At a General Assembly, begun and held in the City of RALEIGH, on Monday, the 25th day of December, in the year of our Lord one thousand eight hundred and twenty-six, and fifty-first year of the INDEPENDENCE of the UNITED STATES, 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. Speight, of Greene, Bartlett Yancy, 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. Love, Benjamin H. Covington was appointed Principal Clerk of the Senate, and James W. Clark, Clerk Assistant.

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

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

Mr. Spaight, of Craven, moved that the rules of the Senate adopted at the last General Assembly shall be the rules to govern the Senate the present session; which motion was not agreed to.

On motion of Mr. Speight, of Greene, a message was sent to the House of Commons, informing them of the organization of the Senate, by the appointment of Bartlett Yancy, 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.

On motion of Mr. Wilson, of Edgecombe, a message was sent to the House of Commons, 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 Mr. Wilson of Edgecombe and Mr. Forney were appointed the committee on the part of the Senate.

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

TUESDAY, DECEMBER 26, 1826.

The Senate met.

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

Received also a message from that House, agreeing to the proposition of the Senate, 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 Robert H. Jones, Thomas Settle and John E. Lewis to form the said committee on the part of that House.

Mr. Seawell presented the following resolution:

Resolved, That the Speaker of the Senate assign suitable places in the Senate Chamber for one or more stenographers, for this session.

Which was agreed to.

Received from the House of Commons, a message, proposing that the two Houses proceed immediately to the election of three Engrossing Clerks, and stating that Samuel E. Patterson, James H. Pool, Felix Ayley, Robert H. Wynn, Samuel Holt, Joseph A. Ramsay, Henry Carson, Thomas G. Stone, Thomas Dews, Wm. R. Hinton, Wm. J. Cowan and Wm. Street, are nominated for the appointment; which proposition was agreed to by the Senate; and John B. Jasper was added to the nomination. Thereupon Mr. Leak and Mr. Beard of Rowan were appointed superintendents of the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

Received from the House of Commons, a message, proposing that a select joint committee be appointed to prepare and report joint rules for the regulation of the intercourse and for the government of the two Houses; which, on motion of Mr. Forney, was ordered to lie on the table.

Received from the House of Commons, a message, stating that Mr. Gary and Mr. Whitehurst attend the Senate as superintendents of the balloting, on the part of that House, for three Engrossing Clerks.

Mr. Wilson, of Edgecombe, from the committee appointed to wait on his excellency the Governor, reported that the committee were authorized to state, that he would make a communication to the Legislature at 12 o'clock, this day.

Received from the House of Commons, a message, proposing that the two Houses, immediately upon their meeting to-morrow, do proceed to the election of a Governor of the State for the ensuing year; and stating that Hutchins G. Burton is in nomination for the appointment; which, on motion of Mr. Seawell, was ordered to lie on the table.

Mr. Mc'Kay presented the following resolution:

Resolved, That a select committee be appointed to inquire what measures may be necessary to be adopted for validating acts which may have been done by the Governor, Treasurer, and Secretary of State, during a supposed vacancy in these several offices, and for supplying those vacancies.

Which, on motion of Mr. Forney, was ordered to lie on the table.

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

On the Committee of Claims—Messrs. Love, Gray, Spaight of Craven, Leak, Matthews, Beard of Rowan, Sellars and Bell.


On the Committee of Finance—Messrs. King, Sharp, M'Kay, Pickett, Hill of Franklin, Seawell, Williams of Beaufort and Stokes.

Mr. Leak, from the committee appointed to conduct the balloting 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.

Mr. Stokes presented the following resolution:

Resolved, That the Secretary of State be, and he is hereby directed to suspend the issuing of grants for lands, and to cease from all official duties in his office until otherwise directed by this General Assembly.

Which was agreed to.

Mr. Seawell presented a bill to incorporate an academy on the land of Seth Jones, in the county of Wake, by the name and under the title of Pomona Academy; which was read the first time and passed.

A message was received from his excellency the Governor, which was read and ordered to be printed; and a proposition was received from the House of Commons, that four copies of the said message be printed for each member of this General Assembly; which was not agreed to; and the House of Commons was informed by message, that, pursuant to the Joint Rules of the two Houses, the Senate had ordered that the Governor's message be printed, one copy for each member of the Senate.

Mr. Stokes moved to reconsider the vote taken this day on the resolution presented by him in relation to the Secretary of State, with a view to amend the same; and the question thereon was determined in the affirmative. Mr. Stokes moved then to amend the same, by inserting the following preamble, to wit: "Whereas doubts exist whether the office of Secretary of State has not become vacant since the 50th day of November last, in consequence of the law altering the time of the annual meeting of the General Assembly." Which amendment was agreed to. Mr. M'Kay moved that the resolution be further amended, by striking out the following words: "and to cease from all official duties in his office;" which was not agreed to. Thereupon, on motion of Mr. Hill, of Stokes, the resolution was ordered to lie on the table.

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

Wednesday, December 27, 1826.

The Senate met.

John Sellars, the Senator from the county of Sampson, appeared, produced the certificate of his election, was qualified, and took his seat.

Received from the House of Commons, a message, proposing to ballot immediately for the two engrossing clerks yet to be elected; which proposition was agreed to, and Mr. Alexander and Mr. Boddie were appointed superintendents of the balloting on the part of the Senate. Thereupon a message was received from the House of Commons, stating that Mr. Dargan and Mr. Seawell were appointed superintendents on the part of that House.

On motion of Mr. Hill, of Franklin, Mr. Hawkins, the Senator from the county of Warren, obtained leave of absence from the service of this House from and after this day until Monday next.

On motion of Mr. Forney, the Senate proceeded to the consideration of
the proposition from the Commons of the 26th instant, relative to the election of a Governor of the State for the ensuing year; which was read and agreed to, and Mr. Forney and Mr. Williams of Martin 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. Fisher and Mr. Potter were appointed superintendents on the part of that House.

On motion of Mr. King, a message was sent to the House of Commons, proposing to ballot immediately for the Treasurer, Secretary and Comptroller of State, and nominating John Haywood for Treasurer, William Hill for Secretary, and Joseph Hawkins for Comptroller.

Mr. Boddie presented a bill for the better regulation of the Courts of Pleas and Quarter Sessions for the county of Nash; which was read the first time and passed.

The bill to incorporate an Academy on the lands of Seth Jones, in the county of Wake, by the name and under the title of "Pomona Academy," was read the second and third times and passed, and ordered to be engrossed.

Mr. Sneed presented the following resolution:

Resolved, That the Constitution of the United States, and the several amendments to it, and the Constitution of this State, be printed, one copy for each member of this General Assembly.

Which being read, it was resolved by the Senate that the same shall not pass.

Received from the House of Commons, a message, agreeing to the proposition of the Senate that a balloting immediately take place for a Treasurer, Comptroller and Secretary of State, and appointing Mr. Marshall and Mr. Frederick to superintend the balloting on the part of that House. Thereupon Mr. Hill of Stokes and Mr. Wilson of Edgecombe were appointed superintendents of the balloting on the part of the Senate.

Mr. Pickett presented sundry resolutions, referring the different subjects contained in the Governor's Message to select committees; which, on motion of Mr. Hill, of Franklin, were ordered to lie on the table.

Mr. Foreman presented the resignation of Joseph S. Maye, Lieutenant Colonel of the militia of Hyde county; and Mr. Gray presented the resignation of Larkin C. York, a justice of the peace for the county of Randolph; which were severally read and accepted by the Senate, and sent to the House of Commons.

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

Thursday, December 28, 1826.

The Senate met.

John Gilchrist, the Senator from the county of Robeson, and Stephen Miller, the Senator from the county of Duplin, appeared, produced the certificates of their election, were qualified, and took their seats.

Mr. Forney, 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. Hill, of Stokes, from the committee appointed to conduct the balloting for a Treasurer, Comptroller and Secretary of State, reported that John Haywood was duly elected Treasurer; Joseph Hawkins, Comptroller; and William Hill, Secretary of State; which was concurred in.
Mr. Boddie, from the committee appointed to conduct the balloting for the two engrossing Clerks yet to be elected, 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; which proposition was agreed to, and the names of W. R. Hinton and Felix Axley were withdrawn from the nomination, and Mr. Croom and Mr. Baird of Burke 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. Best and Mr. Green were appointed superintendents of the balloting on the part of that House; and that the names of Robert H. Wynne and Henry Carson are withdrawn from the nomination.

Received from the House of Commons, a message, proposing that a joint select committee be appointed to wait on his Excellency the Governor, and inform him of his re-election, and to know of him when it will be convenient for him to attend the two Houses and take the oaths of office; and stating that Mr. Fisher and Mr. Potter form the committee on the part of that House; which proposition was agreed to, and Mr. Forney and Mr. Wilson of Edgecombe, were appointed to form the said committee on the part of the Senate.

Mr. Sanders presented a bill to alter the time of the annual meeting of the Legislature; which being read the first time, it was resolved by the Senate that this bill shall not pass.

Mr. M'Kay presented a bill to make private acts printed by the Printer of the State evidence in the Courts of this State; which was read the first time and passed.

The bill for the better regulation of the Courts of Pleas and Quarter Sessions for the county of Nash, was read the second time and passed; and amended, on motion of Mr. Hollimon, by extending the provisions of the bill, so as to apply to the county of Northampton. Thereupon the said bill was read the third time and passed, and ordered to be engrossed.

Mr. Wilson, of Edgecombe, from the joint select committee appointed to wait on his Excellency Hutchins G. Burton, to inform him of his election as Governor of the State for the ensuing year, and to know when it will be agreeable to him to take the oaths of his qualification, reported that the committee were instructed to state, that he would attend for that purpose in the Hall of the House of Commons, at the hour of 12 o'clock, on to-morrow.

Mr. Love moved to reconsider the vote taken this day on the bill to alter the time of the annual meeting of the Legislature, and the question thereon was determined in the affirmative. Thereupon the said bill was read the first time and passed, and, on motion of Mr. Speight, of Greene, the said bill was committed to a committee of the whole House, and made the order of the day for Monday next.

Mr. Alexander presented a bill to amend an act, passed in 1819, concerning the town of Concord; and Mr. Sharpe, a bill to incorporate Springfield Academy, in the county of Hertford, and appoint the Trustees thereof; which bills were severally read the first, second and third times and passed, and ordered to be engrossed.

Mr. Stokes presented the petition of Peter Dowell, late Sheriff of
Wilkes county, praying that certain monies which he paid into the Treasury, be refunded to him; which, on motion of Mr. Stokes, was referred to the committee of Claims.

On motion of Mr. Hill, of Franklin, the Senate proceeded to the consideration of the resolutions presented by Mr. Pickett on the 27th instant, and the same were read and agreed to, to wit:

1. **Resolved**, That so much of the Governor's message as relates to Public Education, be referred to a select committee.

2. **Resolved**, That so much of said message as relates to Internal Improvement, be referred to a select committee.

3. **Resolved**, That so much of said message as relates to the lands acquired by purchase from the Cherokee Indians, be referred to a select committee.

4. **Resolved**, That so much of said message as relates to the Judiciary, Penal Code, and compensation to prosecuting officers, be referred to a select committee.

5. **Resolved**, That so much as relates to the Militia Laws, be referred to a select committee.

6. **Resolved**, That so much of said message as relates to the migration of free persons of colour into this State, be referred to a select committee.

7. **Resolved**, That so much as relates to the Laws for the appointment and regulation of patrols, be referred to a select committee.

8. **Resolved**, That so much of said message as relates to the proposition of Jonathan Elliot to publish the debates of the several States on the adoption of the Federal Constitution, be referred to a select committee.

Mr. Hunter presented the resignation of John B. Walton, of Gates county; Mr. Vanhook presented the resignation of Lewis Amis, of Person county; and Mr. Joiner presented the resignation of A. Sanders, Justices of the Peace in their respective counties; which were read and accepted, and sent to the House of Commons.

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

**Friday, December 29, 1826.**

The Senate met.

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

**On Education.**—Messrs. M'Kay, Sneed, Hill of Franklin, Leak and Joiner.

**On Internal Improvements.**—Messrs. Forney, Stokes, King, Wilson of Edgecombe, and Williams of Martin.

**Lands acquired from Cherokee Indians.**—Messrs. Croom, Alexander, Love, Baird of Burke, and Boddie.

**Judiciary.**—Messrs. Pickett, Miller, Gilchrist, Beard of Rowan, and Hill of Stokes.


**Migration into the State of free persons of colour.**—Messrs. Seawell, Speight of Greene, Stokes, Speight of Craven, and Gilchrist.

**Patrol Laws.**—Messrs. Spaight of Craven, Blackwell, Tyson, M'Leary, and Rid-dick.

**Proposal of J. Elliot to publish debates, &c.**—Messrs. Hill of Franklin, Davis, Smith, Hunter and Hollimon.

Mr. Croom, from the committee appointed to conduct the balloting for the two Engrossing Clerks yet to be elected, reported that no person in nomination had received a majority of the votes; and a message was received from the House of Commons, proposing that a further balloting immediately take place by the two Houses, and stating that the names of Messrs. Jasper, Holt and Ramsay are withdrawn from the nomination; which proposition was agreed to, and Mr. Montgomery and Mr. Smith were appointed superintendents of the balloting on the part of the Senate.
And thereupon a message was received from the House of Commons, stating that Mr. Cooper and Mr. Hodges are appointed superintendents of the balloting on the part of that House.

Received from the House of Commons, the annual report of the Public Treasurer, accompanied with a proposition from that House, that the said report, with its references, be referred to the joint committee of Finance, and that the usual number of said report be printed for the use of the members; which proposition was agreed to by the Senate.

Received from the House of Commons, a message, proposing that a joint select committee be appointed to wait on his Excellency the Governor, and to conduct him into the Commons Hall, at 12 o’clock this day, for the purpose of his qualification, and stating that Mr. Potter and Mr. Fisher form the committee on the part of that House; which proposition was agreed to; and thereupon Mr. Forney and Mr. Wilson of Edgecombe were appointed the committee on the part of 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.

The bill to make private acts printed by the Printer of the State evidence in the Courts of this State, was read the second time, and amended, on motion of Mr. Hill of Franklin, by striking out the words “passed or to be,” in the third line of the first section, and inserting the words “which have been or may hereafter.” The question then recurred on the passage of said bill the second time; which was determined in the affirmative.

Mr. Montgomery, from the committee appointed to conduct the balloting for the two Engrossing Clerks yet to be elected, reported that Thomas G. Stone and Wm. J. Cowan were duly elected; which report was concurred in.

On motion of Mr. Spaight of Craven, Wm. M. Sneed, the member of this House from the county of Granville, obtained leave of absence from the services of the Senate from and after this day until Tuesday next.

Mr. M'Kay presented the following resolution.

Whereas, in the grants of land that issued during the provincial government, there are certain reservations of part of the gold and silver ore, that may happen from time to time to be found; and whereas, on the revolution in government, the State succeeded to all the rights which the crown of Great Britain had in said reservations:

Resolved, That the committee of Finance be, and they are hereby instructed to inquire into the expediency of securing to the State the benefit of said reservations; and that they have leave to report by bill or otherwise.

Which being read, the further consideration thereof was, on motion of Mr. Pickett, postponed until Monday next.

On motion of Mr. Matthews, a committee was appointed on Divorce and Alimony, consisting of Messrs. Matthews, Gray, Montgomery, Devane and Parker.
Mr. Matthews presented the petition of Mildred McIlroy, praying to be divorced from her husband John McIlroy; and Mr. Gray presented the petition of Mourning Adams, of Randolph county, praying that the property she may hereafter acquire, be secured to her separate use; which petitions were severally referred to the committee of Divorce and Alimony.

Mr. Pickett presented the following resolution, to wit:

Whereas many of the citizens of this State have heretofore availed themselves of the attendance of members of the General Assembly to pay into the Treasury the purchase money for entries of land, and in consequence of the change in the sitting of the General Assembly, the time for payment of all entries made previous to 1823 did expire on the 15th day of this instant;

Resolved, therefore, That the committee of Finance be instructed to inquire into the expediency of providing by law for giving a further time for payment of purchase money on all entries made since the first day of January, 1824.

Which resolution was agreed to.

Received from the House of Commons, a message, proposing that a joint select committee be appointed, to consist of five members on the part of the House of Commons, to be styled the Judiciary Committee; and that a joint select committee be appointed, to consist also of five members from that House, to be styled the Committee on the Cherokee Lands; to whom shall be referred, respectively, so much of the Governor's message as relates to the above subjects; which propositions were not agreed to.

Received also in the same message, a further proposition, that a joint select committee be appointed, to consist of twenty members from each House, to be selected, five from the first, five from the second, five from the third, and five from the fifth Judicial districts, to inquire into the expediency of altering the times of holding the Fall terms of the Superior Courts of said districts, with power to report by bill or otherwise; which being read, Mr. Pickett moved to amend the same, by striking out the words, "five from the first, five from the second, five from the third, and five from the fifth Judicial districts," and inserting the words, "three members of each House, to be selected from each Judicial circuit;" which amendment was not agreed to. The question then recurred on concursing with the proposition from the House of Commons, and the same was determined in the affirmative. Thereupon Messrs. Pickett, McKay, Tyson, Lock, Elliott, Spaight of Graven, Speight of Greene, Miller, Williams of Beaufort, Davis, Seawell, Wilson of Edgecombe, Hill of Franklin, Boddie, Joiner, Bullock, Bell, Riddick, Sharpe and Hunter, were appointed the committee on the part of the Senate.

Received also in the same message, a further proposition, that a joint select committee be appointed, to consist of two members on the part of that house, to be styled the Committee of Public Buildings; which proposition was agreed to, and Mr. Speed and Mr. King were appointed the committee on the part of the Senate.

Received from the House of Commons, the resignation of R.C. Power, Colonel Commandant of the militia of Warren county; John Hodges, Colonel Commandant, and A. McLeod, Lieutenant Colonel of the militia of Cumberland county; and John W. Roper, Colonel Commandant of the 11th regiment and 13th brigade of the militia of North-Carolina; also the resignation of Thomas Cartrett, of Columbus county; John Hicks, of Nash county; Benjamin Howard, of Rowan county; Hardy Lee, of John-
ston county; George D. Phillips and Benoni Sams, of Buncombe county; and Frank Blake, of Columbus county, Justices of the Peace in their respective counties; which resignations were read and accepted by the Senate.

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

Saturday, December 30, 1826.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill, entitled "A bill to incorporate an academy on the lands of Seth Jones, in the county of Wake, by the name and under the title of Pomona Academy;" also the engrossed bill to amend an act, passed in 1819, concerning the town of Concord; and the engrossed bill to incorporate Springfield Academy, in the county of Hertford, and appoint the trustees thereof; in which they ask the concurrence of that House.

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

Resolved, That so much of the message of his excellency the Governor as relates to the amendment of the Constitution of the United States, as to the emancipation of slaves, and the resolutions therein referred to, be referred to a select joint committee.

Which being read, Mr. King moved that the resolution lie on the table; which was not agreed to. Mr. Gilchrist moved that the words "emancipation of slaves" be striken out, and the words "abolition of slavery" inserted; which was agreed to. The question then recurred on the adoption of the resolution, and the same was determined in the affirmative.

Mr. Beard, of Rowan, presented the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire whether any, and, if any, what amendment is necessary to the laws respecting administrators of the estates of deceased persons, the more effectually to prevent loss to such estates by the mismanagement or fraud of administrators, and likewise to protect the securities of administrators; and that they report by bill or otherwise.

Which was agreed to.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to establish Mocksville Academy, in the county of Rowan, and to incorporate the trustees thereof; 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.

Mr. Foreman presented a bill to repeal an act, passed in the year 1823, entitled "An act to annex part of Currituck county to Hyde county;" and Mr. Montgomery presented a bill concerning the election of sheriffs; which bills were severally read the first time and passed; and the bill first above mentioned was, on motion of Mr. Wilson, of Edgecombe, referred to the committee of Propositions and Grievances; and the last mentioned bill was, on motion of Mr. Montgomery, committed to a committee of the whole House, and made the order of the day for Wednesday next, and ordered to be printed.

Mr. Croom presented a bill to amend an act, passed in the year 1819, entitled "An act to prevent the fraudulent trading with slaves;" and Mr. Wasden presented a bill to establish a poor house in the county of Wayne. The first mentioned bill was read the first time and passed; and the last mentioned bill was read the first and second times and passed, and, on motion of Mr. Joiner, the same was ordered to lie on the table.
Mr. Gilchrist presented the resignation of John Stewart, of Robeson county; and Mr. Tyson presented the resignation of John Patterson and Arch'd Dalrymple, of Moore county, justices of the peace in their respective counties; which were read and accepted, and sent to the House of Commons.

Received from the House of Commons, the following resignations, to wit: The resignations of Galihew Moore, Lieutenant Colonel of the 1st regiment of the militia of Surry county; Thomas Crawford, as Lieutenant Colonel of the first regiment of the militia of Iredell county; John M. Smith, as Lieutenant Colonel of the first regiment of the militia of Davidson county; and John J. Wright, as Lieutenant Colonel of the militia of Craven county; also the resignations of Joseph Garland and J. Carraway, of Wayne county; A. H. Rhodes, of Onslow county; John Howard, of Carteret county; James Jones, of Randolph county; James W. Patton, of Buncombe county; and Benjamin Tarkinton, of Washington county, Justices of the Peace in their respective counties; which were severally read and accepted by the Senate.

Thereupon the Senate adjourned to 10 o'clock, on Monday morning next.

MONDAY, JANUARY 1, 1827.

The Senate met.

On motion of Mr. Hill, of Franklin, a message was sent to the House of Commons, proposing that a ballooting take place by the two Houses on Wednesday next for a Judge of the Superior Courts of Law and Equity of this State, to supply the vacancy occasioned by the resignation of Frederick Nash, Esquire; and stating that Willie P. Mangum is in nomination for that appointment.

Mr. Boddie presented the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of passing a law to prevent slaves from selling cotton to any person except their owners, or other persons having charge of the same; and that they report by bill or otherwise.

Which being read, Mr. Croom moved to amend the same, by adding the following words after the word "cotton," to wit: "and other articles of produce mentioned in the act of the Legislature of 1819;" which amendment was agreed to. The question recurred on the adoption of the resolution; which was determined in the affirmative.

Mr. M'Kay presented the following resolution:

Resolved, That a select committee be appointed, with instructions to inquire into the expediency of designating such acts and parts of acts of the British Parliament, as shall hereafter be considered in force in this State; and that they have leave to report by bill or otherwise.

Which resolution was agreed to, and Messrs. M'Kay, Seawell, Pickett, Miller and Speight of Craven were appointed the said committee.

Edward Ward, the Senator from the county of Onslow, and Edmund Deberry, the Senator from the county of Montgomery, appeared, produced the certificates, of their election, were qualified, and took their seats.

Mr. Leak presented a bill authorising the Trustees of the Richmond Academy to raise the sum of ten thousand dollars by lottery; and Mr. Wilson, of Edgecombe, presented a bill in relation to lotteries; which bills were read the first time and passed; and the last mentioned bill was; on
motion of Mr. Hill of Franklin, referred to a select committee; which committee consists of Messrs. Hill of Franklin, Wilson of Edgecombe, M'Kay, Sneed and Spaight of Craven.

Mr. M'Kay presented the following resolution:

Whereas, by the laws now in force, a presumption of payment on judgments of Courts of Record, bonds and other sealed instruments, does not arise under twenty years; and whereas, also, redemptions of mortgages may be made within the same period, which rule is often productive of mischief:

Therefore, resolved, That the committee on the Judiciary be instructed to inquire into the expediency of limiting the time within which suits on judgments of Courts of Record, bonds and other sealed instruments may be brought, and redemptions of mortgages made.

Which was agreed to.

Mr. Smith presented a bill respecting the allowance of claims and the appropriation of the public money in Davidson county; Mr. Davenport presented a bill to establish a poor house in the county of Washington; and Mr. Burney presented a bill regulating the duty of Grand Jurors, in regard to presentments for affrays and for assault and battery; which bills were severally read the first time and passed; and the last mentioned bill was, on motion of Mr. M'Kay, referred to the Judiciary committee.

The Senate entered upon the orders of the day, and the bill to alter the time of the annual meeting of the Legislature being read, the same was, on motion of Mr. Sanders, made the order of the day for the 11th of January.

The bill to amend an act, passed in the year 1819, entitled "an act to prevent the fraudulent trading with slaves," was, on motion of Mr. Boddie, referred to the Judiciary committee.

The Senate continued on the orders of the day, and the resolution presented by Mr. M'Kay on the 29th December last, relative to the gold and silver ore of this State, was read and agreed to.

The bill to make private acts printed by the Printer of the State evidence in the Courts of this State, was read the third time, and, on motion of Mr. Pickett, was referred to the committee on the Judiciary.

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

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

TUESDAY, JANUARY 2, 1827.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill for the better regulation of the Courts of Pleas and Quarter Sessions for the counties of Nash and Northampton; in which they ask the concurrence of that House.

Mr. Matthews presented the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire whether any, and, if any, what alterations are necessary relative to the recording and giving publicity to deeds of trust and bills of sale, &c. and that they report by bill or otherwise.

Which was agreed to.

The Speaker laid before the Senate a communication from Cornelius Dowd, stating that Josiah Tyson, the Senator from the county of Moore,
is not legally entitled to a seat; which, on motion of Mr. Speight of Greene, was referred, together with the accompanying documents, to the committee of Privileges and Elections.

Mr. Croom presented the following resolution:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of empowering the Justices of the Courts of Pleas and Quarter Sessions of the several counties in this State to establish poor and work houses in their respective counties, excepting those counties in which poor and work houses are already established by law; and that they report by bill or otherwise.

Which was, on motion of Mr. M'Kay, ordered to lie on the table.

On motion of Mr. Spaight of Craven, a message was sent to the House of Commons, stating that the Senate have appointed, in pursuance of the joint rules of the two Houses, a Library committee; and thereupon, Messrs. Spaight of Craven, Pickett and M'Kay were appointed the said committee on the part of the Senate.

Mr. Pickett presented the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the emancipation laws, that the owner of any slave shall, upon obtaining license for manumission, enter into bond and security that the said slave shall, within a convenient time, remove him or herself without the limits of the State, and not return to reside therein.

Which was agreed to.

Mr. Beard of Rowan, presented the petition of sundry citizens of Rowan county, on the subject of the election of Constables; which, on motion of Mr. Beard of Rowan, was referred to the committee of Propositions and Grievances.

Mr. Gray presented the petition of Robert Murdoch, of Randolph county, praying that a law be passed to confirm the name and to legitimize Alexander Murdoch, son of the said Robert, accompanied with a bill to carry the prayer of the petitioner into effect; which bill was read the first time and passed.

Mr. M'Dowell presented the petition of Samuel J. Edney, of Buncombe county, praying to be divorced from his wife Oliva; which, on motion of Mr. M'Dowell, was referred to the committee of Divorce and Alimony.

The bill respecting the allowance of claims and the appropriation of the public money in Davidson county, was read the second and third times and passed, and ordered to be engrossed.

Mr. Love presented a bill to change the time, and regulate the manner of holding the Courts of Pleas and Quarter Sessions in the county of Haywood; and Mr. Speight, of Greene, presented a bill to prevent free persons of colour from migrating into this State, for the good government of such persons in the State, and for other purposes; which bills were severally read the first time and passed, and the last mentioned bill was, on motion of Mr. Speight of Greene, referred to the committee appointed on that part of the Governor's message which relates to free persons of colour.

The bill authorising the trustees of the Richmond Academy to raise the sum of ten thousand dollars by lottery, was read the second time and passed. The yeas and nays on the passage of the said bill being demanded by Mr. Joiner, are as follows:

For the passage of the said bill, are Messrs. Alexander, Baird of Burke, Bullock,


Mr. Hill, of Franklin, then moved that the said bill lie on the table; which was not agreed to. Thereupon the said bill was passed the third time, and ordered to be engrossed.

Received from the House of Commons, certificates of allowances made by the County Court of Cumberland in favor of Isabella Campbell, widow of James Campbell, and in favor of Anne Morrison, widow of Alexander Morrison, soldiers in the continental line of this State in the revolution- ary war, which were countersigned by the speaker of that House; and the same being read, were, on motion of Mr. Vanhook, countersigned by the Speaker of the Senate.

The bill to change the time, and regulate the manner of holding the Courts of Pleas and Quarter Sessions in the county of Haywood, and the bill to confirm the name and to legitimate Alexander Murdoch, son of Robert Murdoch, and Mary his wife, were severally read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. McKay, the Senate proceeded to the consideration of the resolution presented this day by Mr. Croom, instructing the Judicial committee to inquire into the expediency of empowering the Justices of the Courts of Pleas and Quarter Sessions of the several counties in this State to establish poor and work houses in their respective counties, excepting those counties in which they have been already established; which resolution was adopted.

Received from the House of Commons, a message, stating that they do not concur in the proposition of the Senate to ballot for a Judge of the Superior Courts to-morrow morning, to supply the vacancy occasioned by the resignation of Frederick Nash, Esq.

