickett in the Chair, to take into consideration the bill to prevent free persons of colour from migrating into this State, for the good government of such persons resident in the State, and for other purposes; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Pickett, Chairman of the committee, reported the said bill, with sundry amendments; which were agreed to by the Senate. Thereupon the same was read the second time and passed.

The Senate adjourned to 10 o'clock, to-morrow morning.

THURSDAY, DECEMBER 15, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to authorise a certain number of Justices of the Peace for the county of Edgecombe to appropriate the county monies; and a bill to provide for the better government of the town of Lincolnton; in which they ask the concurrence of that House.

Mr. Parker, from the committee of Divorce and Alimony, reported a bill to secure to Sarah M'Cullough, of Orange county, such property as she may hereafter acquire; which was read the first time and passed.

Mr. Sneed presented the following resolution, to wit:

Whereas it is provided by the Constitution of the United States that in suits at common law, when the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and by the Constitution of this State, that in all controversies at law respecting property, the ancient mode of trial by jury is one of the best securities of the rights of the people, and ought to remain sacred and inviolable; and whereas the laws at present in force relative to trials of controversies at law before Justices of the Peace operate a denial of this invaluable right to the poor and indigent; therefore,

Resolved, That the committee on the Judiciary be instructed to inquire into the grievance above stated; and, if they shall be of opinion that a remedy be necessary.
that they report, by bill or otherwise, a remedy by which any citizen can appeal from
the judgment of a Justice of the Peace for all sums exceeding twenty dollars, by
giving bond and security as usual; which bond shall operate as common bail.

Which was agreed to.

Mr. Formyduval presented the petition of sundry inhabitants of Co-
lumbus county, on the subject of the dividing line between said county
and the county of Bladen; which was referred to the committee of Pro-
positions and Grievances.

The following bills were presented, to wit: By Mr. Sneed, a bill to
aid in the establishment of a fund for the support of schools for the con-
venient instruction of youth, &c. by Mr. Hill, of Stokes, a bill to desig-
nate what persons shall hereafter be liable to serve as overseers of roads,
and for other purposes; and by Mr. Seawell, a bill further to amend the
several acts of Assembly heretofore passed, to advance the administra-
tion of justice. Which bills were severally read the first time and passed;
and the bill first above mentioned, on motion of Mr. Sneed, was referred
to the committee on Education, and the last mentioned bill was, on motion
of Mr. Spaight, of Craven, referred to the committee on the Judiciary.

The engrossed bill to divorce Judith De La Chapel from her husband
Gabriel De La Chapel, was read the second and third time and passed,
and ordered to be enrolled. On the question upon the passage of the said
bill the third time, the yeas and nays were demanded by Mr. Hill, of
Franklin, and are as follows:

For the passage of the said bill, are Messrs. Alexander, Baker, Bethune, Baughr,
Beasley, Davis, Davidson of Mecklenburg. Dowd, Forney, Gilchrist, Hoffamon, Har-
grave, Harrell, Hogan, Hill of Stokes, Hawkins, Joiner, Jones of Rowan, Love, Le-
grand, Leak, Melvin, M'Dowell of Buncombe, M'Dowell of Burke, Pickett, Parker,
Pool, Poindexter, Riddick, Smith, Salyear, Sneed, Speight of Greene, Sanders,
Smithwick, Shuford, Seawell, Vanhook, Williams, Wilson of Camden, Wilson of

Against the passage of the bill, are Messrs. Boddie, Boykin, Copeland, Davidson
of Iredell, Devane, Formyduval, Gibbs, Hill of Franklin, Howell, Marsh, M'Daniel,
Spaight of Craven—Nays 12.

Received from the House of Commons, a message, stating that they
receved from their disagreement to the amendment made in the Senate to
the bill to repeal an act, passed in the year 1824, entitled "an act to re-
gulate the patrol of Richmond county, and for other purposes," so far as
relates to the county of Richmond. Thereupon the same was ordered to
be enrolled.

The engrossed bill to regulate the time of closing the polls at the sever-
al elections in the county of Lenoir, was read the third time and passed,
and amended, on motion of Mr. Davis, by making the provisions of the
bill apply to the county of Carteret; and a message was sent to the House
of Commons, asking their concurrence in the amendment.

Received from the House of Commons, a message, stating that they
have passed a bill to incorporate Abbott's Creek Library Society, in the
county of Davidson, and asking the concurrence of the Senate. There-
upon the said bill was read the first time and passed.

The following engrossed bills, to wit: A bill granting to the Superior
Court of the county of Brunswick original and exclusive jurisdiction in
all cases where the intervention of a jury is necessary; a bill to keep open,
for the passage of fish, Main White Oak river, in the county of Rutherford;
a bill to prevent persons, who have been, or who may be appointed com-
missioners for any purposes, from becoming contractors; and a bill to amend the first section of an act, passed in 1819, concerning the town of Concord, were severally read, the first mentioned bill the third time, and the three last mentioned bills the second and third times, and passed, and ordered to be enrolled.

Received from the House of Commons, a message, stating that Messrs. Gorham, Drake, and Wilcox are added to the committee on the expediency of establishing a Medical Board.

The bill to revive and continue in force, for and during the time therein mentioned, an act of the General Assembly of 1824, entitled "an act to alter and amend the act of the General Assembly of 1823, entitled 'an act for the relief of such persons as became purchasers of the Cherokee lands, sold under the authority of this State," and the bill to legitimate Peggy Orrell, Lovy Hassel and Sidney Hassel, and to alter the names of Lovy Hassel and Sidney Hassel, were severally read the second and third times and passed, and ordered to be engrossed.

The bill directing the manner in which dowers shall be laid out; and the bill to amend the several acts herebefore in force regulating the proceedings in Courts of Equity, were severally read the second time and passed.

Mr. McDowell, of Burke, presented a bill to repeal an act directing the County Courts to pay fees to certain officers therein named; which was read the first time and passed.

The bill to establish and regulate a turnpike road in the counties of Rutherford and Buncombe; and the bill to secure to Sarah M'Culley, of Orange county, such property as she may hereafter acquire, were severally read the second and third times and passed, and ordered to be engrossed.

The engrossed bill to incorporate Abbott's Creek Library Society, in the county of Davidson, was read the second and third times and passed, and ordered to be enrolled.

Mr. Hill, of Franklin, presented the following resolution, to wit: Resolved, That the Comptroller of this State be directed, on behalf of the State, to contract annually with some suitable person, at a price which he may deem reasonable and just, and not exceeding seventy-five dollars, to take charge of the public buildings, and the property thereto belonging.

Which was read the first time and passed.

On motion of Mr. Davidson, of Mecklenburg; a message was sent to the House of Commons, proposing to appoint a joint select committee on the Public Buildings, and Messrs. Davidson of Mecklenburg, Speight of Greene, Hill of Franklin, Hogan and Whitfield were appointed the said committee on the part of the Senate. A message was also sent to the House of Commons, stating that the Senate have, agreeably to the joint rules of the two Houses, appointed a committee on Enrolled Bills on the part of this House, consisting of Mr. Speight of Craven, and Mr. Gilchrist.

The Senate adjourned to 10 o'clock, to-morrow morning.

Friday, December 16, 1825.
The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to secure to Sarah M'Culley, of Orange county, such
property as she may hereafter acquire; a bill to legitimate Peggy Orrell, the child of Windsor White, of Beaufort county, and to alter the names of Lovy Hassel and Sidney Hassel, children of said White, and to legitimate them; a bill to establish and regulate a turnpike road in the counties of Rutherford and Buncombe; and a bill to revive and continue in force, for and during the time therein mentioned, an act of the General Assembly of 1824, entitled "an act to alter and amend the act of the General Assembly of 1823, entitled 'an act for the relief of such persons as became purchasers of the Cherokee lands, sold under the authority of this State'" in which they ask the concurrence of that House.

On motion of Mr. Hill, of Franklin, the resolution presented by him to the Senate on the 15th instant, directing the Comptroller to contract annually with some suitable person to take charge of the public buildings, and the property thereto belonging, was referred to the committee on the Public Buildings.

On motion of Mr. Melvin, the name of John Owen was added to the nomination for Counsellors of State, and the House of Commons was informed thereof by message.

Mr. Boykin presented the petition of Jacob Marling, of the city of Raleigh, praying to be authorised to paint, for the State, a full sized portr•at of John Haywood, Public Treasurer; and that he be permitted to exhibit the works of his pencil, free from the payment of a tax, for the same; which was referred to the committee of Propositions and Grievances.

Mr. Hogan presented the following resolution, to wit:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending the road law, so as not to compel grand jurors to present roads that are kept in reasonable repair; and that they report by bill or otherwise.

Which was agreed to.

Received from the House of Commons, a message, stating that Mr. Wright and Mr. Wilson attend the Senate as a committee, on the part of that House, to conduct the ballots for seven Counsellors of State for the ensuing year. Thereupon Mr. Hill of Stokes and Mr. Legrand were appointed to conduct the ballots on the part of the Senate.

Mr. Forney, from the committee on Internal Improvement, reported a bill authorising the Board of Internal Improvement to cause a survey of a road to be made from Morganton, across the Yellow Mountain, to the Tennessee line; which was read the first time and passed.

Mr. Davidson, of Mecklenburg, from the committee of Propositions and Grievances, reported a bill to legitimate and alter the names of Frances Anne M'Kinney and William Hardy M'Kinney, natural children of John Mallard, of Jones county; which was read the first time and passed.

Mr. Pickett, from the committee on the Judiciary, to whom was referred a bill further to amend the several acts of Assembly heretofore passed to advance the administration of justice, reported the said bill without amendment; which was made the order of the day for to-morrow.

Mr. Sneed presented a bill concerning the town of Oxford; which was read the first time and passed.

The bill to amend the several acts heretofore in force regulating the proceedings in Courts of Equity, was read the third time, and amended, on motion of Mr. Sneed, by adding a second section to the bill, in the following words, to wit: "And be it further enacted, that the said Court-
are hereby authorised, in all cases upon petitions for the sale of lands, to appoint commissioners for the purpose of making the said sales, and collecting the purchase money for the same, when to them it shall seem expedient; who shall, when so appointed, discharge the said duty in the same manner and with the same powers as Clerks and Masters are now authorised to do." Thereupon the said bill was passed the third time and ordered to be engrossed.

The bill directing the manner in which dowers shall hereafter be laid off, was read the third time. Mr. Pickett moved to amend the bill, by striking out all the words therein from the word "same," in the 3d line of the first section, and inserting the following, to wit: "That in all cases of petition for dower, when the intestate shall have died seized and possessed of several tracts of land in the same county, the jury may, in their discretion, lay off and assign the same in any one, or more tracts, so as to assign the widow's dower in one entire tract." Which amendment was not agreed to. Mr. Hawkins moved to amend the bill, by striking out the word "five," and inserting the following words, in the 5th line of the first section, to wit: "seven discreet freeholders, as commissioners; any five of whom shall be competent to act," which was not agreed to.—Mr. Whitfield moved to add the following provision to the bill, to wit: "Provided, that in all cases where a widow shall dissent from the will of her husband, the commissioners shall lay off her dower in each portion of land devised to the different devisees;" which was not agreed to. Mr. Montgomery then moved to strike out the word "five," and insert "seven," in the 5th line of the first section; which amendment was agreed to. Thereupon the said bill passed the third time, and was ordered to be engrossed.

Received from the House of Commons, the report of the Board of Internal Improvements, with the several reports of the Civil Engineer, accompanied with a proposition from that House that the same be printed, four copies for each Member of the Assembly; which proposition was agreed to, with an amendment, "that the printing be done under the direction of the Board of Internal Improvement;" and a message was sent to the House of Commons, asking their concurrence in the amendment.

Mr. Seawell presented the following resolution, to wit:

Resolved, That it be referred to the committee on the Judiciary to inquire into the expediency of amending the existing laws in relation to the notices required to be given to guardians to renew their bonds, so far as relates to guardians appointed by the Superior Courts.

Which was agreed to.

Mr. Pickett, from the committee on the Judiciary, to whom was referred the resolution of the Senate of the 5th instant, instructing them to inquire into the expediency of amending the laws of the State on the subject of usury, so as not to impose any other penalty on those who loan money than a forfeiture of the interest on the sum loaned, reported that it is inexpedient to change the laws now established respecting the penalties against usury; which was concurred in.

Mr. Davidson, of Iredell, presented a bill to amend an act, entitled "An act making further provision in favor of the owners of strays;" which was read the first time and passed.

The bill to repeal an act directing the County Courts to pay fees to cer-
tains officers therein named, was read the second time, and, on motion of Mr. Speight, of Greene, the same was indefinitely postponed. The yeas and nays on this question being demanded by Mr. M'Dowell, of Burke, are as follows, to wit:


The bill to designate what persons shall hereafter be liable to serve as overseers of roads, and for other purposes; the bill to legitimize and alter the names of Frances Ann M'Kinney and William Hardy M'Kinney, natural children of John Mallard, of Jones county; and the bill concerning the town of Oxford, were severally read the second and third times and passed, and ordered to be engrossed.

Mr. Pickett presented a bill for the better government of the town of Wadesborough, in Anson county; which was read the first time and passed.

Received from the House of Commons, a message, stating that they have passed a bill more effectually to suppress the practice of treating in elections; in which they ask the concurrence of the Senate. Thereupon the said bill was read the first time and passed.

Mr. Hill, of Stokes, from the committee appointed to conduct the balloting for Counsellors of State for the ensuing year, reported that John Owen, Meshack Franklin, Thomas Manny, George W. Jeffreys, John M'Dowell, Gideon Alston, and William Blackledge, were duly elected. Which report was concurred in.

The Speaker laid before the Senate a communication from Samuel Allen and Thomas Washburn, stating that Henry Baughn, the Senator from the county of Rockingham, is not constitutionally entitled to a seat; which, on motion of Mr. Baughn, was referred to the committee of Privileges and elections.

The Senate adjourned to 10 o'clock, to-morrow morning.

_Saturday, December 17, 1825._

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to legitimize Frances Ann M'Kinney and William Hardy M'Kinney, natural children of John Mallard, of Jones county, and to change their names; a bill to amend the several acts heretofore in force regulating the proceedings in Courts of Equity; a bill to designate what persons shall hereafter be liable to serve as overseers of roads, and for other purposes; a bill directing the manner in which dowers shall hereafter be laid off; and a bill concerning the town of Oxford; in which they ask the concurrence of that House.

The engrossed bill more effectually to suppress the practice of treating in elections, was, on motion of Mr. Speight, of Craven, committed to
a committee of the whole House, and made the order of the day for Monday next.

Mr. Pickett, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of amending the laws respecting appeals from the judgment of Justices of the Peace, for all sums above twenty dollars, reported the following resolution, to wit: "Resolved, that it is inexpedient to change the existing laws respecting appeals from justices' judgments on sums exceeding twenty dollars;" which was concurred in.

Mr. Pickett, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of making some provision by law, so as to enable executors and administrators to settle the estates of deceased persons in such manners as will secure the faithful execution of such trust, and, at the same time, enable the executors and administrators to be released from their responsibilities, made a report thereon, in which they ask to be discharged from the further consideration of the subject; which was agreed to.

Received from the House of Commons, a message, stating that they agree to the several amendments made by the Senate in the engrossed bill to regulate the time of closing the polls at the several elections in the county of Lenoir. Thereupon the said bill was ordered to be enrolled.

Received from the House of Commons, a message, proposing that Field Officers and Justices of the Peace be recommended on Monday evening next, at 3 o'clock; which was agreed to.

Received from that House, also, a message, stating that Messrs. Spruill, Caldwell, Allen and Lewis, are appointed to form the committee of Enrolment on the part of that House.

Mr. Davidson, of Mecklenburg, from the committee of Propositions and Grievances, reported a bill to change the corporate name of the Trustees of the Richmond Academy, and for other purposes; which was read the first time and passed.

Mr. Montgomery presented a bill to amend an act, passed in 1824, entitled "An act to alter the time of holding the Superior Courts in the fourth Judicial Circuit, and to alter the time of holding the County Courts of Guilford, Rockingham and Person;" and Mr. Hawkins presented a bill to amend the several acts heretofore in force for the appointment of commissioners for the town of Warrenton, and for other purposes; which bills were severally read the first time and passed.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to repeal in part an act, passed in the year 1811, entitled "An act for the better regulation of roads in the counties of Buncombe, Haywood, Burke, Wilkes and Ashe," with an amendment, marked A; which was read and agreed to by the Senate.

Received from the House of Commons, a message, stating that they have indefinitely postponed the engrossed bill to legitimate Peggy Orrell, the child of Windsor White, of Beaufort county, and to alter the names of Lovey Hassell and Sidney Hassell, children of said White, and to legitimate them; and that they have rejected the engrossed bill to secure to Sarah M'Cully, of Orange county, such property as she may hereafter acquire.
Mr. Davidson, of Mecklenburg, presented the petition of John Duckworth, of Mecklenburg county, praying a pension from the State; which was referred to the committee of Propositions and Grievances.

The bill for the better government of the town of Wadesborough, in Anson county, was read the second and third times and passed, and ordered to be engrossed.

The bill to prevent free persons of colour from migrating into this State; for the good government of such persons resident in the State, and for other purposes, was read the third time; and, after sundry amendments being made, the bill passed the third time, and was ordered to be engrossed. On the question upon the passage of the said bill the third time, the yeas and nays were demanded by Mr. Williams; which were as follows:


Against the passage of the said bill, are Messrs. Boykin, Davidson of Mecklenburg, Dowd, Forney, Forney, Gibbs, Gilchrist, Hogan, Hill of Stokes, Joiner, Love, Legrand, Leak, Melvin, Marsh, Montgomery, Pickett, Parker, Riddick, Williams—Nays 29.

Received from the House of Commons, a message, stating that they agree to the amendment made by the Senate in the resolution directing the printing of the report of the Board of Internal Improvement; also received from that House, the resignation of Thomas Marshall, as Major of the militia of Carteret county; which was read and accepted by the Senate.

The Senate adjourned to ten o'clock, on Monday morning.

Monday, December 19, 1825.

The Senate met.

Jehu Nichols, the Senator from the county of Bertie, appeared, produced the certificate of his election, was qualified, and took his seat.

A message was sent to the House of Commons, stating that the Senate have passed a bill to prevent free persons of colour from migrating into this State, for the good government of such persons resident in the State; and for other purposes; and a bill for the better government of the town of Wadesborough, in Anson county; in which they ask the concurrence of that House.

Mr. Sneed presented the memorial of sundry inhabitants of Granville county; which was referred to the committee on the Judiciary.

Mr. Davidson, of Mecklenburg, from the committee of Propositions and Grievances, to whom was referred the petition of John Duckworth, reported the following resolution, to wit:

Resolved, That the Treasurer of North-Carolina be, and he is hereby directed to pay annually to John Duckworth, of the county of Mecklenburg, seventy-five dollars, during the life of the said John Duckworth, as a pensioner of the State.

Which was read the first time and passed.

Mr. Davidson, from the same committee, to whom was referred the petition of Jacob Marling, of the city of Raleigh, praying that he be authorised to paint, for the State, a full sized portrait of John Haywood, Public Treasurer, and that he be permitted to exhibit his pictures free from tax;
reported that it is inexpedient at this time to grant the prayer of the petitioner; which was concurred in.

Mr. Hill, of Stokes, from the committee of Privileges and Elections, to whom was referred the communication from Samuel Allen and Thomas Washburn, stating that Henry Baughn, the Senator from the county of Rockingham, is not constitutionally entitled to a seat, reported that there is not sufficient evidence to induce the committee to believe that the said Henry Baughn is not entitled to a seat. Which being read. Mr. Hill, of Franklin, moved that the further consideration thereof be postponed until the first day of April next; which was agreed to.

Mr. Pickett, from the committee on the Judiciary, reported a bill to amend an act of 1814, concerning divorce and alimony; which was read the first time and passed.

Mr. Smith presented the petition of Mary Fields, of the county of Ashe, praying to be divorced from her husband William Fields, together with a bill to carry the prayer of the petitioner into effect; which was read the first time and passed, and, on motion of Mr. Smith, was referred to the committee on Divorce and Alimony.

Mr. Sneed presented a bill to alter the names of John W. Grisham, senior, Mary Grisham and John G. Grisham, junior; which being read, it was resolved by the Senate that this bill shall not pass.

The bill to change the corporate name of the trustees of the Richmond Academy, and for other purposes, was read, and, on motion of Mr. Davidson, of Mecklenburg, the same was ordered to be laid on the table.

Mr. Pickett presented a bill to prevent the falling of timber in, or obstructing the run of Brown creek, in Anson county; and Mr. Melvin presented a bill authorising the Court of Pleas and Quarter Sessions of the county of Bladen to appoint commissioners to lay off Turnbull creek, in said county, into districts, for the purpose of being worked on and rendered navigable. Which bills were read the first time and passed.

Received from the House of Commons, a message, stating that they have passed a bill to amend an act, entitled "an act to prevent the stealing of slaves, or, by violence, seduction, or any other means, taking or carrying away any slave or slaves, the property of another, and for other purposes therein mentioned," passed in the year 1792; in which they ask the concurrence of the Senate. Thereupon the same was read the first time and passed, and, on motion of Mr. Hill, of Stokes, committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to amend the several acts heretofore in force for the appointment of commissioners for the town of Warrenton, and for other purposes; and the resolution in favor of John Duckworth, of Mecklenburg county, were severally read the second and third times and passed, and ordered to be engrossed.

The bill authorising the Board of Internal Improvement to cause a survey of a road to be made from Morganton, across the Yellow Mountain, to the Tennessee line, was read the second time and passed.

The bill to amend an act, entitled "an act making further provision in favor of the owners of strays," was read the second time; and it was resolved by the Senate that this bill shall not pass.
The Senate resolved itself into a committee of the whole House, Mr. Speight, of Greene, in the Chair, to take into consideration the engrossed bill more effectually to suppress the practice of treating in elections; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Speight, the Chairman of the committee, reported the said bill with an amendment, "to strike out the first section of the bill." Thereupon Mr. Seawell moved that the bill, with the amendment, be indefinitely postponed; and the question thereon was determined in the affirmative. The yeas and nays on this question being demanded by Mr. Wilson, of Camden, are as follows:


Against the indefinite postponement of the bill, are Messrs. Bethune, Davidson of Iredell, Davidson of Mecklenburg; Forney, Joiner, Love, M'Dowell of Buncombe, M'Dowell of Burke, Pickett, Parker, Pool, Sneed, Shuford, Wilson of Camden, Wilson of Edgecombe, Whitfield—Nays 16

The bill to amend an act, passed in 1824, entitled, "an act to alter the time of holding the Superior Courts in the 4th Judicial Circuit, and to alter the time of holding the County Courts of Guilford, Rockingham and Person," was read the second time. Mr. Seawell moved to amend the bill, by striking out the second section; and Mr. Sneed moved that the said bill, together with the amendment under consideration, be indefinitely postponed; and the question thereon was determined in the affirmative.

Received from the House of Commons, a statement and report of the Cape Fear Navigation Company, accompanied with a proposition from that House, that the same be printed, in connexion with the report of the Board of Internal Improvement; which was agreed to by the Senate.

The bill to prevent the falling of timber in, or obstructing the run of Brown creek, in Anson county, was read the second and third times and passed, and ordered to be engrossed.

The bill further to amend the several acts of Assembly heretofore passed to advance the administration of justice, was read the second time and passed, and amended, on motion of Mr. Pickett, by striking out the words, "said court, unless the same shall be first finished," in the 9th line of the first section, and inserting "if the business of the court shall require it."

Mr. Davidson, of Iredell, presented the resignation of John Moore, of Iredell county; and Mr. Formbyduval presented the resignation of Samuel Smith, Justices of the Peace; which were severally read and accepted by the Senate, and sent to the House of Commons.

The Senate adjourned to three o'clock, this evening.

MONDAY EVENING, 3 o'clock, December 19, 1825.

The Senate met.

The bill authorising the Court of Pleas and Quarter Sessions of the county of Bladen to appoint Commissioners to lay of Turnbull creek, in said county, into districts, for the purpose of being worked on and rendered navigable, was read the second and third times and passed, and ordered to be engrossed.

The Senate adjourned to 10 o'clock, to-morrow morning.
TUESDAY, DECEMBER 20, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the following bills, to wit: A bill authorising the Court of Pleas and Quarter Sessions of the county of Bladen to appoint commissioners to lay off Turnbull creek, in said county, into districts, for the purpose of being worked on and rendered navigable; a bill to amend the several acts heretofore in force for the appointment of commissioners for the town of Warrenton, and for other purposes; a bill to prevent the falling of timber in, or obstructing the run of Brown creek in Anson county; and a resolution in favor of John Duckworth; in which they ask the concurrence of that House.

Mr. Nichols presented a bill to repeal an act, passed in the year 1822, entitled "an act making compensation to the jurors of the Superior and County Courts of Moore, Carteret and Bertie," so far as the same relates to the county of Bertie; which was read the first time and passed.

Mr. Pickett presented the petition of Thomas Rogers, of Anson county, praying that the Secretary of State be directed to issue to him a grant for land therein mentioned; Mr. Baughn presented the petition of Margaret Joyce, praying authority to erect a gate on a road therein mentioned; and Mr. Hill, of Stokes, presented the petition of Elizabeth Fry, praying that the property which she may hereafter acquire may be secured to her. The two petitions first above mentioned were referred to the committee of Propositions and Grievances, and the last mentioned petition was referred to the committee of Divorce and Alimony.

Mr. Pickett, from the committee on the Judiciary, to whom was referred the memorial of sundry citizens of Granville county, reported the following resolution, to wit: "Resolved, that it is inexpedient to alter or amend the laws respecting the trial by jury?" Which report was concurred in.

On motion of Mr. Seawell, the Senate proceeded to the consideration of the resolution respecting Cherokee lands; which was read and agreed to, and ordered to be engrossed.

The bill to divorce Susannah Tindal, of the county of Haywood, from her husband James Tindal; Margaret Jackson, of the county of Burke; from her husband Gabriel Jackson; and Susannah Sharpe from her husband Thomas Sharpe, was read the second time. Mr. Hill, of Franklin, moved to amend the bill, by striking out the name of Susannah Tindal.—Mr. Hogan moved that the bill, together with the amendment under consideration, be indefinitely postponed; which was not agreed to. The question recurred on the amendment offered by Mr. Hill, of Franklin; which was not agreed to. Mr. Pickett then moved to strike out the name of Susannah Sharpe; which was not agreed to. Thereupon the said bill passed the second and third times, and was ordered to be engrossed.

Mr. Williams presented the petition of sundry stockholders of a turnpike road company therein mentioned, praying that certain acts of the General Assembly relative to the incorporation, be amended or repealed; which was referred to the committee on Internal Improvement.

Received from the House of Commons, a message, proposing that the two Houses ballot immediately for a Major Commandant of the Fayette-
ville corps of Artillery, and nominating for that appointment Jesse Birdsall; which proposition was agreed to, and Messrs. Bethune and Hill of Stokes were appointed superintendents of the balloting on the part of the Senate.

Received from the House of Commons, a message, stating that they have passed the engrossed bill in addition to the several acts heretofore passed, concerning the town of Tramon in Jones county, with an amendment, to strike out the name of Robert Kornegay, and insert Christopher Bryan; in which they ask the concurrence of the Senate. Thereupon the same was agreed to, and the House of Commons was informed thereof by message.

Received, also, a message, stating that the House of Commons have passed a resolution in favor of Lewis Gomez, of the town of Wilmington, and asking the concurrence of the Senate. Thereupon the same was read and agreed to, and ordered to be enrolled.

Received from the House of Commons, a message from his Excellency the Governor, accompanied with a proposition from that House, that the part of the message which relates to James Forsyth be referred to a select joint committee, and appointing, on their part, Messrs. A. Moore, Martin, Ashe, Pickens and Webb; which proposition was agreed to, and Messrs. Gilchrist, Sneed, Vanhook, Pool and Davidson of Iredell were appointed the committee on the part of the Senate.

The bill authorising the Board of Internal Improvement to cause a survey of a road to be made from Morganton, across the Yellow Mountain, to the Tennessee line, was read the third time; and it was resolved by the Senate that this bill shall not pass.

Received from the House of Commons, a recommendation of Thomas Independence Polk, as a fit person to be appointed Lieutenant Colonel of the first regiment of the Mecklenburg militia; which recommendation was signed by Thomas G. Polk, one of the representatives from the county of Mecklenburg, and endorsed in that House "Read and accepted;" and the same being read, on motion of Mr. Davidson, of Mecklenburg, it was resolved by the Senate that the further consideration of the recommendation be indefinitely postponed, and the House of Commons was informed thereof by message.

Received from the House of Commons, a message, stating that Mr. Allen and Mr. J. N. Smith attend the Senate as superintendents of the balloting, on the part of that House, for a Major Commandant of the Fayetteville corps of Artillery.

The bill further to amend the several acts of Assembly heretofore passed to advance the administration of justice, was read the third time, and it was resolved by the Senate that this bill shall not pass. On the question on the passage of the bill, the yeas and nays were demanded by Mr. Seawell, and are as follows, to wit:


Mr. McDowell, of Burke, presented a bill to amend an act, passed in the year 1824, entitled "an act to authorise the appointment of commissioners to run and mark the dividing line between the counties of Lincoln and Burke," which was read the first time and passed.

Mr. Hill, of Stokes, from the committee appointed to conduct the balloting for a Major Commandant of the Fayetteville corps of Artillery, reported that Jesse Birdsall was duly elected; which was concurred in.

The Senate adjourned to 10 o'clock, to-morrow morning.

WEDNESDAY, DECEMBER 21, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to divorce Susannah Tindal, of the county of Haywood, from her husband James Tindal; Margaret Jackson, of the county of Burke, from her husband Gabriel Jackson; and Susannah Sharpe from her husband Thomas Sharpe; and a resolution respecting Cherokee Lands; in which they ask the concurrence of that House.

Mr. Davidson, of Mecklenburg, from the committee of Propositions and Grievances, to whom was referred the petition of Thomas Rogers, of Anson county, reported the following resolution, to wit:

Resolved, That the Secretary of State be, and he is hereby instructed to issue to Thomas Rogers, of Anson county, a grant for two hundred acres of land in said county, agreeable to his entry No. 1037, and the order of survey, July Term, 1824, and plat of survey as returned July 6, 1825.

Which was agreed to, and ordered to be engrossed.

Mr. Pickett, from the committee on the Judiciary, to whom was referred a resolution of the Senate instructing them to inquire into the expediency of amending the road law, so as not to compel Grand Jurors to present roads that are kept in reasonable repair, reported the following resolution: "Resolved, that it is inexpedient to amend the road law relative to the duty of Grand Jurors in making presentments." Which was agreed to.

Mr. Gilchrist, from the select committee, to whom was referred a bill to alter in part the times of holding the Superior Courts of Law and Equity in the fifth Judicial Circuit, reported the said bill without amendment; which was made the order of the day for to-morrow.

On motion of Mr. Speight, of Greene, a message was sent to the House of Commons, proposing that a balloting immediately take place for a Colonel of Cavalry attached to the 2d Brigade and 8th Division of the Militia of this State, and nominating for the appointment Shadrack P. Allen; and a message was received from that House, agreeing to the said proposition, and stating that Mr. Gorham and Mr. Rascoe are appointed superintendents of the balloting. Thereupon Mr. Spaight, of Craven, and Mr. Speight, of Greene, were appointed superintendents of the balloting on the part of the Senate.

On motion of Mr. Speight, of Greene, Mr. Copeland, the Senator from the county of Hertford, obtained leave of absence from the services of this House, from and after Sunday next, until the end of the present session.