Received also a message from that House, stating that Mr. Webb and Mr. Rand form the joint select committee on their part on Public Buildings; and that the joint select committee on the part of that House, raised for the purpose of inquiring into the expediency of altering the sittings of the Fall Terms of the Superior Courts in the first, second, third and fifth Judicial Circuits, consists of Messrs. Iredell, Martin, Bozman, Mhoon, Stedman, Burns, Ferrand, Blount, Edwards, Cox of Lenoir, R. H. Jones. Spruill, Gary, Dickinson, Whitaker, A. Moore, Strange, Joseph A. Hill, Marshall and McNair.

Received from that House also a message, stating that they have passed the engrossed bill concerning certain officers of the county of Davidson; in which they ask the concurrence of the Senate. Thereupon the said bill was read the first time and passed.

Mr. Vanhook presented the resignation of Jesse Bradshaw, as Lieutenant Colonel of the militia of Person county; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons, the resignations of Edward H.
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Bell, of Carteret county, and James Clark, of Orange 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.

Wednesday, January 5, 1827.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to change the time and regulate the manner of holding the Courts of Pleas and Quarter Sessions in the county of Hay-wood; also the engrossed bill authorising the Trustees of the Richmond Academy to raise the sum of ten thousand dollars by lottery; also the engrossed bill to confirm the name and to legitimate Alexander Murdoch, son of Robert Murdoch, and Mary his wife; and the engrossed bill respecting the allowance of claims and the appropriation of the public money in Davidson county; in which they ask the concurrence of that House.

Mr. Davis presented a bill prescribing the manner in which Clerks of the Superior Courts shall hereafter be appointed; which was read the first time and passed.

Mr. Croom, from the committee of Privileges and Elections, to whom was referred the communication from Cornelius Dowd, stating that Josiah Tyson, the Senator from the county of Moore, is not legally entitled to a seat, reported, that, in the opinion of the committee, the said Josiah Tyson, the sitting member, ought to retain his seat. Mr. Davis moved that it be committed to a committee of the whole House; which was agreed to. Thereupon, on motion of Mr. Speight, of Greene, the Senate resolved itself into a committee of the whole House, Mr. Stokes in the Chair, and proceeded to the consideration of the said report; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Stokes, the Chairman of the committee of the whole House, reported progress, and asked leave to sit again; which was agreed to. Thereupon it was ordered that the said committee sit again on to-morrow.

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

Thursday, January 4, 1827.

The Senate met.

Mr. King presented sundry resolutions on the subject of deeds for the conveyance of land, deeds of trust, mortgages, and bills of sale; which were referred to the committee on the Judiciary.

Mr. Hawkins presented a certificate of an allowance, made by the County Court of Warren in favor of Elizabeth Harris, widow of Burwell Harris; a soldier of the Revolutionary war; which was referred to the committee of Propositions and Grievances.

Mr. Gray presented the memorial of William Lytle, of the county of Rutherford, state of Tennessee, praying that the money which he paid into the Treasury of this State for certain land therein mentioned, be refunded to him; which was referred to the committee of Claims.

Mr. M'Millan presented the petition of Mary Fields, praying to be divorced from her husband Wm. Fields; which was referred to the committee of Divorce and Alimony.
Mr. Gray presented the memorial of a Manumission Society of this State, praying that a law be passed to prohibit the introduction of slaves; which, on motion of Mr. Gray, was referred to the committee appointed on that part of the Governor's message which relates to the migration into this State of free persons of colour.

Received from the House of Commons, a message, stating that pursuant to the joint rules of the two Houses, they have appointed a Library committee, consisting of Messrs. A. Moore, Iredell and Shepperd, on the part of that House.

Received from the House of Commons, a message, stating that they agree to the resolution of the Senate of the 30th ultimo, that so much of the Governor's message as relates to the amendment of the Constitution of the United States, as to the abolition of slavery, and the resolution therein referred to, be referred to a select joint committee; and that they have appointed, on the part of that House, Messrs. Hill of Wilmington, R. H. Jones, Morehead, Iredell and Green, to compose the said committee.—Thereupon Messrs. Speight of Greene, Pickett, M'Kay, Forney and Sneed were appointed the committee on the part of the Senate.

Received from the House of Commons, a memorial from the American Colonization Society, accompanied with a proposition from that House that the same be referred to a joint select committee; which was agreed to by the Senate; and thereupon Messrs. Seawell, Pickett, Spaight of Craven, Gilchrist, and Hill of Franklin, were appointed the committee on the part of the Senate.

The following bills were presented, to wit: By Mr. Roberts, a bill to amend an act, passed in the year 1824, entitled "An act to allow pay to the jurors of the Superior and County Courts of the county of Surry; by Mr. Foreman, a bill to establish a poor house in the county of Hyde; by Mr. Tyson, a bill to authorize Benjamin W. Williams, of Moore county, to erect a bridge across Deep river; and by Mr. Hill, of Franklin, a bill for the relief of securities and endorsers in certain cases; which bills were severally read the first time and passed; and the last mentioned bill was, on motion of Mr. Hill, of Franklin, referred to the committee on the Judiciary.

Received from the House of Commons, a message, stating that they have passed a bill to repeal an act, passed at the last session of the General Assembly, allowing compensation to the grand jurors of the county of Ashe; a bill to repeal in part an act, passed in the year 1824, entitled "An act to regulate the patrol of Richmond county, and for other purposes;" a bill to authorise the commissioners of the town of Fayetteville to select a special justice for said town, and to amend the 5th section of an act, entitled "An act for the better regulation of the town of Fayetteville," passed in the year 1821; a bill to amend an act, passed in 1824, 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, and for the laying out a town;" a bill to amend an act, entitled "An act to amend an act, passed in the year 1815, entitled "An act to incorporate the town of Charlotte, in the county of Mecklenburg;" a bill to incorporate Roanoke Chapter, No. 4, of Excellent and Most Excellent Royal Arch Masons, in the town of Halifax; a bill to es-
establish Newhope Academy, in the county of Edgecombe, and to incorporate the trustees thereof; and a bill allowing jurors in the County and Superior Courts of Lincoln county to receive pay for their services. In all of which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed.

Mr. Sneed presented the resignation of Thomas W. Norman, Colonel Commandant of the militia of Granville county; Mr. Sellars presented the resignation of John Fellow, as Justice of the Peace of Sampson county; and Mr. Baird, of Burke, presented the resignation of Benjamin Burgin, as Justice of the Peace of Burke county; which were severally read and accepted by the Senate, and sent to the House of Commons.

Received from the House of Commons, the resignation of Francis Logan, as Major of the militia of Rutherford county; and Benjamin Braddy, as Justice of the Peace of Beaufort county; which were severally read and accepted by the Senate.

The Senate entered upon the orders of the day, and resolved itself into a committee of the whole House, Mr. Stokes in the Chair, to take into consideration the unfinished business of yesterday, being a report of the committee of Privileges and Elections, on the petition of Cornelius Dowd, contesting the seat of Josiah Tyson, the member of this House from the county of Moore; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Stokes, the Chairman, reported the following resolution, as an amendment, to wit: "Resolved, that Josiah Tyson is entitled to a seat in this House, as the Senator from the county of Moore." And the question on agreeing to the amendment to the report, was determined in the affirmative. The yeas and nays on this question being demanded by Mr. M'Kay, are as follows:


The question then recurred on the adoption of the resolution, which was determined in the affirmative.

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

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**Friday, January 5, 1827:**

The Senate met.

Mr. Deberry presented the memorial of Roswell King, of Montgomery county, praying for the appropriation of certain land therein mentioned, for the purpose of enabling him to raise thereon a large stock of sheep; which, on motion of Mr. Deberry, was referred to a select committee; and thereupon Messrs. Deberry, Shuford, Blackwell, Gray and Leak, were appointed the said committee.

Mr. Forney, from the committee of Propositions and Grievances, to whom was referred the certificate of the County Court of Warren, in favour of Elizabeth Harris, reported the following resolution: "Resolved,
that Elizabeth Harriss be entitled to receive ninety dollars for one year's allowance." Which was read the first time and passed.

The bill to amend an act, passed in the year 1824, entitled "An act to allow pay to the Jurors of the Superior and County Courts of the county of Surry," and the bill to establish a poor house in the county of Hyde, were severally read the second and third times and passed, and ordered to be engrossed.

The bill to authorise Benjamin W. Williams, of Moore county, to erect a bridge across Deep river, was read the second time, and, on motion of Mr. Beard of Rowan, the same was referred to the committee of Propositions and Grievances.

The engrossed bill to authorise the Commissioners of the town of Fayetteville to select a special justice for said town, and to amend the fifth section of an act, entitled "An act for the better regulation of the town of Fayetteville," passed in the year 1821, was read the second time. Mr. Elliott moved to amend the bill by striking out the words "nor shall he be compelled to try civil warrants for any persons who are not citizens thereof;" and Mr. Sellars moved that the bill lie on the table; which was agreed to.

The engrossed bills, to-wit: A bill to repeal in part an act, passed in the year 1824, entitled "An act to regulate the patrol of Richmond county, and for other purposes;" and a bill to amend an act, passed in 1824, 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, and for the laying out a town," were severally read the second time and passed, and ordered to lie on the table.

Mr. Love presented the petition of sundry inhabitants of this State, on the subject of a turnpike road, accompanied with a bill to carry the prayer of the petitioners into effect; which were referred to the committee on Internal Improvements.

Received from the House of Commons, a message, proposing that a balloting take place on Saturday next, for a Public Printer for the ensuing year; and stating that Lawrence & Lemay are in nomination for the appointment; which proposition was agreed to, and Joseph Gales & Son added to the nomination, and the House of Commons was informed thereof by message.

The following engrossed bills, to-wit: a bill to amend an act, entitled "An act to amend an act, passed in the year 1815, entitled 'an act to incorporate the town of Charlotte, in the county of Mecklenburg;" a bill to repeal an act, passed at the last session of the General Assembly, allowing compensation to the Grand Jurors of the county of Ashe; a bill to incorporate Roanoke Chapter, No. 4, of Excellent and most Excellent Royal Arch Masons, in the town of Halifax; a bill to establish New-Hope Academy, in the county of Edgecombe, and to incorporate the Trustees thereof; and a bill concerning certain officers of the county of Davidson, were severally 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 passed the engrossed bill to amend an act, passed in 1819, concerning the town of Concord, with an amendment, to strike out all the words of the said bill, except the words "a bill," and to insert the amendment
accompanied the same; which amendment 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 rejected the engrossed bill, authorising the Trustees of the Richmond Academy to raise the sum of ten thousand dollars by lottery; that they have indefinitely postponed the engrossed bill to confirm the name and to legitimate Alexander Murdoch, son of Robert Murdoch, and Mary his wife; and that they have passed the following engrossed bills, to wit: A bill to authorise the Trustees of Spring Grove Academy, in Anson county, to raise the sum of five thousand dollars by way of lottery; a bill to amend an act, passed in the year 1821, entitled "An act to establish Clinton Academy, in Sampson county, and to incorporate the Trustees thereof;" and the bill to authorise the Court of Pleas and Quarter Sessions of the county of Columbus to appoint an overseer and hands for the purpose of clearing out and rendering navigable Big Swamp, from Lennon's Bridge to Lumber river; in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed, and the first and the last mentioned bills were severally ordered to lie on the table, and the bill to amend an act, passed in the year 1821, entitled "An act to establish Clinton Academy, in Sampson county," was thereupon read the second and third times and passed, and ordered to be enrolled.

Mr. Seawell, from the committee on that part of the Governor's message relating to free persons of colour, to whom was referred a bill to prevent free persons of colour from migrating into this State, for the good government of such persons in the State, and for other purposes, reported the said bill, with an amendment, to strike out the 12th section of the bill; which amendment was agreed to; and thereupon the said bill, on motion of Mr. Seawell, was committed to a committee of the whole House, and made the order of the day for Wednesday next, and ordered to be printed.

The engrossed bill to repeal in part an act, passed in the year 1824, entitled "An act to regulate the patrol of Richmond county, and for other purposes," was read the third time and passed, and ordered to be enrolled.

Mr. Croom presented a bill to establish Cambridge Academy, in the county of Lenoir, and to incorporate the Trustees thereof; which was read the first time and passed.

Mr. Seawell presented the following resolution:

Resolved, That the committee on Education be instructed to inquire into the expediency of raising, by lottery, the sum of six hundred and thirty thousand dollars, to be distributed by allotting ten thousand dollars to each county in this State, for the purpose of establishing public schools.

Which resolution was agreed to.

Mr. Forney presented the following resolution:

Resolved, That a joint select committee be appointed, to present a memorial to the Congress of the United States to extinguish the Indian title to all the lands belonging to the State of North-Carolina, within the limits of the Cherokee nation.

Which was agreed to.

Received from the House of Commons, the resignations of William Neil, of Burke county, and Daniel Clapp, of Guilford county, as Justices of the Peace; also the resignation of Isaac Beeson, as Lieut. Colonel of the militia of Guilford county; which were severally read and accepted by the Senate.

Thereupon the Senate adjourned to 10 o'clock, to-morrow morning.
A message was sent to the House of Commons, stating that the Senate have passed a bill to amend an act, passed in the year 1824, entitled "An act to allow pay to the Jurors of the Superior and County Courts of the county of Surry;" and a bill to establish a poor house in the county of Hyde; in which they ask the concurrence of that House.

On motion of Mr. Hill, of Franklin, a message was sent to the House of Commons, proposing that a balloting immediately take place for a Public Printer, as heretofore agreed to take place this day; and Mr. Hill of Franklin and Mr. Croom 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. Bain and Mr. Ferrand are appointed superintendents of the balloting on the part of that House.

Mr. King presented the petition of Robert Gracey, praying an allowance for services rendered in the revolutionary war; which was referred to the committee of Claims.

Mr. Pickett, from the committee on the Judiciary, to whom was referred the bill to make private acts printed by the Printer of the State, evidence in the Courts of this State, reported the said bill, with an amendment, to strike out all the words of the bill except the words "a bill," and to substitute the amendment by him submitted; which was concurred in. Thereupon the said bill, as amended, was read the third time and passed, and ordered to be engrossed.

Mr. Pickett, from the same committee, reported a bill to explain and amend an act of the General Assembly, passed in the year 1822, entitled "An act to authorise the County Courts to require administrators and others to give counter security, upon the petition of their securities;" which bill was read the first time and passed.

Mr. Pickett, from the same committee, to whom was referred a bill regulating the duty of Grand Jurors in regard to presentments for affrays, and for assault and battery, reported the said bill, with an amendment, to strike out all the words of the bill after the word 'same,' in the 4th line of the first enacting clause, and substituting the amendment by him submitted; which report was concurred in.

Mr. Pickett, from the same committee, reported a bill to amend the emancipation laws; which was read the first time and passed.

Mr. Forney, from the committee of Propositions and Grievances, to whom was referred the petition of sundry inhabitants of Rowan county, on the subject of the election of constables, reported the following resolution: "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 the certificate of the County Court of Warren, in favor of Elizabeth Harriss, reported the following resolution: "Resolved, that Elizabeth Harriss be entitled to receive ninety dollars for one year's allowance;" which was agreed to; and thereupon the said resolution was read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons, a memorial from Arch'd. D. Murphey, accompanied with a proposition from that House, that the same
be referred to a select Joint Committee; which proposition was agreed to; and thereupon Messrs. Forney, Stokes, M'Kay, Sneed and Montgomery were appointed the said committee on the part of the Senate.

Received from the House of Commons, a message, stating that Messrs. W. W. Jones, Montgomery, Settle, White and Jordan, form, on the part of that House, the select joint committee on the memorial of the Colonization Society.

Mr. Hill, from the committee appointed to conduct the balloting, on the part of the Senate, for a Public Printer, reported that Lawrence & Lemay were duly elected; which report was not concurred in. Thereupon, on motion of Mr. Speight, of Greene, a message was sent to the House of Commons, stating that the Senate do not concur with the report of the joint committee appointed to superintend the election of Public Printer, "that Lawrence & Lemay are duly elected," because it appears, by the said report, that 187 ballots were given, when there were but 185 members of the two Houses who voted; and proposing that another balloting for Public Printer take place immediately.

The bill to establish Cambridge Academy, in the county of Lenoir, and incorporate the Trustees thereof, was read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. Elliott, the Senate proceeded to the consideration of the bill to authorise the Commissioners of the town of Fayetteville to select a special Justice for said town, and to amend the 5th section of an act, entitled "An act for the better regulation of the town of Fayetteville," passed in the year 1821; and the same being read, was amended, on motion of Mr. Elliott, by striking out the following words in the second section, to wit: "and notwithstanding his said appointment, shall retain, use and exercise all and every right and privilege of other Justices of the Peace within his county;" and thereupon, the said bill, on motion of Mr. Miller, was ordered to lie on the table.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to amend an act, passed in the year 1820, entitled "An act for the better regulation of the Courts of Rutherford, Burke, and Lincoln;" in which they ask the concurrence of the Senate. Thereupon the said bill was read the second time, and amended, on motion of Mr. Baird, of Burke, by adding the words "sickness, absence" after the word "death," in the 3d section of the bill. Thereupon, on motion of Mr. King, the same was referred to the committee on the Judiciary.

Mr. M'Kay presented sundry resolutions on the subject of draining the swamp lands of this State; which, on motion of Mr. M'Kay, were committed to a committee of the whole House, and made the order of the day for Monday next.

Mr. Seawell presented a bill to secure to Martha Barbee, of Wake county, such property as she may hereafter acquire; which was read the first time and passed, and, on motion of Mr. Seawell, was referred to the committee of Divorce and Alimony.

Received from the House of Commons, a message, stating that they agree to the proposition of the Senate, that the two Houses proceed to ballot immediately for a Public Printer for the ensuing year; and that Mr. Ferrand and Mr. Bain are the superintendents of the balloting on the
part of that House. Thereupon Mr. Hill of Franklin and Mr. Croom were appointed superintendents on the part of the Senate.

Mr. M'Dowell presented a bill to amend an act, passed in the year 1825, entitled "An act to establish and regulate a turnpike road in the counties of Rutherford and Buncombe;" Mr. Burney presented a bill concerning the records of the Superior Court of Law of Columbus county; and Mr. Wilson, of Camden, presented a bill to authorize the justices of the Court of Pleas and Quarter Sessions of Camden county to class their justices, and for other purposes; which bills were severally read the first, second and third times and passed. After amending the first mentioned bill on the third reading, on motion of Mr. Hill, of Franklin, by adding the following provision, to wit: "Provided, that nothing contained in this act shall release any of the aforesaid corporations from any liability they may already have incurred as a company under the aforesaid recited act." And the last mentioned bill was amended, on motion of Mr. Salleyar, by extending the provisions thereof to the county of Currituck. Thereupon the said bills were severally ordered to be engrossed.

Received from the House of Commons, a message, stating that they have passed the engrossed bill requiring Mill's river, in the county of Buncombe, to be kept open for the passage of fish, and the engrossed bill to declare valid certain deeds registered in the county of Wayne; in which they ask the concurrence of the Senate. Thereupon the bill first above mentioned was read the first, second and third times and passed, and ordered to be enrolled; and the last mentioned bill was read the first, second and third times and passed, and amended, on the second reading, on motion of Mr. Gray, by making the provisions of the bill apply to the county of Randolph. Thereupon a message was sent to the House of Commons, asking their concurrence in the amendment.

Mr. Sellars presented the resignation of David Underwood, Colonel Commandant of the militia of Sampson county; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons, the resignation of Sam'l Frink, as Justice of the Peace of Columbus county; which was read and accepted by the Senate.

Thereupon the Senate adjourned to 10 o'clock, on Monday morning next.

MONDAY, JANUARY 8, 1827.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to authorize the Justices of the Courts of Pleas and Quarter Sessions of Camden and Currituck counties to class their Justices, and for other purposes; a bill to amend an act, passed in the year 1825, entitled "An act to establish and regulate a turnpike road in the counties of Rutherford and Buncombe;" a bill to establish Cambridge Academy, in the county of Lenoir, and incorporate the trustees thereof; a bill to make private acts printed by the Printer of the State, evidence in the Courts of this State; and a bill concerning the records of the Superior Court of Columbus county; also a resolution in favor of Elizabeth Harriss; in which they ask the concurrence of that House.
Mr. Hill, of Franklin, from the committee appointed to conduct the balloting for Public Printer, reported that Lawrence & Lemay were duly elected; which report was concurred in.

Mr. Matthews, from the committee of Divorce and Alimony, reported a bill to secure to Mourning Adams, of Randolph county, such property as she may hereafter acquire; which was read the first time and passed.

Mr. Pickett, from the committee on the Judiciary, to whom was referred the engrossed bill to amend an act, passed in the year 1820, entitled "An act for the better regulation of the County Courts of Rutherford, Burke and Lincoln," reported the said bill without amendment. 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 amendment made in the Senate on the second reading of the bill.

On motion of Mr. Burney, the Senate proceeded to the consideration of the engrossed bill to authorise the Court of Pleas and Quarter Sessions of the county of Columbus to appoint an overseer and hands, for the purpose of clearing out, and rendering navigable Big Swamp from Lennon's bridge to Lumber river; and the same being read, Mr. M'Kay moved to amend the same by striking out the words, "whenever they may deem it expedient," in the 6th and 7th lines of the first section, and to insert the words, "and directed," after the word "authorised;" which amendment was agreed to; and 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 amendment.

Mr. M'Leary presented the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the law as respects executors and administrators, as to make their settlements with the court final at some limited time after the heirs come to mature age; and that they report by bill or otherwise.

Which was agreed to.

Mr. Pickett presented the petition of Eliza S. Dowling, of Anson county, praying to be divorced from her husband Zacheus Dowling; which was referred to the committee of Divorce and Alimony.

The bill regulating the duty of grand jurors in regard to presentments for affrays, and for assault and battery, was read the second time and passed; and, on motion of Mr. Pickett, the title of the bill was amended, by inserting the following as a substitute, to wit: "a bill limiting the time within which certain offences shall be prosecuted, and prescribing the duties of grand jurors relative thereto." And thereupon the said bill was, on motion of Mr. Stokes, made the order of the day for Friday next.

Mr. Williams, of Beaufort, presented a bill to amend an act, passed in the year 1818, entitled "An act to authorise the wardens of the poor to build a poor house in the county of Beaufort, to regulate the keeping of the same, and for other purposes;" Mr. Lock presented a bill to prohibit the justices of the Court of Pleas and Quarter Sessions for the county of Brunswick from allowing extra service money to the county officers; Mr. Gilliam presented a bill to repeal an act, passed in the year 1825, entitled "An act 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 relates to the county of Bertie; and Mr. Beard, of Rowan, presented a bill to establish a Medical Society.
and to regulate the practice of physic and surgery within this State; which bills were severally read the first time and passed; and the last mentioned bill was, on motion of Mr. Beard, of Rowan, referred to a select committee, and thereupon Messrs. Beard of Rowan, King, Montgomery, Love and Gray were appointed the said committee.

The bill to explain and amend an act of the General Assembly, passed in the year 1822, entitled "An act to authorise the County Courts to require administrators and others to give counter security upon the petition of their securities," was read the second time and passed.

The Senate entered upon the orders of the day, and the bill to amend the emancipation laws of the State being read, was, on motion of Mr. Sneed, committed to a committee of the whole House, and made the order of the day for Tuesday next.

The bill prescribing the manner in which clerks of the Superior Courts shall hereafter be appointed, was read the second time, and, on motion of Mr. Davis, was ordered to lie on the table.

Mr. Matthews, from the committee of Divorce and Alimony, reported a bill to divorce Mary Fields, of the county of Ashe, from her husband William Fields; which was read the first time and passed.

Received from the House of Commons, a message, stating their concurrence in the several amendments made by the Senate in the engrossed bill declaring valid certain deeds registered in the county of Wayne. Thereupon the said bill was ordered to be enrolled.

The bill to prohibit the justices of the Court of Pleas and Quarter Sessions for the county of Brunswick from allowing extra service money to the county officers; the bill to amend an act, passed in the year 1818, entitled "An act to authorise the wardens of the poor to build a poor house in the county of Beaufort, to regulate the keeping of the same, and for other purposes;" and the bill to repeal an act, passed in the year 1825, entitled "An act to repeal an act, passed in 1822, entitled 'an act making compensation to the jurors of the Superior and County Courts of Moore, Carteret and Bertie," were severally read the second and third times and passed; and the last mentioned bill was amended, on motion of Mr. Gilliam, by adding the following to the first section, to wit: "so far as it relates to the county of Bertie." Thereupon the said bills were severally ordered to be engrossed.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to amend an act, passed at the last session of the General Assembly, entitled "An act to appoint commissioners for the town of Bath, in the county of Beaufort, and for the better regulation of said town;" also the engrossed bill to amend an act, passed in the year 1825, entitled "an act to establish a poor house in the county of Burke;" and the engrossed bill to establish a poor house in the county of Anson. In which they ask the concurrence of the Senate. Thereupon the said bills were severally passed the first, second and third times, and ordered to be enrolled.

Mr. Sneed presented the resignation of Parker F. Stone, a justice of the peace 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 Wm. Dis-
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makes, as colonel commandant of the first regiment of the militia of Anson county; which was read and accepted by the Senate.

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

Tuesday, January 9, 1827.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to prohibit the justices of the Court of Pleas and Quarter Sessions for the county of Brunswick from allowing extra service money to the county officers; a bill to amend an act, passed in 1818, entitled "An act to authorise the wardens of the poor to build a poor house in the county of Beaufort, to regulate the keeping of the same, and for other purposes;" and the bill to repeal an act, passed in the year 1825, entitled "An act 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 relates to the county of Bertie. In which they ask the concurrence of that House.

Received from the House of Commons, a message, of the date of the 8th instant, proposing that the two Houses; at their meeting this day, proceed to ballot for two Judges of the Superior Courts of Law and Equity, to supply the vacancies occasioned by the resignation of Judge Nash, and the death of Judge Paxton; and stating that Willie P. Mangum, James Martin, Robert Strange, Thomas P. Devereux and Joseph Pickett, are in nomination for the appointments; which proposition to ballot was agreed to. Robert Burton was added to the nomination, and Mr. Fornye and Mr. Sneed 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. Shepperd and Mr. Wyche are appointed superintendents on the part of that House.

Received from the House of Commons, a message, stating that they have passed the engrossed resolution directing the Public Printer to obtain from the Secretary of State an authenticated copy of an act therein mentioned, and to print the same, and incorporate it with the acts passed the present session; in which they ask the concurrence of the Senate. Thereupon the said resolution was read the first and second times and passed, and, on motion of Mr. Speight, of Greene, the same was ordered to lie on the table.

Mr. Stokes moved that the Senate do reconsider the vote, taken this day on agreeing to the proposition of the House of Commons, to ballot for two Judges of the Superior Courts of Law and Equity of this State, as proposed by that House, with a view to postpone the said balloting to a time more distant; and the question on the reconsideration of the said vote, was determined in the negative.

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, for a Major General of the 8th division of the militia of the State, and nominating Brigadier General J. O. K. Williams for that appointment.

Received from the House of Commons, a message, stating their concurrence in the amendment made by the Senate to the engrossed bill to
amend an act, passed in the year 1820, entitled "An act for the better regulation of the County Courts of Rutherford, Burke and Lincoln."—Thereupon the said bill was 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 said message, together with the resolution of the Legislature of the State of Georgia, therein referred to, be referred to a select joint committee.—Which proposition was agreed to; and thereupon Messrs. Seawell, Pickett, M'Kay, Spaight of Craven, and Stokes, were appointed the said committee on the part of the Senate.

Mr. Matthews, from the committee of Divorce and Alimony, to whom was referred a bill to secure to Martha Barbee, of Wake county, such property as she may hereafter acquire, reported the said bill without amendment. Thereupon the said bill was read the second time and passed.

Mr. Forney, from the committee of Propositions and Grievances, to whom was referred a bill to repeal an act, passed in the year 1823, entitled "An act to annex part of Currituck county to Hyde county," and the bill to authorise Benjamin W. Williams, of Moore county, to erect a bridge across Deep river, reported the said bills with sundry amendments; which were agreed to by the Senate. Thereupon the first mentioned bill was made the order of the day for to-morrow, and the last mentioned bill was read the second time and passed.

Mr. King presented the petition of sundry inhabitants of the county of Iredell, in relation to the duty of constables; which was referred to the Judiciary committee.

Mr. Bell presented a memorial of the Pasquotank Auxiliary Colonization Society; which was referred to the joint committee appointed on the memorial of the American Colonization Society.

Mr. Stokes, from the committee of Finance, reported a bill to allow further time for the payment of the purchase money on entries for vacant land made in the year 1824, which lapsed on the 15th day of December, 1826; Mr. Roberts presented a bill to repeal part of the first section of an act, passed in the year 1811, entitled "An act to divide the militia of Surry county into two separate and distinct regiments;" and Mr. Parker presented a bill to authorise the County Courts of Guilford to appoint a committee of Finance. Which bills were severally read the first time and passed.