Mr. Pool presented a bill to amend an act, passed in the year 1824, entitled "An act to authorize the opening a road in the counties of Cam-
den and Pasquotank, and the putting a float bridge across Pasquotank River;" Mr. Jones, of Rowan, presented a bill to amend an act, entitled "An act to amend an act, entitled "an act directing the time and place of sales of land and slaves under execution in Rowan county;" Mr. Matthews presented a bill to alter the name of Mary Ann Allender, and to legitimate her; and Mr. Leak presented a bill to repeal an act of 1812, entitled "An act directing the time and manner of appointing overseers of roads in Richmond county;" which bills were severally read the first time and passed; and the bill first above mentioned was, on motion of Mr. Pool, referred to the committee on Internal Improvement.

Mr. Legrand presented the petition of Duncan M'Rae, of Montgomery county, praying that a certain fine imposed on him be remitted; which was referred to the committee on the Judiciary.

The bill to amend an act, passed in the year 1824, entitled "an act to authorise the appointment of commissioners to run and mark the dividing line between the counties of Lincoln and Burke;" and the bill to repeal an act, passed in the year 1832, entitled "An act making compensation to the Jurors of the Superior and County Courts of Moore, Carteret and Bertie," so far as the same relates to the county of Bertie, were severally read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to amend an act for the better care of orphans, and security and management of their estates, with sundry amendments; which were severally read and agreed to by the Senate, and the House of Commons was informed thereof by message.

On motion of Mr. Davidson, of Mecklenburg, the Senate proceeded to the consideration of the resolution, declaring that no bill of a private nature shall be presented after the 15th instant; which being read, was amended, on motion of Mr. Speight, of Greene, by striking out the "15th," and inserting "the twenty-fourth;" and the same was further amended, on motion of Mr. Pickett, by inserting after the word "Resolved:" the following words, to wit: "by the Senate and House of Commons." The question then recurred on the adoption of the resolution; which was determined in the affirmative, and a message was sent to the House of Commons, asking their concurrence in the same.

The bill to amend an act of 1814, concerning Divorce and Alimony, was read, and, on motion of Mr. Hill, of Franklin, ordered to lie on the table.

The report of the committee on the Judiciary, to whom was referred a resolution directing an inquiry into the expediency of amending the law of descents, was read and concurred in.

Mr. Forney presented the petition of William M. Simenson, stating that he has invented a machine, which, if attached to a boat, will propel it with considerable velocity against the most rapid currents, and praying for the public patronage; which was referred to the committee on Internal Improvement.

Received from the House of Commons, a message, stating that they have passed a bill to authorise the building of a toll bridge over the river Cape Fear, and to incorporate a company for that purpose; a resolution explanatory of the resolution of 1821, in relation to the Public Library;
and a resolution authorising the Public Treasurer to sell the old bell, belonging to the State; in which they ask the concurrence of the Senate.—Thereupon the bill above mentioned was read the first and second time and passed; the resolution authorising the Public Treasurer to sell the old bell, was read and agreed to, and ordered to be enrolled; and the resolution in relation to the Public Library, was read the first, second and third times, and amended, on motion of Mr. Seawell, by striking out the word "is," in the first line, and inserting "was," and by striking out the word "meaning," in the second line, and inserting the word "design;" and a message was sent to the House of Commons, asking their concurrence in the amendments.

The bill to amend an act, entitled "an act to amend an act, entitled "an act directing the time and place of sales of land and slaves under execution in Rowan county;" the bill to repeal an act of 1812, entitled "an act directing the time and manner of appointing overseers of roads in Richmond county;" and the bill to alter the name of Mary Ann Allender, and to legitimate her, were severally read the second and third times and passed, and ordered to be engrossed.

Mr. Spaight, of Craven, from the committee appointed to conduct the balloting for a Colonel of Cavalry attached to the second brigade and 8th division of the militia of this State, reported that Shadrack P. Allen was duly elected; which report was concurred in.

Mr. Marsh presented the resignation of Jesse Bray, as Justice of the Peace of Chatham county; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons, the resignation of Green B. Babb, as Major of the first regiment of the Guilford county militia; also the resignations of Benjamin Nevill, sen'r, a Justice of the Peace of Halifax county, and W. Reavis, a Justice of the Peace of Wake county; which were severally read and accepted, and sent to the House of Commons.

The Senate adjourned to 10 o'clock, to-morrow morning.

THURSDAY, DECEMBER 22, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to repeal an act, passed in the year 1822, entitled "an act making compensation to the jurors of the Superior and County Courts of Moore, Carteret and Bertie." so far as the same relates to the county of Bertie; and a bill to amend an act, passed in the year 1824, entitled "an act to authorise the appointment of commissioners to run and mark the dividing line between the counties of Lincoln and Burke," also a resolution in favor of Thomas Rogers, of Anson county; in which they ask the concurrence of that House.

On motion of Mr. Alexander, a message was sent to the House of Commons, proposing that a balloting immediately take place for a Colonel of Cavalry attached to the 11th brigade of militia, and nominating for that appointment James A. Means.

Mr. Parker, from the committee of Divorce and Alimony, to whom was referred the petition of Elizabeth Fry, praying to be divorced from her Husband Lewis Fry, made a report unfavourable to the prayer of the petitioner; which was concurred in.
Mr. Parker, from the same committee, to whom was referred a bill to divorce Mary Fields, of the county of Ashe, from her husband William Fields, reported the said bill without amendment; which was read the second and third times and passed, and ordered to be engrossed.

Mr. Hill, of Franklin, from the committee, to whom was referred the statement accompanying the Comptroller's report, containing the returns received from most of the counties of the State, detailing the amount of taxes levied and appropriated for five or six years past in the several counties of the State, made a report thereon, and moved to be discharged from the further consideration of the subject; which was agreed to.

Mr. Hill, of Franklin, from the committee on Education, to whom was referred a bill to aid in the establishment of a fund for the support of schools for the convenient instruction of youth, &c. reported the said bill without amendment; which was made the order of the day for to morrow.

Mr. Pickett, from the committee on the Judiciary, reported a bill to provide for the security of persons purchasing slaves sold by virtue of executions issued by Justices of the Peace; which was read the first time and passed.

Mr. Hill, of Stokes, from the select committee, to whom was referred the bill to authorise the County Court of Stokes to appoint a committee of Finance, reported the said bill with an amendment, to strike out all the words of the bill except the words "a bill," and insert the amendment accompanying the same; which was agreed to. Thereupon the said bill was read the third time and passed, and ordered to be engrossed.

Received from House of Commons, a message, agreeing to the proposition of the Senate to ballot immediately for a Colonel of Cavalry attached to the 11th Brigade, and stating that Mr. Bain and Mr. Cox are appointed superintendents of the balloting on the part of that House. Thereupon Mr. Shuford and Mr. Boddie were appointed superintendents of the balloting on the part of the Senate.

The engrossed bill to authorise the building of a toll bridge over the river Cape-Fear, and to incorporate a company for that purpose, was read the third time. Mr. Montgomery moved to amend the bill, by adding the following section, to wit: "Be it further enacted, that the President, Directors and Company shall be liable for all the debts that the said President, Directors and Company shall incur;" which was not agreed to. The question then recurred on the passage of the said bill the third time, and the same was determined in the affirmative, and ordered to be enrolled.

Mr. Seawell presented the petition of Willis Whitaker and others, of Wake county, stating that they were ordered to attend a Court Martial in Nash county, convened for the trial of David Daniel, a Colonel of the Nash Regiment; that they attended accordingly; and praying for compensation; which was referred to the committee of Claims.

Mr. Hill, of Franklin, presented the memorial of Thomas Lanier and Hardy Wood, praying for indulgence in the payment of a judgment therein mentioned; and Mr. Snead presented the petition of Polydore Johnston, of the city of Raleigh, a free man of colour, praying the emancipation of two of his children; which petitions were referred to the committee of Propositions and Grievances.

Mr. Jones, of Rowan, presented a bill for the better protection of pub-
lic bridges owned by individuals or corporations, and prescribing the punish-
ishment for burning the same; and Mr. Vanhook presented a bill to alter the
time of holding the Court of Pleas and Quarter Sessions of the coun-
ty of Person; which bills were read the first time and passed.

Received from the House of Commons, a message, stating that they
have passed a resolution directing the committee of Finance to burn the
defaced or worn Treasury notes, and asking the concurrence of the Sen-
ate. Thereupon the same was read and agreed to, and ordered to be en-
rolled.

The engrossed bill to authorise the trustees of the Salisbury Academy
to raise, by way of Lottery, ten thousand dollars, was read the second
time and passed; and on the question upon the passage of the said bill the
years and nays were demanded by Mr. Dowd, which are as follows, to wit:

For the passage of the bill, are Messrs. Alexander, Baker, Beasly,
Davidson of Mecklenburg, Davenport, Formyduval, Forney, Gilchrist,
Holloman, Har-grave, Harrell, Hogan, Hill of Stokes, Hawkins, Jones of Rowan, Love, Legrand,
Leak, M'Dowell of Buncombe, M'Dowell of Burke, Matthews, M'Daniel, Nichols,
Pickett, Pool, Poindexter, Riddick, Smith, Snead, Spaight of Craven, Speight of

Against the passage of the bill, are Messrs. Bethune, Boddie, Baughn,
Boykin, Dowd, Devane, Gibbs, Hill of Franklin, Howell, Joiner, Melvin, Marsh, Montgo-

Mr. Joiner moved that the bill lie on the table, which was not agreed
to. Thereupon the same was read the third time and passed, and ordered
to be enrolled.

The Senate resolved itself into a committee of the whole House, Mr.
Seawell in the Chair, to take into consideration the engrossed bill to amend
an act, entitled "an act to prevent the stealing of slaves, or, by violence,
seduction, or any other means, taking or carrying away any slave or
slaves the property of another, and for other purposes therein mentioned,"
passed in 1792; and, after some time spent therein, the committee rose,
the Speaker resumed the Chair, and Mr. Seawell, the Chairman, reported
the said bill with an amendment, to strike out the third section, in the fol-
lowing words, to wit: "And be it further enacted, that the fact of such negro
being found on board of any vessel, under the circumstances above
set forth, shall be considered prima facia evidence of the concealment
having taken place with the knowledge or by the contrivance of said mas-
ter." Which amendment was agreed to by the Senate. Thereupon the
said bill passed the second and third time, and a message was sent to the
House of Commons, asking their concurrence in the amendment.

Mr. Boddie, from the committee appointed to conduct the balloting for
a Colonel of Cavalry attached to the 11th Brigade of Militia, reported
that James A. Means was duly elected; which report was concurred in.

Mr. Formyduval presented a bill limiting the time within which prose-
cutions for certain offences shall be commenced; which was read the first
time and passed.

The resolution of the Senate of the 21st instant, "That no bill of a pri-
vat: character shall be presented in either House after the 24th of this
month," was received from the House of Commons, endorsed "read and
adopted" by that House.

Mr. Hill, of Franklin, from the committee on Education, reported a bill
to create a fund for the establishment of Common Schools, and for the
support thereof; which was read the first time, and, on motion of Mr. Sears, ordered that the bill be printed; and it was further ordered, on motion of Mr. Boykin, that the same be committed to a committee of the whole House, and made the order of the day for Monday next.

Mr. Harrell presented a bill to repeal in part the several acts of the General Assembly, respecting the sales of land under execution; and Mr. Sneed presented a bill for the relief of the trustees of the Williamsborough Academy; which bills were severally read the first time and passed.

The bill to alter in part the times of holding the Superior Court of Law and Equity in the fifth Judicial Circuit, was read the second time and passed.

The bill to alter the times of holding the Court of Pleas and Quarter Sessions of Person county, was read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to alter the place of holding one of the separate elections in Washington county; and that they have indefinitely postponed the bill to divorce Susannah Tindal, of the county of Haywood, from her husband James Tindal; Margaret Jackson, of the county of Burke, from her husband Gabriel Jackson; and Susannah Sharpe from her husband Thomas Sharpe.

Received also, a message, stating that they have passed the engrossed bill to repeal the tenth section of an act, directing the manner in which the Clerks of the Superior Courts shall be appointed, passed in 1806, chapter 693, entitled “an act for the more uniform and convenient administration of justice within this State;” in which they ask the concurrence of the Senate. Thereupon the said bill was read the first time and passed.

The Senate adjourned to 10 o’clock, to-morrow morning.

Friday, December 23, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to repeal an act, passed in 1812, entitled “an act directing the time and manner of appointing overseers of roads in Richmond county;” a bill to amend an act, entitled “an act to amend an act, entitled ‘an act directing the time and place of sales of land and slaves under execution in Rowan county;’” a bill to alter the name of Mary Ann Allender, and to legitimate her; a bill to divorce Mary Fields, of the county of Ashe, from her husband William Fields; a bill to authorise the County Courts of Stokes and Guilford to appoint a committee of Finance; and a bill to alter the time of holding the Court of Pleas and Quarter Sessions of Person county; in which they ask the concurrence of that House.

Mr. Davidson, from the committee of Propositions and Grievances, to whom was referred the petition of Thomas Lanier and Hardy Wood, of Franklin county, reported the following resolution, to wit:

Resolved, That the Treasurer be, and he is hereby instructed to indulge, for twelve months, Thomas Lanier and Hardy Wood, of Franklin county, against whom the State has a judgment, as securities of Jorden Denson, late sheriff of said county.
provided, the said Thomas Lanier and Hardy Wood shall give bond and approved security within twenty days after the rise of the General Assembly.

Which was concurred in and ordered to be engrossed.

Mr. Davidson, from the same committee, to whom was referred the petition of sundry inhabitants of the county of Columbus, on the subject of the dividing line between the said county and the county of Bladen, reported unfavorable to the prayer of the petitioners; which was concurred in.

Mr. Forney, from the committee on Internal Improvement, to whom was referred the petition of the Neuse River Navigation Company, reported the following resolution: "Resolved, that the prayer of the petitioners ought not to be granted;" which being read, Mr. Seawell moved to amend the resolution, by striking out the word "not," in the first line thereof; which was not agreed to. The question then recurred on the adoption of the resolution; which was determined in the affirmative.

Mr. Forney, from the same committee, to whom was referred a bill to raise a fund to complete the navigation of Neuse River from Turner's Bridge, in Johnston county, to Cobbs' Mill, in Wake county; and a bill concerning the Catawba Navigation Company, reported the said bills without amendments; which were made the order of the day for to-morrow.

Mr. Forney, from the same committee, to whom was referred the petition of sundry inhabitants of Hyde and Washington counties, reported a bill to repeal the several acts of Assembly, passed in the years 1815, 1818, 1822 and 1823, incorporating a company to make a turnpike road from Pungo River, in Hyde county, to the town of Plymouth, in Washington county; which was read the first time and passed.

Mr. Pickett presented a bill to extend the provisions of an act, passed in the year 1822, entitled "an act granting further time to perfect titles to lands within this state;" which was read the first time and passed.

Mr. Sanders presented the resignation of John Eason, as Colonel Commandant of the Johnston county Militia; and Mr. Whitfield presented the resignation of Levi Mewborn, of Lenoir county, as Justice of the Peace; which were read and accepted, and sent to the House of Commons.

Received from the House of Commons, a message, stating that they have passed the following engrossed bills, to wit: a bill giving exclusive jurisdiction to the Superior Court of Anson of pleas and prosecutions of the State; a bill to incorporate Lafayette Lodge, in Onslow county; a bill respecting the Court of Pleas and Quarter Sessions of the county of Tyrrell; a bill supplemental to an act, passed at the present session of the General Assembly, entitled "an act to extend the provisions of an act, passed in 1824, entitled 'an act to regulate the time of appointing overseers of roads in the counties of Montgomery and Person, to the county of Rowan';" a bill to establish Williams Academy, in the county of Duplin, and to incorporate the trustees thereof; a bill prescribing the time and places of electing members of the General Assembly of the county of Wayne, members of Congress, and Electors to vote for President and Vice President of the United States, and to repeal part of an act, passed in the year 1824, prescribing the time and places of electing members to the General Assembly, members to Congress, and Electors to vote for President and Vice President of the United States; a bill to establish a poor
house in the county of Martin; a bill to allow commissions to Constables in the county of Halifax; a bill to repeal part of an act, passed in the year 1820, entitled "an act to establish separate Courts of Probate for the counties of Pasquotank and Rutherford, and for other purposes;" a bill to make compensation to the Jurors of the Superior and County Courts of Randolph county; a bill making compensation to the jurors for the county of Moore; a bill to divide the Regiment of Militia in Rockingham county; a bill to divorce Robert Bingham, jun. of the county of Mecklenburg, from Mary his wife; a bill to appoint commissioners to lay off a road from John Harden’s to Ashe Court House, and for other purposes; a bill directing the manner in which Constables shall be hereafter appointed in the county of Sampson; a bill concerning the appointment and powers of patrols in the county of Robeson; a bill to amend an act, entitled "an act to authorise the County Courts of Pleas and Quarter Sessions of Chatham, Anson, Iredell, Rockingham, Randolph, Halifax, Chowan, Carteret, Perquimons, &c. &c. to appoint a committee of Finance," passed in the year 1822, so far as relates to the county of Bladen; and a bill to repeal an act, passed in the year 1822, entitled "an act to exempt certain citizens of Hyde county from public duty;" also a resolution in favor of George W. Lumsden; and a resolution in favor of Absalom Hooper; in which they ask the concurrence of the Senate. Thereupon the said bills and the resolution in favor of George W. Lumsden were severally read the first time and passed; and the resolution in favor of Absalom Hooper was read and agreed to, and ordered to be enrolled.

On motion of Mr. Davidson, of Mecklenburg, a message was sent to the House of Commons, proposing that a balloting immediately take place for a Lieutenant Colonel of Cavalry attached to the 11th Brigade of Militia; and for which appointment Wm. N. Park and Marcus Kennedy are in nomination; and received a message, agreeing to ballot, as proposed by the Senate, and stating that Mr. Skinner and Mr. Durgan are appointed to conduct the balloting on the part of that House. Thereupon Mr. Alexander and Mr. Dowd were appointed superintendents of the balloting on the part of the Senate.

The bill to change the corporate name of the Trustees of the Richmond Academy, and for other purposes; and the bill for the relief of the trustees of the Williamsborough Academy, were read the second time, and it was resolved by the Senate that these bills shall not pass.

Received from the House of Commons, a message, stating the concurrence of that House in the amendments made in the Senate in the resolution explanatory of the resolution in relation to the public Library, Thereupon the same was ordered to be enrolled.

The bill to provide for the security of persons purchasing slaves sold by virtue of executions issued by Justices of the Peace, was read the second time and passed.

The bill to repeal in part the several acts of the General Assembly respecting the sales of land and slaves under execution; and the bill to alter in part the times of holding the Superior Courts of Law and Equity in the 5th Judicial Circuit, were read, the first mentioned bill the second and third times, and the last mentioned bill the third time; and thereupon they were ordered to be engrossed.
The bill for the better protection of public bridges owned by individuals or corporations, and prescribing the punishment for burning the same, being read, Mr. Pickett moved to amend the same, by striking out the words "and shall suffer death without the benefit of clergy," and inserting the words "and shall be punished accordingly," which was agreed to; and the same was further amended, on motion of Mr. Gilchrist, by striking out the words "any of the said bridges which have been or may be erected," and inserting the words "any public bridge or private toll bridge." Thereupon the said bill passed the second time.

The bill limiting the time within which prosecutions for certain offences shall be commenced, was read the second time. Mr. Hogan moved to strike out the word "three" in the 11th line of the first section, and insert the word "one," which was not agreed to. The question then recurred on the passage of the said bill the second time; which was determined in the affirmative.

The bill to aid in the establishment of a fund for the support of schools for the convenient instruction of youth, was read the second time and passed.

The engrossed bill to repeal the 10th section of an act directing the manner in which the Clerks of the Superior Courts shall be appointed, passed in the year 1806, chapter 693, entitled "an act for the more uniform and convenient administration of justice within this State," was read the second time; and, on motion of Mr. Spaight, of Greene, the same was indefinitely postponed. The yeas and nays on this question being demanded by Mr. M'Dowell; of Burke, are as follows, to wit:


Against the indefinite postponement of the bill, are Messrs. Davidson of Iredell, Davidson of Mecklenburg, Dowd, Devane, Formyduval, Hollamon, Hargrave, Love, M'Dowell of Buncombe, M'Dowell of Burke, Marsh, Montgomery, Parker, Pool, Riddick, Salyear, Smithwick, Shuford, Ward—Nays 19.

The bill prescribing the time and places of electing the members of the General Assembly for the county of Wayne, members of Congress, and electors to vote for President and Vice President of the United States, and to repeal part of an act, passed in the year 1824, prescribing the time and places of electing members of the General Assembly, members to Congress, and electors to vote for President and Vice President of United States, was read the second time and passed.

Mr. Alexander, from the committee appointed to conduct the balloting for Lieutenant Colonel of Cavalry attached to the 11th Brigade of militia, reported that Wm. N. Parks was duly elected; which report was concurred in.

The Senate adjourned to 10 o'clock, to-morrow morning.

Saturday, December 24, 1825.
The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to repeal in part the several acts of the General Assem-
bly respecting the sales of land and slaves under execution, so far as regards the county of Gates; and a bill to alter in part the times of holding the Superior Courts of Law and Equity in the fifth judicial circuit; also a resolution in favor of Thomas Lanier and Hardy Wood, of Franklin county; in which they ask the concurrence of that House.

Mr. Speight, of Greene, presented the following resolution, to wit:

Resolved, That the Public Treasurer pay to each of the Doorkeepers of both Houses twenty-five dollars, their usual extra allowance; and that they be compelled to pay out of the same the hands necessarily employed by them to bring wood and water to the State House during the present session; and that the rule of the House, requiring resolutions to be read three times, be dispensed with so far as regards this resolution.

Which was agreed to, and ordered to be engrossed.

Mr. Forney, from the committee on Internal Improvement, to whom was referred a resolution of the Senate, directing them to inquire into the expediency of appropriating a part of the public funds of the State towards improving the public road from Fayetteville west, by the way of Wadesborough, Charlotte, Lincolnton, Morganton, &c. reported that it is inexpedient to make the said appropriation; which was concurred in.

Mr. Forney, from the same committee, to whom was referred the petition of sundry inhabitants of Hyde county, reported the following resolution, to wit: "Resolved, that the prayer of the petitioners ought not to be granted;" which was concurred in.

Mr. Forney, from the same committee, to whom was referred a bill to amend an act, passed in the year 1824, entitled "an act to authorise the opening a road in the counties of Camden and Pasquotank, and the putting a float bridge across Pasquotank river," reported the said bill without amendment; which was made the order of the day for Monday next.

Mr. Davidson, of Mecklenburg, from the committee of Propositions and Grievances, to whom was referred the petition of Margaret Joice, of Rockingham county, made a report unfavorable to the prayer of the petitioner; which was concurred in.

Mr. Hill, of Stokes, presented the petition of James Larrimore, praying that the purchase money, which he paid into the Treasury for land therein mentioned, be refunded to him; which was referred to the committee of Claims.

The following bills were presented, to wit: By Mr. Gilchrist, a bill to annex part of the lower regiment to the upper regiment in Robeson county; by Mr. Baker, a bill to alter the times of holding two of the County Courts in the county of Brunswick; by Mr. Baughn, a bill to repeal an act, passed in 1823, entitled "an act for the more convenient administration of justice in the Courts of Pleas and Quarter Sessions of the county of Rockingham;" by Mr. Hill, of Franklin, a bill to repeal so much of the existing laws on the subject of internal improvement as authorises the Board to employ a Civil Engineer; by Mr. Copeland, a bill to alter the names of Wiley Wiggins, Rick's Wiggins, Micajah Wiggins and John Wiggins, and to legitimate them; by Mr. Legrand, a bill concerning the militia of the county of Montgomery; and by Mr. Hogan, a bill to amend an act, passed in 1784, concerning roads, &c. which bills were severally read the first time and passed.

The following engrossed bills were read the second and third times and
passed, and ordered to be enrolled, to wit: A bill to appoint commissioners to lay off a road from John Harden’s to Ashe court house, and for other purposes; a bill to amend an act, entitled “an act to authorise the County Courts of Pleas and Quarter Sessions of Chatham, Anson, Iredell, Rockingham, Randolph, Halifax, Chowan, Carteret, Perquimons, Columbus, Currituck, Craven, Sampson, Tyrrell and Bladen to appoint a committee of Finance,” passed in the year 1822, so far as relates to the county of Bladen; a bill to repeal part of an act, passed in the year 1820, entitled “an act to establish separate Courts of Probate for the counties of Pasquotank and Rutherford, and for other purposes” a bill to divide the regiment of militia in Rockingham county; a bill to make compensation to the jurors of the Superior and County Courts of Randolph county; a bill to establish Williams Academy, in the county of Duplin, and to incorporate the trustees thereof; a bill supplemental to an act, passed at the present session of the General Assembly, entitled “an act to extend the provisions of an act, passed in 1824, entitled ‘an act to regulate the time of appointing overseers of roads in the counties of Montgomery and Person to the county of Rowan;” a bill to incorporate Lafayette Lodge, in Onslow county; a bill to allow commissions to Constables in the county of Halifax; a bill respecting the Court of Pleas and Quarter Sessions of the county of Tyrrell; a bill giving exclusive jurisdiction to the Superior Court of Anson of pleas and prosecutions of the State; a bill concerning the appointment and powers of patrols in the county of Robeson; a bill to repeal an act, passed in the year 1822, entitled “an act to exempt certain citizens of Hyde county from public duty;” and a bill to establish a poor house in the county of Martin.

The resolution in favor of George W. Lumsden, was read the second and third times and passed, and ordered to be enrolled.

The engrossed bill directing the manner in which Constables shall be hereafter appointed in the county of Sampson, was read the second time and passed; and the same being read the third time, it was resolved by the Senate that this bill shall not pass.

Received from the House of Commons, a message, stating that they have passed a bill to provide for the removal of the shoal in Tar river below the town of Washington; a bill to encourage the publication of a historical and scientific work on this State; a bill for the relief of certain purchasers of the Cherokee lands; a bill to prescribe the duties of the Attorney General, and to appoint two Solicitors for the third and fourth Judicial Circuits; a bill to amend an act, entitled “an act concerning the town of Salisbury,” passed in the year 1822, chapter 52nd, and for other purposes; and a bill to authorise the Courts of Pleas and Quarter Sessions of Carteret and Jones counties to appoint special Justices of the Peace, and making compensation to such Justices for certain services; also a resolution in favour of the Public Treasurer; in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed.

The bill limiting the time within which prosecutions for certain offenses shall be commenced, was read the third time. Mr. Hogan moved to strike out the word “three,” as an amendment to the said bill; which was agreed to. Mr. Spaight then moved to insert the word “four”
which was not agreed to. Mr. Hogan moved to insert "two:" which was agreed to. Mr. Hill moved to strike out the second and third sections of the bill; which was not agreed to. Thereupon, on motion of Mr. Gilchrist, the same was referred to the committee on the Judiciary.

Received from the House of Commons, a message, stating their concurrence in the amendments made by the Senate in the engrossed bill to amend an act, entitled "an act to amend an act entitled 'an act to prevent the stealing of slaves, or, by violence, seduction, or any other means, taking or carrying away any slave or slaves, the property of another, and for other purposes,'" passed in the year 1792. Thereupon, the said bill was ordered to be enrolled. Mr. Forney moved to reconsider the vote, taken this day, rejecting the engrossed bill directing the manner in which Constables shall be hereafter appointed in the county of Sampson; which was agreed to, and the said bill being read, was passed the third time and ordered to be enrolled.

The bill prescribing the time and places of electing the members of the General Assembly for the county of Wayne, members of Congress, and electors to vote for President and Vice President of the United States, and to repeal part of an act, passed in 1824, prescribing the time and places of electing members to the General Assembly, members to Congress, and electors to vote for President and Vice President of the United States, was read the second time. Mr. Howell moved to amend the bill, by striking out the words "sunset," in the fourth line of the 4th section, and inserting "five o'clock," which was agreed to; and the same was further amended, on motion of Mr. Ward, by adding the words, "to open the polls at eleven o'clock," in the 3d line, and the words "two o'clock in the afternoon," in the 9th line. Thereupon the said bill was passed the third time, and a message was sent to the House of Commons, asking their concurrence in the amendments.

The bill to raise a fund to complete the navigation of Neuse river from Smithfield, in Johnston county, to Cobbs' mill, in Wake county, was read the second time, and, on motion of Mr. Hogan, the same was indefinitely postponed. The yeas and nays on this question were demanded by Mr. Hogan, and are as follows:

For the indefinite postponement of the bill, are Messrs. Baker, Bethune, Baughn, Boykin, Beasley, Davidson of Iredell, Dowd, Davenport, Formyduval, Gibbs, Hargrave, Hill of Franklin, Harrell, Hogan, Howell, Joiner, McDowell of Burke, Marsh, Matthews, McDaniel, Montgomery, Nichols, Parker, Pool, Riddick, Salyear, Sanders, Smithwick, Williams, Wilson of Edgecombe—Yeas 30


The bill to aid in the establishment of a fund for the support of schools for the convenient instruction of youth, &c. &c was read the third time, and, on motion of Mr. Spright of Greene, was referred to a committee of the whole House, to whom was referred the bill for the promotion of Education, and made the order of the day for Monday next.

Mr. Pickett presented a bill concerning the settlement of Guardians appointed by the Superior Courts; and Mr. Smithwick presented a bill directing at what time the polls shall be closed at the separate elections in
the county of Martin; which were severally read the first time and passed.

The bill for the better protection of public bridges owned by individuals or corporations, and prescribing the punishment for burning the same; and the bill to provide for the security of persons purchasing slaves, sold by virtue of executions issued by Justices of the Peace, were severally read the third time and passed, and ordered to be engrossed.

Mr. Boddie presented the petition of James Smith, of Covington county, and State of Mississippi, praying an allowance for certain certificates by him presented, which were given to soldiers in the Revolutionary War; and, on motion of Mr. Boddie, the same was referred to the committee of Claims.

Received from the House of Commons; the resignation of Thomas V. Harp's, Colonel of Cavalry attached to the 16th Brigade of Militia; Thomas Atkinson, Lieutenant Colonel of the Caswell Regiment of Militia; and John M'Mullen, Justice of the Peace of Caswell county; which were severally read and accepted by the Senate.

Mr. Sanders presented the resignation of J. Richardson, as Justice of the Peace of Johnston county; which was read and accepted, and sent to the House of Commons.

The Senate adjourned to 10 o'clock, on Monday morning.

MONDAY, DECEMBER 26, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed resolution in favor of the Doorkeepers; in which they ask the concurrence of that House.

On motion of Mr. Bethune, a message was sent to the House of Commons, proposing that the joint resolution of the two Houses relative to the introduction of private bills, be suspended so far as regards a bill for the better regulation of the committee of Finance in the county of Cumberland, and for other purposes.

The bill to authorize the Courts of Pleas and Quarter Sessions of Carteret and Jones counties to appoint Special Justices of the Peace, and making compensation to such Justices for certain services, was read the second time, and amended, on motion of Mr. M'Daniel, by striking out so much of the bill as relates to the county of Jones; and the same was further amended, on motion of Mr. Davis, by inserting in the 9th line of the first section the following words, to wit: "and concurring in the appointment." Thereupon the said bill was read the second and third times and passed, and a message was sent to the House of Commons, asking their concurrence in the amendments.