The Senate entered upon the orders of the day, and resolved itself into a committee of the whole House, Mr. Wilson, of Edgecombe, in the Chair; and took into consideration the bill concerning the election of sheriffs; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Wilson, the Chairman, reported the said bill with an amendment, to strike out the first section; and, on the question in concurring with the report, the yeas and nays were demanded by Mr. Hollimon, and are as follows:


There being an equal number of votes on this question, the Speaker of the Senate voted in the affirmative, and the report of the committee of the whole House was concurred in. Mr. Speight, of Greene, then moved that the remaining part of the bill be indefinitely postponed, and the question thereon was determined in the affirmative.

Mr. Sneed, from the committee appointed to conduct the balloting for two Judges of the Superior Courts of Law and Equity, reported that Robert Strange 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, the resignations of Jas. Ward and H. Ward, as Justices of the Peace of Randolph county; which were read and accepted by the Senate.

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

WEDNESDAY, JANUARY 10, 1827.

The Senate met.

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

Resolved, That the Public Treasurer be instructed to pay to the officers detailed by the Brigadier General of the 17th brigade of North-Carolina militia, and who actually attended at Nashville, in the county of Nash, at the trial of Colonel David Daniel, on the 30th of July, 1824, the amount necessarily expended in going to, residing at, and returning from said trial, upon said officers, or their legal representatives, exhibiting to the Treasurer an accurate account of said expenses, sworn to in the County Court, and certified by the clerk thereof.

Which was agreed to, and, on motion of Mr. Hill of Franklin, the same was referred to the committee of Claims.

Mr. Forney presented the following resolution:

Resolved, That the committee of Finance be instructed to inquire into the expediency of adopting further measures to secure the payment of monies due for the sale of public lands near the city of Raleigh.

Which was agreed to.

Received from the House of Commons, a message of the date of the 9th instant, proposing that the two Houses, at their meeting this day, proceed to ballot for the Judge of the Superior Courts of Law and Equity yet to be elected; which was agreed to. The name of Joseph Pickett was withdrawn from the nomination, and Mr. Sneed and Mr. Forney 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. Swain and Mr. Burns were appointed superintendents of the balloting on the part of that House.

Received from the House of Commons, a message, consenting to ballot this morning for a Major General of the 8th division of the militia, as proposed by the Senate; and stating that Mr. Bateman and Mr. Stockard are appointed superintendents of the balloting on the part of that House. Thereupon Mr. Speight of Greene and Mr. Leak were appointed superintendents of the balloting on the part of the Senate.

Mr. Forney presented the petition of Elizabeth Killon, praying to have secured to her the property she may hereafter acquire; which was referred to the committee of Divorce and Alimony.
Mr. Williams, of Martin, presented the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of passing a law compelling the owners of slaves to pay the burial charges, when a jury of inquest have been held over their bodies; and report by bill or otherwise.

Which was agreed to.

Mr. Boddie presented a bill to incorporate the Nashville male and female Academies; which was read the first time and passed.

The bill to repeal part of the first section of an act, passed in the year 1811, entitled, "An act to divide the militia of Surry county into two separate and distinct regiments," 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 passed a bill to empower Joseph Huston, of Iredell county, to erect and keep up gates across certain roads therein mentioned; a bill to alter the time of holding the elections of members of Assembly and members of Congress in the county of Greene; a bill to repeal an act, passed in the year 1815, for the destruction of wolves in the county of Ashe; and a bill to legitimate certain persons therein named; in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed.

The bill to authorise the County Courts of Guilford to appoint a committee of Finance, was read the second time and passed, and amended, on motion of Mr. Smith, by extending the provisions of the bill so as to apply to the county of Davidson. Thereupon the said bill was read the third time. Mr. M'Kay moved to amend the bill, by striking out the words "authorised, if they may deem it expedient," in the 5th and 6th lines of the first section, and to insert the word "required" after the word "and," in the fifth line of the 1st section; which amendment was agreed to. 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.

Mr. Sneed, from the committee appointed to conduct the balloting for the Judge of the Superior Courts of Law and Equity yet to be elected, reported that no person in nomination had received a majority of the votes; and thereupon received a message from the House of Commons, proposing that another balloting immediately take place for that appointment; which proposition was agreed to. The names of Robert Burton and Thomas P. Devereux were withdrawn from the nomination, and Mr. Sneed and Mr. Forney 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. Jones of Warren and Mr. Blount were appointed superintendents of the balloting on the part of that House.

On motion of Mr. Speight, of Greene, the Senate proceeded to the consideration of the engrossed resolution directing the Printer to obtain from the Secretary of State a certified copy of an act therein mentioned; and to print the same, &c. and the said resolution being read the third time, was amended, on motion of Mr. Speight, of Greene, by adding after the word "State," in the 8th line, the following words, to wit: "An act to amend an act, passed in the year 1823, entitled 'An act to amend the militia laws of this State relative to the Cavalry;" and an act to extend the provi-
visions of an act, passed in the year 1822, entitled 'An act granting further time to perfect titles to land within this State.' The question then recurred on the passage of the said resolution the third time, as amended; which was determined in the affirmative; and a message was sent to the House of Commons, asking their concurrence in the amendment.

Mr. Forney, from the committee appointed to conduct the balloting for the Judge of the Superior Courts of Law and Equity yet to be elected, reported that James Martin, Esq. of Rowan county, was duly elected; which report was concurred in.

Mr. Leak, from the Committee appointed to conduct the balloting for a Major General of the 8th division of the militia, reported that Brigadier General James O. K. Williams was duly elected; which report was concurred in.

Mr. Stokes presented a bill to regulate the payment of claims against the several counties in this State; which was read the first time and passed.

Mr. M'Kay presented the following resolution:

Resolved, That the committee of Finance be, and they are hereby instructed to inquire into the expediency of authorising the revenue officers to commence the collection of the public taxes earlier than they are permitted by the existing law; and that they have leave to report by bill or otherwise.

Which was agreed to.

The bill to explain and amend an act of the General Assembly, passed in the year 1822, entitled "An act to authorise the County Courts to require administrators and others to give counter security, upon the petition of their securities;" the bill to authorise Benjamin W. Williams, of Moore county, to erect a bridge across Deep river; the bill to secure to Martha Barbee, of Wake county, such property as she may hereafter acquire; the bill to secure to Mourning Adams, of Randolph county, such property as she may hereafter acquire; and the bill to incorporate the Nashville Male and Female Academies, were severally read, the three first mentioned bills the third time, and the two last mentioned bills the second and third times and passed, and ordered to be engrossed.

The engrossed bills, to wit: A bill to alter the time of holding the elections of members of Assembly and members of Congress in the county of Greene; a bill to empower Joseph Huston, of Iredell county, to erect and keep up gates across certain roads therein mentioned; and a bill to repeal an act, passed in the year 1815, for the destruction of wolves in the county of Ashe, were severally read the second and third times and passed, and ordered to be enrolled.

The engrossed bill to legitimize certain persons therein named, was read the second and third times and passed, and amended, on motion of Mr. Riddick, by adding the second section to the bill, in the following words, to wit: "And be it further enacted, that the name of Dicey Cartwright, daughter of Solomon Riddick and his wife Mary Ann, be altered to that of Dicey Riddick; and that the said Dicey be legitimated, and entitled to take by descent or distribution, in the same manner she would have been, if she had been born in wedlock." Thereupon a message was sent to the House of Commons, asking their concurrence in the amendment.

Mr. M'Millan presented the resignation of Elijah Callaway, as Justice of the Peace of the county of Ashe; which was read and accepted, and sent to the House of Commons.

The Senate adjourned to 10 o'clock, to-morrow morning.
Thursday, January 11, 1827.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to explain an act of the General Assembly, passed in the year 1822, entitled "An act to authorise the County Courts to require administrators and others to give other or counter security, upon the petition of their securities;" a bill to repeal part of the first section of an act, passed in the year 1811, entitled "An act to divide the militia of Surry county into two separate and distinct regiments;" a bill to secure to Mourning Adams, of Randolph county, such property as she may hereafter acquire; a bill to authorise Benjamin W. Williams, of Moore county, to erect a bridge across Deep river; a bill to authorise the County Courts of Guilford and Davidson to appoint a committee of Finance; a bill to secure to Martha Barbee, of Wake county, such property as she may hereafter acquire; and a bill to incorporate the Nashville male and female academies; in which they ask the concurrence of that House.

Mr. Davis presented the following resolution:

Resolved, That the committee of Finance be instructed to inquire into the expediency of adopting certain measures, so as to enable the several persons, whose lands were condemned for the purpose of building a fortification on Bogue Banks, Carteret county, to receive their rateable proportions of the sum at which the tract of land aforesaid was valued.

Which was agreed to.

Mr. Sharpe presented the following resolution:

Resolved, That the Military committee be instructed to inquire into the expediency of so amending the militia laws of this State, that field officers, after discharging the duties of their offices three years, and captains of the militia, five years, may, at their discretion, be discharged from military duties; and that the committee report by bill or otherwise.

Which was agreed to.

Received from the House of Commons, a message, of the date of the 10th instant, proposing that the two Houses, at their meeting this day, proceed to ballot for a Brigadier General of the 16th brigade of the militia, and nominating Archimedes Donoho for that appointment; which proposition was agreed to. Jesse Bradcher was added to the nomination, and Mr. Vanhook and Mr. Blackwell were appointed superintendents of the ballotting on the part of the Senate. And a message was received from the House of Commons, stating that Mr. Allison and Mr. Lewis were appointed the superintendents on the part of that House.

Mr. Deberry moved that he be permitted to withdraw the petition of Barnabas Dunn, and the accompanying documents, which petition was before the Senate, and rejected by them at the last session of the General Assembly; which was agreed to.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to prohibit the Justices of the Court of Pleas and Quarter Sessions for the county of Brunswick from allowing extra service money to the county officers, with an amendment, extending the provisions thereof to the counties of Currituck and Moore, and making the bill throughout conformable to said amendment; which amendments were agreed to by the Senate, and the House of Commons was informed thereof by message.

Received from the House of Commons, a message, stating that Messrs.
A. Moore, Iredell, Settle, Alexander and Shepperd form the committee on the part of that House, to whom stand referred the message of his excellency the Governor, and the resolution of the Legislature of Georgia therein referred to.

Mr. Sneed presented the petition of Maurice Smith, of Granville county, praying for permission to erect two gates at places therein mentioned, accompanied with a bill to carry into effect the prayer of the petitioner; which bill was read the first time and passed; and, on motion of Mr. Sneed, the same, together with the accompanying documents, was referred to the committee of Propositions and Grievances.

Mr. Hill, of Franklin, presented the petition of Charles Wortham, of Warren county, on the subject of his discovery of a power in mechanicks, heretofore unknown, which he denominates "the combined screw gear;" and the same being read, was, on motion of Mr. Hill, of Franklin, referred to a select committee; and thereupon Messrs. Hill of Franklin, Ward, Hawkins, Montgomery and Leak were appointed the said committee.

Mr. Sneed presented the petition of John J. Hendrick, and Lucy his wife, praying a divorce from the bonds of matrimony; and Mr. Hill, of Stokes, presented the petition of John Gibson, praying to be divorced from his wife Milly; which petitions were referred to the committee of Divorce and Alimony.

Mr. M'Dowell presented the petition of Samuel Jinkins, praying that the privileges of a citizen be restored to him; and Mr. Elliott presented the petition of Sherwood Fort, a soldier of the revolutionary war; which petitions were referred to the committee of Propositions and Grievances.

Mr. Pickett, from the committee on the Judiciary, reported a bill to point out, and direct the manner in which the prosecuting officers of this State shall in future be paid; which was read the first time and passed.

Mr. Seawell presented the following resolution:

Resolved, That Elizabeth Reaves be placed on the pension list of this State; and that she be allowed annually and during her natural life, the sum of forty dollars, which sum shall be paid her for 1826, as well as each succeeding year, on the warrant of the Comptroller.

Which was read the first time and passed.

Mr. Spaight, of Craven, presented the certificate of the County Court of Craven, making an allowance to John Rhem, who was wounded at Street's bridge, the 23rd of August, 1821, while acting under orders from the Colonel of the Craven regiment of militia; which certificate was, on motion of Mr. Spaight, of Craven, countersigned by the Speaker of the Senate, and sent to the House of Commons.

Mr. Pickett presented a bill to prevent frauds and perjuries in certain cases; which was read the first time and passed.

Received from the House of Commons, a message, stating that they have passed the engrossed resolution in favor of Arthur Hutchins, and the engrossed bill to legitimate and alter the name of Nancy Caroline Thomas, of Onslow county; in which they ask the concurrence of the Senate. Thereupon the said bill and resolution were severally read the first time and passed.

The Senate entered upon the orders of the day, and resolved itself into a committee of the whole House, Mr. Forney in the Chair, and took into consideration the bill to amend the emancipation laws; and, after some
time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Forney, the Chairman of the committee, reported the said bill with an amendment, to add the second section, in the following words, to wit: "And be further enacted, that no slave shall hereafter be emancipated, except upon the express condition that he or she shall, within six months thereafter, remove from this State, and never thereafter return into the same; and if he or she shall do so, he or she may be sold by order of any County Court in this State, and the proceeds of the said sale shall be paid to the county trustee of such county, for county uses." Which report was concurred in; and thereupon the said bill, as amended, was read the second time and passed.

Mr. Vanhook, from the committee appointed to conduct the balloting for a Brigadier General of the 10th brigade of the militia, reported that Archimedes Donoho was duly elected; which report was concurred in.

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

FRIDAY, JANUARY 12, 1827.
The Senate met.

Mr. Love, from the committee of Claims, to whom was referred the petition of Robert Gracy, praying compensation for services rendered in the revolutionary war, made a report thereon, and moved that the committee be discharged from the further consideration of the said petition; which was agreed to, and thereupon, on motion of Mr. King, the same was referred to the committee of Propositions and Grievances.

On motion of Mr. Speight, of Greene, Mr. Hill, the Senator from the county of Franklin, and, on motion of Mr. M'Kay, Mr. Sellers, the Senator from the county of Sampson, obtained leave of absence from the services of this House from and after this day, until Monday next.

Mr Riddick presented the following resolution:

Resolved, That the Judiciary committee be instructed to inquire into the expediency of so amending the several laws in relation to usurious contracts, as to make such contracts more penal, and more effectually to enforce the several acts of Assembly in that case made and provided; and that they report by bill or otherwise.

Which was agreed to.

Mr. Croom presented the petition of Benjamin Burns, of Lenoir county, praying that the name of his illegitimate daughter, Charlotte Fell, be altered to that of Charlotte Burns, and that she be legitimated, accompanied with a bill to carry the prayer of the petitioner into effect; which bill was read the first time and passed.

The resolution in favor of Elizabeth Reeves, was read; and, on motion of Mr. Hill, of Franklin, ordered that the same be laid on the table.

Received from the House of Commons, a message, stating their concurrence in the amendments made by the Senate in the bill to legitimate certain persons therein named; and in the resolution directing the printer to obtain from the Secretary of State a certified copy of an act therein mentioned, and to print the same. Thereupon the said bill and resolution were ordered to be enrolled.

Received from the House of Commons, a message, proposing that a balloting immediately take place for a Brigadier General of the 15th brigade of the militia, and nominating for that appointment Wilson B. Hodges and Thomas Marshall; which proposition was agreed to, and Mr.
Ward and Mr. Tyson 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. Cox and Mr. Bateman were appointed superintendents on the part of that House.

The Senate proceeded to the consideration of the bill limiting the time within which certain offences shall be prosecuted, and prescribing the duties of grand jurors relative thereto; and the same being read the third time, Mr. Seawell moved that the bill lie on the table; which was agreed to, and ordered to be printed.

The engrossed bill to legitimate and alter the name of Nancy Caroline Thomas, of Onslow county, and the engrossed resolution in favor of Arthur Hutchins, were severally read the second and third times and passed, and ordered to be enrolled.

Mr. Hunter presented a bill concerning slaves employed in making shingles and boards in the Dismal Swamp; which was read the first time and passed.

The bill to repeal an act, passed in the year 1823, entitled "An act to annex part of Currituck county to Hyde county," was read the second time. Thereupon Mr. Hill of Franklin presented a counter petition of sundry persons, remonstrating against the passage of a law similar to the one under consideration, and moved that the same be read; which was not agreed to.

Mr. Sanders moved to reconsider the vote of the Senate just taken, by which they refused to read the said petition; and the question on this motion was determined in the affirmative. The vote being reconsidered, and the counter petition read, the question 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 ordered to be engrossed.

The bill to regulate the payment of claims against the several counties in this State, was read, and, on motion of Mr. Forney, it was ordered that the said bill lie on the table and be printed.

The bill to allow further time for the payment of the purchase money on entries for vacant land, made in the year 1824, which lapsed on the 15th day of December, 1826, was read the second and third times and passed.

Mr. Love moved to reconsider the vote of the Senate just taken, on the third reading of the bill above mentioned, "allowing further time for the payment of the purchase money on entries for vacant land, made in the year 1824, which lapsed on the 15th day of December, 1826," with a view to amend the same; which was agreed to. And the same being reconsidered, Mr. Love moved to amend the bill, by adding the following words after the words "1824," in the 10th line of the first section, to wit: "and that when the purchase money aforesaid shall have been paid, it shall vest in the persons who shall have entered their lands in the said year, the same rights as if they had paid the purchase money before the fifteenth day of December;" and Mr. Seawell moved to amend the amendment, by adding the following, to wit: "Resolved, nevertheless, that all entries made since the fifteenth day of December aforesaid, shall in no wise be affected by the provisions of this act;" which amendment to the
amendment was agreed to. The question then recurred on agreeing to the amendment offered by Mr. Love as amended; and the question thereon was determined in the affirmative. Thereupon the said bill was passed the third time, and ordered to be engrossed.

The bill to alter the name of Charlotte Fell, of Lenoir county, and to legitimate her, was read the second and third times and passed, and ordered to be engrossed.

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

Saturday, January 15, 1827.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to allow further time for the payment of the purchase money on entries for vacant land made in the year 1824, which lapsed on the 15th day of December, 1826; also the engrossed bill to repeal an act, passed in the year 1823, entitled “An act to annex part of Currituck county to Hyde county;” and the engrossed bill to alter the name of Charlotte Fell, of Lenoir county, and to legitimate her. In which they ask the concurrence of that House.

Mr. Tyson, from the committee appointed to conduct the balloting for a Brigadier General of the 13th brigade of the militia, reported that Wilson B. Hodges was duly elected; which was concurred in.

A committee was appointed on Enrolled Bills, consisting of Mr. Gilchrist and Mr. Croom on the part of the Senate.

Mr. Spaight, of Craven, presented a bill further to amend an act, entitled “An act making the protest of a Notary Public evidence in certain cases,” passed in the year 1812; which was read the first time and passed.

Mr. Deberry, from the select committee to whom was referred the petition of Roswell King, reported a bill reserving certain lands for the benefit of Roswell King, of Montgomery county, and for other purposes; which was read the first time and passed.

Mr. Matthews, from the committee of Divorce and Alimony, reported a bill to divorce Samuel I. Edney, of Buncombe county, from his wife Olivia; which was read the first time and passed.

Mr. Forney, from the committee on Internal Improvements, to which was referred the bill to establish and regulate a turnpike road in the county of Haywood, to be called the Tennessee River Turnpike Road, reported the said bill with an amendment, to add the tenth section to the bill; which was agreed to by the Senate; and the said bill was further amended, on motion of Mr. Love, by striking out the word “ten,” in the 5d section, and inserting the words “six and a quarter.” Thereupon the said bill passed the second and third times, and was ordered to be engrossed.

Mr. Montgomery presented a bill concerning the Superior Courts of Orange county, which was read the first time and passed; and, on motion Mr. Montgomery, was referred to the Judiciary committee.

Received from the House of Commons, a certificate of the County Court of Craven, making an allowance in favor of Thomas Ewell and Christopher Bexly, who were of the party of militia called out under captain John Rhem, and were wounded on the 23d day of August, 1821; which certificate was, on motion of Mr. Spaight, of Craven, countersigned by the Speaker of the Senate.
Received from the House of Commons, a message, stating that they do not concur in the amendment made by the Senate in the engrossed bill to authorise the Court of Pleas and Quarter Sessions of the county of Columbus to appoint an overseer and hands for the purpose of clearing out and rendering navigable Big Swamp from Lennon's Bridge to Lumber river. Thereupon the said bill, on motion of Mr. Burney, was indefinitely postponed.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to amend an act, passed in the year 1818, entitled "An act to authorise the wardens of the poor to build a poor house in the county of Beaufort," &c. with amendments accompanying the same; in which they ask the concurrence of the Senate. Thereupon the said amendments were agreed to, and the House of Commons was informed thereof by message.

On motion of Mr. Elliott, the Senate proceeded to the consideration of the engrossed bill to authorise the commissioners of the town of Fayetteville to select a special Justice for said town, and to amend the 5th section of an act, entitled "An act for the better regulation of the town of Fayetteville," passed in the year 1821. 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 made in the Senate to the said bill.

On motion of Mr. Forney, the Senate took into consideration the bill to regulate the payment of claims against the several counties in this State; which being read the second time, Mr. Bell moved that the blank in the 14th line of the 1st section be filled with the word "twenty," which was agreed to. Mr. Forney moved that the bill be further amended, by filling the blank in the 8th line with the word "ninety," which was agreed to. Mr. M'Kay moved that the bill be further amended, by striking out the words "passing of this act," in the 3d line of the 1st section, and inserting the words "first day of May next," which was agreed to. Mr. Sanders moved to exclude from the provisions of the bill the counties of Johnston and Washington; which was not agreed to. Mr. Croom then moved that the bill be further amended, by inserting the following words in the 3d line of the 3d section, to wit: "shall be numbered and registered in the order in which they may be presented, and." Thereupon the said bill, on motion of Mr. M'Kay, ordered to lie on the table.

Mr. Croom presented the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of authorising and requiring the Secretary of State to issue duplicates of all grants issued by him between the 30th day of November last and the day of his re-election, during the present session inclusive.

Which was agreed to.

The Senate proceeded to the consideration of the bill to establish a poor house in the county of Washington, and the bill to establish a poor house in the county of Wayne; which bills were severally read, the last mentioned bill the third time, and the first mentioned bill the second and third times and passed; and thereupon the said bills were ordered to be engrossed.

The bill limiting the time within which certain offences shall be prose-
cuted, and prescribing the duties of grand jurors relative thereto, was
read, and amended, on motion of Mr. Stokes, by striking out the words "and misdemeanors which partake of the crimin falsi," and inserting the words "and the offenses of perjury, conspiracy, forgery and deceit."—
Thereupon, on motion of Mr. Forney, the said bill was recommitted to
the Judiciary committee.

Mr. Seawell presented a bill to locate the Judges of the Circuit Courts
of this State; which was read the first time and passed.

Received from the House of Commons, the resignation of Henry War-
ren, as Justice of the Peace of the county of Wake; which was read and
accepted.

Thereupon the Senate adjourned to 10 o'clock, on Monday morning
next.

MONDAY, JANUARY 15, 1827.

The Senate met.

A message was sent to the House of Commons, stating that the Senate
have passed a bill to establish and regulate a turnpike road in the county
of Haywood, to be called the Tennessee River Turnpike Road; a bill to
establish a poor house in the county of Washington; and a bill to establish
a poor house in the county of Wayne; in which they ask the concurrence
of that House.

Mr. Love presented the petition of James Whitaker and Michael Wi-
kle, praying for authority to erect a bridge across Tennessee river, accom-
panied with a bill to carry into effect the prayer of the petitioners; which
bill was read the first time and passed; and, on motion of Mr. Love, the
said bill and petition were referred to the committee of Propositions and
Grievances.

Mr. Matthews presented the petition of Rebecca Ruffin, praying to
have secured to her the property which she may hereafter acquire; which
was referred to the committee of Divorce and Alimony.

Mr. Ward presented the following resolutions:

Resolved, That the committee on the Patrol Laws be instructed to inquire into
the expediency of declaring all runaway slaves, carrying arms, to be outlaws, and
without the protection of the law; and making said runaway slaves punishable for
such offence, whenever he comes in, or may be taken.

Resolved further, That said committee be instructed to inquire into the expediency
of rendering it penal for a master or other persons to carry off a slave out of the
limits of the county, where said master shall reside, after said slave has committed
an act, which would subject him to a charge of felony without the benefit of cler-
gy, until said negro has been tried by the laws of his country.

Which resolutions were agreed to.

Mr. M'Millan presented the petition of sundry inhabitants of Ashe
county, praying for a law to be passed to restore the privileges of a citi-
zen to John Rose, of said county; which was referred to the committee of
Propositions and Grievances.

On motion of Mr. Love, the bill to locate the Judges of the Circuit
Courts of this State, was committed to a committee of the whole House,
and made the order of the day for Wednesday next.

Mr. M'Kay presented the following bills, to wit: a bill to unite the
office of the Clerk and Master in Equity to the office of Clerk of the Su-
perior Court of Law: a bill to prohibit the use of spirituous liquors at
company masters; and a bill to legitimate Duncan Melvin and others, of the county of Bladen; and Mr. Leek presented a bill to allow mileage to the special justices of the county of Richmond; which bills were severally read the first time and passed.

The bill to prevent frauds and perjuries in certain cases, was read the second time and passed.

The bill to divorce Samuel I. Edney, of Buncombe county, from his wife Olivia, was read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. M'Kay, the Senate resolved itself into a committee of the whole House, Mr. Speight, of Greene, in the Chair, and took into consideration the bill to point out and direct the manner in which the prosecuting officers of this State shall in future be paid; and, after some time spent therein, the committee rose, the Speaker resumed the chair, and Mr. Speight, of Greene, the Chairman of the committee, reported the said bill without amendment. Mr. Wilson of Edgecombe moved that the said bill be indefinitely postponed. There being twenty-nine who voted in favor of this motion, and twenty-eight who voted against it, the Speaker of the Senate voted in the negative, and the motion for the indefinite postponement of the bill did not prevail.

The bill concerning slaves employed in making shingles and boards in the Dismal Swamp, was read the second time. Mr. Wilson, of Camden, moved to amend the bill, by adding the following words after the word "sessions," in the first section, to wit: "to the clerks of the Superior Courts or Clerks and Masters in Equity;" which was agreed to. Mr. Riddick moved further to amend the bill, by striking out the word "Per- quimons," in the ninth line of the first section; which 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 said bill was read the third time, and, on motion of Mr. Bell, the same was indefinitely postponed.

On motion of Mr. Wilson, of Edgecombe, Mr. Miller, the Senator from the county of Duplin, obtained leave of absence from the services of this House, from and after this day, until Thursday next.

The bill to legitimate Duncan Melvin and others, of the county of Bladen; and the bill allowing mileage to special justices of the county of Richmond, 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 Messrs. Lewis of Caswell, Alexander, Allison and White form the joint committee on the part of that House to examine the enrolled bills passed the present session; and that they have indefinitely postponed the engrossed bill to repeal an act, passed in the year 1823, entitled "An act to annex part of Currituck county to Hyde county;" and that they have passed a bill to allow talismen jurors in the County and Superior Courts of Orange county to receive pay for their services; and asking the concurrence of the Senate in the passage of the said bill. Thereupon the same was read the first time and passed.

Received from the House of Commons, the resignation of John Cas- michael, of Richmond county, and Robert Penland, of Haywood 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.

TUESDAY, JANUARY 16, 1827.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill allowing mileage to the special Justices of the county of Richmond; also the engrossed bill to divorce Samuel I. Edney, of Buncombe county, from his wife Olivia; and the bill to legitimate Duncan Melvin and others, of the county of Bladen; in which they ask the concurrence of that House.

The following bills were presented, to wit: By Mr. Parker, a bill to repeal an act, passed in the year 1820, entitled "An act directing the County Courts to pay fees to certain officers therein named in certain cases," so far as respects the county of Guilford; by Mr. Williams, of Beaufort, a bill supplemental and explanatory to an act, entitled "An act to authorise the Courts of Pleas and Quarter Sessions of Beaufort county to appoint a committee of Finance," passed in the year 1825; by Mr. Joiner, a bill to establish a poor and work house in the county of Pitt; by Mr. Williams, of Martin, a bill to establish Bachelor's Academy, in the county of Martin, and to incorporate the Trustees thereof; by Mr. Davis, a bill imposing a penalty on persons acting as pilots, without being legally authorised so to do; and by Mr. Bell, a bill to alter the names of John Baptist William Cook and Mary Frances Cook, children of John B. Mansard and Penelope Cook, of Pasquotank county, and to legitimate them; which bills were severally read the first time and passed.

Mr. King presented the following resolution:

Resolved, That the Judiciary committee be instructed to inquire into the expediency of authorising two of the Supreme Court Judges to hear and determine all causes that may come before them in their judicial capacity, in as full and ample a manner as if all the members of that Court were present; and that they report by bill or otherwise.

Which was agreed to.

Mr. Pickett, from the committee on the Judiciary, reported a bill limiting actions on judgments, bonds, and other sealed instruments, and the equity of redemption on mortgages; which was read the first time and passed, and, on motion of Mr. Sneed, the same was ordered to be printed.

Mr. Pickett, from the same committee, to whom was referred the bill concerning the Superior Courts of Orange county, reported the said bill without amendment, which, on motion of Mr. Gray, was ordered to lie on the table.