The bill directing at what time the polls shall be closed at the separate elections in the county of Martin, was read the second and third times and passed; and the same was amended on the second reading, on motion of Mr. Harrell, by making the provisions of the bill apply to the county of Gates. Thereupon a message was sent to the House of Commons, asking their concurrence in the amendment.

The bill to repeal an act, passed in 1823, entitled "an act for the more convenient administration of justice in the Courts of Pleas and Quarter Sessions in the county of Rockingham; the bill to annex a part of the
JOURNAL OF THE SENATE.

lower Regiment to the upper Regiment in Robeson county; the bill to alter the times of holding two of the County Courts in the county of Brunswick; the bill to alter the names of Wiley Wiggins, Richards Wiggins, McJaffah Wiggins, and John Wiggins, and to legitimate them; and the bill concerning the militia of the county of Montgomery, were severally read the second and third times and passed, and ordered to engrossed.

The engrossed bill to amend an act, entitled "an act concerning the town of Salisbury," passed in the year 1822, chapter 52d, and for other purposes, was read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to alter the name of Mary Ann Allender, and to legitimate her; and the bill to divorce Mary Fields, of the county of Ashe, from her husband William Field; and that they have indefinitely postponed the bill to amend an act, passed in the year 1824, entitled "an act to authorize the appointment of commissioners to run and mark the dividing line between the counties of Lincoln and Burke;" and passed a resolution in favor of Hugh and Eli Stuart, of Mecklenburg county; in which they ask the concurrence of the Senate. Thereupon the said resolution was read and agreed to, and ordered to be enrolled.

The Senate resolved itself into a committee of the whole House, Mr. Pickett in the Chair, to take into consideration the bill to create a fund for the establishment and support of common schools, and the bill to aid in the establishment of a fund for the support of schools for the convenient instruction of youth; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Pickett, the Chairman, reported the first mentioned bill with an amendment; which was agreed to by the Senate, and the said bill was read the second time and passed. Mr. Pickett, from the committee of the whole House, then reported the bill to aid in the establishment of a fund for the support of schools for the convenient instruction of youth, &c. without amendment; which, on motion of Mr. Sneed, was ordered to be laid on the table.

Mr. Hill, of Franklin, moved that the 11th rule of decorum for the government of the Senate, requiring "that all bills of a public nature, when ready for the second hearing, shall be noted to be read at least one day previous thereto," be dispensed with for the remaining part of the present session; which was agreed to.

The bill to amend an act, passed in 1784, concerning roads, &c. was read the second time, and, on motion of Mr. Speight, of Greene, the same was indefinitely postponed.

The bill to repeal the several acts of the Assembly, passed in the years 1815, 1818, 1822 and 1823, incorporating a company to make a turnpike road from Pungo river, in Hyde county, to the town of Plymouth, in Washington county, was read the second time and passed.

The bill to extend the provisions of an act, passed in the year 1823, entitled "an act granting further time to perfect titles to lands within this State," and the bill concerning the settlement of guardians appointed by the Superior Courts, were severally read the second and third times and passed, and ordered to be engrossed.

The engrossed bill to encourage the publication of a historical and sci-
entific work on this State, was read the second time; and it was resolved by the Senate that this bill shall not pass.

The bill for the relief of certain purchasers of the Cherokee lands, was read the second time. Mr. Montgomery moved that the bill be laid on the table; which was not agreed to. Mr. Seawell moved to amend the bill by adding the following words in the 13th line of the first section, to wit: after the word "were" the words "materially interfered with;" which amendment was agreed to. The question then recurred on the passage of the said bill the second time; which was determined in the affirmative. Thereupon the same was read the third time. Mr. Gilchrist moved that the bill be indefinitely postponed; which was not agreed to; and, on motion of Mr. Speight, of Greene, the further consideration thereof was postponed until to-morrow.

The engrossed bill to prescribe the duties of the Attorney General, and to appoint two Solicitors for the third and fourth judicial circuits, was read the second time, and, on motion of Mr. Speight, of Greene, the same was indefinitely postponed. The yeas and nays on this question were demanded by Mr. Montgomery, and are as follows, to wit:


Against the indefinite postponement of the bill, are Messrs. Marsh, Montgomery—Nays 2.

Mr. Hill, of Franklin, moved to reconsider the vote taken on Saturday last upon the indefinite postponement of the bill to raise a fund to complete the navigation of Neuse river from Smithfield, in Johnston county, to Cobbs' mill, in Wake county; which was agreed to. Thereupon the said bill, on motion of Mr. Seawell, was ordered to lie on the table.

The Senate adjourned to 10 o'clock, to-morrow morning.

Tuesday, December 27, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: a bill to repeal an act, passed in 1823, entitled "an act for the more convenient administration of justice in the Courts of Pleas and Quarter Sessions in the county of Rockingham;" a bill for the better protection of public bridges owned by individuals or corporations, and prescribing the punishment for burning the same; a bill to provide for the security of persons purchasing slaves, sold by virtue of executions issued by Justices of the peace; a bill to extend the provisions of an act, passed in the year 1822, entitled "an act granting further time to perfect titles to land within this State;" a bill to alter the names of Wisley Wiggins, Ricks Wiggins, Micajah Wiggins and John Wiggins, and to legitimate them; a bill to alter the times of holding two of the County Courts in the county of Brunswick; a bill to annex a part of the lower Regiment to the upper Regiment in Robeson county; a bill concerning the settlement of Guardians appointed by the Superior Courts;
and a bill concerning the Militia of the county of Montgomery; in which they ask the concurrence of that House.

On motion of Mr. M'Dowell, of Burke, Mr. Hawkins, the Senator from the county of Warren, obtained leave of absence from the services of this House, from and after this day, until the end of the present session.

On motion of Mr. Alexander, a message was sent to the House of Commons, proposing that a balloting take place for a Major of Cavalry attached to the 11th Brigade of Militia, and nominating for that appointment Robert Kirkpatrick.

Mr. Sneed moved that the Senate do now consider the report of the committee of Claims on the memorial of Horace A. Burton, executor of Robert Burton, deceased, which was agreed to; and the same being read, Mr. Sneed moved that the same be committed to the same committee; which was not agreed to. The question then recurred on concurring in the report, which is unfavorable to the prayer of the petitioner, and the same was determined in the affirmative; and, on motion of Mr. Sneed, the petitioner obtained leave to withdraw the documents accompanying the petition.

Mr. Wilson, of Edgecombe, presented a statement from sundry citizens of Edgecombe county on the propriety of passing a law for the suppression of religious associations of negroes; and, on motion of Mr. Wilson, the same was referred to a select committee. Thereupon Messrs. Wilson of Edgecombe, Spaight of Craven, Forney, Speight of Greene, and Bethune were appointed the said committee.

Mr. Pickett, from the committee on the Judiciary, to whom was referred the petition of Duncan M'Rae, of Montgomery county, reported unfavorable to the prayer of the petitioner; which was concurred in.

Mr. Davidson, of Mecklenburg, from the committee of Propositions and Grievances, to whom was referred the petition of Polydore Johnson, of Raleigh, reported a bill to emancipate Sally and Edward, the slaves and children of Polydore Johnson; which was read, and it was resolved by the Senate that this bill shall not pass.

Mr. Hill, of Stokes, from the committee on the proposed amendment of the Constitution of the United States, as respects President and Vice President, to whom was referred the resolution relative to the Constitution of the United States, reported the same without amendment; which, on motion of Mr. Pickett, was ordered to lie on the table.

Received from the House of Commons, a message, agreeing to ballot for a Major of Cavalry attached to the 11th Brigade of Militia, and stating that Mr. Best and Mr. Underwood are appointed to conduct the balloting on the part of that House. Thereupon Mr. Alexander and Mr. Dowd were appointed to conduct the balloting on the part of the Senate.

Mr. Hogan presented a bill to amend an act appointing Sheriffs, and directing their duty in office, and compelling them to give sufficient security for the discharge of their public duties; which was read the first time and passed.

The bill to create a fund for the establishment and support of common schools; and the engrossed bill for the relief of certain purchasers of the Cherokee Lands, were severally read the third time and passed, and the first mentioned bill was ordered to be engrossed, and a message was sent
to the House of Commons, asking their concurrence in the amendment which was made in the last mentioned bill on the second reading.

Mr. Dowd presented the resignation of David Reed, as Justice of the peace of Moore county; which was read and accepted, and sent to the House of Commons.

The Senate adjourned to 3 o'clock, this afternoon.

**Tuesday Evening, 3 o’clock.**

The Senate met.

Mr. Alexander, from the committee appointed to conduct the balloting for a Major of Cavalry attached to the 11th Brigade of the Militia, reported that Robert Kirkpatrick was duly elected; which report was concurred in.

Mr. Marsh moved to reconsider the vote of the Senate on the rejection of the engrossed bill to-encourage the publication of a historical and scientific work on this State, which was agreed to; and thereupon the Senate adjourned to 10 o’clock, to-morrow morning.

**Wednesday, December 28, 1825.**

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to create a fund for the establishment and support of common schools; in which they ask the concurrence of that House.

On motion of Mr. Hill, of Franklin, Mr. Jones, the Senator from the county of Rowan, obtained leave of absence from the services of this House, from and after Friday next, until the end of the present session.

Mr. Davidson, of Mecklenburg, presented a certificate in favor of Leah Beaty, widow of John Beaty, a soldier in the revolutionary war; which, on motion of Mr. Davidson, was countersigned by the Speaker of the Senate, and sent to the House of Commons.

Mr. Davidson, of Mecklenburg, from the committee of Propositions and Grievances, to whom was referred the bill to legitimate and alter the name of Malcom Monroe Walker, of Wake county, the natural son of William Andrews, of the same county, reported the said bill without amendment; which, on motion of Mr. Sneed, was ordered to lie on the table.

Received from the House of Commons, a message, proposing to ballot this morning for Colonel, Lieutenant Colonel and Major of Cavalry attached to the 16th Brigade and 3d Division of the Militia, and stating that John Willey is nominated for Colonel; Reuben Walton, for Lieutenant Colonel and Elijah Hester, for Major; which proposition was agreed to, and Mr. Sneed and Mr. Vanhook were appointed to conduct the balloting on the part of the Senate.

Received from the House of Commons, a message, stating that they agree to the several amendments made in the Senate to the engrossed bill prescribing the time and places of electing the members of the General Assembly for the county of Wayne, Members of Congress, &c. also that they agree to the amendments made by the Senate in the bill to authorise the Courts of Pleas and Quarter Sessions of Carteret and Jones counties to appoint special Justices of the Peace; and making compensation to such Justices for certain services; and that they agree to the amendments made
by the Senate in the bill directing at what time the polls shall be closed at the separate elections in the county of Martin. Thereupon the said bills were severally ordered to be enrolled.

Received from the House of Commons, a message, stating that they agree to the proposition of the Senate to suspend the joint resolution relative to the introduction of private bills, so far as regards a bill for the better regulation of the committee of Finance in the Courts of Cumberland, and for other purposes. Thereupon Mr. Beihune presented the said bill, which was read the first time and passed.

Received from the House of Commons, a message, stating that Mr. Lewis and Mr. Williamson attend the Senate to conduct the balloting for Cavalry Officers in the 16th Brigade and 3d Division of Militia, and that the name of Samuel Mitchell is added to the nomination for Major.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to amend the several acts heretofore in force regulating the proceedings in Courts of Equity; and that they have passed a bill for the better regulation of the Courts of Pleas and Quarter Sessions of Guilford county; a bill to amend an act, passed in the year 1814, entitled “an act for the better regulation of Wilkesborough, in the county of Wilkes;” and a bill directing the Board of Internal Improvement to make contracts with such persons as may hereafter undertake any of the public improvements in this State, and to take bond and security for the performance of the same; in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed.

Mr. Pickett, from the committee on the Judiciary, to whom was referred the bill limiting the time within which prosecutions for certain offences shall be commenced, reported the said bill with sundry amendments; which were agreed to by the Senate. Thereupon the said bill was read the third time, and amended, on motion of Mr. Seawell, by inserting in the 18th line of the first section, after the word “remove,” the words “or abscond;” and the same was further amended, on motion of Mr. Pickett, by inserting in the 19th line of the same section the words “or conceal himself in the county.” The question then recurred on the passage of the said bill the third time; which was determined in the affirmative, and the same was ordered to be engrossed.

The engrossed bill to encourage the publication of a historical and scientific work on this State, was read the second time. Mr. Speight, of Greene, moved to strike out the words “twenty five,” in the twenty third line of the first section, and insert the word “fifteen,” and Mr. Hill, of Franklin, moved that the bill, together with the amendments under consideration, be indefinitely postponed; which was not agreed to. The question then recurred on the motion of Mr. Speight, of Greene, and a division of the question being called for, the motion to strike out was agreed to. The question then recurred on filling the blank with the word “fifteen;” which was agreed to. Mr. Ward then moved to amend the bill by inserting the following, after the word “same,” in the fourth line of the first section, to wit: “That the Governor of the State be, and he is hereby authorised to raise or cause to be raised by way of Lottery, from time to time, the sum of twenty-five thousand dollars, in which the State shall in no wise be liable for the payment of the prizes; and he is hereby...
authorised. after such sum is so raised, to loan the same to the said Archibald D. Murphy, for the term of six years, without interest, upon condition that said Murphy give bond with approved security, that he will publish or cause to be published said historical and scientific work within, or at the expiration of six years; and that he will furnish, or cause to be furnished to the State, as many volumes of said work as may be deemed, by the Governor, Treasurer and Comptroller, to be worth twenty thousand dollars at a fair valuation; which, when so delivered, shall be in full for the twenty-five thousand dollars so loaned." Mr. Sneed moved to commit the bill to a select committee; which was not agreed to.

The question then reconsidered on the amendment proposed by Mr. Ward, and there being an equal number of votes for and against the amendment, the Speaker of the Senate voted in the negative, and the amendment was not agreed to. Mr. Forney then moved to add a second section to the bill as follows, to wit: "And be it further enacted by the authority aforesaid, that it shall not be lawful, under any pretence whatever, to have more than three classes or drawings of the said Lottery for the purpose of raising the sum required by this act." Which amendment was agreed to.

The question then reconsidered on the passage of the bill the second time, which was determined in the affirmative. The yeas and nays on this question being demanded by Mr. Dowd, are as follows:

For the passage of the bill, are Messrs. Alexander, Bethune, Beasley, Davis, Davidson of Mecklenburg, Forney, Gilchrist, Hollamon, Hargrave, Hogan, Hill of Stokes, Jones of Rowan, Love, Legrand, Leak, M'Dowell of Buncombe, M'Dowell of Burke, Matthews, Montgomery, Nichols, Pickett, Parker, Pool, Pondexter, Smith, Sneed, Spaight of Craven, Speight of Greene, Shuford, Seawell, Vanhook—Yeas 31.


Thereupon the said bill was read the third time. Mr. Hill, of Franklin, moved to add a third section to the bill, in the following words, to wit: "And be it further enacted, that the benefits of this act shall only vest in Mr. Murphy, when he shall have conveyed to the Governor of the State, for the use of the State, all right and right of possession to all papers and documents touching and concerning the aforesaid history he may possess, at his death, provided he may die before he completes the said work." Which amendment was agreed to. Mr. Dowd then moved that the bill lie on the table; which was not agreed to. Mr. Joiner moved that the bill be amended, by adding the following words, to wit: "That the said Lottery scheme shall not be sold nor managed by any person but a native born citizen of North Carolina" which was not agreed to. The question then reconsidered on the passage of the bill the third time; which was determined in the affirmative. The yeas and nays on this question being demanded by Mr. Dowd, are as follows:

For the passage of the bill, are Messrs. Alexander, Bethune, Beasley, Davis, Davidson of Mecklenburg, Davenport, Forney, Gilchrist, Hollamon, Hargrave, Hogan, Hill of Stokes, Jones of Rowan, Love, Legrand, Leak, M'Dowell of Buncombe, M'Dowell of Burke, Matthews, Montgomery, Nichols, Pickett, Parker, Pool, Pondexter, Smith, Sneed, Spaight of Craven, Speight of Greene, Shuford, Seawell, Vanhook—Yeas 32.

Against the passage of the said bill, are Messrs. Baker, Boddie, Baughn, Boykin,

Thereupon a message was sent to the House of Commons, asking their concurrence in the amendments made by the Senate in the said bill.

The Engrossed bill directing the Board of Internal Improvement to make contracts with such persons as may hereafter undertake any of the public improvements in this State, and to take bond and security for the performance of the same, was read the second time. Mr. Sneed moved to amend the same, by adding the words "and his successors in office," in the 13th line of the first section, after the word "being," which was agreed to. Thereupon the said bill passed the second and third time, and a message was sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill for the better regulation of the Courts of Pleas and Quarter Sessions of Guilford county, was read the second time, and it was resolved by the Senate that this bill shall not pass.

The bill to amend an act appointing Sheriffs, and directing their duty in office, and compelling them to give sufficient security for the discharge of their public duties, was read the second time and passed, and amended, on motion of Mr. Seawell, by adding after the word "two," in the 24th line of the first section, the following words, to wit: "and the Clerk of the Court is hereby required to enter on record the names of the Justices who concur in accepting the said security."

The engrossed bill to provide for the removal of the shoal in the Tar river below the town of Washington, was read the second time, and, on motion of Mr. Forney, was ordered to lie on the table.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to alter the names of Willie Wiggins, Ricks Wiggins, Micajah Wiggins, and John Wiggins, and to legitimate them; and also stating that they agree to the several amendments made by the Senate in the engrossed bill for the relief of certain purchasers of the Cherokee lands. Thereupon the said bill was ordered to be enrolled.

The bill for the better regulation of the committee of Finance in the county of Cumberland, and for other purposes; and the bill to raise a fund to complete the navigation of Neuse river from Smithfield, in Johnston county, to Cobbs' mill, in Wake county, were read the second and third times and passed; and the last mentioned bill was amended, on motion of Mr. Seawell, by striking out all the words of the said bill except the words "a bill," and substituting the amendment by him submitted. Thereupon the said bills were ordered to be engrossed.

The engrossed bill to amend an act, passed in the year 1814, entitled "an act for the better regulation of the town of Wilkesborough, in the county of Wilkes," was read the second and third times and passed, and ordered to be enrolled.

Mr. Vanhook, from the committee appointed to conduct the balloting for Cavalry officers attached to the 16th Brigade and 3rd Division of the militia, reported that John Willie is elected Colonel; Reuben Walton, Lieutenant Colonel; and Elijah Hester, Major; which report was concurred in.

Received from the House of Commons, the resignations of John Stock-
ard, as Colonel Commandant, and Robert Graham, as Major of the third Regiment of militia in Orange county; also Robert Cannon, of Wake county; Malecom Monroe, of Cumberland county; Henry Rippel, of Stokes county; and John Shaw, of Wake county, Justices of the Peace; which were severally read and accepted by the Senate.

Thereupon the Senate adjourned to 10 o'clock, to-morrow morning.

**THURSDAY, DECEMBER 29, 1825.**

The Senate met.

A message was sent to the House of Commons, stating that they have passed a bill for the better regulation of the committee of Finance in the county of Cumberland, and for other purposes; a bill limiting the time within which prosecutions for certain offences shall be commenced; and a bill concerning the navigation of Neuse river; in which they ask the concurrence of that House.

Mr. Wilson, from the select committee to whom was referred a statement from sundry citizens of Edgecombe county, on the propriety of passing a law for the suppression of religious associations of negroes, reported a bill to amend an act to prevent conspiracies and insurrections among slaves, passed in the year 1802; which was read the first time and passed.

Received from the House of Commons, a message, proposing that the joint rule of the two Houses prohibiting the introduction of private bills after the 24th instant be suspended, so far as to admit the introduction of the bills therein named; which proposition was not agreed to.

Also received a message from that House, stating that they have passed the engrossed bill concerning the town of Oxford, with an amendment; which was agreed to by the Senate.

Received from the House of Commons, a message, stating that they concur in the amendments made by the Senate in the bill to encourage the publication of a historical and scientific work on this State, except the last mentioned amendment, in which they do not concur; and the same is in the following words, to wit: "And be it further enacted, that the benefits of this act shall only vest in Mr. Murphey, when he shall have conveyed to the Governor of the State, for the use of the State, all right and interest of possession to all papers and documents, touching and concerning the aforesaid history, he may possess at his death, provided he may die before he completes the said work." Mr. Speight, of Greene, moved that the Senate recede from their amendment; which was not agreed to. Mr. Seawell then moved that the Senate insist on their said amendment; which was agreed to, and the House of Commons was informed thereof by message.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to repeal in part the several acts of the General Assembly respecting the sales of land and slaves under execution, so far as regards the county of Gates, with an amendment, to make the provisions of the bill apply to the county of Hertford; which amendment was agreed to by the Senate. Received also a message from that House, stating that they concur in the amendment made by the Senate to the engrossed bill directing the Board of Internal Improvement to make contracts with such persons as may hereafter undertake any of the public
improvements in this State, and to take bond and security for the performance of the same. Thereupon the said bill was ordered to be enrolled.

Received from the House of Commons, a message, stating that they have postponed indefinitely the engrossed bill to repeal an act, passed in the year 1833, entitled "an act for the more convenient administration of justice in the Courts of Pleas and Quarter Sessions in the county of Rockingham; and the engrossed bill to amend the several acts heretofore in force for the appointment of commissioners for the town of Warrenton, and for other purposes.

On motion of Mr. Spaight, of Craven, Mr. Whitfield, the Senator from the county of Lenoir, obtained leave of absence from the services of this House, from and after to-morrow, until the end of the present session.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to annex a part of the lower Regiment to the upper Regiment in Robeson county, with an amendment, to strike out the word "upper" wherever it appears in the bill, as applied to the "Regiment," and insert the word "second;" which amendment was agreed to by the Senate.

Mr. Gilchrist, from the committee of Claims, to whom was referred the petition of James Larrimore, praying to have refunded to him the purchase money which he paid for certain entries of land, made a report unfavorable to the prayer of the petitioner; which was concurred in, and, on motion of Mr. Hill, of Stokes, the petitioner obtained leave to withdraw the certificates accompanying his petition.

Mr. Gilchrist, from the same committee, to whom was referred the petition of W. Whitaker and others, of Wake county, reported the following resolution, to wit:

Resolved, That the Public Treasurer pay to W. Whitaker, N. G. Rand, and C. H. Reeder the sum of fifteen dollars each, their reasonable expenses in attending a Brigade Court Martial, convened at Nashville on the trial of David Daniel, a Colonel in the Nash Regiment; and that he be allowed the same in the settlement of his accounts.

Which was read the first time and passed.

Mr. Speight, of Greene, presented a bill to prevent emancipating societies in this State; which was read the first time and passed.

Received from the House of Commons, a message, stating that they have passed the following engrossed bills, to wit: A bill to change the time of laying the county taxes of Craven county, and appointing receivers of lists of taxables in said county; a bill for the better regulation of the town of Pittsborough, in Chatham county; a bill to alter the time of holding the Superior Courts of Law and Equity for the counties of Halifax and Northampton; a bill to prevent persons from injuring a dam and canal, lately constructed by Ebenezer Pettigrew, in the county of Tyrrell; a bill to amend an act, entitled "an act for the better regulation of the town of Murfreesborough, in the county of Hertford, and to enlarge the same;" a bill to incorporate Eastern Lodge, in the county of Pasquotank; a bill to appoint commissioners for the town of Bath, in the county of Beaufort, and for the better regulation of said town; a bill to regulate the patrol of Lenoir county; a bill to incorporate Fellowship Lodge, No. 84, in the county of Johnston; a bill authorising David Craig, of the county of Rowan, to erect two gates on the public road leading to the South Yadkin river; a bill to authorise Abner Payne, of the county of Burke, to
erect a gate on his own lands across the road leading to Lincolnton; a bill to repeal part of an act, passed in 1818, entitled "an act to authorize the Courts of Pleas and Quarter Sessions of Craven and Cumberland counties to appoint special Justices of the Peace, and making compensation to such Justices for certain services; a bill concerning the Courts of Pleas and Quarter Sessions of the county of Bladen; a bill to provide for the payment of jurors of the county of Nash; a bill for the better regulation of the Court of Pleas and Quarter Sessions for the county of Wilkes; a bill to incorporate the Cotton Plant Steam Boat Company, on the Cape Fear river; and a bill concerning the county of Lincoln; in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first, second and third times and passed, and ordered to be enrolled, except the three bills last mentioned, which were postponed indefinitely, on their second reading.

The bill to amend an act to prevent conspiracies and insurrections among slaves, passed in the year 1803, was read the second time, and, on motion of Mr. Hill, of Franklin, was amended by inserting, in the 9th line of the first section, the following words, to wit: "or white person having charge of the meeting house." Mr. Formyduval moved to further amend the bill by striking out the word "moderately," in the 23d line of the same section, and inserting the word "well;" which was agreed to. Mr. Seawell then moved to insert the word "advice," in the 3d line of the second section; which was agreed to, and thereupon the said bill passed the second and third times, and was ordered to be engrossed.

The Senate adjourned to 10 o'clock, to-morrow morning.

Friday, December 30, 1825.

The Senate met.

Mr. Vanhook presented a resolution directing the Secretary of State to purchase suitable stationary for the Executive Office, the officers of the other Departments of Government, and the Clerks of the General Assembly, for the ensuing year; which was agreed to, and ordered to be engrossed.

Received from the House of Commons, a message, stating that they have passed a bill to establish a poor house in Granville county, and for other purposes; in which they ask the concurrence of the Senate. Thereupon the said bill was read the first, second and third times and passed; and the same was amended on the third reading, on motion of Mr. Sneed, by inserting in the fourth line of the 4th section the following words, to wit: "and before said election shall take place." Thereupon a message was sent to the House of Commons, asking their concurrence in the amendment.

On motion of Mr. Love, a message was sent to the House of Commons, proposing to ballot for a Board of Internal Improvement for the ensuing year, and stating that James Iredell, Daniel M. Forney and Edward B. Dudley are in nomination; and a message was received from that House, agreeing to the proposition to ballot, and stating that the name of Michael Holt, of Orange county, is added to the nomination; and that Mr. Miller and Mr. Ashe are appointed to conduct the balloting on their part.—Thereupon Mr. Leak and Mr. Hill of Stokes were appointed superintendents of the balloting on the part of the Senate.
A message was sent to the House of Commons, stating that the Senate have passed a bill to amend an act to prevent conspiracies and insurrections among slaves, passed in 1802; in which they ask the concurrence of that House.

Received from the House of Commons, a message, stating that they have postponed indefinitely the engrossed bill limiting the time within which prosecutions for certain offences shall be commenced; and that they have rejected the engrossed bill concerning company musters of militia; also stating that they have passed the engrossed bill to authorise the County Courts of Stokes and Guilford to appoint a committee of Finance; the engrossed bill authorising the Court of Pleas and Quarter Sessions of the county of Bladen to appoint commissioners to lay off Turnbull creek, in said county, into districts, for the purpose of being worked on and rendered navigable; and the engrossed bill to extend the time for registering grants and mesne conveyances, powers of attorney, bills of sale and deeds of gift, with amendments in each of the said bills; in which they ask the concurrence of the Senate; and the same were severally read and agreed to, and the House of Commons was informed thereof by message.

The engrossed bill from the House of Commons, to incorporate the North-Carolina Gold Mine Company, was read the first, second and third times and passed, and amended, on motion of Mr. Seawell, by inserting in the 8th line of the 2d section, the following words, to wit: “in the same manner as merchants and copartners in trade, and may be sued accordingly;” and also, by adding a fifth section to the bill, to wit: “And be it further enacted, that it shall be competent for the Legislature of this State to repeal or to modify and amend this act, as shall appear necessary and expedient.” And the bill was further amended, on motion of Mr. Sneed, by inserting the words “digging, washing and mining for gold in this State.” Thereupon a message was sent to the House of Commons, asking their concurrence in the amendments. On the question upon the passage of the said bill the third time in the Senate, the yeas and nays were demanded by Mr. Joiner, and are as follows, to wit:


Against the passage of the said bill, are Messrs. Baughn, Bowd, Devane, Formy-Duval, Gibbs, Harrell, Joiner, Marsh, Parker, Salyer, Wilson of Camden—Nays 11.

Received from the House of Commons, a message, stating that they have passed a bill to repair and improve the road leading from Columbia, in Tyrrell county, to Gum Neck and Frying Pan; a bill to incorporate Morning Star Lodge, in the town of Nashville, Nash county; a bill to appoint commissioners for the village of Chapel Hill, in Orange county, and for other purposes; a bill directing the manner in which the regiments of infantry of this State shall hereafter be reviewed; a bill concerning staves in Neuse River below Newbern, or in Core Sound, in Carteret county; and a bill to authorise and direct the payment to the wardens of the poor in each county in the State the tax imposed on retailers of spiritual li-
语气; in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first, second and third times and passed, and ordered to be enrolled, except the bill last mentioned, which being read, it was resolved by the Senate that the same shall not pass.

Received from the House of Commons, a message, stating that they insist upon their disagreement to the amendment marked C. as proposed and insisted on by the Senate, to the engrossed bill to encourage the publication of a historical and scientific work on this State, and proposing a conference on the subject; which was agreed to, and Mr. Hill of Franklin and Mr. Wilson of Edgecombe were appointed to confer on the part of the Senate.

Received from the House of Commons, a message, stating that they have passed a bill to make appropriation for clearing out the flats below the town of Wilmington; in which they ask the concurrence of the Senate. Thereupon the said bill was read the first time and passed; and the same being read the second time, Mr. Montgomery moved to strike out the word "six" in the 5th line of the 1st section, and insert the word "three;" and a division of the question being called for by Mr. Wilson, of Edgecombe, the question on striking out was not agreed to. Thereupon the bill passed the second and third times, and was ordered to be enrolled.

Mr. Leak, from the committee appointed to conduct the balloting for a Board of Internal Improvement, reported that James Iredell, Edward B. Dudley and Daniel M. Forney were duly elected; which report was concurred in.

The engrossed bill to provide for the removal of the shoal in the Tar river below the town of Washington, was read the second time. Mr. Wilson, of Edgecombe, moved to amend the bill by adding the following words to the first section after the word "Washington," to wit: "Provided, that after the Board of Internal Improvement shall have made a sufficient experiment with the Dredging Machine lately purchased, it shall appear to them practicable to remove the said shoals by means of said Dredging Machine." Which was agreed to. Mr. Davidson, of Mecklenburg, moved to add the following section: "And be it further enacted, that the sum of three thousand five hundred dollars be appropriated out of the fund set apart for internal improvement for repairing and improving the road from Wadesborough to Charlotte; and that the Board of Internal Improvement cause the said road to be surveyed, if they should deem the same necessary, and to open and improve the same in such manner as they may think best, beginning at the worst part of said road, the same being let out by contract to the lowest bidder; and then proceeding on until the whole shall be completed, not exceeding the aforesaid sum of three thousand five hundred dollars." Which was not agreed to. Thereupon the said bill passed the second and third times, and a message was sent to the House of Commons, asking their concurrence in the amendment. On the passage of the said bill the second time, the yeas and nays were demanded by Mr. Hill, of Franklin; which are as follows:

Against the passage of the said bill, are Messrs. Davidson of Iredell, Davidson of Mecklenburg, Dowd, Fornsyduval, Melvin, M'Dowell of Burke, Marsh, Montgomery, Parker—Nays 9.