Mr. Pickett, from the same committee, to whom was referred the resolution of the Senate of the 12th instant, directing an inquiry into the expediency of making the laws in relation to usurious contracts more penal, and more effectually to enforce the same, reported that it is inexpedient to legislate further on the subject; which report was concurred in.

Mr. Forney, from the committee of Propositions and Grievances, to whom was referred the petition of Samuel Jinkins, praying that the privileges of a citizen be restored to him, reported the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

Which was concurred in.
Mr. Forney, from the same committee, to whom was referred the petition of Robert Gracey, reported the following resolution: "Resolved, that the prayer of the petitioner ought not to be granted." Which, on motion of Mr. King, was ordered to be laid on the table.

The bill to prevent frauds and perjuries in certain cases, was read the third time. Mr. Pickett moved to amend the bill, by inserting after the word "that," in the third line of the first section, the following words, to wit: "from and after the first day of January, one thousand eight hundred and twenty-eight;" and Mr. Spaight, of Craven, moved to amend the amendment, by striking out the words "January, one thousand eight hundred and twenty eight," and inserting the words "September, one thousand eight hundred and twenty-seven;" which was not agreed to. The question then recurred on the adoption of the amendment offered by Mr. Pickett, which was determined in the affirmative; and thereupon the said bill passed the third time, and was ordered to be engrossed.

The Senate proceeded to the orders of the day, and resolved itself into a committee of the whole House, Mr. M'Kay in the Chair, and took into consideration the bill to prevent free persons of colour from migrating into this State, for the good government of such persons in the State, and for other purposes; and after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. M'Kay, the Chairman of the committee, reported progress, and asked leave to sit again; which was agreed to.

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

**Wednesday, January 17, 1827.**

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill to prevent frauds and perjuries in certain cases; in which they ask the concurrence of that House.

Mr. Boddie presented the petition of sundry inhabitants of Wayne, Edgecombe, Nash, and Johnston counties, praying the establishment of a separate and distinct county; which, on motion of Mr. Boddie, was referred to the committee of Propositions and Grievances.

Mr. Matthews, from the committee of Divorce and Alimony, reported a bill to divorce John Gibson, of Stokes county, from his wife Milly; which was read the first time and passed.

Mr. Matthews, from the same committee, to whom was referred the petition of John J. Hendrick and his wife Lucy, praying to be divorced from the bonds of matrimony, made a report unfavorable to the prayer of the petitioners; which was concurred in.

Mr. Pickett; from the committee on the Judiciary, reported a bill to validate all grants issued by the Secretary of State from the 29th day of November, 1826, to the 29th day of December, 1826; which was read the first time and passed.

Mr. Forney, from the committee of Propositions and Grievances,
to whom was referred a bill to authorize James Whitaker and Michael Winkle to erect a bridge across Tennessee river, reported the said bill without amendment; and thereupon it was resolved by the Senate that this bill shall not pass.

Mr. Stokes, from the committee of Finance, to whom was referred the memorial of Josiah Cowles, of Surry county, praying for the passage of a law to reduce the tax on pedlars of small wares, reported the following resolution: "Resolved, that it is inexpedient to grant the prayer of the memorialist, Josiah Cowles; but that the same be rejected." And the same being read, Mr. Stokes moved to amend the same, by striking out all the words of the resolution, except the word "resolved," and insert the following words, to wit: "that the committee of Finance be, and they are hereby instructed to bring in a bill to lessen the tax on pedlars of small wares;" which amendment was not agreed to. The question then recurred on concurring in the report; which was determined in the affirmative.

Mr. Smith presented a bill to prevent the falling of timber in, or obstructing the run of Abbot's creek, in Davidson county; which was read the first time and passed.

The Senate proceeded to the orders of the day, and resolved itself into a committee of the whole House, Mr. M'Kay in the Chair, to take into consideration the unfinished business of yesterday, being a bill to prevent free persons of colour from migrating into this State, for the good government of such persons in the State, and for other purposes; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. M'Kay, the Chairman of the committee, reported the said bill with sundry amendments, and the same was read and agreed to. Mr. Seawell moved further to amend the bill, by adding the words "after the first day of January, 1828," in the 8th section, after the word "that;" which amendment was agreed to. Mr. Stokes moved to further amend the bill, by striking out the 3rd section; 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 yeas and nays on this question being demanded by Mr. Locke, are as follows:


Against the passage of the said bill, are Messrs. Deberry, Gray, Hill of Stokes, Joiner, Locke, Leak, Montgomery, Parker, Riddick, Roberts, Smith, Sellars, Stokes, Williams of Beaufort—Nays 14.

Thereupon the Senate adjourned to 10 o'clock, to-morrow morning.
Mr. Matthews, from the committee of Divorce and Alimony, reported a bill to secure to Mildred McLilley, of Halifax county, such property as she may hereafter acquire; which was read the first time and passed.

Mr. Seawell presented the petition of Elizabeth Robertson, of Wake county, praying that the property which she may hereafter acquire, be secured to her, accompanied with a bill to carry into effect the prayer of the petitioner; which was read the first time and passed, and, on motion of Mr. Seawell, was referred to the committee of Divorce and Alimony.

Mr. Forney, from the committee of Propositions and Grievances, reported the following resolution:

Resolved, That Sherwood Fort be placed upon the pension list of the State, at the rate of fifty dollars per annum; and that the Public Treasurer be directed to pay the same.

Which was read the first time and passed.

Mr. Pickett, from the Judiciary committee, to whom was referred a resolution instructing them to inquire into the expediency of passing a law, empowering the justices of the County Courts to establish poor and work houses in their respective counties, reported that it is inexpedient to pass a general law on the subject; which was concurred in.

Mr. Pickett, from the committee on the Judiciary, to whom was referred a bill to amend an act, passed in the year 1819, entitled “An act to prevent the fraudulent trading with slaves,” and a bill for relief of securities and endorsers in certain cases, reported the said bills without amendment; which bills were ordered to lie on the table.

Mr. Croom, from the committee on the Cherokee Lands, reported a bill prescribing the mode of surveying and selling the lands lately acquired from the Cherokee Indians; which was read the first time and passed; and, on motion of Mr. Speight, of Greene, the said bill, and the report accompanying the same, were ordered to be printed.

Mr. Lock presented a bill to alter the time of holding the Court of Pleas and Quarter Sessions for the county of Brunswick; Mr. Deberry presented a bill providing for free ferries in Montgomery county; Mr. Ward presented a bill to repeal part of the third section of an act, entitled “An act to extend the jurisdiction of a justice of the peace,” passed in 1820; and Mr. Gray presented a bill authorizing Isaac Lane, late sheriff of Randolph county, to collect the arrearages of taxes due him in said county; which bills were severally read the first time and passed; and the last mentioned bill was, on motion of Mr. Gray, referred to the committee of Propositions and Grievances.
Received from the House of Commons, a message, stating that, in consequence of the afflicting indisposition of their late Speaker, the Honorable John Stanly, they had elected James Iredell Speaker pro tempore.

Received from the House of Commons, a message, proposing that a joint select committee be appointed, to prepare a memorial from this Legislature to the Congress of the United States, asking that an appropriation be made by the General Government for the extinguishment of the Indian title to such lands in this State as are yet occupied by the Indians; which proposition was agreed to; and thereupon Messrs. Croom, M'Kay, King, Love, and Beard of Rowan, were appointed the said committee on the part of the Senate.

Mr. Seawell presented the petition of Siddy Smith, of Wake county; and Mr. Montgomery presented the petition of Rachael Dickey, of Orange county, praying that the property which they may hereafter acquire, be secured to them respectively; which petitions were referred to the committee of Divorce and Alimony.

The bill to repeal an act, passed in the year 1820, entitled "An act directing the County Courts to pay fees to certain officers therein named in certain cases," so far as respects the county of Guilford, was read the second time. Mr. Roberts moved to amend the bill, by making the provisions thereof apply to the county of Surry; which was agreed to. Mr. Stokes moved to further amend the bill, by making the provisions apply to the county of Wilkes; which was agreed to. Thereupon, on motion of Mr. Stokes, the said bill was referred to the Judiciary committee, with instructions to report a general bill on the subject.

The bill supplemental and explanatory to an act, entitled "An act to authorise the Courts of Pleas and Quarter Sessions of Beau- fort county to appoint a committee of Finance," passed in the year 1815, was read the second time and passed.

The bill to divorce John Gibson, of Stokes county, from his wife Milly; the bill to prevent the falling of timber in, or obstructing the run of Abbot's creek, in Davidson county; the bill to alter the names of John Baptist William Cook and Mary Francis Cook, children of John B. Mansard and Penelope Cook, of Pasquotank county, and to legitimate them; the bill to establish a poor and work house in the county of Pitt; the bill to establish Bachelor's Academy, in the county of Martin, and to incorporate the trustees thereof; the bill to divorce Mary Fields, of the county of Ashe, from her husband William Fields; and a resolution in favor of Elizabeth Reaves, were severally 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 in the State, and for other purposes, was read the third time. Mr. Gilchrist
moved to amend the bill, by striking out the word "three," in the 41st line of the 10th section, and inserting the word "two;" which was not agreed to. Mr. Gilchrist then moved to amend the bill, by striking out all the words in the 15th section after the word "state," in the 11th line; which was not agreed to. 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 Senate proceeded to the orders of the day, and resolved itself into a committee of the whole House. Mr. Seawell in the Chair, to take into consideration the bill to alter the time of the annual meeting of the Legislature; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Seawell, the Chairman of the committee, reported the said bill with an amendment, to strike out the words "third Monday in November," and insert the "second Monday in December." Mr. Spright, of Greene, moved that the said bill, with the amendment under consideration, be indefinitely postponed; and the question thereon was determined in the negative. The yeas and nays on this question being demanded by Mr. Sanders, are as follows:


Against the indefinite postponement of the bill, are Messrs. Alexander, Baird of Burke, Bullock, Boddie, Blackwell, Beard of Rowan, Devane, Deberry, Forney, Gray, Gilchrist, Hill of Stokes, Joiner, King, Love, M'Millan, M'Kay, M'Dowell, Matthews, Marsh, M'Daniel, M'Leary, Montgomery, Pickett, Parker, Riddick, Roberts, Smith, Sneed, Sanders, Shuford, Seawell, Stokes, Tyson, Vanhook—Nays 35.

The question then recurred on the adoption of the amendment made to the said bill in the committee of the whole House; which was determined in the affirmative. Thereupon the said bill passed the second and third times, and was ordered to be engrossed.

Mr. Stokes, from the committee of Finance, to whom was referred the resolution of the Senate, directing an inquiry to be made into the expediency of authorising the revenue officers to commence the collection of the public taxes earlier than they are permitted by the existing law, reported that it is inexpedient to alter the time for collecting the public taxes; which report was concurred in.

Received from the House of Commons, the resignation of Thomas Brown, as a trustee of the University; which was read and accepted by the Senate.

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

Friday, January 19, 1827.

The Senate met.

A message was sent to the House of Commons, stating that the Senate have passed a bill, entitled "A bill to alter the names of
John Baptist William and Mary Frances Cook, children of John B. Mansard and Penelope Cook, of Pasquotank county, and to legitimate them; "a bill to establish Bachelor's Academy, in the county of Martin, and to incorporate the trustees thereof; a bill to prevent the falling of timber in, or obstructing the run of Abbot's creek, in Davidson county; a bill to divorce Mary Fields, of the county of Ashe, from her husband William Fields; a bill to divorce John Gibson, of Stokes county, from his wife Milly; a bill to alter the time of the annual meeting of the General Assembly; a bill to establish a poor house in the county of Pitt; and 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; also the resolution in favor of Elizabeth Reeves; in which they ask the concurrence of that House.

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

Resolved, That the committee of Divorce and Alimony be instructed to inquire into the expediency of extending the jurisdiction of the Superior Courts of Law on the subject of divorce, so as to embrace cases, where either of the parties have abandoned or separated him or herself from the other.

Which was agreed to.

Mr. Montgomery presented a bill to establish Cedar Grove Academy, in the county of Chatham, and to incorporate the trustees thereof; Mr. Hawkins presented a bill to incorporate the Warren Academy; Mr. Roberts presented a bill to limit the Court of Pleas and Quarter Sessions of Surry county in making allowances to their county officers; Mr. Sneed presented a bill concerning the entry of land in this State; and Mr. Miller presented a bill to secure to Mary Waller, wife of Amos I. Waller, of Duplin county, such property as she may hereafter acquire; which bills were severally read the first time and passed; and the last mentioned bill was, on motion of Mr. Miller, referred to the committee of Divorce and Alimony.

Received from the House of Commons, a message, stating that Messrs. Toomer, Swain, White, Shipp and Donoho, form the committee on the part of that House, to prepare a memorial to the Congress of the United States, in relation to the extinguishment of the Indian title to lands within this State.

Received also a message from that House, proposing that a ballot take place on Monday next for Counsellors of State for the ensuing year; which proposition 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 a resolution in favor of Francis Moreau, of Wilkes county; in which they ask the concurrence of the Senate; and the said resolution being read, Mr. Gilchrist moved to amend the same, by striking out the word "five" in the fifth line, and inserting the word "one;" which was not agreed to. The question then recurred on the adoption of the resolution; which was determined in the affirmative, and the same was ordered to be enrolled.
Received from the House of Commons, a message, stating that they have passed a bill respecting the Court of Pleas and Quarter Sessions of Moore county; a bill to divide the third regiment of Burke county militia; a bill to authorise the County Courts of Pleas and Quarter Sessions to permit gates to be erected across the public roads, and to impose a tax thereon; and a bill concerning net stakes in Pamlico River and Core Sound, in Carteret county; 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 of the 13th instant, proposing that a balloting take place on Thursday, the 18th instant, for seven trustees of the University of North Carolina, to supply the vacancies which exist in the Board, as reported by the message of his Excellency the Governor, ex officio President of said Board; which being read, a message was sent to the House of Commons, stating that they do not agree that a balloting take place on Thursday, the 18th, for seven trustees of the University of North Carolina, as proposed by that House; but propose that the said balloting take place to-morrow, at the meeting of the two Houses; and stating that Nathaniel Macon, Samuel King, James F. Taylor, Charles Manly, John R. Donnell, Charles Fisher, Gavin Hogg, Charles A. Hill, Isaac Croom, Cadwallader Jones, David L. Swain, Thomas Settle, William M. Sneed, and Stephen Miller, are nominated for the appointment.

Mr. M'Kay presented a bill to require defendants, before they are put upon their trial, to except to such matters in the indictment as might, after conviction, be assigned as reasons in arrest of judgment; which was read the first time and passed.

The following bills, to wit: A bill to secure to Mildred M'Lilly, of Halifax county, such property as she may hereafter acquire; a bill to validate all grants issued by the Secretary of State from the 29th day of November, 1826, to the 29th day of December, 1826; a bill to alter the time of holding the Court of Pleas and Quarter Sessions for the county of Brunswick; and a bill to provide for free ferries in Montgomery county; also a resolution in favor of Sherwood Fort, were severally read the second and third times and passed, and ordered to be engrossed, and sent to the House of Commons.

The bill for relief of securities and endorsers in certain cases, was read the second time. Mr. Hill, of Franklin, moved to amend the bill, by adding the following section, to wit: "And be it further enacted, that all executions shall contain a memorandum, made by the clerk or justice of the peace issuing the same, stating who is the principal and who the securities or endorsers against whom said executions may issue." There being an equal number of votes for and against this motion, the Speaker of the Senate voted in the negative, and the amendment was not agreed to. Mr. Hill, of Frank-
Mr. Robertson, of Rebecca Waller, of whom was withdrawn a quire, and the motion. The bill to unite the office of Clerk and Master in Equity to the office of Clerk of the Superior Court of Law, was read the second time and passed.

The engrossed bill concerning stakes in Pamptico river and Core sound, in Carteret county, was read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons, the resignation of A. Oxley, Lieutenant Colonel of the Bertie regiment of militia; which was read and accepted by the Senate.

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

Saturday, January 20, 1827.

The Senate met.

On motion of Mr. Love, a message was sent to the House of Commons, stating that the names of Mr. Swain and Mr. Fisher are withdrawn from the nomination for trustees of the University, and the name of Jesse Speight, of Greene, is added to the nomination.

Mr. Matthews, from the committee of Divorce and Alimony, to whom was referred a bill to secure to Mary Waller, wife of Amos I. Waller, of Duplin county, such property as she may hereafter acquire, and a bill to secure to Elizabeth Robertson, wife of William Robertson, of Wake county, such property as she may hereafter acquire, reported the said bills without amendment; which bills were severally read the second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

Mr. Matthews, from the same committee, reported a bill to secure to Rebecca Rufin, of Halifax county, such property as she may hereafter acquire; which was read the first time and passed.

Mr. Hill, of Franklin, from the select committee to whom was referred a bill for relief of securities and endorsers in certain cases, 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 by him submitted; which amendment was agreed to; and thereupon the said bill was read the second time and passed.

Mr. Speight, of Greene, from the military committee, reported a bill to amend the militia laws of this State; which was read the first time and passed.
Received from the House of Commons, a message, stating that Mr. Ferrand and Mr. J. E. Lewis attend the Senate as a committee, on the part of that House, to superintend the balloting for the trustees of the University; and stating that the names of Jesse Speight, Hugh D. Waddell and William A. Blount are added to the nomination. Thereupon Mr. Wilson, of Edgecombe, and Mr. Hill, of Stokes, were appointed superintendents of the balloting on the part of the Senate.

Mr. Lock presented a bill to amend an act, passed in the year 1825, entitled "An act granting to the Superior Court of the county of Brunswick original and exclusive jurisdiction in all cases where the intervention of a jury may be necessary; which was read the first time and passed.

Mr. Hill, of Franklin, presented the following resolution:
Resolved, That the Senate and House of Commons be adjourned, sine die, by their respective Speakers, on Saturday the third day of February next.

Mr. Love moved that the resolution lie on the table; which was not agreed to. The question then recurred on the adoption of the resolution, which was determined in the affirmative; and the same was ordered to be engrossed, and sent to the House of Commons.

Mr. King presented the following resolution:
Resolved, That on Saturday evening next, the two Houses of the General Assembly will proceed to consider the recommendations which may be made of justices of the peace and field officers of the militia of this state.

Which was read and agreed to, and sent to the House of Commons for their concurrence.

Received from the House of Commons, a message, stating their concurrence in the amendments made in the Senate to the engrossed bill to authorize the commissioners of the town of Fayetteville to select a special justice for said town, &c. &c. Thereupon the said bill was ordered to be enrolled.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to establish a poor house in the county of Washington, with an amendment, by inserting the words "or any succeeding Court," in the 8th line of the 1st section, and asking the concurrence of the Senate. Thereupon the same was agreed to, and the House of Commons was informed thereof by message.

The Speaker laid before the Senate a communication from the Chief Justice of the Supreme Court of this State, accompanied with a revision of the public laws for the last five years; which, on motion of Mr. Forney, were referred to a select committee. Thereupon Messrs. Forney, Sneed, Hill, of Franklin, Hawkins, and Gilchrist, were appointed the said committee.

Mr. Boddie presented the following resolution:
Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending an act, passed in the year 1818, entitled "an act to authorize the County Courts in this State to direct the Sheriffs to sell any slave that may be taken up and confined in jail as a runaway, after certain length of imprisonment and public notice," so far as to lessen the time of imprisonment before the Sheriff advertises to sell.
Which resolution was agreed to.

Mr. Wilson, of Edgecombe, from the committee appointed to conduct the balloting for trustees of the University, reported that Nathaniel Macon, Charles Manly, James F. Taylor, William A. Blount, J. R. Donnell, and Thomas Settle were duly elected; and that no other person in nomination had received a majority of the votes; which report was concurred in. And a message was received from the House of Commons, proposing that another balloting immediately take place for one trustee of the University, yet to be elected; which was agreed to, and the names of Mr. Miller, Mr. Swain, Mr. Speight and Mr. Sneed, were withdrawn from the nomination; and Mr. Beard, of Rowan, and Mr. Gilchrist, 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. Jones, of Warren, and Mr. Scott are appointed superintendents on the part of that House.

Mr. Pickett, from the Judiciary committee, to whom was reappointed the bill limiting the time within which certain offences shall be prosecuted, and prescribing the duties of grand jurors relative thereto, reported the said bill with amendments; the first of which being in the following words, to wit: "that all assaults and batteries, (except assaults and batteries with intent to kill or commit a rape,) all trespasses for forcible entries, and trespasses with strong hand in taking personal property, all riots, routs and unlawful assemblies, all nuisances, all misdemeanors of public officers for omission or neglect of duty, and all libels;" which being read, Mr. M'Kay moved that the same be stricken out, and the following inserted, to wit: "that in all trespasses and other misdemeanors, except the offences of perjury, forgery, malicious mischief and deceit;" which was agreed to. The question then recurred on the adoption of the other amendments made by the committee; which were concurred in. Mr. Gilchrist then moved that the bill be further amended, by adding the following words after the word "deceit," in the 1st section, to wit: "the prosecution shall commence within three years after the commission of the said trespasses and misdemeanors, and not after," which amendment was agreed to. The question then recurred on passing the said bill the third time, which was determined in the affirmative, and ordered to be engrossed, and sent to the House of Commons for their concurrence.

The bill to unite the office of Clerk and Master in Equity to the office of Clerk of the Superior Court of Law, was read the third time. Mr. Williams, of Martin, moved that the bill be indefinitely postponed; which was not agreed to. Mr. Gray then moved to amend the bill, by adding the following provision, to wit: "provided, nevertheless, that nothing in this act contained shall affect the offices of Clerk, and Clerks and Masters in Equity in the counties of Randolph and Davidson;" and Mr. M'Leary moved to amend the
The bill supplemental and explanatory to an act, entitled "an act to authorise the Courts of Pleas and Quarter Sessions of Beaufort county to appoint a committee of finance," passed in the year 1825; the bill to limit the Court of Pleas and Quarter Sessions of Surry county in making allowances to their county officers; the bill to establish Cedar Grove Academy, in the county of Chatham, and to incorporate the trustees thereof; and the bill to incorporate the Warren Academy, 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 engrossed and sent to the House of Commons.

The engrossed bill respecting the Court of Pleas and Quarter Sessions of Moore county, and the engrossed bill to divide the third regiment of Burke county militia, were severally 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 passed a bill appointing commissioners to erect a building in the town of Lincolnton, for the accommodation of jurors; a bill appointing commissioners to lay out a road from Lincolnton to Rutherfordton; a bill to alter the name of Henry Brown, of Robeson county, and to legitimate him; a bill appointing commissioners to lay out a road from Salisbury to Lincolnton; and a bill to appoint commissioners to lay off a road in Lincoln county; and asking the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed.

Received from the House of Commons, the resignation of Charles W. Skinner, as justice of the peace of Perquimons county; which was read and accepted by the Senate.

Thereupon the Senate adjourned to 10 o'clock, on Monday morning next.

MONDAY, JANUARY 22, 1827.

The Senate met.

Mr. Beard, of Rowan, from the committee appointed to conduct the balloting for the trustee of the University yet to be elected, reported that no person in nomination had received a majority of the votes. Thereupon, on motion of Mr. Montgomery, a message was sent to the House of Commons, proposing that a further balloting immediately take place for that appointment; and a message was received from the House of Commons, agreeing to the said proposition, and stating that Mr. White and Mr. Spruill are appointed superintendents of the balloting on the part of that House. And there-
upon Mr. Spaight of Craven and Mr. Gilchrist were appointed superintendents of the ballotings on the part of the Senate; and the name of Charles A. Hill was withdrawn from the nomination.

Mr. Sneed presented a bill to give additional publicity to mortgages and deeds of trust, and for other purposes; which was read the first time and passed, and on motion of Mr. Stokes, was referred to the committee on the Judiciary.

Mr. Sneed presented the petition of John Williams, praying that a law be passed to alter the names and to legitimate Margaret Kenneday, Washington Kenneday, Persons Kenneday, and John Shearman Kenneday, of Granville county, accompanied with a bill to carry the prayer of the petitioner into effect; which bill was read the first, second and third times and passed, and ordered to be engrossed, and sent to the House of Commons.

Mr. Pickett, from the committee on the Judiciary, to whom was referred the petition of a number of citizens of Iredell county, praying that the powers of constables may be confined to the Captains' districts in which they reside, in all civil cases, reported that it is inexpedient to alter the existing laws on that subject; which was, on motion of Mr. King, ordered to lie on the table.

Received from the House of Commons, a message, proposing that the letter of Chief Justice Taylor, and a copy of his revival of the public acts for five years back, be referred to a select joint committee; which was agreed to, and Messrs. Forney, Sneed, Hill of Franklin, Hawkins and Gilchrist were appointed the said committee on the part of the Senate.

Received from the House of Commons, a message, stating their concurrence in the resolution of the Senate, setting apart Saturday evening next for the appointment of field officers and justices of the peace.

Mr. M'Kay presented the following resolution:

Resolved, That Archibald D. Murphey, of Orange county, be permitted to have the use of such books in the public library as he may think will aid him in compiling the History of this State, upon his giving to the librarian a receipt therefor, which was agreed to, and ordered to be engrossed and sent to the House of Commons.

Mr. Beard, of Rowan, from the select committee to whom was referred a bill to establish a Medical Board, and to regulate the practice of physic and surgery within this State, reported the said bill with amendments; which were severally agreed to by the Senate. Thereupon, on motion of Mr. Croom, the said bill, and the report of the committee accompanying the same, were ordered to be printed.

Received from the House of Commons, the report of the Adjutant General, accompanied with a proposition from that House, that the same be printed; which was agreed to by the Senate.

Mr. Miller presented the following resolution:

Resolved, That the Public Treasurer pay to James Grimes the sum of five dollars
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and sixty cents; it being the amount due him for twenty days' service as a private in a company of drafted militia, commanded by Capt. Bryan Glisson, of Duplin county, ordered to Fort Johnston in the late war, and that the Public Treasurer be allowed the same in the settlement of his accounts.

Which was read the first time and passed, and referred to the committee of Claims.

Mr. Pickett presented a bill to amend the laws respecting the sale of land and slaves by Sheriffs and other officers; and Mr. Foreman presented a bill concerning the Courts of Pleas and Quarter Sessions for the county of Hyde, and a bill to establish two separate elections in the county of Hyde; which bills were severally read the first time and passed.

Mr. Elliott presented the petition of John M'Race, asking a loan of a small sum of money, to aid him in completing his map of North Carolina; which, on motion of Mr. Elliott, was referred to a select committee; and thereupon Messrs. Elliott, Gilchrist, Leak, Beard, of Rowan, and Wilson, of Edgecombe, were appointed the said committee.

Mr. Bell presented the petition of sundry citizens of Pasquotank county, praying for authority to set guns in the Great Dismal and Pocosin Swamps, for the destruction of Bears; which was referred to the committee of Propositions and Grievances.

Mr. Pickett, from the Judiciary committee, reported a bill making compensation to coroners in certain cases; which was read the first time and passed.

Mr. Pickett, from the same committee, to whom was referred a bill further to amend an act, entitled "An act making the protest of a notary public evidence in certain cases," passed in the year 1812, reported the said bill without amendment; which was read the third time and passed, and ordered to be engrossed and sent to the House of Commons.

The engrossed bill appointing commissioners to lay off a road in Lincoln county, was read the second time; and it was resolved by the Senate that this bill shall not pass.

The engrossed bill appointing commissioners to erect a building in the town of Lincolnton, for the accommodation of jurors, was read the second time and passed, and amended, on motion of Mr. Forney, by striking out the words "if, in their opinion, or a majority of them, it shall be practicable, and shall," and inserting the words "and if a majority of the said commissioners shall deem the same expedient and necessary, they shall and may." Thereupon the said bill, as amended, was read the third time and passed, and a message was sent to the House of Commons, asking their concurrence in the amendment.

The bill concerning the Superior Courts of Orange county, was read, and, on motion of Mr. Montgomery, was ordered to lie on the table.
The bill concerning the Courts of Pleas and Quarter Sessions of the county of Hyde, was read the second time and passed.

The bill to secure to Rebecca Ruffin such property as she may hereafter acquire, was read the second and third times and passed, and ordered to be engrossed.

The following engrossed bills, to wit: A bill to alter the name of Henry Brown, of Robeson county, and to legitimize him; a bill appointing commissioners to lay out a road from Salisbury to Lincolnton; and a bill appointing commissioners to lay out a road from Lincolnton to Rutherfordton, were severally read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons, a message, stating that Mr. Scott and Mr. Green attend the Senate as a committee, on the part of that House, to conduct the ballotting for Counsellors of State for the ensuing year, and stating that William B. Lockhart, George W. Jeffreys, John McDowell, James Morgan, William Blackledge, Moshack Franklin, Gideon Alston, sen. John Owen, and Peter Browne are nominated for the appointments. Thereupon Mr. Hill, of Stokes, and Mr. Davenport were appointed superintendents of the ballotting on the part of the Senate.