The resolution in favor of W. Whitaker and others, of Wake county, was read the second time. Mr. Hill, of Franklin, moved that the resolution be amended, by inserting the following words after the name of "F. H. Reeder," to wit: "and all the other officers summoned, and who attended;" which was not agreed to. Mr. Ward moved to amend the resolution, by adding the following: "Be it further resolved, that the officers and witnesses attending a Court Martial, in Onslow and Duplin counties, ordered by the Brigadier General of the 3rd Brigade, to try Colonel Stephen Miller, of the Duplin Regiment of Infantry, for charges preferred by Capt. James Dunn, of said Regiment, against said Miller, be, and they are hereby authorised to produce their claims before the Treasurer of the State; and the Treasurer is hereby authorised to pay such claims, when so produced properly authenticated." And Mr. Boykin moved to postpone the further consideration of the resolution and the amendments under consideration until the 10th day of January, and the question thereon was determined in the affirmative.

Mr. Seawell presented the following resolution, to wit:

Resolved, That the Public Treasurer be directed to pay to Joseph Gales & Son one hundred and forty three dollars, for printing and attaching to the acts of last session, by order of the General Assembly, the contract entered into between the State and the Cherokee Indians, and for printing done at the present session previous to the election of Public Printer; and that the joint rule which requires all resolutions for the payment of money, to be read three times in each House, as respects this resolution, be dispensed with.

Which was agreed to and ordered to be engrossed.

Mr. Davidson, of Mecklenburg, from the joint committee on the Public Buildings, reported the following resolutions:

Resolved, That the sum of five hundred dollars be appropriated for the purpose of purchasing some additional furniture for the Governor's house; and that the Treasurer be, and is hereby instructed to pay over to the Governor the above sum, for which he shall be allowed in the settlement of his public account.

Resolved, That the Comptroller be requested to employ some suitable person to take care of the Capitol, and public square, under the control of the State officers, and at a salary not exceeding one hundred and fifty dollars; which salary the Treasurer is hereby directed to pay half yearly. It shall be the duty of the keeper to take charge of the keys, keep all the house and rooms in clean, nice order; to hang curtains made of green baize before the windows to protect the other curtains from the sun; put a gauze curtain over the picture of Washington in the Commons Hall; rake off the public square Spring and Fall, and burn or haul off the trash; attend visitors, &c.

Resolved, That the Treasurer be, and is hereby instructed to pay for any small repairs that may be wanting in the Capitol or Governor's house.

Resolved, That the rooms in the Capitol opposite the Comptroller's office, and the one opposite the Supreme Court room, be for the use of the House of Commons; and the two small rooms in the upper story be for the use of the Senate; the Conference Hall for the use of both Houses jointly. The Keeper of the Capitol is hereby directed to have the lower rooms put in order.

Which were read the first time and passed.

The bill concerning the Catawba Navigation Company, was read the second and third times and passed, and ordered to engrossed.

The engrossed bill making compensation to the jurors for the county of Moore, was read the second and third times and passed; and the
same was amended, on the second reading, on motion of Mr. Dowd, by striking out all the words of the bill, except the words "a bill;" and substituting the amendment by him submitted; and a message was sent to the House of Commons, asking their concurrence in the same.

The bill to repeal so much of the existing laws on the subject of internal improvement as authorises the Board to employ a Civil Engineer; the bill to legitimate and alter the name of Malcom Monroe Walker, of Wake county, the natural son of William Andrews, of the same county; the bill to repeal the several acts of Assembly, passed in the years 1815, 1818, 1822 and 1823, incorporating a company to make a turnpike road from Pungo river, in Hyde county, to the town of Plymouth, in Washington county; the bill to amend an act, passed in the year 1824, entitled "an act to authorise the opening a road in the counties of Camden and Pasquotank, and the putting a float bridge across Pasquotank river;" the bill to aid in the establishment of a fund for the support of schools for the convenient instruction of youth; and the bill to amend an act of 1814 concerning divorce and alimony, were severally read, and, on motion, were indefinitely postponed.

Mr. Jones, of Rowan, presented the resignation of James Jameson, as Lieutenant Colonel of the first Regiment of militia in Rowan county; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons, the resignation of James Brantley, as Major of the Chatham Regiment of militia, and the resignation of David Singletary, as Justice of the Peace of Bladen county; which were read and accepted by the Senate.

Thereupon the Senate adjourned to 10 o'clock, to-morrow morning.

Saturday, December 31, 1825.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill giving further time to the North Carolina Catawba Navigation Company to complete the navigation of Catawba river; and a resolution instructing the Secretary of State to purchase stationary; also a resolution relative to Joseph Gales & Son; in which they ask the concurrence of that House.

Mr. Sneed presented a bill to give publicity to mortgages, deeds of trust, and marriage contracts; which was read the first time and passed, and, on motion of Mr. Speight, of Greene, was referred to a select committee, consisting of Messrs. Speight of Greene, Sneed, Pickett, Seawell, and Wilson of Edgecombe.

On motion of Mr. Davidson, of Mecklenburg, the report made by the committee on the Public Buildings on the 30th instant, was referred to a select committee, consisting of Messrs. Davidson of Mecklenburg, Forney, Gilchrist, Hill of Stokes, and Hill of Franklin.

Received from the House of Commons, a recommendation of Justices of the Peace for the county of Martin; which was read, and amended, on motion of Mr. Smithwick, by striking out the names of John G. Smithwick, Joseph Robeson and Thomas Shaw; and a message was sent to the House of Commons, asking their concurrence in the amendment.

Received from the House of Commons, a message, stating that they
have passed a bill authorising Joseph Welsh, of the county of Haywood, to erect two gates on the public road, called the Smoky Mountain Turnpike road, and Josiah Holly, of Bertie county, to erect and keep up a gate on his own land across the road leading to Colerain Landing; a bill limiting the time in which actions shall be brought on justices' judgments; a bill to authorise the stockholders of the Dismal Swamp Canal Company to increase their capital stock; and a bill to amend an act, passed at the last session of the General Assembly, entitled "an act to appoint commissioners to contract with Jeremiah Land for the purchase of a piece of land, for the use and benefit of the county of Currituck; also a resolution in favor of Leah Beaty; a resolution in favor of Sherwood Fort; and a resolution in favor of David Sherrell; in which they ask the concurrence of the Senate. Thereupon the said bills and the two resolutions first mentioned were severally read the first time and passed, and the last mentioned resolution was read and agreed to, and ordered to be enrolled.

Received from the House of Commons, the resignation of William Drew, as the Attorney General of this State, and George Bower, as Colonel of Cavalry attached to the 5th division and 9th Brigade of militia; which were read and accepted by the Senate.

The bill to amend an act appointing Sheriffs, and directing their duty in office, and compelling them to give sufficient security for the discharge of their public duties, was read the third time and passed, and amended, on motion of Mr. Sneed, by adding the following provision, to wit: "Provided, that any Justice of the Peace, who shall object to the sufficiency of the security offered and accepted by said court, shall exonerate himself from all liability imposed by this act, by causing his protest to be entered on the minutes of said court." Thereupon the same was ordered to be engrossed.

On motion of Mr. Hill, of Franklin, a message was sent to the House of Commons, proposing that a balloting take place for Attorney General of this State, and nominating for that appointment James F. Taylor; and a message was received from that house, stating that they do not agree to the proposition to ballot on this day for Attorney General, but propose to ballot for that officer on Monday next; which was agreed to by the Senate.

Received also, a message, stating that Mr. Iredell and Mr. Shepperd form the committee of conference on the disagreeing votes of the two Houses on the bill to encourage the publication of a historical and scientific work on this State; and that they concur in the several amendments made by the Senate to the engrossed bills, to wit: a bill to provide for the removal of the shoal in the Tar River below the town of Washington; a bill to establish a poor house in the county of Granville, and for other purposes; and a bill making compensation to the jurors of the county of Moore. Thereupon the said bills were severally ordered to be enrolled.

The bill to prevent emancipating societies in this State, was read the second time, and, on motion of Mr. Pickett, the same was indefinitely postponed.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to alter the name of Dicey Cartright, of Perquimons county, and to legitimate her, with an amendment; which being read, Mr. Davidson, of Iredell, moved that the bill, with the amend-
ment from the House of Commons, be indefinitely postponed; and the question thereon was determined in the affirmative.

Received from the House of Commons, a message, stating that they concur in the first amendment made by the Senate to the engrossed bill to incorporate the North Carolina Gold Mine Company; but that they do not concur in the other amendments made by the Senate in the said bill. Thereupon, on motion of Mr. Seawell, the Senate resolved to insist on their said amendments, and the House of Commons was informed thereof by message.

Received from the House of Commons, a message, stating that they have passed a bill for the better regulation of the town of Beaufort; in which they ask the concurrence of the Senate. Thereupon the said bill was read the first, second and third times and passed, and ordered to be enrolled.

The engrossed bill to amend an act, passed at the last session of the General Assembly, entitled "an act to appoint commissioners to contract with Jeremiah Land for the purchase of a piece of land, for the use and benefit of the county of Currituck," was read, and, on motion of Mr. Seawell, the same was indefinitely postponed.

The engrossed bill to authorise Joseph Welsh, of the county of Haywood, to erect two gates on the public road, called the Smoky Turnpike Road, and Josiah Holly, of Bertie county, to erect and keep up a gate on his own land across the road leading to Colerin Landing, was read the second and third times and passed; and the same was amended, on the second reading, on motion of Mr. Nichols, by adding the following words, to wit: "from the fifteenth of March until the 10th of May, in each year," after the word "Landing," in the second section of the bill; and a message was sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill to authorise the stockholders of the Dismal Swamp Canal Company to increase their capital stock; also the resolution in favor of Leah Beaty; and the resolution in favor of Sherwood Fort, were severally read the second and third times and passed, and ordered to be enrolled.

The engrossed bill limiting the time in which actions shall be brought on justices' judgements, was read the second time. Mr. Davis moved to amend the bill, by inserting after the words "compos mentis," in the second section, the words "or beyond sea;" which was agreed to; and the same was further amended, on motion of Mr. Pickett, by adding to the second section the following words: "or returning from beyond sea;" and a message was sent to the House of Commons, asking their concurrence in the amendments.

Thereupon the Senate adjourned to 9 o'clock, on Monday morning.

MONDAY, JANUARY 2, 1826.
The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to amend an act appointing Sheriffs, and directing their duty in office, and compelling them to give sufficient security for the discharge of their public duties; in which they ask the concurrence of that House.
Received from the House of Commons, a message, stating that the names of Daniel L. Barringer and G. E. Spruill are added to the nomination for Attorney General of this State; and that Mr. Skinner and Mr. Marshall are appointed to conduct the balloting on the part of that House. Thereupon Mr. Hill of Franklin and Mr. Wilson of Edgecombe were appointed to conduct the balloting on the part of the Senate.

Mr. Davidson, of Mecklenburg, from the select committee to whom was referred the report made by the committee on the Public Buildings on the 30th instant, reported the same with an amendment; which was agreed to by the Senate; and the same being further amended, on motion of Mr. Sneed, by inserting the following words after the word "Hall," to wit: "and over the Declaration of Independence in the Hall of the Commons and Senate Chamber;" which was agreed to. Mr. Hogan then moved to strike out the words "and fifty" in the 7th line, which was agreed to; and the same passed the second and third times, and was ordered to be engrossed.

On motion of Mr. M'Dowell, of Burke, a message was sent to the House of Commons, proposing to ballot immediately for Colonel Commandant, and Lieutenant Colonel of Cavalry of the 5th Division and 9th Brigade of militia, and nominating Nathaniel Gordon for Colonel Commandant, and Samuel F. Patterson for Lieutenant Colonel.

Mr. Sanders presented the following resolution, to wit:

Resolved, That Jesse Adams be allowed the sum of twenty-four dollars and fifty cents, for carrying a writ of election to the sheriff of Craven county, commanding him to hold an election for a Senator to represent the said county in this General Assembly in the place of John H. Bryan, who resigned; and that the rule requiring resolutions, the object of which is to draw money out of the Treasury, be suspended as far as regards this resolution.

Which was read and agreed to, and ordered to be engrossed.

Mr. Wilson, of Edgecombe, from the committee appointed to conduct the balloting for Attorney General, reported that no person in nomination had received a majority of the votes; and a message was received from the House of Commons, proposing a further balloting for that appointment; which was agreed to by the Senate, and Mr. Wilson of Edgecombe and Mr. Hill of Franklin were appointed to conduct the said balloting. And a message was received from the House of Commons, stating that Mr. Skinner and Mr. Marshall are appointed to conduct the balloting on the part of that House. The engrossed bill to divorce Robert Bigham, Junr. of the county of Mecklenburg, was read the second time; and it was resolved by the Senate that this bill shall not pass.

Mr. Speight, of Greene, from the select committee, to whom was referred a bill to give publicity to mortgages, deeds of trust and marriage contracts, reported the said bill, with an amendment; which was agreed to by the Senate. Thereupon the said bill passed the second and third times, and was ordered to be engrossed.

Mr. Spaight, of Craven, presented a certificate of an allowance made by the County Court of Craven, in favor of Thomas Ewell and Christopher Bexley, who were of the party of the militia called out under Capt. John Rhem in August, 1821; which being read, it was resolved by the Senate that the same shall not pass.

Received from the House of Commons, a message, stating that they have indefinitely postponed the engrossed bill to alter in part the times of
holding the Superior Courts of Law and Equity in the fifth judicial circuit; and have rejected the engrossed bill directing the manner in which dowers shall hereafter be laid off; and also the engrossed bill to prevent free persons of colour from migrating into this State, for the good government of such persons resident in the State, and for other purposes.

On motion of Mr. M'Dowell, of Burke, Mr. Ward, the Senator from the county of Onslow, obtained leave of absence from the services of this House, from and after Saturday last, until the end of the present session.

Mr. Hill, of Franklin, from the committee appointed to conduct the balloting for Attorney General of this State, reported that no person in nomination had received a majority of the votes. Thereupon a message was received from the House of Commons, proposing that a further balloting immediately take place for that appointment, and stating that the name of Samuel Hillman is added to, and George E. Spruill withdrawn from the nomination; which proposition to ballot was agreed to, and Mr. Hill of Franklin and Mr. Wilson of Edgecombe were appointed to conduct the balloting on the part of the Senate. And a message was received from the House of Commons, stating that Mr. Williams and Mr. Scott are appointed to conduct the balloting on the part of that House.

Received from the House of Commons, a message, stating that they have passed a bill directing to whom the bonds of certain officers therein named shall be made payable, and for other purposes; and a bill to amend and explain the 8th section of an act, passed in 1784, entitled "an act to empower the County Courts of Pleas and Quarter Sessions of the several counties within this State to order the laying out public roads;" also a resolution relative to erecting a suitable building for the new bell; in which they ask the concurrence of the Senate. Thereupon the resolution was read the first, second and third times and passed, and ordered to be enrolled, and the bills above mentioned were read the first, second and third times and passed—the first mentioned bill with an amendment, on motion of Mr. Speight, of Greene, to strike out the words "July next," and insert "January, one thousand eight hundred and twenty-seven;" and the last mentioned bill with an amendment, to strike out the words "white persons," and insert "male slaves," and a message was sent to the House of Commons, asking their concurrence in the said amendments. On the passage of the last mentioned bill the third time, the yeas and nays were demanded by Mr. Seawell, and are as follows:


Against the passage of the said bill, are Messrs. Baughn, Boykin, Formyduval, Forney, Gilechrist, Hogan, Hill of Stokes, Joiner, Legrand, Leak, Melvin, M'Dowell of Buncombe, Parker, Ridick, Smith, Seawell, Williams—Nays 17.

Mr. Spaight, of Craven, presented a certificate of an allowance made in favor of Captain John Rhem; which was read and ordered to be countersigned by the Speaker of the Senate. Mr. Pickett moved to reconsider the vote taken on the certificate of allowance made to John Rhem; which was agreed to, and the same being reconsidered, Mr. Spaight withdrew his motion, that the Speaker countersign the said certificate; and thereupon presented the following resolution, to wit:
Resolved, That Captain John Rhem, of Craven county, be allowed a pension of one hundred dollars per annum.

Which was not agreed to.