The Senate proceeded to the orders of the day, and the bill to amend an act to prevent the fraudulent trading with slaves, passed in 1819, was read the second time. Mr. McKay moved to amend the bill, by striking out all the words thereof after the word “same,” in the 3d line of the 1st section, and substituting the amendment by him submitted; which amendment was agreed to. Mr. Pickett moved to amend the same, by striking out the words “or free persons of colour,” in the 15th line of the 2d section; which was agreed to. Mr. Gilchrist moved to further amend the same, by striking out the 5th section. Mr. Williams, of Martin, moved that the said bill be referred to a select committee; which was not agreed to; and Mr. Stokes moved that the further consideration thereof be postponed until to-morrow; which last motion prevailed.

The Senate continued upon the orders of the day, and the bill to repeal part of the third section of an act to extend the jurisdiction of a justice of the peace, passed in the year 1820, was read the second time. Mr. Seawell moved to amend the same, by inserting the following, to wit: “that if any action shall be brought in any of the Courts of Pleas and Quarter Sessions, or in any of the Superior Courts of this State, upon any bond, note or signed account, and the plaintiffs shall recover less than one hundred dollars, it shall be the duty of the court in which the trial shall take place to nonsuit the plaintiff;” which amendment was not agreed to. Mr. Hill, of Franklin, moved that the bill be referred to a select committee; 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. Thereupon the said bill was read the third time. Mr.
Gilchrist moved to amend the bill, by inserting the same amendment which was offered by Mr. Seawell on the second reading of the bill; which was not agreed to. 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 and sent to the House of Commons.

Mr. Spaight, of Craven, from the committee appointed to conduct the balloting for the Trustee of the University yet to be elected, reported that no person in nomination had received a majority of the votes. Thereupon, on motion of Mr. Hawkins, a message was sent to the House of Commons, proposing a further balloting, at the meeting of the two Houses to-morrow morning, for that appointment, and stating that the name of Samuel King is withdrawn from the nomination.

Mr. Gray presented the resignation of Robert Walker, as Justice of the Peace for Randolph county; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons, the resignations of John Wood, Colonel Commandant; Abraham Brower, Lieutenant Colonel; and Hugh Walker, Major of the militia of Randolph county: which were severally read and accepted by the Senate.

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

TUESDAY, JANUARY 23, 1827.

The Senate met.

Mr. Matthews, from the committee of Divorce and Alimony, reported a bill to secure to Siddy Smith, of Wake county, such property as she may hereafter acquire; and a bill to divorce Rachael Dickey from her husband Moses Dickey; which bills were severally read the first time and passed.

Mr. Hill, of Franklin, from the select committee to whom was referred the bill in relation to lotteries, reported the said bill without amendment; which was made the order of the day for to-morrow.

Mr. Hill, of Franklin, from the select committee, to whom was referred the memorial of Charles Wortham, of Warren county, proposing to sell to the State the right to use his combined screw gear, &c., reported the following resolution: "Resolved, that it is inexpedient to grant the prayer of the memorialist." Which was concurred in.

Mr. Forney, from the committee of Propositions and Grievances, to whom was referred the petition of sundry inhabitants of Nash, Wayne, Johnston and Edgecombe, on the subject of establishing a separate and distinct county, made a report unfavorable to the prayer of the petitioners; which was concurred in.

Mr. Forney, from the same committee, to whom was referred the petition of John Rose, of Ashe county, praying that the privileges
of a citizen be restored to him, reported the following resolution: "Resolved, that the prayer of the petitioner ought to be granted." Which was agreed to.

Mr. Stokes, from the committee of Finance, reported a bill supplemental to an act, passed at the last session of the General Assembly, entitled "An act to cede to the United States a certain tract of land, called Rogue Banks;" which 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 William B. Lockhart, Meshack Franklin, Gideon Alston, George W. Jeffreys, John M'Dowell, William Blackledge, and John Owen, are duly elected; which report was concurred in.

The bill concerning the Courts of Pleas and Quarter Sessions for the county of Hyde; and the bill to establish two separate elections in the county of Hyde, were severally read, the first mentioned bill the third time, and, the last mentioned bill the second and third times, and passed, and ordered to be engrossed and sent to the House of Commons.

The Senate entered upon the orders of the day, and the bill reserving certain lands for the benefit of Roswell King, of Montgomery county, and for other purposes, being read the second time, Mr. Deberry moved to amend the bill, by striking out the words "and north of the said river Uharie to Fayetteville," and inserting the words "on the high grounds between Little River and the Uharie;" which amendment was agreed to. Mr. Deberry moved to further amend the bill, by striking out the word "ten" in the 7th line of the first section, and inserting the word "five;" which was agreed to. Mr. Deberry moved to further amend the bill, by striking out the words "five thousand," in the seventh line of the 3d section, and inserting the words "two thousand five hundred;" which was agreed to. Mr. M'Kay then moved to add the fourth section to the bill, in the following words: "And be it further enacted, that nothing herein contained shall be construed to authorize the said Roswell King, before he obtains a grant, to search for, or work any mines of gold or other ore that may be found on said land; and should he attempt to do so, all right and interest granted to him by this act shall cease and determine." Which was agreed to. Thereupon the said bill was read the second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

The Senate continued upon the orders of the day, and the bill prescribing the mode of surveying and selling the lands lately acquired from the Cherokee Indians, was read the second time, and amended, on motion of Mr. Croom, by inserting the 9th section, in the following words: "And be it further enacted, that at the time of said sale, the commissioner or commissioners shall have power to sell
amended, to.
The 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 said bill was read the third time, and amended, on motion of Mr. M'Kay, by adding the following words to the 8th section of the bill, to wit: "and the commissioner or commissioners may, in their discretion, sue for and recover of the highest bidder, who has refused to comply with the terms of the sale, the difference between his bid and the bid of the next highest, in case the commissioner or commissioners should receive the same." 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 and sent to the House of Commons.

Mr. M'Kay moved to postpone the consideration of all other orders of the day, for the purpose of taking into consideration the bill to amend an act, passed in the year 1819, entitled "an act to prevent the fraudulent trading with slaves; which was agreed to, and the amendment offered by Mr. M'Kay on the 22d instant, as a substitute to the bill, being read, Mr. Seawell moved to amend the amendment, by adding to the 7th section of the bill the following words: "having first obtained a warrant for that purpose;" which was agreed to. Mr. Pickett moved further to amend the bill, by adding the 5th section, to wit: "Be it further enacted, that if any free negro or mulatto shall trade with any slave or slaves, either by buying from or selling to him, her or them any article or articles of property, contrary to the true meaning of this act, he or she may be prosecuted by indictment in the County or Superior Court, and on conviction shall receive not exceeding thirty-nine lashes on his or her bare back." Which was agreed to. Mr. King moved the following amendment: "if any free man, mulatto or free negro shall trade with any slave, on conviction thereof they shall pay two fold the market value of all such articles, or receive, at the discretion of the Court, as many lashes on their back as the Court may direct." Mr. Joiner then moved that the bill, together with the amendments under consideration, be indefinitely postponed; which was not agreed to. The question recurred on the amendment offered by Mr. King; which was not agreed to. Mr. Croom moved that the same be further amended, by adding the third section, in the following words: "Be it further enacted, that if any person shall fraudulently give, or cause to be given to any slave, the property of another, a permis-
sion in writing to sell, trade or traffic in any article of personal property, without the consent or authority of the master, owner, or the person having the management of such slave, he, she, or they, so offending, shall, upon conviction before any justice of the peace in the county where such offence is committed, forfeit and pay the sum of one hundred dollars, one half to the use of the person suing for the same, and the other half to the use of the wardens of the poor of said county." Which amendment was agreed to. Mr. Hawkins moved to further amend the same, by adding the following provision, to wit: "Provided that nothing contained in this act shall extend to the articles of horse collars, baskets, trays and charcoal." Which was agreed to. The question then recurred on the adoption of the amendment proposed by Mr. M'Kay, as amended; which was determined in the affirmative. Thereupon the said bill passed the second time, and, on motion of Mr. Seawell, the same was ordered to be printed.

The bill to require defendants, before they are put upon their trial, to except to such matters in the indictment as might, after conviction, be assigned as reasons in arrest of judgment, was read the second time, and amended, on motion of Mr. Hill, of Franklin, by inserting after the word "them," in the third section, the following words: "if in custody, or, if not, then upon the application of the defendant or defendants." The question then recurred on the passage of the said bill the second time; which was determined in the negative. The yeas and nays on this question were demanded by Mr. M'Kay, and are as follows:


Received from the House of Commons, a message, stating their concurrence in the proposition of the Senate to ballot this morning for the trustee of the University yet to be elected; that Gavin Hogg is withdrawn from the nomination; and that Mr. Swain and Mr. Gary are appointed superintendents of the balloting on the part of that House. Thereupon Mr. Blackwell and Mr. Davenport were appointed superintendents on the part of the Senate.

Mr. Blackwell, from the committee appointed to conduct the balloting for a trustee of the University, reported that Isaac Croom was duly elected; which report was concurred in.

The Senate adjourned to 10 o'clock, to-morrow morning.
Mr. Vanhook presented the petition of Mary Oakley, praying to be divorced from her husband Stephen Oakley; which was referred to the committee of Divorce and Alimony.

Mr. Pickett, from the committee on the Judiciary, reported a bill limiting the time within which deeds of trust and mortgages, shall be registered, and to provide for giving publicity to the same; which was read the first time and passed.

Mr. Pickett, from the same committee, to whom was referred a bill to repeal an act, passed in the year 1820, entitled "An act directing the County Courts to pay fees to certain officers therein named in certain cases," so far as respects the counties of Guilford, Surry and Wilkes, with instructions to report a general bill, reported the said bill with an amendment to strike out all the words of the bill, except the words "a bill," and to adopt the amendment by him submitted; which was not agreed to. Thereupon the bill referred to the said committee was read the second time, and amended, on motion of Mr. M'Kay, by striking out the words "so far as respects the counties of Guilford, Surry, and Wilkes." The question then recurred on the passage of the said bill the second time; which was determined in the affirmative. Mr. Sneed then moved that the further consideration of the said bill be postponed until Friday next; which was not agreed to. Thereupon the said bill was read the third time and passed. On the passage of the said bill the third time, the yeas and nays were demanded by Mr. Hawkins, which are as follows, to wit:


Thereupon the said bill was ordered to be engrossed and sent to the House of Commons.

Received from the House of Commons, a message from his Excellency the Governor, transmitting the report of the President and Directors of the Literary Fund; also another message, covering a report of the Board of Internal Improvements, accompanied with a proposition from that House, that the first mentioned report be referred to the committee on Education, and that the last mentioned report be referred to the committee on Internal Improvements, and that both reports and the accompanying documents be printed; which was agreed to by the Senate.

Mr. Spaight, of Craven, from the committee on the Patrol Laws, reported a bill to declare runaway slaves, who arm themsel
outlaws, and to punish them for such offence; and a bill to amend the patrol laws; which bills were severally read the first time and passed.

Received from the House of Commons, a message, stating that Messrs. Swain, Settle, Fisher, Carson and Gary form the select joint committee, on the part of that House, to whom stand referred the letter of Chief Justice Taylor, and a copy of his revision of the public acts for the last five years.

Received also a message from that House, stating that they have indefinitely postponed the engrossed bill supplemental and explanatory of an act to authorise the Courts of Pleas and Quarter Sessions of Beaufort county to appoint a committee of Finance.

Received from the House of Commons, a message, stating the concurrence of that House in the amendment made in the Senate to the engrossed bill appointing commissioners to erect a building in the town of Lincolnton, for the accommodation of jurors. Thereupon the said bill was ordered to be engrossed.

The bill to amend an act, passed in the year 1825, entitled "An act granting to the Superior Court of the county of Brunswick original and exclusive jurisdiction in all cases where the intervention of a jury may be necessary;" the bill to divorce Rachael Dickey from her husband Moses Dickey; and the bill to secure to Sidney Smith, of Wake county, such property as she may hereafter acquire, were severally read the second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

The following bills were presented, to wit: By Mr. Gilchrist, a bill further to regulate the retailing of spirituous liquors by the small measure; by Mr. Stokes, a bill to amend the several acts of the General Assembly now in force relative to the public roads in the county of Wilkes; by Mr. Hollimon, a bill to amend an act, passed in the year 1796, entitled "An act making compensation to the owners of outlawed and executed slaves for the counties of Bladen, Halifax, Granville, Cumberland, Perquimons, Beaufort and Pitt;" by Mr. Forney, a bill to restore John Rose, of Ashe county, to the privileges of a citizen; by Mr. Smith, a bill to amend the road laws; and by Mr. M'Kay, a bill concerning the swamp and marsh lands in this State, and for other purposes; which bills were severally read the first time and passed, and the last mentioned bill was, on motion of Mr. M'Kay, committed to a committee of the whole House, to which was referred the resolutions relative to marsh and swamp lands, and made the order of the day for Saturday next.

Mr. Davenport presented the petition of Mary Turner, praying that the property which she may hereafter acquire be secured to her; which was referred to the committee of Divorce and Alimony.

Received from the House of Commons, a message, proposing that
the two Houses proceed immediately to ballot for a Brigadier General of the 3d brigade and 6th division of the militia, and stating that Stephen Miller and Montesque W. Campbell are in nomination for the appointment; which proposition was not agreed to. Thereupon, on motion of Mr. Ward, a message was sent to the House of Commons, proposing that a ballot ing take place for the said appointment at the meeting of the two Houses to-morrow morning.

The engrossed bill to authorise the County Courts of Pleas and Quarter Sessions to permit gates to be erected across the public roads, and to impose a tax thereon, being read the second time, was, on motion of Mr. Speight, of Greene, indefinitely postponed.

The bill to amend the militia laws of this State, was read the second time; and it was resolved by the Senate that this bill shall not pass.

The bill to amend the laws respecting the sale of land and slaves by sheriffs and other officers, was read the second time. Mr. Salley moved to amend the same, by adding the following provision, to wit: "Provided, that the provisions of this bill shall not extend to the counties of Currituck and Camden." Which was agreed to. And the said bill was further amended, on motion of Mr. Bell, by excluding the county of Pasquotank from the provisions thereof.—Thereupon the said bill was read the second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

Received from the House of Commons, a message, stating that they have passed a bill to divide the Richmond militia into two separate regiments, and a bill for the relief of Samuel Jones, late sheriff of Rowan county; in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed.

The bill making compensation to coroners in certain cases, was read the second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

Received from the House of Commons, the resignation of W. L. Hill, Brigadier General of the 3d brigade of the militia, and Wm. Welch, as Justice of the Peace for Haywood county; which were read and accepted by the Senate.

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 locate the Judges of the Circuit Courts of this State; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Wilson, of Edgecombe, the Chairman of the committee, reported the said bill with an amendment, to strike out all the words of the bill after the word "same," in the 3d line of the first section.

Thereupon the Senate adjourned to 10 o'clock, to-morrow morning.
Mr. Matthews, from the committee of Divorce and Alimony, reported a bill to secure to Elizabeth Killion, of Lincoln county, such property as she may hereafter acquire, and a bill to divorce Eliza S. Dowling, of Anson county, from her husband Zachanus Dowling; which bills were read the first time and passed.

Mr. Burney presented the petition of sundry citizens of Columbus county, praying that the clerks and other civil officers of this State be appointed by the citizens of the several counties respectively; which was referred to the committee of Propositions and Grievances.

Mr. Parker moved to reconsider the vote of the Senate, taken yesterday, by which was indefinitely postponed the engrossed bill to authorise the County Courts of Pleas and Quarter Sessions to permit gates to be erected across the public roads, and to impose a tax thereon; which was agreed to, and, on motion of Mr. King, the same was made the order of the day for Monday next.

Mr. Love, from the committee of Claims, reported the following resolution:

Resolved, That the Public Treasurer be, and he is hereby directed to pay to Peter Dowell, late sheriff of Wilkes county, the sum of seventy-one dollars and ninety-eight cents, being the amount overpaid by the said Peter Dowell on an erroneous and overcharged statement of the valuation of land in the county of Wilkes, in his settlement with the Comptroller for the year 1823; and that the Public Treasurer be allowed the same in the settlement of his accounts.

Which was read the first time and passed.

Mr. Stokes, from the committee of Finance, reported the following resolution:

Resolved, That the Public Treasurer be, and he is hereby directed to pay to Humphrey Posey the sum of one hundred and fifty dollars, and to cancel the unpaid bond or bonds given by the said Humphrey Posey for the purchase of seventy-five acres of land, in Haywood county: provided, that the said Humphrey Posey execute a release of his claim to the said tract of seventy-five acres of land.

Which was read the first time and passed.

Mr. Vanhook presented the following resolution:

Resolved, That the Secretary of State purchase, either in this State or elsewhere, as he may think best, the stationary required for the offices of State and for the General Assembly for the ensuing year; and that the Treasurer advance the Secretary a sum necessary to make such purchase, not exceeding three hundred dollars; and that the rule of the House, requiring all resolutions and reports, the object of which is to draw money out of the Treasury, to be read three times, be dispensed with in this case.

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

Received from the House of Commons, a message, stating their concurrence in the proposition of the Senate to ballot, at the meeting of the two Houses this morning, for a Brigadier General of the 3d brigade and 6th division of the militia; and that Mr. W. A. Blount and Mr. J. A. Hill form the committee on the part of that House to superintend the ballotting. Thereupon Mr. Wilson, of Edgecombe, and Mr. Beard, of Rowan, were appointed superintendents on the part of the Senate.
Mr. Sneed moved that the bill to establish a Medical Board, and to regulate the practice of Physic and Surgery within this State, be committed to a committee of the whole House; which was agreed to, and, on motion of Mr. Stokes, was made the order of the day for tomorrow.

Mr. Beard, of Rowan, from the committee appointed to conduct the ballotting for a Brigadier General of the 3d brigade and sixth division of the militia, reported that Stephen Miller was duly elected; which was concurred in.

The bill to locate the Judges of the Circuit Courts of this State, was, on motion of Mr. Speight, of Greene, recommitted to a committee of the whole House, and made the order of the day for Monday next.

The bill further to regulate the retailing of spirituous liquors by the small measure, was read the second time. Mr. Speight, of Greene, moved to amend the same, by striking out the word "half," in the seventh line of the first section; which was not agreed to. Mr. Hawkins then moved that the said bill be indefinitely postponed; and the question thereon was determined in the affirmative.

The bill to amend an act, passed in the year 1796, entitled "an act making compensation to the owners of outlawed and executed slaves for the counties of Bladen, Halifax, Granville, Cumberland, Perquimons, B. aufort and Pitt," was read the second time and passed; and the same being read the third time, was, on motion of Mr. Hollimon, ordered to lie on the table.

The bill in relation to lotteries, was read the second time; and it was resolved by the Senate that this bill shall not pass.

The bill supplemental to an act, passed at the last session of the General Assembly, entitled "an act to cede to the United States a certain tract of land, called Bogue Banks," and the bill to amend the several acts of the General Assembly now in force relative to the public roads in the county of Wilkes, were severally read the second time and passed; and the first mentioned bill was amended, on motion of Mr. Davis, by filling up the blank in the second section with the words "one dollar and fifty cents," and the last mentioned bill was amended, on motion of Mr. Stokes, by filling up the first blank in the first section with the words "Horace B. Satterwhite and Lewis Carlton," and by filling up the second blank in the said section, on motion of Mr. King, with the words "Montfort Stokes, of Wilkes, and Joseph N. Bogle, of Iredell." Thereupon the said bills were severally read the third time and passed, and ordered to be engrossed and sent to the House of Commons.

The engrossed bill to divide the Richmond militia into two separate regiments, was read the second time and passed, and amended, on motion of Mr. Leak, by striking out the words "Wolf Pitt," in the 13th and 14th lines of the 1st section, and inserting the same words after the word "Rockingham," in the 16th line, so as to at-
tach the Wolf Pitt company to the first, instead of the second regiment. Thereupon the said bill was read the third time and passed, and a message was sent to the House of Commons, asking their concurrence in the amendment.

On motion of Mr. M'Kay, the Senate proceeded to the consideration of the bill limiting actions on judgments, bonds and other sealed instruments, and the equity of redemption on mortgages; and the said bill was read the second time and passed.

The following bills were presented, to wit: By Mr. M'Dowell, a bill to amend an act, passed in the year 1825, entitled "An act to prevent persons, who have been, or may be appointed commissioners on the part of the State for any purposes, from becoming contractors;" by Mr. Love, a bill to revive and continue in force an act, passed in 1824, to alter and amend an act for the relief of such persons as became purchasers of the Cherokee lands, sold under the authority of this State; by Mr. M'Kay, a bill to compel children, who are of sufficient ability, to maintain their poor parents; by Mr. Alexander, a bill to amend an act, passed in the year 1818, entitled "An act concerning the Supreme Court;" and by Mr. Bell, a bill to appoint commissioners for the town of Nixonton, in Pasquotank county; which bills were severally read the first time and passed.

The bill for the relief of Samuel Jones, late Sheriff of Rowan, was read the second and third times and passed, and amended, on motion of Mr. Smith, by adding the following provision to the bill, to wit: "Provided, that nothing in this act contained shall authorise the said Samuel Jones to collect taxes on property or poll within the county of Davidson." And a message was sent to the House of Commons, asking their concurrence in the amendment.

Received from the House of Commons, the resignation of Thomas H. Weathersbie, as Justice of the Peace of the county of Martin; which was read and accepted by the Senate.

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

Friday, January 26, 1827.

The Senate met.

Mr. Elliott, from the select committee to whom was referred the petition of John M'Raee, of Fayetteville, reported the following resolution:

Resolved, That the Public Treasurer advance to John M'Raee, of the town of Fayetteville, on loan, the sum of five thousand dollars, to aid and assist him in the publication of a map of the State of North Carolina; and that the Public Treasurer be, and he is hereby directed, at the time of making the said loan to the said John M'Raee, to require of him to give bond, with good and sufficient security, for the repayment of the said sum of five thousand dollars without interest at the times hereinafter stipulated, that is to say, for the repayment of two thousand dollars at the expiration of two years, and of the balance at the expiration of five years from the time said loan was made to the said John M'Raee; and that the Treasurer be allowed for the same in the settlement of his public accounts.

Which was read the first time and passed.
Mr. M'Kay presented the following resolution:

Resolved. That the committee of Claims be, and they are hereby instructed to inquire into the expediency of allowing payment for the services to that part of the militia of Bladen county, which was ordered out during the year 1821, for the purpose of preventing an insurrection among the slaves, &c. and that said committee have leave to report by bill or otherwise.

Mr. Seawell moved that the resolution be laid upon the table; which was not agreed to. Mr. Davis moved to amend the same, by inserting the county of "Carteret" after the word "Bladen," which was agreed to. The question then recurred on the adoption of the resolution; which was determined in the affirmative.

The bill to divorce Eliza S. Dowling, of Anson county, from her husband Zacheus Dowling, and the bill to secure to Elizabeth Kil lion, of Lincoln county, such property as she may hereafter acquire, were severally read the second time; and it was resolved by the Senate that these bills shall not pass.

The resolution in favor of Humphrey Posey, was read the second time and passed; and the same being read the third time, Mr. Hill, of Franklin, moved to amend the same, by striking out the words "and fifty," in the 4th line; which was not agreed to. Thereupon the same passed the third time, and was ordered to be engrossed.

The bill to appoint commissioners for the town of Nixonton, in Pasquotank county, and the resolution in favor of Peter Dowell, late Sheriff of Wilkes county, were severally read the second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

Received from the House of Commons, a message, stating that they had received this morning the affecting intelligence of the death of Leonard Martin, Esq. one of its members from the county of Hertford; and stating, also, the order which that House had taken in regard to his funeral. Thereupon Mr. Speight, of Greene, submitted the following resolution:

Resolved, That, as a testimony of the respect which the Members of the Senate entertain for the memory of Leonard Martin, dec'd, a Member of the House of Commons, we will wear erape on the left arm for the space of thirty days; and that we will attend his funeral this day, at three o'clock.

Which resolution was adopted unanimously; and the Senate adjourned to 10 o'clock, to-morrow morning.

Saturday, January 27, 1827.

The Senate met.

Mr. Marsh presented the petition of sundry citizens of Chatham county, on the subject of compelling Quakers to perform military duty; which was referred to the Military committee.

Mr. Sillers presented a bill to amend an act, passed in the year 1825, entitled "An act directing the manner in which constables shall be hereafter appointed in the county of Sampson;" Mr. Gray presented a bill directing the duty of the Sheriffs in this State, in holding elections for Representatives in Congress and Members of
the General Assembly in this State; and Mr. Spaight, of Craven, presented a bill to repeal an act, passed in 1823, entitled "An act to change the time of laying the county taxes of Craven county, and appointing receivers of lists of taxables in said county;" which bills were severally read the first time and passed.

On motion of Mr. King, Mr. Forney, the Senator from the county of Lincoln, obtained leave of absence from the services of this House from and after this day until the end of the present session.

Received from the House of Commons, a message, stating that they have passed a bill to incorporate the Newbern Marine and Fire Insurance Company; a bill to authorise the President and Directors of the Literary Fund to raise money by way of lottery, and for other purposes; a bill to appoint commissioners to lay off a town on the land of Joseph H. Bryan, in the county of Northampton, at the place now called the court-house; a bill to incorporate the Franklin Library Society of Buffalo, in Lincoln county; and a bill to restore to credit Willis Bradley, of the county of Rutherford; also a resolution in favor of Samuel M'D. Tate, sheriff of Burke county; in which they ask the concurrence of the Senate. Thereupon the said bills and resolution were severally read the first time and passed.

The resolution in favor of John MacRae, of Fayetteville, was read the second time. Mr. Stokes moved to amend the same, by adding the following, to wit: "Resolved further, that on the completion of the said map, the said John MacRae shall deposit with the Public Treasurer three copies thereof, for the use of the State; two of which shall be placed in the Chambers of the Senate and House of Commons, and the other in the House erected for the residence of the Governor." Which was agreed to. Mr. Seawell moved further to amend the same, by striking out the following words in the second resolution, to wit: "should it become necessary at any time after the bonds aforesaid have been given," and insert the words "take every four months good and sufficient," and to add the following words: "and if he shall neglect or refuse to give bond and security, and renew the same as aforesaid, then and in such event the Treasurer shall immediately commence suit and collect the amount thereof;" which was agreed to. The question then recurred on the passage of the resolution as amended, and the same was determined in the affirmative. Thereupon the said resolution was read the third time. Mr. M'Kay moved to strike out the word "five," in the 18th line of the first resolution, and insert the word "four;" which was agreed to. Mr. Seawell moved that the same be further amended, by adding the following provision: "Provided nevertheless, that before the Public Treasurer shall advance any money under this resolution, it shall be the duty of the said John MacRae to enter into bond, with satisfactory security, which bond shall be deposited with the Public Treasurer, to complete the map for which the loan is made within the term of four years." Which
amendment was agreed to. The question then recurred on the passage of the resolution the third time; which was determined in the affirmative. Upon this question the yeas and nays were demanded by Mr. Hill, of Franklin, and are as follows:


Thereupon the said resolution was ordered to be engrossed.

The bill to repeal an act, passed in 1825, entitled "An act to change the time of laying the county taxes of Craven county, and appointing receivers of lists of taxables in said county," was read the second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

Mr. Elliott presented the resignation Robert Strange, as Lieutenant Colonel of the militia of Cumberland county; which was read and accepted and sent to the House of Commons.

Received from the House of Commons, the resignations of James Lowry, Colonel Commandant; Robert Williamson, Lieutenant Colonel; and George Robertson, Major of the militia of Buncombe county; also the resignation of Benjamin Posey, a justice of the peace of said county; which were severally read and accepted by the Senate.

Thereupon the Senate adjourned to 3 o'clock, this afternoon.

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SATURDAY EVENING, 3 o'clock.

The Senate met.

The bill to appoint commissioners to lay off a town on the land of Joseph H. Bryan, in the county of Northampton, at the place now called the court-house; the bill to restore to credit Willis Bradley, of the county of Rutherford; the bill to incorporate the Franklin Library Society of Buffalo; in Lincoln county; and the resolution in favor of Samuel M'D. Tate, sheriff of Burke county, were severally read, the first mentioned bill the second time, and the last mentioned bills and resolution the second and third times and passed, and ordered to be enrolled.

The bill to incorporate the Newbern Marine and Fire Insurance Company, was read the second and third times and passed, and amended, on motion of Mr. Spaight, of Craven, by inserting the words "stockholders and," in the 4th line of the 3rd section, and the words "shall be authorised," in the 3rd line of the 5th section; and a message was sent to the House of Commons, asking their concurrence in the amendments.

The bill to amend an act, passed in the year 1825, entitled "An
act directing the manner in which constables shall be hereafter appointed in the county of Sampson," was read the second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

Mr. Alexander presented the following resolution:

Resolved, That the Treasurer for the State be, and he is hereby directed to pay to James M'Crea, one of the securities of James A. M'leans, late sheriff of Cabarrus county, in his own behalf, and as agent and attorney for the other securities, the sum of seventy-three dollars and eighty-seven and a half cents, for insolvent taxable not presented and not allowed or credited to James M'Crea by the Comptroller for the year 1825.

Which was read the first time and passed; and, on motion of Mr. Alexander, the same was referred to the committee of Claims.

Mr. Stokes presented a bill to provide for the improvement of the public road leading from Wilkesborough, in North-Carolina, to Grayson court-house, in Virginia; and Mr. Speight, of Greene, presented a bill to incorporate Joseph Warren Lodge, No. 93, Stan-tonsburg, in Edgecombe county; which bills were severally read the first time and passed.

And the Senate adjourned to 10 o'clock, on Monday morning next.

MONDAY, JANUARY 29, 1827.

The Senate met.

Mr. Wilson, of Edgecombe, presented a bill to empower the commissioners of the town of Tarborough to sell a part of the town commons; and Mr. Miller presented a bill to appoint commissioners to run and mark the dividing line between the counties of Duplin and Wayne; which bills were read the first time and passed.

Mr. Stokes, from the committee of Finance, to whom was referred the resolution of the Senate instructing them to inquire into the expediency of securing to the State the benefit of the Gold and Silver Ore, reserved to the King of Great Britain, or to the Lords Proprietors of Carolina in the several charters and grants made prior to the year 1776, made a report thereon, which, on motion of Mr. M'May, was ordered to lie on the table; and, on motion of Mr. Sneed, it was further ordered that the same be printed.

Mr. M'Dowell presented the petition of James Allen, on the subject of a turnpike road therein mentioned; which, on motion of Mr. M'Kay, was referred to a select committee. Thereupon Messrs. M'Kay, M'Dowell, Sneed, Baird of Burke, and M'Millan were appointed the said committee.

Mr. Croom presented the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of providing by law for those cases in which letters of administration are not taken out on intestates' estates; and that they report by bill or otherwise.

Which was agreed to.

The engrossed bill to appoint commissioners to lay off a town on the land of Joseph T. Bryan, in the county of Northampton, at the place now called the Court House, was read the third time and pass-
ed, and amended, on motion of Mr. Hollimon, by striking out the word "Atherton," in the 13th line, and inserting the word "Jackson;" and a message was sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill to allow talismen jurors in the County and Superior Courts of Orange county to receive pay for their services, was read the third time. Mr. Montgomery moved to amend the same, by striking out all the words of the bill after the word "same," in the 4th line of the first section, and inserting the amendment by him submitted; which was agreed to. Thereupon the said bill passed the third time, and a message was sent to the House of Commons, asking their concurrence in the amendment.

Mr. Ward presented the petition of Wm. L. Hill, praying compensation for services rendered by a detachment of militia in the year 1821; which was referred to the committee of Claims.

Mr. M'Millan presented a bill to aid the opening and completing the State road from Huntsville, in Surry county, to the Virginia line, by way of Bowers' store, in Ashe county, and for other purposes; Mr. Pickett presented a bill more effectually to provide for the probate of last wills and testaments; and Mr. Sneed presented a bill to authorize the building of a Steam Boat, to be used on the river Roanoke, and to incorporate a company for that purpose; and a bill concerning the town of Oxford; which bills were severally read the first time and passed.

Received from the House of Commons, a message, proposing that a balloting take place this morning for a Colonel, Lieutenant Colonel, and Major of Cavalry attached to the 9th brigade and 5th division of the militia; and stating that Nathaniel Gordon is nominated for the appointment of Colonel Commandant, Samuel F. Patterson for Lieutenant Colonel, and Anderson Mitchell for Major; which proposition to ballot was agreed to, and Mr. Burney and Mr. Shuford 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. Stedman and Mr. Green are appointed superintendents of the balloting on the part of that House.

The bill limiting the time within which deeds of trust and mortgages shall be registered, and to provide for giving publicity to the same, was read the second time. Mr. Speight, of Greene, moved to amend the same, by striking out the second section; which was not agreed to. Mr. M'Kay moved to strike out the word "ten," in the 16th line of the second section, and to insert the word "fifty." Thereupon a division of the question was called for by Mr. Hill of Franklin; and the question recurring on striking out the word "ten," the same was determined in the negative. Mr. Pickett then moved to strike out the words "as aforesaid," in the 8th line of the 2d section, and insert the words "in said County Courts," which was agreed to, and the said bill passed the second time, and, on mo-
tion of Mr. Sneed, the further consideration thereof was postponed until to-morrow.

The bill to incorporate Joseph Warren Lodge, No. 93, Stantonsburg, in Edgecombe county, was read the second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

The bill to declare runaway slaves, who arm themselves, outlaws, and to punish them for such offence, was read the second time, and amended, on motion of Mr. Seawell, by adding, after the word "blade," in the 8th line of the first section, the following words, to wit: "or arm him or herself in any manner offensively or defensively." The question then recurred on the passage of the said bill the second time; which was determined in the affirmative.

The Senate resolved itself into a committee of the whole House, Mr. Pickett in the Chair, to take into consideration the bill to establish a Medical Board, and to regulate the practice of Physic and Surgery within this State; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Pickett, the Chairman of the committee, reported the said bill with sundry amendments. Mr. Speight moved that the said bill, with the amendments under consideration, be indefinitely postponed, and Mr. Hill, of Franklin, moved that the same lie on the table; and the question upon this last motion was determined in the affirmative.

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

TUESDAY MORNING, JANUARY 30, 1827.

The Senate met.

Mr. Sneed, from the joint select committee to whom was referred the letter of the Honorable John Louis Taylor, Chief Justice of the Supreme Court of this State, enclosing a revision of the public laws for the last five years, as a present to the Senate and House of Commons, reported a bill to direct the Secretary of State to purchase and distribute copies of the late revision of the laws of this State by Chief Justice Taylor; which was read the first time and passed.

Mr. Roberts presented the petition of sundry citizens of Surry county, on the subject of building a new Court House in said county, accompanied with a bill to carry into effect the prayer of the petitioners; which bill was read the first time and passed.

Mr. Ward presented the following resolution:

Resolved, That the committee of Claims be instructed to inquire into the propriety of paying the officers and witnesses called to hold and attend a Court Martial in 1822, for the trial of Colonel Stephen Miller, of Duplin county, and that they report by bill or otherwise.

Which was agreed to.

Mr. Sneed presented the petition of Richard Bullock, of Granville county, praying compensation for services rendered by his father in the revolutionary war; which was referred to the committee of Claims.
Mr. Burney, from the committee appointed to conduct the ballot- ing for Cavalry officers attached to the 9th brigade and 5th division of the militia, reported that Nathaniel Gordon was duly elected Colonel Commandant, Samuel F. Patterson, Lieutenant Colonel, and Anderson Mitchell, Major; which was concurred in.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to restore John Rose, of Ashe county, to the privileges of a citizen; also the engrossed bill to repeal an act, passed in the year 1820, entitled "an act directing the County Courts to pay fees to certain officers therein named in certain cases;" and that they have indefinitely postponed the engrossed bill to unite the office of Clerk and Master in Equity to the office of Clerk of the Superior Court of Law; also the engrossed bill to legitimate Duncan Melvin and others, of the county of Bladen; and the engrossed bill to alter the names of John Baptist William Cook and Mary Frances Cook, children of John B. Mansard and Penelope Cook, of Pasquotank county, and to legitimate them.

Received from the House of Commons, a message, stating that they concur in the amendments made by the Senate in the engrossed bill to incorporate the Newbern Marine and Fire Insurance Company; and also to the amendments made in the bill for the relief of Samuel Jones, late Sheriff of Rowan. Thereupon the said bills were ordered to be enrolled.

Received from the House of Commons, a message, stating that they do not concur in the amendment made by the Senate in the engrossed bill to divide the militia of Richmond county into two separate regiments. Thereupon, on motion of Mr. Leak, the Senate resolved to insist on their amendment to the said bill, and the House of Commons was informed thereof by message.

Mr. Bullock presented a bill directing the time within which suits shall be brought upon constables' bonds; which was read the first time and passed.

The engrossed bill to authorise the trustees of Spring Grove Academy, in Anson county, to raise the sum of five thousand dollars by way of lottery, was read the second time; and there being 24 who voted in favor of the passage of the bill, and 24 who voted against it, thereupon the Speaker of the Senate voted in the negative, and it was resolved by the Senate that this bill shall not pass.

The bill limiting the time within which deeds of trust and mortgages shall be registered, and to provide for giving publicity to the same; the bill to empower the commissioners of the town of Tarborough to sell a part of the town commons; and the bill concerning the town of Oxford, were severally read, the first mentioned bill the third time, and the two last mentioned bills the second and third times and passed, and ordered to be engrossed and sent to the House of Commons.
The bill to amend an act, passed in the year 1819, entitled "An act to prevent the fraudulent trading with slaves," was read the third time. Mr. Gilchrist moved to amend the same, by adding the following words after the word "property," in the second line of the 4th section, to wit: "particularly specified in the 1st section of this act;" which was not agreed to. Mr. King moved to amend the bill, by striking out all the words of the 1st section after the word "same," in the 15th line; which was not agreed to. Mr. Gilchrist moved to amend the bill, by adding, in the 4th line of the 4th section, the words "not exceeding;" which was agreed to. Mr. Croom moved further to amend the bill, by inserting, in the 2nd line of the 4th section, the words "or receive;" and in the 4th line the words "or deliver;" which was agreed to. Mr. Croom moved further to amend the bill, by adding, in the 10th line of the 1st section, after the words "day time only," the words "Sundays excepted;" which was agreed to. Mr. Matthews moved further to amend the bill, by striking out the words "passing of this act;" in the first line of the 1st section, and inserting the words "the first day of May next;" which was agreed to. Mr. Hawkins moved to strike out the word "money," in the 3rd line of the first section of the bill; which was agreed to. Mr. King moved to insert the word "fraudulently" before the word "but;" in the first section of the bill; which was not agreed to. Mr. Joiner then moved that the bill be indefinitely postponed, and on this question demanded the yeas and nays, which are as follows:


Mr. Love then moved to amend the 7th section of the bill, by adding after the word "charcoal," in the proviso, the word "masts;" which was agreed to. Mr. Gilchrist moved to add the words "cooper's ware, brooms, bed cords, ground peas" after the word "masts," in the said proviso; which was agreed to. M. Elliott moved to add the words "fresh fish" after the words "ground peas," in the said proviso; which was agreed to. Mr. Croom then moved to strike out the whole proviso, being all the words of the 7th section after the word "purpose;" in the 7th line; which was not agreed to. Mr. Gilchrist moved to amend the same, by striking out the words "spirits of masts always excepted." In the 15th line of the first section; which was not agreed to. Mr. M'Kay then moved that the title of the bill be made to read as follows: "A bill to prohibit the trading
with slaves, except in the manner therein prescribed." Which was agreed to. The question then recurred on the passage of the said bill as amended, and the same was determined in the affirmative, and was ordered to be engrossed and sent to the House of Commons.

The bill for the protection of sureties; the bill to amend the road laws; and the bill to revive and continue in force an act, passed in 1824, to alter and amend an act for the relief of such persons as became purchasers of the Cherokee lands, sold under the authority of this State, were severally read, the first mentioned bill the third time, and the two last mentioned bills the second and third times and passed; and ordered to be engrossed and sent to the House of Commons.

The bill to amend an act, passed in the year 1818, entitled "An act concerning the Supreme Court," was read the second time and passed.

Mr. Stokes presented a bill to repeal an act of the General Assembly, passed in the year 1820, entitled "An act directing the County Court to pay fees to certain officers therein named in certain cases," so far as relates to the counties mentioned in this act; which was read the first time and passed.

Received from the House of Commons, the resignation of Thomas Swain, as Major of the militia of Washington county; also the resignations of William Warren, of Caswell county; James Adams, of Johnston county; Wm. P. Williams, of Franklin county; and Thomas Payner, of Currituck county, Justices of the Peace in their respective counties; which were severally read and accepted by the Senate.

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

Wednesday, January 31, 1827.

The Senate met.

Mr. Love, from the committee of Claims, reported the following resolution:

Resolved, That the Public Treasurer be, and he is hereby directed to pay to William Lytle, of the county of Rutherford, and State of Tennessee, the sum of three hundred and forty-three pounds five shillings, for lands which the said William Lytle purchased in the county of Randolph, State of North Carolina, as confiscated property, which have been recovered from him under a grant from the State to Richard Sears, and that the Treasurer be allowed the same in the settlement of his public accounts.

Which being read, it was resolved by the Senate that this resolution shall not pass.

Mr. Gilchrist presented a bill to incorporate Oak Forest Academy, in the county of Robeson; and Mr. Gray presented a bill to incorporate Ebenezer Library Society, in the county of Randolph; which bills were severally read the first time and passed.

Received from the House of Commons, a message, stating that they have been informed of the death of John J. Bonner, Esq.
of its Members from the county of Hyde; and stating also the order which that House had taken in regard to his funeral. Thereupon
Mr. Sharp presented the following resolution:
Resolved, That, as a testimony of respect which the Members of the Senate entertain for the memory of John J. Bonner, deceased, a Member of the House of Commons from Hyde county, we will wear crape on the left arm for the space of thirty days; and that we will attend his funeral this day, at 12 o'clock.
Which resolution was adopted unanimously.
And the Senate adjourned, to 10 o'clock, to-morrow morning.

THURSDAY, FEBRUARY 1, 1827.
The Senate met.

Mr. M'Leary presented the following resolution:

Whereas, it is represented to this General Assembly, that there are sundry plats and certificates of survey, on which patents were issued previous to the revolution now in the town of Newbern, which, for the benefit and convenience of persons owning lands under such patents, ought to be placed in the office of Secretary of State:
Resolved, therefore, That the Secretary of State be, and he is hereby directed to endeavour to procure and file in regular order in his office all such original plats and certificates of survey, on which patents may have issued as aforesaid; from which, when so filed, he shall be, and is hereby authorised to make and certify copies as in other cases.
Resolved, further, That the Secretary of State shall be allowed all necessary expenses incurred in effecting the object above mentioned; and should it be necessary for him to go to Newbern on said business, he shall be allowed 5 dollars per day for every day he may be necessarily absent from home in going to and returning from Newbern, and in collecting and arranging said papers.

Which was read the first time and passed.

Mr. Matthews, from the committee of Divorce and Alimony, reported a bill to secure to Mary Turner, wife of Henry A. Turner, of Washington county, such property as she may hereafter acquire; which was read the first time and passed.

Mr. Matthews, from the same committee, to whom was referred the petition of Nancy Oakley, of Person county, made a report unfavourable to the prayer of the petitioner; which was concurred in.

Mr. Matthews, from the same committee, reported a bill further to extend the jurisdiction of the Superior Courts on the subject of divorce, and moved that the said committee be discharged from the further consideration of the subject of divorces; which was agreed to, and the said bill was read the first time and passed.

Mr. Pickett, from the Judiciary committee, reported a bill to provide for the final settlement of executors and administrators; which was read the first time and passed, and, on motion of Mr. Seawell, was ordered to be printed.

Mr. Love, from the committee of Claims, reported the following resolution:

Resolved, That John Haywood, Public Treasurer, be, and he is hereby directed to pay to James M'Crea, for the benefit of himself and the other securities of James A. Means, late sheriff of Cabarrus county, the sum of thirteen dollars and sixty cents, it being the amount of insolvent polls in said county, for which the said securities were not allowed in their settlement of the public account of the said James A. Means, and that the Treasurer be allowed the same in the settlement of his public accounts.
Which was read the first time and passed.

Mr. Stokes, from the committee of Finance, reported the following resolution:

Resolved, That the Secretary of State be, and he is hereby directed annually to contract, under sealed proposals, as practised at present, for such fire wood as may be necessary for the use of the General Assembly; which contract shall include the cutting the wood of a proper length for the different fire places used in the several rooms and offices during the session.

Which was read the first time and passed.

Mr. Stokes, from the same committee, reported a bill to perpetuate the evidence of the claim of the State of North-Carolina to such shares or stock in the several Banks and other corporations as have been, or hereafter shall be purchased for the use of the said State; which was read the first time and passed.

Mr. M'Kay, from the committee on Education, reported a bill to transfer the stock owned by the State in the Banks of Newbern and Cape-Fear, and purchased since 1821, to the President and Directors of the Literary Fund; which was read the first time and passed.

Mr. Bell presented a bill to compel the clerks of the Superior and County Courts, the Clerk and Master in Equity, and the register in the county of Pasquotank to keep their offices at the court-house of said county, or within half a mile thereof; which was read the first time and passed.

The Senate proceeded to the consideration of the amendment made in the House of Commons to the engrossed bill to alter the time of the annual meeting of the General Assembly, striking out the "second Monday of December," and inserting "the third Monday of November;" which being read, Mr. Speight, of Greene, moved to amend the amendment, by striking out the word "November," and inserting the word "December." A division of the question being called for by Mr. Blackwell; and the question recurred on striking out the word "November;" which was determined in the negative. The yeas and nays on this question being demanded by Mr. Sanders, are as follows:


The question then recurred on the adoption of the amendment made to the said bill by the House of Commons; which was determined in the affirmative.

Received from the House of Commons, a message, stating their concurrence in the amendments made by the Senate in the engrossed bill to appoint commissioners to lay off a town on the land of Jo-
John H. Bryan, in the county of Northampton, at the place now
called the court-house; and in the engrossed bill to allow talismen
jurors in the County and Superior Courts of Orange county to re-
cieve pay for their services. Thereupon the said bills were ordered
to be enrolled.

Received from the House of Commons, a message, stating that
they have passed an engrossed resolution in favor of the heirs of
William Holme, and a bill to restore to credit Thomas Small, of
Chowan county; in which they ask the concurrence of the Senate.
Thereupon the said resolution was read and adopted, and ordered to
be enrolled; and the bill was read the first time and passed.

Mr. Montgomery presented the resignation of James Hutcheson,
as justice of the peace of Orange county; which was read and ac-
cepted, and sent to the House of Commons.

The bill to amend an act, passed in the year 1825, entitled "An
act to prevent persons, who have been, or may be appointed com-
missioners on the part of the State for any purposes, from becom-
ing contractors; the bill to incorporate the Ebenezer Library Soci-
yty, in the county of Randolph; and the bill to incorporate Oak
Forest Academy, in the county of Robeson, were severally read the
second and third times and passed, and ordered to be engrossed.

On motion of Mr. Hill, of Stokes, the Senate resolved itself into
a committee of the whole House, Mr. Beard, of Rowan, in the
Chair, for the purpose of taking into consideration the engrossed
bill to authorise the County Courts of Pleas and Quarter Sessions
to permit gates to be erected across the public roads, and to impose
a tax thereon; and, after some time spent therein, the committee rose,
the Speaker resumed the Chair, and Mr. Beard, of Rowan, the
Chairman of the committee of the whole House, reported the said
bill with an amendment, to strike out the first section. Thereupon,
on motion of Mr. Speight, of Greene, the said bill, with the amend-
ment under consideration, was indefinitely postponed.

On motion of Mr. Seawell, the Senate resolved itself into a com-
mittee of the whole House, Mr. Miller in the Chair; for the pur-
pose of taking into consideration the bill to locate the Judges of the
Circuit Courts of this State; and, after some time spent therein, the
committee rose, the Speaker resumed the Chair, and Mr. Miller,
the Chairman of the committee, reported progress, and asked leave
to sit again; which was agreed to.

On motion of Mr. Hollimon, the Senate proceeded to the consider-
ation of the bill to amend an act, passed in the year 1796, entitled
"An act making compensation to the owners of outlawed and exe-
cuted slaves in the counties of Bladen, Halifax, Granville, Cumber-
lund, Perquimons, Beaufort and Pitt; which being read, Mr. Hol-
limon moved to amend the same, by striking out all the words of
the bill except the words "a bill," and to insert the amendment by
him submitted; which was agreed to, and thereupon the said bill,
passed, and to alter the boundary line between the first and second regiments of Buncombe militia; a bill to compel executors to give security in certain cases; a bill to appoint commissioners for the town of Kinston, in the county of Lenoir; and a bill to appoint commissioners to establish the dividing line between the counties of Burke and Lincoln; also a resolution in favor of Green B. Palmer; in which they ask the concurrence of the Senate. Thereupon the said bills and resolution 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 establish a poor house in the county of Pitt, with an amendment, to strike out the word "which," in the 4th line of the last section, and to insert the word "who" 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.

Mr. M'Kay presented a bill to amend an act, passed in 1822, entitled "An act declaring what hogshead and barrel staves shall be merchantable;" which was read the first time and passed.

On motion of Mr. Seawell, it is ordered that the committee of Finance have leave to sit during the sitting of the House.

The engrossed bill to restore to credit Thomas Small, of Chowan county, was read the second and third times and passed, and ordered to be enrolled.

The bill to secure to Mary Turner, wife of Henry A. Turner, of Washington county, such property as she may hereafter acquire;
the bill to appoint commissioners to build a new Court House in the county of Surry, and for other purposes; the bill to compel the Clerks of the Superior and County Courts, the Clerk and Master in Equity, and the register in the county of Pasquotank, to keep their offices at the Court House, or within a half mile thereof; and the resolution relative to the Secretary of State, were severally read the second and third times and passed, and the last mentioned bill was amended, on motion of Mr. Bell, by adding the words "for every year," in the 14th line of the first section. Thereupon the said bills and resolution were ordered to be engrossed, and sent to the House of Commons.

Mr. M'Kay presented the following resolution:

Whereas the State possesses a reversionary interest in the lands allotted to the Tuscarora Indians by an act of the General Assembly, passed at Newbern on the 15th October, 1746; and whereas, by a sale of the said reversion, a considerable sum may be raised and applied to an increase of the Literary Fund created for the support of Common Schools; therefore

Resolved, That his Excellency the Governor be, and he is hereby requested to receive proposals from the present proprietors or others, for the purchase of such reversion in fee, and make report thereof to the General Assembly at its next annual meeting.

which resolution was read and adopted, and ordered to be engrossed.

The bill to authorise the building of a Steam Boat, to be used on the river Roanoke, and to incorporate a company for that purpose, was read the second time, amended and passed.

The resolution prescribing the duty of the Secretary of State, in relation to certain old plats and certificates of survey, was read the second time and passed.

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

Friday, February 2, 1827.

The Senate met.

On motion of Mr. Wilson, of Edgecombe, Exum Holliman, the Senator from the county of Northampton, obtained leave of absence from the services of this House from and after this day until the end of this Session.

Mr. Baird, of Burke, presented a bill to amend the several acts, passed in the year 1823, incorporating Morganton Academy; Mr. Miller presented a bill to alter the times of holding the Courts of Pleas and Quarter Sessions in Duplin county; and Mr. Locke presented a bill to alter the time of holding the elections in the county of Brunswick; which bills were severally read the first time and passed.

Received from the House of Commons, a message, proposing that a balloting take place, at the meeting of the two Houses on Monday morning next, for a Solicitor of the State for the first Judicial Circuit, to supply the vacancy occasioned by the death of Leonard Martin, Esq. and stating that George W. Barney, of Edenton, is
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in nomination for the appointment; which proposition was agreed to, and the names of James S. Jones, David L. Swain, and Isaac N. Lamb were added to the nomination.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to prevent the falling of timber in, or obstructing the run of Abbot's Creek, in Davidson county; the engrossed bill to incorporate Joseph Warren Lodge, No. 98, Stanton'sburg, in Edgecombe county; the engrossed bill to authorize the County Courts of Guilford and Davidson to appoint a committee of Finance; and the engrossed bill concerning the Courts of Pleas and Quarter Sessions for the county of Hyde, with sundry amendments made by that House in the said bills respectively; in which they ask the concurrence of the Senate. Thereupon the said amendments were severally read and agreed to, and the House of Commons was informed thereof by message.

The engrossed bill to appoint commissioners to establish the dividing line between the counties of Burke and Lincoln; the engrossed bill to alter the boundary line between the first and second regiments of Buncombe militia; the engrossed bill to appoint commissioners for the town of Kinston, in the county of Lenoir; the engrossed bill to regulate the Courts of Pleas and Quarter Sessions for the county of Buncombe; the engrossed bill to legitimate Peggy Orvel, the child of Windsor White, of Beaufort county, and to alter the names of Lovey Hassel and Sidney Hassel, children of said White, and to legitimate them; the engrossed bill authorizing the Courts of Pleas and Quarter Sessions of the county of Richmond to pay certain officers therein mentioned, and to regulate the poll tax thereof; and the engrossed bill to establish an Academy upon the lands of John D. Hawkins, in the county of Franklin, and for other purposes, were severally read the second and third times and passed, and ordered to be enrolled.

The bill to authorize the building of a Steam Boat, to be used on the river Roanoke, and to incorporate a company for that purpose; the bill to repeal an act of the General Assembly, passed in the year 1820, entitled "An act directing the County Court to pay fees to certain officers therein named in certain cases," so far as relates to the counties mentioned in this act; and the resolution in favor of the securities of James A. Means, late Sheriff of Cabarrus county, were severally read, the first mentioned bill the third time, and the last mentioned bill and resolution the second and third times, and passed, and ordered to be engrossed and sent to the House of Commons.

The engrossed resolution in favor of Green B. Palmer, was read the second time, and, on motion of Mr. Speight, of Greene, the same was indefinitely postpnsed.

Mr. Seawell presented a bill to exempt practising Physicians from attending as witnesses out of the county in which they reside, which was read the first time and passed.
Mr. Gilchrist presented the petition of Mary Eliza Rowland, of Robeson county, praying for the passage of a law, to secure to her such property as she may hereafter acquire; which was referred to the committee of Propositions and Grievances.

Received from the House of Commons, a message, stating that they have passed the following engrossed bills, to wit: A bill to repeal an act, passed in the year 1824, entitled "An act to regulate the patrol of the counties of Ashe and New Hanover," so far as respects the county of New Hanover; a bill prescribing the time and place of electing the Members of the General Assembly of the county of Martin, and Members of Congress; a bill to authorise Wm. Boylan to erect a bridge across Deep River; a bill directing a continuance of the Geological and Mineralogical Survey of the State of North Carolina; a bill for the relief of sick and disabled seaman of the United States; and a bill relating to the exercise of the right of challenge in certain cases; in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed.

Mr. Bullock presented a certificate of an allowance made by the County Court of Chowan in favor of Eleanor Truelove; which, on motion of Mr. Bullock, was countersigned by the Speaker of the Senate, and sent to the House of Commons.

The bill to amend the several acts, passed in the year 1823, incorporating Morganton Academy; the bill to alter the times of holding the Courts of Pleas and Quarter Sessions in Duplin county; and the bill to alter the time of holding the elections in the county of Brunswick, were severally read the second and third times and passed; and the last mentioned bill was amended, on motion of Mr. Locke, by striking out the words "in each and every year," in the 9th line of the 1st section. Thereupon the said bills were severally ordered to be engrossed, and sent to the House of Commons.

Mr. Pickett, from the committee on the Judiciary, reported a bill to amend an act, entitled "An act to authorise the County Courts in this State to direct the sheriff to sell any slave that may be taken up, and confined in any jail as a runaway, after certain length of imprisonment and public notice," passed in 1818; which was read the first time and passed.

The bill prescribing the manner in which Clerks of the Superior Courts shall hereafter be appointed, was read the second time, and it was resolved by the Senate that this bill shall not pass.

Received from the House of Commons, a message, stating that they agree to recede from their vote of non-concurrence in the amendment made by the Senate to the engrossed bill to divide the Richmond militia into two separate regiments. Thereupon the said bill was ordered to be enrolled.

Received from the House of Commons, a message, proposing
that the two Houses, at their meeting to-morrow morning, ballot for a Board of Internal Improvement for the ensuing year; which proposition was agreed to.

The engrossed bills, to wit: A bill to repeal an act, entitled "An act for the better regulation of the town of Lumberton, in the county of Robeson," passed in the year 1824; a bill to repeal an act, passed in the year 1824, entitled "An act to regulate the patrol of the counties of Ashe and New-Hanover," so far as respects the county of New-Hanover; a bill prescribing the time and place of electing the members of the General Assembly for the county of Martin, and members of Congress; and a bill to authorize William Boylan to erect a bridge across Deep river, were severally read the second and third times and passed, and ordered to be enrolled.

The bill to amend an act, passed in the year 1818, entitled "An act concerning the Supreme Court," was read the third time, and amended, on motion of Mr. Seawell, by inserting after the word "costs," the words "and jailor's fees," and by adding the words "unless in the opinion of the presiding Judge the defendant shall be unable to give such security." The question then recurred on the passage of the said bill, which was determined in the affirmative, and the same was ordered to be engrossed and sent to the House of Commons.

The bill limiting actions on judgments, bonds and other sealed instruments, and the equity of redemption on mortgages, was read the third time. Mr. M'Kay moved to amend the same, by striking out all the words thereof except the words "a bill," and inserting the amendment by him submitted. Mr. Pickett moved to amend the amendment, by adding an additional section in the following words, to wit: "And be it further enacted, that all actions and scire facias on judgments, which have been heretofore rendered, and have remained ten years or more from the rendition of said judgment or issuing of the last execution thereon, and all suits on bonds and other sealed instruments, heretofore executed, where the right of action has accrued for ten years or more, shall be commenced and prosecuted within five years from the passage of this act." Which was agreed to. Mr. Seawell moved further to amend the amendment, by inserting the words "beyond the limits of this State," after the words "non compos mentis," in the 7th line of the second section; which was not agreed to. The question then recurred on the adoption of the amendment offered by Mr. M'Kay, as amended; which was determined in the affirmative. Mr. Seawell moved that the bill lie on the table; which was not agreed to. Mr. Seawell then moved that the bill be committed to a committee of the whole House; which was not agreed to. The question then recurred on the passage of the said bill the third time, which was determined in the negative. On this question the yeas and nays were demanded by Mr. Seawell, which were as follows:

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Mr. Seawell presented a bill to alter the times of holding the Superior Courts of Law and Equity in the third Judicial Circuit; which was read the first time and passed.