Mr. Wilson, of Edgecombe, from the committee appointed to conduct the balloting of Attorney General of this State, reported that James F. Taylor was duly elected; which report was concurred in.

Received from the House of Commons, a message, stating that they concur in the amendments made by the Senate in the engrossed bill limiting the time in which actions shall be brought on justices' judgments; and to the amendment made in the bill authorising Joseph Welch, of the county of Haywood, to erect two gates on the public road called the Smoky Mountain turnpike road, &c. Thereupon the said bills were ordered to be enrolled.

The Senate adjourned to 3 o'clock, this afternoon.

Monday Evening, 3 o'clock.

The Senate met.

Received from the House of Commons, a message, stating that they do not agree to ballot immediately for Colonel and Lieutenant Colonel of Cavalry attached to the 9th Brigade of Militia, as proposed by the Senate; and also stating that they agree to the amendment made by the Senate in the recommendation for Justices of the Peace for Martin county; and that they insist on their disagreement to the amendment made in the Senate to the bill to incorporate the North Carolina Gold Mine Company; and asking for a committee of conference on the disagreeing votes of the two Houses; which was agreed to, and Mr. Seawell and Mr. Forney were appointed the committee on the part of the Senate.

Received from the House of Commons, a recommendation of certain persons as suitable to fill the appointment of Justice of the Peace in Guilford county, signed by the representatives of that county in the House of Commons; which being read, was amended, on motion of Mr. Parker, by striking out the names of John Gladson, Wm. Hayworth and John Moore; and the House of Commons was informed thereof by message.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to repeal part of an act, passed in the year 1817, entitled "an act further pointing out the duties of the over-seers of roads in this State, and for other purposes;" a bill to amend an act, passed in the year 1816, entitled "an act to amend the laws in force respecting the trial of slaves in capital cases, and to extend the provisions thereof to the trial of slaves in certain other cases;" a bill to amend the 6th section of an act, entitled "an act to amend such parts of the act, entitled 'an act to establish Courts of Law, and for regulating the proceedings therein, as may relate to proceedings on attachments;" passed in the year 1793; and a bill to explain and amend an act, passed in the year 1819, chapter 1000th, giving the Courts of Pleas and Quarter Sessions power to regulate separate elections; and asking the concurrence of the Senate. Thereupon the first and the last mentioned bills were read the first time and passed, and the said bills being read the second time, were, on motion, indefinitely postponed; and the other bills above mentioned were severally read the first, second and third times and passed, and ordered to be enrolled.
On motion of Mr. Seawell, Mr. Salyear, the Senator from the county of Currituck, obtained leave of absence from the services of this House, from and after to-morrow, until the end of the present session.

Mr. Hill, of Franklin, from the committee of conference appointed on the part of the Senate on the disagreeing vote of the two Houses to a bill to encourage the publication of a historical and scientific work on this State, reported that the committee have not been able to agree upon the subject submitted to their conference, and recommend that the Senate do adhere to the said amendment; which was not agreed to. Mr. Speight, of Greene, then moved that the Senate do recede from their said amendment, and the question thereon was determined in the negative. The yeas and nays on this question being demanded by Mr. Speight, of Greene, are as follows:

For the motion to recede from the amendment, are Messrs. Alexander, Bethune, Davis, Davidson of Mecklenburg, Forney, Gilchrist, Hollamon, Hargrave, Hogan, Hill of Stokes, Love, Legrand, Leak, Melvin, Montgomery, Nichols, Pickett, Parker, Pool, Sneed, Speight of Craven, Speight of Greene, Sanders, Shuford, Vanhook—Yeas 25.


Mr. Seawell then moved that the Senate do insist on their said amendment, and Mr. Forney moved that the further consideration of the subject be postponed until to-morrow; which was agreed to.

Received from the House of Commons, a message, stating that they agree to the amendment made by the Senate in the bill to amend and explain the 8th section of an act, passed in the year 1784, entitled "an act to empower the County Courts of Pleas and Quarter Sessions of the several counties within this State to order the laying out public roads;" and that they also agree to the amendments made by the Senate in the engrossed bill directing to whom the bonds of certain officers therein named shall be made payable, and for other purposes. Thereupon the said bills were ordered to be enrolled.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to direct the manner in which licenses shall be hereafter issued to retailers of spirituous liquors, and asking the concurrence of the Senate. Thereupon the said bill was read the first and second times and passed, and amended, on motion of Mr. Boykin, by striking out the word "eighty" in the 29th line of the second section, and inserting the word "fifty."

Thereupon the Senate adjourned to 10 o'clock, to-morrow morning.

TUESDAY, JANUARY 3, 1826.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to give publicity to mortgages and deeds of trust and marriage contracts; a resolution in favor of Jesse Adams; and resolutions relating to the Governor's House and Capitol.

Mr. Speight, of Greene, presented the following resolutions, to wit:

Resolved, That the Senate lament the decease of their late associate, Jethro How-
ell, Esquire, the Senator from the county of Wayne; and they regret that, in consequence of the intention of his relations to remove his body from this place, they will be prevented from paying the usual testimony of respect to his remains, by attending his funeral.

Resolved, That the members of the Senate will wear crape on the left arm for thirty days, as a testimony of respect which they entertain for the merits of the deceased.

Resolved, That the House of Commons be informed of the death of Jethro Howell, a member of the Senate, and the orders taken in the Senate on account thereof.

Which being read, were unanimously agreed to.

Received from the House of Commons, a message, stating that they do not agree to the amendment made by the Senate in the recommendation of Justices of the Peace for the county of Guilford. Thereupon, on motion of Mr. Parker, the same was ordered to lie on the table.

Received from the House of Commons, a message, stating that they have passed the following bills, to wit: A bill to authorise the Court of Pleas and Quarter Sessions of Beaufort county to appoint a committee of Finance; a bill to compel certain officers therein named to make out their fee bills in dollars and cents, and for other purposes; a bill to provide for taking testimony in certain cases in the Supreme Court; a bill to make overseers of public roads competent witnesses as to notice; a bill directing the manner in which the costs of suits decided in the Supreme Court of North Carolina shall hereafter be collected and paid over; a bill to establish a Medical Society, and to regulate the practice ofPhysic and Surgery within this State; and a resolution in favor of the Public Treasurer; in which they ask the concurrence of the Senate. Thereupon the said bills and resolution were severally read the first time and passed, except the bill last mentioned; which being read, it was resolved by the Senate that this bill shall not pass.

The engrossed bill to direct the manner in which licenses shall be hereafter issued to retailers of spirituous liquors, was read the third time and passed, and, on motion of Mr. Sneed, was amended by adding the following proviso to the 3d section of the bill, to wit: "Provided, that no person, by such license, shall be authorised to retail spirituous liquors at more than one place in said county, for which said license may be granted;" and a message was sent to the House of Commons, asking their concurrence in the amendments.

Received from the House of Commons, certificates of allowances made by the County Court of Craven, in favor of Captain John Rhem, Thomas Ewell and Christopher Bexley, who were called out, in August, 1821, to render certain services in the militia, and who were wounded at Street's bridge; which certificates were countersigned by the Speaker of that House. Thereupon the same, on motion of Mr. Spaight, of Craven, were countersigned by the Speaker of the Senate.

Mr. Seawell, from the committee on the part of the Senate to confer with a like committee on the part of the House of Commons on the disagreeing votes of the two houses on the amendments made by the Senate in the bill to incorporate the North Carolina Gold Mine Company, reported that the joint committee have not been able to agree upon the matter referred, and recommend that the Senate insist on the amendments already insisted on; which report was concurred in by the Senate.

The engrossed bill to provide for taking testimony in certain cases in
the Supreme Court; and the bill to make overseers of public roads competent witnesses as to notice; and the resolution in favor of the Public Treasurer, were severally read the second and third times and passed, and ordered to be enrolled.

The engrossed bill to compel certain officers therein named to make out their fee bills in dollars and cents, and for other purposes, was read the second time and passed, and the same was amended, on motion of Mr. Sneed, by striking out the 5th section of the bill; and the said bill was thereupon read the third time and passed, and amended, on motion of Mr. Hill, by inserting the words "County Surveyors," in the 6th line of the first section; and the same being further amended by striking out the words "and for other purposes;" in the title of the bill, a message was sent to the House of Commons, asking their concurrence in the amendments.

On motion of Mr. Seawell, a message was sent to the House of Commons, stating that the Senate insist on their amendment marked C. proposed to the engrossed bill to encourage the publication of a historical and scientific work on this State.

The engrossed bill to authorise the Court of Pleas and Quarter Sessions of Beaufort county to appoint a committee of Finance, was read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons, a message, stating that they do not agree to the first amendment made by the Senate in the bill to direct the manner in which licenses shall be hereafter issued to retailers of spirituous liquors; and that they agree to the other amendment made by the Senate to the said bill. Thereupon, on motion of Mr. Seawell, the Senate receded from their said first amendment.

The engrossed bill directing the manner in which the costs of suits decided in the Supreme Court of North Carolina shall hereafter be collected and paid over, was read the second and third times and passed, and ordered to be enrolled.

Mr. Seawell moved that a message be sent to the House of Commons, proposing that the two Houses do adjourn this evening sine die; which was not agreed to.

Mr. Sneed presented a resolution concerning a Lunatic Asylum. Thereupon the Senate adjourned to 3 o’clock, this afternoon.

**Tuesday Evening, 3 o’clock.**

The Senate met.

The resolution concerning a Lunatic Asylum, was read and agreed to, and sent to the House of Commons for their concurrence.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to give publicity to mortgages and deeds of trust and marriage licenses; and that they have indefinitely postponed the bill to amend an act appointing Sheriffs, and directing their duty in office, and compelling them to give security for the discharge of their public duties; and the bill to amend an act to prevent conspiracies and insurrection among slaves, passed in 1802.

Received also a message, stating that the House of Commons further insist on their disagreement to the amendment marked C. proposed by the
Senate to the engrossed bill to encourage the publication of a historical and scientific work on this State. Thereupon, on motion of Mr. Speight, of Greene, the Senate recessed from their said amendment.

Received also a message, stating that they adhere to their disagreement to the amendments marked C. as proposed by the Senate in the engrossed bill to incorporate the North Carolina Gold Mine Company. Thereupon, on motion, the Senate adhered to their said amendment, and the House of Commons was informed thereof by message.

Received from the House of Commons, a message, proposing that the joint rule prohibiting the introduction of private bills be suspended, so far as to admit the introduction of the following bill, to wit: a bill supplemental to an act, passed at this session of the General Assembly, entitled "an act to provide for the better government of the town of Wadesborough, in Anson county;" which proposition was agreed to by the Senate.

Received from the House of Commons, a message, stating that they do not concur in the several amendments made by the Senate in the engrossed bill to compel certain officers therein named to make out their fee bills in dollars and cents, and for other purposes. Thereupon it was resolved by the Senate that they do adhere to their said amendments.

Received from the House of Commons, a message, stating that they have passed the following engrossed bills, to wit: a bill to arrange in numerical order the regiments of infantry of the militia of this state; and a bill to amend the militia laws of this State, so far as regards the returns of Brigadier Generals and Colonels; in which they ask the concurrence of the Senate. Thereupon it was resolved by the Senate that the said bills shall not pass.

Received from the House of Commons, a message, stating that they have passed the bill giving the assent of the General Assembly of the state of North Carolina to an act of the General Assembly of the commonwealth of Virginia, passed on the 29th of January, 1818; a bill regulating the duty of grand jurors in regard to punishments for assault and battery; also a resolution instructing the Governor's Private Secretary to sell Ree's Cyclopedia, purchased by the late Governor Holmes; and a resolution in favor of Bell & Lawrence; in which they ask the concurrence of the Senate. Thereupon the resolution in favor of Bell & Lawrence was read and agreed to, and the bill first above mentioned, and the resolution instructing the Governor's Private Secretary to sell Ree's Cyclopedia, were read the first, second and third times and passed, and ordered to be enrolled; and the bill regulating the duty of grand jurors in regard to punishments for assault and battery, was read the first time and passed; and the same being read the second time, was, on motion, indefinitely postponed.

On motion of Mr. Sneed, the Senate proceeded to the consideration of the bill concerning the entry of land in this State, and the said bill was read the first time and passed; and the same being read the second time, Mr. Boykin moved to amend the same by adding the words "except where the quantity of land does not exceed fifty acres of vacant land in one body, and that situated between lines of tracts heretofore granted;" and Mr. Speight, of Greene, moved that the bill, together with the amendment under consideration, be indefinitely postponed; which was not agreed to.
The question then recurred on the motion of Mr. Boykin; which amendment was agreed to. Mr. Seawell moved to amend the bill by adding the following, to wit: "Provided nothing in this act shall extend to juniper swamp land;" which was not agreed to. Mr. Gilchrist then moved to further amend the said bill by adding a third section, in the following words, to wit: "And be it further enacted, that this act shall continue in force until the 1st of February, 1827." Which was agreed to. Thereupon the said bill passed the second and third times, and was ordered to be engrossed.

Received from the House of Commons, a message, stating that they have indefinitely postponed the engrossed bill to divorce Elizabeth Ferguson, of Wilkes county, from her husband James Ferguson; and that they have passed the engrossed bill supplemental to an act, passed at this session of the General Assembly, entitled "an act for the better regulation of Wadesborough, in Anson county;" also a resolution in favor of John Barnett, Sheriff of Person county; and a resolution making an appropriation for the Wilkesborough road, from Wilkesborough to the widow Bogle's; in which they ask the concurrence of the Senate. Thereupon the said bill and resolutions were severally read the first, second and third times and passed, and ordered to be enrolled.

The Senate adjourned to 10 o'clock, to-morrow morning.

Wednesday, January 4, 1826.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill concerning the entry of land in this State; in which they ask the concurrence of that House.

Received from the House of Commons, a message, stating that they recede from their disagreement to the several amendments made by the Senate in the engrossed bill to compel certain officers therein named to make out their fee bills in dollars and cents; and for other purposes. Thereupon the said bill was ordered to be enrolled.

Received also, a message, stating that they have rejected the engrossed bill to secure to Sarah Wooters, of Guilford county, such property as she may hereafter acquire; and that they adhere to their disagreement to the amendments made by the Senate in the engrossed bill to incorporate the North-Carolina Gold Mine Company; also that they have passed the engrossed bill to create a fund for the establishment of common schools, with an amendment, to strike out the last section of the bill; in which they ask the concurrence of the Senate. Which amendment was agreed to, and the bill was ordered to be enrolled.

Received from that House, a message, stating that they have passed the engrossed bill to alter the dividing line between the counties of Stokes and Surry; also a resolution in favor of Joseph Whetson; and a resolution in favor of James Forsyth; in which they ask the concurrence of the Senate. Thereupon the said bill and last mentioned resolution were read the first, second and third times and passed; and ordered to be enrolled, and the resolution first mentioned was read and concurred in.

The resolution of the Senate concerning a Lunatic Assylum was concurred in by the House of Commons, and ordered to be engrossed.
Received from the House of Commons, a report of the joint committee of Finance, stating that they have examined the accounts and vouchers of the Comptroller for the last fiscal year; that they found the vouchers to correspond with the accounts as reported to this General Assembly, and accordingly punched and cancelled them; which report was concurred in by the Senate.

Received from the House of Commons, a message, stating that they have acted on all the business before them, and proposing that the two Houses do now adjourn sine die; which proposition was agreed to by the Senate, and the House of Commons was informed thereof by message.

Thereupon Mr. M'Dowell, of Burke, presented the following resolution: Resolved unanimously, That the thanks of the Senate be presented to the Honorable Bartlett Yancy, for the able, dignified and impartial manner in which he has discharged the duties of Speaker of the Senate during the present session.

The question on the adoption of this resolution being put by the Clerk, the same was adopted unanimously; and thereupon the Honorable Speaker made an appropriate address to the Senate, and adjourned the same sine die.

BARTLETT YANCY, Speaker of the Senate.

By order.

B. H. COVINGTON, Clerk of the Senate.