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

Saturday, February 3, 1827.

The Senate met.

Mr. Stokes moved to withdraw the petition of sundry citizens of Wilkes county, presented at the last session of the General Assembly, praying an alteration of the time of holding the Courts of said county; which was agreed to.

On motion of Mr. Seawell, the name of Joseph D. White was added to the nomination for the appointment of Solicitor in the first Judicial Circuit, and the House of Commons was informed thereof by message.

Mr. Stokes, from the committee of Finance, reported the following resolution:

Resolved, That his Excellency the Governor be, and he is hereby authorised to receive proposals for purchasing the right of all such persons as claim lands under titles derived from Indians, to whom reservations were made by the treaties of 1817 and 1819; and that such proposals, containing the facts in each case, be submitted by his Excellency the Governor to the next General Assembly.

Which was read and adopted, and ordered to be engrossed and sent to the House of Commons.

Mr. Spaight, of Craven, from the committee on the patrol laws, reported a bill to prevent the owners of slaves, charged with a felony without the benefit of clergy, from sending them away to avoid a trial; which was read the first time and passed.

Received from the House of Commons, a message from his Excellency the Governor, in relation to James N. Forsythe, accompanied with a proposition from that House, that the same be referred to a select joint committee; which was agreed to. Thereupon Messrs. M'Kay, King, Hill of Stokes, Hill of Franklin, and Wilson of Edgecombe, were appointed the said committee on the part of the Senate.

Received from the House of Commons, a certificate of an allowance, made by the County Court of Mecklenburg, in favor of Patsey Thompson; which, on motion of Mr. M'Leary, was countersigned by the Speaker of the Senate and sent to the House of Commons.
The resolution prescribing the duty of the Secretary of State, in relation to certain old plats and certificates of Survey, was read the third time and passed, and amended, on motion of Mr. Spaight of Craven, by inserting after the word "aforesaid," in the 7th line, the following words, to wit: "and any other papers." Thereupon the same was ordered to be engrossed 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 to alter an act, entitled "An act to establish and incorporate an Academy in the town of Greensborough, in the county of Guilford," passed in the year 1816; a bill to regulate the time of appointing overseers of roads in the county of Anson; a bill to extend the time for the registration of grants, mesne conveyances, powers of attorney, bills of sale, and deeds of gift; a bill to authorise the commissioners of the town of Halifax to sell the Academy lots and their appurtenances in said borough; a bill for the better regulation of the Courts of Pleas and Quarter Sessions of Martin county; a bill to compel the register and other officers therein named to keep their offices at the Court-House in the counties of Lincoln and Wilkes; a bill to alter the names of the persons therein mentioned, and to legitimate them; a bill to render valid certain official acts of Elihu Chambers, of Haywood county; and a bill to authorise the persons therein named to erect gates at the places and on the public roads therein specified; in which they ask the concurrence of the Senate. Thereupon the said bills were severally read the first time and passed.

The bill to appoint commissioners to run and mark the dividing line between the counties of Duplin and Wayne, was read the second time and passed, and amended, on motion of Mr. Miller, by filling the first blank, in the first section, with the words "Ezekiel Slocomb and Stephen Smith," and by filling the second blank with the words "Daniel Glisson, senr. and John Watkins." Thereupon the said bill was read the third time. Mr. Wasden moved to amend the same, by inserting the following words after the word "respectively," in the 12th line of the 1st section, to wit: "beginning at a stake in the Sampson county line, at or near where Gay's old house formerly stood, and runs south 80 east 1,540 poles near the head of Thunder Swamp; thence north 56 east 700 poles to the mouth of Calf Pasture Branch, at the run of the North East swamp; then down said North East swamp to the Sandy Run a direct line to a pine near Joel Hines's, known as the corner of Wayne, Duplin and Lenoir counties." Which amendment was not agreed to. Mr. Ward then moved to amend the bill, by inserting after the word "aforesaid," in the 16th line, the following words, to wit: "and the line so run and marked shall be deemed and held the true line dividing said counties;" which was agreed to. The question then recurred on the passage of the said bill the third time; which was determined in the a-
Received from the House of Commons, a message, stating that Mr.
Scott and Mr. Burns attend the Senate as superintendents of the balloting
for a Board of Internal Improvement; and that Marsden Campbell, James
J. M'Kay, Cadwallader Jones, David Clark and Thomas Steele are in
nomination for the appointment. Thereupon Mr. Sneed and Mr. Da-
venport were appointed superintendents of the balloting on the part of
the Senate.

The bill to declare runaway slaves, who arm themselves, outlaws, and
to punish them for such offence, was read the third time. Mr. Seawell
moved to amend the same, by striking out all the words of the bill after
the enacting clause, and inserting the amendment by him submitted. Mr.
Ward moved to amend the amendment, by striking out the words "on
oath," in the 8th line of the 1st section; which was not agreed to. The
question recurred on the adoption of the amendment offered by Mr. Sea-
well; which was agreed to. The question then recurred on the passage
of the said bill the third time; and there being 27 who voted in favor of
the passage of the bill, and 26 who voted against it, thereupon the
Speaker of the Senate voted in the negative, and it was resolved by the
Senate that this bill shall not pass.

The bill to amend the emancipation laws, was read the third time.
Mr. Hill, of Franklin, moved to amend the same, by striking out all
the words after the word "emancipated," in the 3rd line of the first sec-
tion, and inserting the words "in this State." Mr. Joiner moved that
the bill, with the amendment under consideration, be indefinitely post-
poned; which was not agreed to. The question then recurred on the ad-
option of the amendment offered by Mr. Hill, of Franklin, which was
determined in the negative. Thereupon it was resolved by the Senate
that this bill shall not pass.

Mr. Pickett presented a bill prescribing the time in which presumption
of payment, satisfaction or abandonment of claims shall arise; and Mr.
Sanders presented a bill for the better improvement of the navigation of
Neuse river. The first mentioned bill was read the first time and pass-
ed, and the last mentioned bill being read, it was resolved by the Senate
that this bill shall not pass.

Mr. Sneed, from the committee appointed to conduct the balloting for
a Board of Internal Improvement, reported that Cadwallader Jones,
James J. M'Kay, and David Clark, were duly elected; which report was
concorded in.

The bill to compel children, who are of sufficient ability, to maintain
their poor parents, was read the second and third times and passed, and
ordered to be engrossed.

Received from the House of Commons, the resignation of William
A. Sykes, as justice of the peace of Northampton county; which was read
and accepted by the Senate.

Thereupon the Senate adjourned to 10 o'clock, on Monday morning
next.
Monday, February 5, 1827.

The Senate met.

On motion of Mr. Miller, Mr. Sneed, the Member of this House from the county of Granville, and, on motion of Mr. M'Kay, Mr. Croom, the Member of this House from the county of Lenoir, obtained leave of absence from the services of the Senate from and after this day; and, on motion of Mr. Wilson, of Edgecombe, Mr. M'Daniel, the Member of this House from the county of Jones, obtained leave of absence from the services of the Senate from and after to-morrow until the end of the present session.

Mr. Boddie moved for permission to withdraw the petition of sundry inhabitants of Nash, Wayne, Johnston and Edgecombe counties, on the subject of the establishment of a separate county, presented by him the present session; which was agreed to.

Mr. Stokes presented the petition of sundry inhabitants of Wilkes county, on the subject of altering the time of holding the Courts of said county; and Mr. M'Leary presented the petition of sundry citizens of Mecklenburg county, praying that Henry Hargett, a soldier of the revolutionary war, be placed on the pension list of this State; which petitions were referred to the committee of Propositions and Grievances.

Mr. Speight, of Greene, from the committee of Propositions and Grievances, reported a bill to secure to Mary Eliza Rowland, of Robeson county, such property as she may hereafter acquire; which was read the first time and passed.

The engrossed bills, to wit: A bill to regulate the time of appointing overseers of roads in the county of Anson; and a bill to compel the register and other officers therein named to keep their offices at the Court House in the counties of Lincoln and Wilkes, were read the second and third times and passed; and the first mentioned bill was amended, on motion of Mr. Pickett, by striking out the words "all terms," in the 9th line of the 1st section, and inserting "any term;" and the last mentioned bill was amended, on motion of Mr. Stokes, by inserting after the word "shall," in the 9th line of the 1st section, the following words: "by themselves or authorised deputies;" and a message was sent to the House of Commons, asking their concurrence in the said amendments.

Received from the House of Commons, a message, stating that Messrs. Swain, Potter, Barnett, Armistead and Marshall form the select joint committee, to whom stands referred the communication of the Governor relative to James N. Forsythe.

Mr. Stokes, from the committee of Finance, reported the following resolution:

Resolved, That the Public Treasurer be, and he is hereby authorised to empower some person, in whom he has confidence, to renew the bonds given by Thomas Welch, Andrew Welch, Mark Coleman and William Welch, for the purchase of Cherokee land; and that, upon sufficient security for the payment of the balance being given, the said bonds heretofore taken in this behalf, shall be cancelled and delivered up to the said Thomas Welch: Provided, that the costs (if any) of renewing the said bonds as herein directed, shall be paid by the said Thomas Welch.

Which was agreed to, and ordered to be engrossed and sent to the House of Commons.

Mr. Seawell presented a bill relative to advancements, and a bill for the better protection of the city of Raleigh from losses by fire; and Mr.
King presented a bill for the encouragement of Sunday Schools; which bills were generally read the first time and passed.

Mr. Speight, of Greene, from the committee of Propositions and Grievances, to whom was referred the bill authorising Isaac Lane, late Sheriff of Randolph county, to collect the arrearages of taxes due him in said county, reported the said bill without amendment, and moved that the bill be indefinitely postponed; which was not agreed to. Thereupon the same was read the second time, and amended, on motion of Mr. Gray, by filling up the blank in the first section with the words "1823 and 1824." Mr. Bullock moved to further amend the said bill, by inserting the provisions in favor of Thomas V. Hathaway, administrator of James R. Bent, late Sheriff of Chowan county; which was agreed to. Mr. Sharpe moved to further amend the said bill, by extending the provisions thereof in favor of Jeremiah D. Askew and John Deans, administrators of Jesse Deans, dec'd, late Sheriff of Hertford county; which was agreed to; and thereupon the said bill, as amended, passed the second and third times, and was ordered to be engrossed and sent to the House of Commons.

Mr. Love moved to reconsider the vote of the Senate on Saturday last, by which they rejected the bill for the better improvement of the navigation of Neuse river, which was agreed to; and thereupon the said bill was read the second time and passed.

The bill directing the duty of the sheriffs in this State in holding elections for Representatives in Congress and Members of the General Assembly in this State, was read the second time, and amended, on motion of Mr. Seawell, by inserting the words "or either of them" in the 10th line of the first section after the word "State." Mr. Ward then moved to exclude the county of Onslow from the provisions of the bill; which was not agreed to. Thereupon Mr. Pickett moved that the said bill be indefinitely postponed; and the question thereon was determined in the affirmative.

The bill concerning the entry of land in this State, was read the third time and passed, and ordered to be engrossed and sent to the House of Commons.

The engrossed bill to authorise the persons therein named to erect gates at the places and on the public roads therein mentioned, and the engrossed bill to authorise the commissioners of the town of Halifax to sell the academy lots and their appurtenances in the said borough, were severally read the second time and passed.

The following engrossed bills, to wit: A bill to alter an act, entitled "An act to establish and incorporate an academy in the town of Greensborough, in the county of Guilford," passed in the year 1816; a bill for the better regulation of the Courts of Pleas and Quarter Sessions of Martin county; and a bill to alter the names of the persons therein mentioned, and to legitimate them, were severally read the second and third times and passed, and ordered to be enrolled.

The Senate resolved itself into a committee of the whole House, Mr. Spaight, of Craven, in the chair, to take into consideration the resolution relative to swamp lands, and the bill which was referred to the said committee, concerning the swamp and marsh lands in this State, and for other purposes; and, after some time spent therein, the committee rose, the speaker resumed the chair, and Mr. Spaight, of Craven, the chairman of
the committee, reported the said resolution without amendment, which
was laid upon the table; and also reported the above mentioned bill with
an amendment, to strike out all the words of the bill after the second sec-
tion, and to insert the amendment accompanying the same; which amend-
ment was agreed to, and the bill, as amended, passed the second time.
Thereupon the same was read the third time. Mr. Pickett moved to
amend the same, by adding the following provision, to wit: “Provided,
that the Board of Internal Improvement shall not be authorised to com-
mence draining of swamp or marsh land until at least twenty-five
thousand dollars shall have been raised as aforesaid.” Which was agreed
to. Mr. Hill, of Franklin, moved that the last section of the bill be strick-
en out, which authorises a lottery; and the same was not agreed to.
The yeas and nays on this question being demanded by Mr. Hill, of
Franklin, are as follows:
For striking out the said section, are Messrs. Boddie, Gray, Hill of Franklin, Join-
er, Montgomery, Parker, Sillers, Wilson of Edgecombe—Yeas 8.
Against striking out the said section, are Messrs. Alexander, Haired of Burke, Bul-
lock, Blackwell, Bell, Beard of Rowan, Beasley, Davis, Davenport, Deberry, Elliott,
Foreman, Gilchrist, Hunter, Hill of Stokes, Hawkins, King, Locke, Love, M’-
Millan, M’Kay, M’Dowell, Miller, Matthews, M‘Daniel, M‘Leary, Pickett, Hiddick,
Roberts, Spaight of Graven, Salyer, Smith, Speight of Greene, Sharpe, Sanders,
Shuford, Seawell, Stokes, Tyson, Vanhook, Williams of Beaufort, Wilson of Cam-
den, Williams of Martin, Wasden, Ward—Nays 45.

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 and sent to the House of Commons.

Received from the House of Commons, a message, stating that Mr. A-
xander and Mr. Montgomery attend the Senate as superintendents of
the balloting for a Solicitor in the first Judicial Circuit. Thereupon Mr.
M’Millan and Mr. Sharpe were appointed superintendents of the ballot-
ing on the part of the Senate.

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

Tuesday, February 6, 1827.
The Senate met.

Mr. Speight, of Greene, from the committee of Propositions and Griev-
cances, reported a bill to authorise the setting of guns, in the night time,
in the Great Dismal Swamp, in Pasquotank county; which was read the
first time and passed.

Mr. Speight, of Greene, from the same committee, to whom was refer-
red the bill to authorise Maurice Smith, of Granville county, to erect and
keep up on his own land two gates across the public road leading from
Spring Grove meeting house to Grant’s old mill, reported the said bill
without amendment. Thereupon the said bill was read the second and
third times and passed, and ordered to be engrossed and sent to the House
of Commons.

On motion of Mr. King, Mr. Beard, the Member of this House from
the county of Rowan, obtained leave of absence from the services of the
Senate from and after this day until the end of this session.

Mr. Sharpe, from the committee appointed to conduct the balloting for
a Solicitor in the first Judicial Circuit, reported that no person in nomina-
tion had received a majority of the votes. Thereupon, on motion of Mr.
Sharpe, a message was sent to the House of Commons, proposing that a further balloting immediately take place for that appointment.

On motion of Mr. Alexander, 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 Colonel Commandant of the Cavalry attached to the 11th brigade of militia, and nominating for that appointment William N. Parks.

On motion of Mr. Gilchrist, Mr. Leak was added to the committee on Enrolled Bills.

Received from the House of Commons, a message, agreeing to ballot for a Solicitor of the first Judicial Circuit, as proposed by the Senate; and stating that the name of John L. Bailey is withdrawn from the nomination. Thereupon Mr. Davenport and Mr. Beasley 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. Donoho and Mr. Bozman are appointed superintendents of the balloting on the part of that House.

Mr. Riddick presented the following resolution:

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 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 read and adopted, and ordered to be engrossed and sent to the House of Commons.

Received from the House of Commons, a message, stating that they have rejected the bill to compel children, who are of sufficient ability, to maintain their poor parents; and that they have passed the following engrossed bills, to wit: A bill to appropriate five thousand dollars for the purpose of improving the navigation of the Cape-Fear river below Wilmington; a bill to incorporate Raleigh Chapter of Royal Arch Masons; and a bill concerning executors, administrators and guardians; also a resolution to appoint a Superintendent of the State House in the recess of the Legislature; in which they ask the concurrence of the Senate. Thereupon the said bills and resolution were severally read the first time and passed.

Mr. Sillers presented a bill for the better regulation of the trade in the town of Fayetteville; which was read the first time and passed.

The bill to regulate the payment of Claims against the several counties in this State, was read the second time. Mr. Stokes moved to strike out the first section of the bill, and insert the amendment by him submitted, which was agreed to; and the same being further amended, on motion of Mr. Stokes, by striking out the word "ninety," in the 6th line of the 3rd section, and inserting the word "thirty," and also amended, on motion of Mr. King, by adding another section to the bill, the question recurred on the passage of the bill the second time; which was determined in the affirmative.

The engrossed bill to authorize the persons therein named to erect gates at the places and on the public roads therein mentioned, was read the third time and passed, and amended, on motion of Mr. Davis, by adding a new section in the following words, to wit: "And be it further enacted,
that David Burden, of the county of Carteret, be, and he is hereby author- 
ised to erect a gate across the public road leading from his house to 
Newport River." And a message was sent to the House of Commons, ask-
ing their concurrence in the amendment.

The bill for the better protection of the city of Raleigh from losses by 
fire, and a bill to secure to Mary Eliza Rowland, of Robeson county, such 
property as she may hereafter acquire, were severally read the second and 
third times and passed, and ordered to be engrossed and sent to the 
House of Commons.

The engrossed bill to aid the Clubfoot and Harlow Creek Canal Com-
pany in the completion of their canal, was read the second time. Mr. 
M'Kay moved to amend the same, by adding the following proviso, to wit: 
"Provided, that before the said money is advanced, the Treasurer shall 
require the President and Directors of said company, under their hands and 
corporate seal, to convey to the said Treasurer, in trust for the State, the 
canal and other property belonging to the company, for the purpose of se-
curing the repayment of the loan with interest as aforesaid." Which a-

mandment was agreed to. Mr. Seawell moved to further amend the bill, 
by adding another proviso in the following words, to wit: "Provided fur-
ther, that before obtaining the loan hereby made, the President and Di-
rectors of the said company shall give satisfactory bond to the Public Tre-
surier, faithfully to apply the loan hereby granted to the discharge of all 
bona fide debts heretofore contracted for work on the said canal, and in 
the finishing and completing the same." Mr. Pickett then moved to a-
 mend the amendment offered by Mr. Seawell, by adding the following 
words: "and for the repayment of the rateable part of the stockholders 
of the said company, of the money hereby loaned." And on this question 
the yeas and nays were demanded by Mr. Pickett, which are as follows:

For the adoption of the amendment to the amendment, are Messrs. Baird of Burke, 
Bullock, Burney, Boddie, Blackwell, Bell, Devane, Deberry, Gilliam, Gray, Hill 
of Franklin, Hunter, Hill of Stokes, Hawkins, Joiner, Marsh, M'Leary, Montgom-
ery, Pickett, Parker, Riddick, Smith, Sharpe, Sillers, Tyson, Vanhook, Wilson of 

Against the amendment to the amendment, are Messrs. Alexander, Beard of 
Rowan, Beasley, Davis, Davenport, Elliott, Foreman, Gilchrist, King, Locke, Leak, 
Love, M'Millan, M'Kay, M'Dowell, Miller, Matthews, M'Daniel, Roberts, Salyear, 
Speight of Greene, Sanders, Shuford, Seawell, Stokes, Williams of Beaufort, 

There being 29 who voted in favor of the amendment to the amendment, 
and 23 who voted against it, the Speaker of the Senate voted in the nega-
tive, and the same was not agreed to. Mr. Hill then moved that the bill, 
with the amendment under consideration, be indefinitely postponed; 
which was not agreed to. The yeas and nays on this question being de-
manded by Mr. Hill, of Franklin, are as follows:

For the indefinite postponement of the bill, are Messrs. Bullock, Burney, Devane, 
Gilliam, Gray, Hill of Franklin, Hunter, Marsh, Montgomery, Pickett, Parker, Ridd-
dick, Smith, Sillers, Williams of Martin—Yeas 15.

Against the indefinite postponement of the bill, are Messrs. Alexander, Baird of 
Burke, Blackwell, Bell, Beasley, Davis, Davenport, Deberry, Elliott, Foreman, Gil-
christ, Hill of Stokes, Joiner, King, Locke, Leak, Love, M'Millan, M'Kay, M'Dow-
ell, Miller, Matthews, M'Daniel, M'Leary, Roberts, Salyear, Speight of Greene, 
Sharpe, Sanders, Shuford, Seawell, Stokes, Tyson, Vanhook, Williams of Beaufort, 
The question then recurred on the adoption of the amendment offered by Mr. Seawell, which was agreed to. Mr. Seawell then moved to further amend the bill, by adding the second section, as follows: "And be it further enacted, that the loan authorised by this act shall in no event be paid by the Public Treasurer, unless he shall first receive the direction of the Board of Internal Improvement, approving of the expediency of the same, whose duty it shall be to examine the said Canal." Which was agreed to.

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


Against the passage of the bill, are Messrs. Bullock, Gilliam, Gray, Hill of Franklin, Hunter, Marsh, M'Leary, Montgomery, Pickett, Parker, Riddick, Smith, Sillers—Nays 13.

Thereupon the said bill was read the third time. Mr. M'Kay moved to amend the same, by adding the following words after the word "with," in the 13th line of the first section, to wit: "the interest on which to be paid annually, so far as the dividends of the said company will enable them to do it." Which was agreed to. The question then recurred on the passage of the bill the third time; which was determined in the affirmative, and a message was sent to the House of Commons, asking their concurrence in the amendments.

The bill to amend an act, passed in the year 1822, entitled "An act declaring what hogshead and barrel staves shall be merchantable," and the bill to provide for the improvement of the public road leading from Wilkesborough, in North Carolina, to Grayson Court House, in Virginia, were severally read the second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

Mr. Beasley, from the committee appointed to conduct the balloting for a Solicitor of the first Judicial Circuit, reported that no person in nomination had received a majority of the votes. Thereupon the names of David L. Swain and Isaac N. Lamb were withdrawn from the nomination, and the House of Commons was informed thereof by message.

Received from the House of Commons, the resignation of Bryant Adams, as Justice of the Peace of the county of Johnston; which was read and accepted by the Senate.

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

WEDNESDAY, FEBRUARY 7, 1827.

The Senate met.

On motion of Mr. Sharpe, a message was sent to the House of Commons, proposing that a further balloting immediately take place for a Solicitor in the first Judicial Circuit.

Received from the House of Commons, a message, stating that they have passed 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, with sundry amendments adopted by that House, in which they ask the concurrence of the Senate. Thereupon
the said amendments were severally read and agreed to by the Senate, and the House of Commons was informed thereof by message.

Mr. Sillers presented the petition of Nancy M'Kinne, praying to be divorced from her husband Richard M'Kinne; which was referred to the committee of Divorce and Alimony.

Mr. Foreman presented the following resolution, to wit:

Whereas doubts have arisen as to the constitutionality of a Solicitor being entitled to a seat in this House as a Member:

Resolved, therefore, That the seat of Stephen Miller, Senator of the county of Duplin, and also one of the Solicitors of this State, be vacated.

Which being read, was, on motion of Mr. Speight, of Greene, indefinitely postponed.

Received from the House of Commons, a message, stating that they agree to the proposition of the Senate to ballot immediately for a Solicitor in the first Judicial Circuit; that the name of George W. Barney is withdrawn from the nomination; and that Mr. Scott and Mr. Hardy are appointed superintendents of the balloting on the part of that House. Thereupon the name of Samuel T. Sawyer was added to the nomination for the appointment of Solicitor, and Mr. Alexander and Mr. Beasly were appointed superintendents of the balloting on the part of the Senate.

On motion of Mr. King, the Senate proceeded to the consideration of the resolution reported by Mr. Forney, from the committee of Propositions and Grievances, in the following words, to wit: "Resolved, that the petition of Robert Gracey ought not to be granted." Which being read, Mr. King moved to amend the same, by striking out all the words thereof after the word "Resolved," and insert the following: "that Robert Gracey be allowed the sum of one hundred and twenty dollars, with interest from the year 1781." Which was not agreed to. Thereupon Mr. King moved for leave to withdraw the petition and accompanying papers; which was agreed to.

Mr. Love, from the committee of Claims, reported the following resolution:

Resolved, That the Treasurer, Secretary of State and Comptroller, be, and they are hereby constituted a Board, before whom all claims of the citizens of Onslow and Bladen, for services and supplies for the men alleged to have been performed and furnished in suppressing an insurrection in said counties in the year 1821, shall be laid.

Resolved, further, That said Board shall meet in the month of May next, and shall act upon the Claims, and allow such as are accompanied by satisfactory and unequivocal evidence of their being genuine.

Resolved, That the Treasurer in due time give notice of this resolution, and of the time of the meeting of said Board in the State Gazette.

Which being read, it was resolved by the Senate that the same shall not pass.

Mr. Stokes, from the committee of Finance, whose duty it became to examine and destroy the Treasury Notes, lately reported to the Legislature by the Public Treasurer, as being too much worn and defaced for further circulation, made the following report: "That on the second of the present month, the committee met at the Treasury Office, and examined, burnt, and destroyed the amount of fifteen thousand five hundred and twenty-three dollars and ninety-eight cents of the said notes; and for which sum they recommend that the Public Treasurer be credited in his next annual settlement with the Comptroller." Which was read and agreed to, and ordered to be engrossed and sent to the House of Commons,
Received from the House of Commons, a message, stating that they have passed the engrossed bill to repeal an act of the General Assembly, passed in the year 1820, entitled "An act directing the County Court to pay fees to certain officers therein named in certain cases," so far as relates to the counties mentioned in this act; and the engrossed bill to prevent frauds and perjuries in certain cases, with amendments adopted by that House; in which they ask the concurrence of the Senate. Thereupon the same were severally agreed to, and the House of Commons was informed thereof by message.

The bill to aid the opening and completing the State road from Huntsville, in Surry county, to the Virginia line, by way of Bowers' store, in Ashe, and for other purposes, was read the second time, and amended, on motion of Mr. M'Millan, by filling the blank in the first section with the names of "Richard Gentry and David Edwards, senr." and filling the blank in the 4th section with the words "five hundred;" and the same was further amended, on motion of Mr. Seawell, by adding the following section: "And be it further enacted, that it shall not be lawful for either of the commissioners to become a contractor, or be in any wise interested in any contract to be made under the provisions of this act." Thereupon the said bill passed the second and third times, and was ordered to be engrossed and sent to the House of Commons.

The bill more effectually to provide for the probate of last wills and testaments; and the bill for the encouragement of Sunday Schools, were severally read the second time, and, on motion of Mr. Speight, of Greene, the same were indefinitely postponed.

The bill to amend the patrol laws, was read the second time. Mr. M'Kay moved to amend the same, by striking out all the words of the second section after the word "appointed," in the 14th line; which was not agreed to. Mr. Ward moved to amend the same, by striking out the word "next," in the 11th section, and inserting the word "any," which was agreed to. Mr. Elliott moved to amend the same, by striking out all the words of the 11th section after the word "duty," and inserting the following, to wit: "Said patrol are hereby authorised to inflict a punishment upon such slave or slaves, not exceeding thirty-nine lashes, nor less than fifteen." Which was not agreed to. Mr. M'Kay moved further to amend the bill, by adding a 9th section, to wit: "And be it further enacted, that no patrol shall be allowed the aforesaid compensation, unless he shall, at the time of claiming the same, make oath before the Clerk of the County Court, that he has faithfully performed his duty according to the provisions of this act." Which was agreed to. Mr. Speight, of Greene, moved to further amend the same, by inserting in the 6th line of the first section the words "the owners or overseers of a slave or slaves;" which was agreed to. The question 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. Mr. Gilchrist moved to amend the same, by excluding from the provisions of the bill the county of Robeson; which was agreed to. Mr. M'Kay moved to strike out the words "free white men," in the 5th line of the 1st section, and insert the word "persons;" which was agreed to. Mr. Montgomery moved to except the county of Orange from the provisions of the bill; which was not agreed to. The question 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 and sent to the House of Commons.

Mr. Speight, of Greene, moved that the committee of the whole House be discharged from the further consideration of the bill to locate the Judges of the Circuit Courts of this State, and that the same be indefinitely postponed; and the question thereon was determined in the affirmative.

The bill to prevent the owners of slaves, charged with a felony without the benefit of clergy, from sending them away to avoid a trial; and a bill relative to advancements, were severally read, and it was resolved by the Senate that these bills shall not pass.

The bill prescribing the time in which presumptions of payment, satisfaction, or abandonment of claims shall arise, was read the second time and passed.

The bill to amend an act, entitled "An act to authorise the County Courts in this State to direct the Sheriff to sell any slave that may be taken up and confined in any jail as a runaway, after certain length of imprisonment and public notice," passed in 1818; and the bill directing the time within which suits shall be brought upon constables' bonds, were severally read the second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

Mr. Beasly, from the committee appointed to conduct the balloting for a Solicitor in the first Judicial Circuit, reported that no person in nomination had received a majority of the votes.

Received from the House of Commons, the resignation of West Gregory, as Justice of the Peace for the county of Caswell; which was read and accepted by the Senate.

Thereupon the Senate adjourned to half past three o'clock, this evening.

**Wednesday Evening, half past 3 o'clock.**

The Senate met.

Received from the House of Commons, a message, stating that they have passed the following engrossed bills, to wit: A bill to amend the sale law in Rutherford county; and a bill supplemental to an act, passed in 1824, entitled "An act for the better regulation of the town of Greensborough, in Guilford county;" also a resolution in favour of the Public Treasurer; in which they ask the concurrence of the Senate. Thereupon the resolution was adopted, and the said bills were severally read the first, second and third times and passed, and ordered to be enrolled.

The engrossed bill to authorise the commissioners of the town of Halifax to sell the Academy lots and their appurtenances in said borough, was read the third time and passed, and amended, on motion of Mr. Matthews, by adding the following words to the second section of the bill, to wit: "And the money arising from such sale shall be liable in their hands to the claims of those who subscribed the funds with which said lots and Academy were purchased and constructed, in a just and rateable proportion to their respective contributions." And a message was sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill to render valid certain official acts of Elihu Chambers, of Haywood county, was read, and amended, on motion of Mr. Love, by adding the following section: "And be it further enacted, that nothing in this act contained shall be construed to interfere with any conflicting
legal or equitable claim or right herefore obtained by any individual.”

And the same was further amended, on motion of Mr. Smith, by extending the provisions of the bill so far as to render valid certain official acts of Ezekiel Brown, surveyor of Davidson county. Thereupon, on motion of Mr. King, the said bill was ordered to be laid on the table.

The bill to direct the Secretary of State to purchase and distribute copies of the late revival of the laws of this State, by Chief Justice Taylor; the bill further to extend the jurisdiction of the Superior Courts on the subject of Divorce; the bill to exempt practising Physicians from attending as witnesses out of the county in which they reside; and the bill for the better regulation of the trade of the town of Fayetteville, were severally read the second time, and, on motion, indefinitely postponed.

The bill to perpetuate the evidence of the claim of the State of North Carolina to such shares or stock in the several Banks and other corporations as have been or hereafter shall be purchased for the use of said State; and the bill to authorise the setting of guns in the night time in the Great Dismal Swamp, in Pasquotank county, were severally read the second and third times and passed; and the last mentioned bill was amended, on motion of Mr. Speight, of Greene, by adding the following to the second section, to wit: “to be recovered before any Justice of the Peace by any person suing for the same.” Thereupon the said bills were ordered to be engrossed and sent to the House of Commons.

The following bills, to wit: A bill to alter the times of holding the Superior Courts of Law and Equity in the third Judicial Circuit; a bill to extend the time for the registration of grants, mesne conveyances, powers of attorney, bills of sale, and deeds of gift; a bill directing a continuance of the Geological and Mineralogical survey of the State of North Carolina; a bill to permit attorneys from other States to practice in the Courts of this State in certain cases; a bill to compel executors to give security in certain cases; and the bill to amend an act, passed in 1824, 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, and the laying out a town,” were severally read the second time, and, on motion, indefinitely postponed.

The engrossed bill concerning executors, administrators and Guardians, was read the second and third times and passed, and amended, on motion of Mr. Seawell, by adding the following words after the word “referred,” in the 13th line of the 1st section, to wit: “and if they cannot agree on persons to whom it shall be referred, then the Court may refer it to the Clerk, or any other person;” and a message was sent to the House of Commons, asking their concurrence in the amendment.

The following engrossed bills, to wit: A bill to incorporate Raleigh Chapter of Royal Arch Masons; a bill allowing jurors in the County and Superior Courts of Lincoln county to receive pay for their services; and a bill relating to the exercise of the right of challenge in certain cases, were severally read the 2nd and 3d times and passed, and ordered to be enrolled.

On motion of Mr M’Kay, Mr. Devane, the Member of this House from the county of New Hanover, obtained leave of absence from the services of the Senate from and after this day until the end of the present session.

Thereupon the Senate adjourned to 10 o’clock, to-morrow morning.
Thursday, February 8, 1827.

The Senate met.

Mr. Speight, of Greene, from the committee of Propositions and Grievances reported the following resolution:

Resolved, That Henry Hargett, of the county of Mecklenburg, be placed on the pension list, and that he receive annually the sum of forty dollars, to be paid out of any unappropriated monies that may be in the Treasury; and that he be allowed the same in the settlement of his public accounts.

Which was read the first time and passed.

Mr. Speight, of Greene, from the same committee, to whom was referred the petition of sundry inhabitants of Columbus county on the subject of electing the county officers, and the petition of sundry inhabitants of Wilkes county, on the subject of an alteration of the time of holding the Courts of said county, reported unfavorable to the prayer of the petitioners; which was concurred in. Thereupon Mr. Speight, of Greene, moved that the said committee be discharged for the remaining part of the present session; which was agreed to.

Mr. Pickett, from the committee on the Judiciary, to whom was referred the following resolutions of the Senate, to wit: A resolution prohibiting the trading with slaves; a resolution on the subject of deeds for the conveyance of land, deeds of trust, mortgages, or bills of sale; and the resolution directing an inquiry into the expediency of providing by law for those cases in which letters of administration are not taken out on intestates' estates, reported the said resolutions to the Senate, and moved to be discharged from the further consideration of the said subjects, respectively; which was agreed to.

Mr. Love, from the Committee of Claims, to whom was referred the petition of James Grimes, of Duplin county, praying compensation for services rendered in the late war, returned the said petition, and moved to be discharged from the further consideration of the subject; which was agreed to.

Mr. Montgomery presented the following resolution:

Resolved, That the Board of Internal Improvement be requested to ascertain and report to the next Legislature, the amount of stock originally subscribed in each of the different navigation companies within this State, the amount subscribed on behalf of the State, and the amount actually paid on such stock as well by the State as by individuals; also the value in cash of such stock; also to ascertain the terms on which all or any of the navigation companies in this State will surrender their charter to the State.

Which was agreed to, and ordered to be engrossed and sent to the House of Commons.

Received from the House of Commons, a report of the select joint committee on the subject of the resolutions of the Legislature of the State of Georgia, accompanied with a proposition that the same be printed; which was agreed to by the Senate.

Received from the House of Commons, a message, stating that they have indefinitely postponed the following engrossed bills, to wit: a bill to divorce Mary Fields, of the county of Ashe, from her husband William Fields; a bill to divorce John Gibson, of Stokes county, from his wife Milly; a bill to divorce Rachael Dickey from her husband Moses Dickey; and a bill to divorce Samuel I. Edney, of Buncombe county, from his wife Olivia.

Mr. Stokes moved to reconsider the vote of the Senate taken yesterday.
by which they rejected the bill relative to advancements; which was agreed to. Thereupon the said bill passed the second and third times, and was ordered to be engrossed and sent to the House of Commons.

Mr. King presented a bill to appoint commissioners to lay out a road from Lincoln ton to Statesville, by John Thomas's Ferry, in Iredell county, on Catawba River; which was read the first time and passed.

On motion of Mr. Bell, a message was sent to the House of Commons, proposing that a further balloting immediately take place for a Solicitor in the first Judicial Circuit; and a message was received from the House of Commons, stating their concurrence in the said proposition; and that Mr. Lewis and Mr. Barnard are appointed superintendents of the balloting on the part of that House. Thereupon Mr. Bullock and Mr. Bell were appointed superintendents of the balloting on the part of the Senate.

Received from the House of Commons, a resolution, reported by the joint select committee appointed to memorialize the Congress of the United States, on the subject of extinguishing the Cherokee title to land; which being read, was amended, on motion of Mr. Pickett, by striking out the same, and inserting the following, to wit: "Resolved, that the Governor be requested to transmit a copy of this memorial to each of the Senators and Members of the House of Representatives from this State in Congress, with a request that they present the same to both Houses of Congress." And a message was sent to the House of Commons, asking their concurrence in this amendment, and stating that the Senate do not agree that the report be printed, as proposed by that House.

Received from the House of Commons, a message, stating that they have passed a bill to amend an act, passed in the year 1824, entitled "An act to appoint commissioners for the village of Chapel Hill, in Orange county, and for other purposes;" and a bill to prevent litigation by regulating costs in actions of assault and battery; also a resolution in favor 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, and the resolution in favor of the Public Treasurer was read the first, second and third times and passed, and ordered to be enrolled.

Mr. Bell, from the committee appointed to conduct the balloting for a Solicitor in the first Judicial Circuit, reported that no person in nomination had received a majority of the votes. Thereupon, on motion of Mr. Alexander, a message was sent to the House of Commons, proposing that a further balloting immediately take place.

Received from the House of Commons, a message, stating that they concur in all the amendments made in the Senate in the engrossed bill to aid the Clubfoot and Harlow Creek Canal Company in the completion of their Canal. Thereupon the same was ordered to be enrolled.

Received also from that House, a message, stating that they have passed the engrossed resolution concerning the reversion of the State in the Tuscarora lands, with an amendment adopted by that House; in which they ask the concurrence of the Senate. Thereupon the same was read and agreed to, and the House of Commons was informed thereof by message.

The engrossed resolution to appoint a superintendent of the State House in the recess of the Legislature, and for other purposes, was read the second and third times and passed, and amended, on mo-
tion of Mr. Seawell, by striking out, in the first line of the first resolution, the words "Lauriston B. Hardin," and insert the words "the Treasurer, Secretary of State and Comptroller appoint some person;" also to strike out the word "salary," and insert the words "sum not exceeding;" and the same was further amended, by inserting the following words in the 9th line of the 3rd resolution, on motion of Mr. Stokes, to wit: "That he cause, also, the statue of Washington to be cleansed and the State House scoured or washed, whenever their situation may require it; to cause such repairs made on the State House and public square, from time to time, as may be found actually necessary for the preservation of the same, and to have the leaves and other trash that may accumulate on the said square, raked up and carried off once a year." Thereupon a message was sent to the House of Commons, asking their concurrence in the amendments.

Mr. Stokes presented the following resolution:

Resolved, That the Treasurer, Comptroller and Secretary of State, be requested to obtain, upon the best terms in the northern market, or from the markets elsewhere, a sufficient quantity of good and durable carpeting, to cover the halls of the House of Commons and Senate; and cause the same to be prepared and put down on or before the meeting of the next General Assembly.

Which was read the first, second and third times, and passed, and ordered to be engrossed and sent to the House of Commons.

Received from the House of Commons, a message, stating they have indefinitely postponed the engrossed bill to amend the laws respecting the sale of lands and negroes by Sheriffs and other officers.

Received from the House of Commons, a message, stating that they agree to the proposition of the Senate to ballot again immediately for a Solicitor in the first Judicial Circuit; and that Mr. Newland and Mr. M'Kiel attend the Senate as superintendents of the balloting on the part of that House. Thereupon Mr. Bell and Mr. Beasley were appointed superintendents of the balloting on the part of the Senate.

The bill to provide for the final settlement of executors and administrators, was read the second time. Mr. Seawell moved to amend the same, by striking out the 1st section, and inserting the following, to wit: "the Clerk of the Superior Court, the Clerk of the Court of Pleas and Quarter Sessions, and the Clerk and Master in Equity for each of the counties in this State, or a majority of said officers, are hereby constituted auditors to pass upon the accounts of executors and administrators; and in case any of the aforesaid officers shall be related to the persons whose accounts they may have to settle, then the Court may appoint another person or persons in his or their place, to audit the said accounts, with whom it shall be the duty of any executor or administrator to account, on or before two years after his, her or their qualification as such; and which account shall be returned to the Court of Pleas and Quarter Sessions of the said county and recorded." Which amendment was not agreed to. Mr. Sanders then moved that the bill be indefinitely postponed; which was not agreed to. Mr. M'Kay then moved to amend the second section, by adding the following: "allowing, however, to infants two years after they come of age, to except to said report, and commence suit as a-
foresaid;" which was agreed to. The question then recurred on the passage of the bill the second time; which was determined in the affirmative.

Mr. Bell, from the committee appointed to conduct the balloting for a Solicitor in the first Judicial Circuit, reported that no person in nomination had received a majority of the votes.

Received from the House of Commons, the resignation of Nathaniel Blackburn, as Justice of the Peace of Haywood county; which was read and accepted by the Senate.

Thereupon the Senate adjourned to 4 o'clock, this afternoon.

THURSDAY EVENING, 4 o'clock.

The Senate met.

The engrossed bill for the relief of sick and disabled seamen of the United States, was read the second time, and, on motion of Mr. Speight, of Greene, was indefinitely postponed.

Received from the House of Commons, a message, proposing that a balloting take place to-morrow morning for Cavalry officers attached to the 11th brigade of the militia; and nominating Marcus Kennedy for Colonel Commandant, and William C. Means for Lieutenant Colonel; which proposition was agreed to.

Received from the House of Commons, a message, stating that they have indefinitely postponed the engrossed bill to limit the Court of Pleas and Quarter Sessions of Surry county in making allowances to their county officers; and the engrossed bill to amend an act, passed in the year 1818, entitled "An act concerning the Supreme Court."

The bill to appoint commissioners to lay out a road from Lincolnton to Statesville, by John Thomas's ferry, in Iredell county, on the Catawba River; and the resolution in favor of Henry Hargrett, of Mecklenburg county, were severally read the second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

The bill for the better improvement of the navigation of Neuse River, was read the second time. Mr. Sanders moved to amend the same, by striking out all the words thereof, and substitute the amendment by him submitted. Mr. Seawell moved to amend the amendment, by striking out the words "Fort Barnwell," and inserting "Cobbs' Mill;" which was not agreed to. Mr. M'Kay moved to amend the amendment, by adding the following proviso: "Provided, that the money hereby appropriated shall be applied on the work to be done between Fort Barnwell and Smithfield," which was agreed to. The question recurred on the adoption of the amendment offered by Mr. Sanders; which was determined in the affirmative. Thereupon it was resolved by the Senate that this bill shall not pass.

The engrossed bill to amend an act, passed in the year 1824, entitled "An act to appoint commissioners for the village of Chapel Hill, in Orange county, and for other purposes;" and the engrossed bill to appropriate five thousand dollars for the purpose of improving the navigation of the Cape Fear river below Wilmington, were severally read the second and third times and passed, and ordered to be enrolled.

The engrossed bill to authorize the President and Directors of the Literary Fund to raise money by way of Lottery, and for other purposes, was
read the second time. Mr. Hill, of Franklin, moved that the bill be indefinitely postponed; and the question thereon was determined in the negative. The yeas and nays on this question being demanded by Mr. Hill, of Franklin, are as follows:


Mr. M'Kay moved to amend the bill, by adding the 3rd section, to wit: “Be it further enacted, that no part of the said twenty-five thousand dollars shall be paid to the said Archibald D. Murphey, until he shall relinquish all right or claim to the privileges granted to him by an act, passed at the last session of the General Assembly, entitled ‘an act to encourage the publication of a Historical and Scientific work on this State;’ and that said twenty-five thousand dollars, or so much thereof as the President and Directors of the Literary Fund may, in their discretion, think he will be entitled to, shall be advanced only as the work progresses.” Which amendment was agreed to; and the said bill passed the second time; and the same being read the third time, Mr. Hill, of Franklin, moved to amend the same, by adding the following provision: “Provided, that the drawing of the lottery shall not extend beyond two years from the time the contract shall be made.” Which was not agreed to. Thereupon the said bill passed the third time, and a message was sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill to render valid certain official acts of Elisha Chambers, of Haywood county, was read, and, on motion of Mr. Smith, referred to a select committee, consisting of Messrs. Smith, Love, Gray, Gilchrist and Spaight of Craven.

The bill prescribing the time in which presumptions of payment, satisfaction, or abandonment of claims shall arise, was read the third time and passed, and ordered to be engrossed and sent to the House of Commons.

The report of the committee of Finance on the resolution relative to the Gold and Silver Ore, was read, and, on motion of Mr. M'Kay, the further consideration thereof was postponed until the 3rd Monday in November next.

The bill to establish a Medical Board, and to regulate the practice of physic and surgery in this State; the bill to point out and direct the manner in which the prosecuting officers of this State shall in future be paid; and the resolution relative to the swamp and marsh lands, were, on motion, indefinitely postponed.

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

Friday, February 9, 1827.

The Senate met.

On motion of Mr. Wilson, of Edgecombe, Mr. Leak, the Senator from the county of Richmond, and Mr. Gilliam, the Senator from the county
of Bertie; also, on motion of Mr. Speight, of Greene, Mr. Seawell, the Senator from the county of Wake, severally obtained leave of absence from the services of the Senate from after this day until the end of the present session.

On motion of Mr. Vanhook, Mr. Gray, the Senator from the county of Randolph, 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, to whom was referred, the memorial of Jonathan Elliot, of the city of Washington, on the subject of furnishing the State with the debates, &c. of the several Conventions of the old thirteen United States on the adoption of the Constitution, reported the following resolution: “Resolved, that it is inexpedient to legislate on the subject at present.” Which was concurred in.

Mr. Hill, of Franklin, presented a bill to relieve the people, by reducing the land and poll tax for one year; which was read the first time and passed.

Mr. M‘Kay, from the select committee to whom was referred the petition of James Allen, on the subject of a Turnpike road, made a report unfavorable to the prayer of the petitioner; which was concurred in.

Mr. Speight, of Greene, from the committee on the Militia and Public Arms, to whom was referred the petition of sundry citizens of Chatham county, on the subject of compelling Quakers to perform military duty, reported the same to the Senate, and moved to be discharged from the further consideration of the subject; which was agreed to.

On motion of Mr. M‘Kay, Mr. Williams, the Senator from the county of Martin, obtained leave of absence from the services of this House from and after this day until the end of this session.

Mr. Smith, from the select committee to whom was referred the engrossed bill to render valid certain official acts of Elihu Chambers, of Haywood county, reported the said bill with an amendment; which was agreed to, and a message was sent to the House of Commons, asking their concurrence in the amendment.

Received from the House of Commons, a message, proposing that another balloting take place for Solicitor in the first Judicial Circuit; and stating that the name of James S. Jones is withdrawn from the nomination; which proposition was agreed to, and Mr. Davenport and Mr. M‘Millan 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. Armistead and Mr. Poor are appointed superintendents of the balloting on the part of that House.

Received from the House of Commons, a message, stating that the name of Marcus Kenneday is withdrawn from the nomination for the appointment of Colonel of Cavalry attached to the 11th Brigade of the militia; and that the name of William Means is added to the nomination.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to provide for the improvement of the public road leading from Wilkesborough, in North Carolina, to Grayson Court House, in Virginia, and the engrossed bill to alter the time for holding the elections in the county of Brunswick; and that they agree to the amendment made by the Senate in the engrossed bill authorising Jonathan
Cooper, of the county of Bertie, to erect a gate on the public road leading to Spruill's ferry; also they agree to the amendments made by the Senate in the engrossed bill to compel the register and other officers therein named to keep their offices at the Court House in the counties of Lincoln and Wilkes; and also to the amendments made in the engrossed bill to regulate the time of appointing overseers of roads in the county of Anson. Thereupon the said bills were severally ordered to be enrolled.

Mr. King presented a bill to direct the manner in which constables shall hereafter be appointed in the county of Iredell; and Mr. Williams, of Beaufort, presented a bill to amend an act to incorporate a company to build a bridge across Tar River, near the town of Washington, in Beaufort county, and to make a road through a swamp adjacent thereto; which bills were severally read the first time and passed.

Mr. M'Millan, from the committee appointed to conduct the balloting for a Solicitor in the first Judicial Circuit, 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, and that the names of Jesse Wilson and Robert Potter are added to the nomination for that appointment; which proposition was agreed to, and Mr. Bullock and Mr. Bell 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. Allison and Mr. Burke are appointed superintendents on the part of that House.

The bill to transfer the stock owned by the State in the Banks of Newbern and Cape Fear, and purchased since 1821, to the President and Directors of the Literary Fund, was read the second time, and, on motion of Mr. Hill, of Stokes, was indefinitely postponed. The yeas and nays on this question being demanded by Mr. Hill, of Stokes, are as follows:


Against the indefinite postponement of the bill, are Messrs. Baird of Burke, Davis, King, M'Kay, Sneed, Shuford, Stokes—Nays 7.

The bill to regulate the payment of claims against the several counties in this State, was read the third time, and, on motion of Mr. Speight, of Greene, the same was indefinitely postponed.

Received from the House of Commons, a message, stating that they have passed a bill authorising the County Court of Haywood to contract with Joseph Kilpatrick, to open a pack-way on Pine's Creek to the top of the Rich Mountain; a bill to divorce certain persons therein named; also a resolution appointing commissioners to ascertain the practicability of connecting Lockwood's Folly River with Elizabeth River, by means of a navigable canal; a resolution in favor of George Williamson, Sheriff of Caswell county; a resolution in favor of Jesse Clark; and a resolution in favor of Edward Griffin; in which they ask the concurrence of the Senate. Thereupon the said bills and resolutions were severally read the first time and passed.

The bill to provide for the final settlement of executors and administra-
tors, was read the third time, and, on motion of Mr. Sanders, the same was indefinitely postponed. The yeas and nays on this question being demanded by Mr. Sanders, are as follows:


Against the indefinite postponement of the bill, are Messrs. Alexander, Baird of Burke, Bulloch, Beatty, Deberry, Gray, Hill of Franklin, King, Love, McKay, Montgomery, Pickett, Parker, Sillers, Tyson, Wilson of Camden, Wilson of Edgecombe—Nays 17.

Received from the House of Commons, a message, stating their concurrence in the amendments made in the Senate in the engrossed bill to authorize the President and Directors of the Literary Fund to raise money by way of lottery, and for other purposes; and in the amendments made in the engrossed bill concerning executors, administrators and guardians; and also in the amendments made in the engrossed resolution on extinguishing the Cherokee title to land. Thereupon the said bills and resolution were ordered to be enrolled.

Mr. Bulloch, from the committee appointed to conduct the balloting for a Solicitor in the first Judicial Circuit, reported that no person in nomination had received a majority of the votes.

The engrossed resolution in favor of Edward Griffin, was read the second and third times and passed, and amended, on motion of Mr. Seawell, by adding the following, to wit: "upon his making settlement with the Comptroller in the same manner as all other sheriffs are by law required to make settlement; in which settlement the sheriff shall be allowed his mileage and legally allowed insolvents." And a message was sent to the House of Commons, asking their concurrence in the amendment.

Thereupon the Senate adjourned to 3 o'clock, this afternoon.

FRIday Evening, 3 o'clock.

The Senate met.

On motion of Mr. Alexander, a message was sent to the House of Commons, proposing that a ballotting take place for Cavalry officers attached to the 11th Brigade; and that Mr. Alexander and Mr. Roberts are appointed superintendents of the ballotting on the part of the Senate. And a message was received from the House of Commons, stating that Mr. Pickens and Mr. Bain are appointed superintendents on the part of that House.

On motion of Mr. Speight, of Greene, Mr. Salley, the Senator from the county of Currituck, obtained leave of absence from the services of the Senate from and after to-morrow until the end of the present session.

On motion of Mr. Hill, of Franklin, the Senate reconsidered the vote taken yesterday, by which they rejected the proposition of the House of Commons to print the report of the committee on the subject of extinguishing the title of the Cherokee Lands. Thereupon the same was ordered to be printed, as proposed by that House.

The bill to divorce certain persons therein named; the resolution in favor of George Williamson, Sheriff of Caswell county; and the resolution in favor of Jesse Clark, were read the second and third times and passed, and ordered to be enrolled.
Journal of the Senate.

Received from the House of Commons, a message, proposing that another balloting be had immediately for a Solicitor in the first Judicial Circuit; and stating that the names of John K. Campbell and Joseph A. Hill are added to the nomination for that appointment; which proposition was agreed to, and Mr. M'Millan and Mr. Burney 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. Blount and Mr. M'Kiel are appointed superintendents of the balloting on the part of that House.

The resolution appointing commissioners to ascertain the practicability of connecting Lockwood’s Folly River with Elizabeth River, by means of a navigable canal, was read the second and third times and passed; and was amended, on motion of Mr. Hill, of Franklin, by striking out the word “the,” in the 13th line, and inserting “a,” and adding in the same line after the word “of,” the words “not exceeding;” and a message was sent to the House of Commons, asking their concurrence in the amendments.

The bill authorising the County Court of Haywood to contract with Joseph Kilpatrick, to open a pack-way from his house, on Fine’s Creek, to the top of the Rich Mountain, was read the second and third times and passed, and amended, on motion of Mr. Love, by adding in the 14th line of the 1st section, after the word “mountain,” the words “at the State line;” 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 indefinitely postponed the engrossed bill to amend the patrol laws, and the resolution relative to the carpeting the floors of the two Houses.

The engrossed bill to amend the laws regulating the sale of lands and slaves, so far as respects the county of Anson, was read the second and third times and passed, and amended, on motion of Mr. Hill, of Franklin, by extending the provisions of the bill to sundry counties therein mentioned; 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 do not agree to the amendments made by the Senate in the engrossed resolution to appoint a superintendent of the State House in the recess of the Legislature, and for other purposes. Thereupon the Senate insisted upon 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 the engrossed bill to prohibit the trading with slaves, except in the manner therein prescribed, with sundry amendments adopted by that House; which were read and agreed to, and the House of Commons was informed thereof by message.

Mr. M’Millan, from the committee appointed to conduct the balloting for a Solicitor in the 1st Judicial Circuit, reported that no person in nomination had received a majority of the votes. Thereupon, on motion of Mr. Sillers, a message was sent to the House of Commons, proposing another balloting for that appointment; and stating that Mr. Sillers and Mr. Sharpe are appointed superintendents of the balloting on the part of
the Senate. And a message was received from the House of Commons, stating that Mr. Donoho and Mr. Montgomery are appointed superintendents of the ballots on the part of that House; and that the names of Samuel Sawyer and Joseph D. White are withdrawn from the nomination.

The bill to direct the manner in which constables shall hereafter be appointed in the county of Iredell, was read the second and third times and passed, and amended, on motion of Mr. Davis, by extending the provisions of the bill to the county of Carteret. Thereupon the same was ordered to be engrossed.

Mr. Pickett presented the following resolution:

Resolved, That in case Abraham Forrest shall make a full settlement with the Comptroller, and shall pay to the Public Treasurer the full amount of all taxes he is liable to account for, and pay for the year 1825, within two months, he shall be released and discharged from the said judgment obtained against him, upon payment of costs, and that he shall be allowed for his mileage, commissions and insolvents as prescribed by law.

Which was read the first, second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

The engrossed bill to prevent litigation by regulating costs in actions of assault and battery, 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 passed the engrossed bill to allow further time for the establishment of agricultural societies in this State, and for those already established to avail themselves of the provisions of the act, entitled “An act for the promotion of agriculture and family domestic manufactures,” passed in the year 1822; also a resolution directing the Secretary of State to purchase a number of copies of the revision of the laws for the last five years; and a resolution in favor of Pleasant Henderson; in which they ask the concurrence of the Senate. Thereupon the said bill and the first mentioned resolution were read the first time, and, on motion, were indefinitely postponed; and the last mentioned resolution was read and agreed to, and ordered to be enrolled.

Mr. Hill, of Franklin, moved that the 11th rule of the Senate be suspended, requiring all bills of a public nature, when ready for the second hearing, to be noted to be read at least one day previous thereto, so as to proceed to the consideration of the bill presented by him this day to relieve the people by reducing the land and poll tax for one year; which was agreed to. Thereupon the said bill 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. Hill, of Franklin, are as follows:

For the indefinite postponement of the bill, are Messrs. Alexander, Baird of Burke, Burney, Deberry, Elliott, Gilmour, Hill of Stokes, King, McKay, Miller, M'Leary, Pickett, Spaight of Craven, Salley, Snead, Speight of Greene, Shuford, Tyson, Williams of Beaufort, Wilson of Camden, Wilson of Edgecombe, Ward—Yea's 22.


Received from the House of Commons, the resignation of Melcher Rhein, as justice of the peace of Lenoir county; which was read and accepted by the Senate.
Mr. King presented a resolution on the subject of a Penitentiary; which being read, Mr. Hill, of Franklin, moved that the same be indefinitely postponed; which was not agreed to.

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

Saturday, February 10, 1827.

The Senate met.

Mr. Alexander, from the committee appointed to conduct the balloting for a Colonel Commandant of the Cavalry attached to the 11th brigade of militia, reported that William N. Parks was duly elected; which report was concurred in. Thereupon, on motion of Mr. M'Leary, a message was sent to the House of Commons, proposing that a balloting immediately take place by the two Houses for a Lieutenant Colonel of the Cavalry attached to the said brigade of militia, and stating that Robert Kilpatrick and W. C. Means are in nomination for that appointment.

Mr. Sharpe, from the committee appointed to conduct the balloting for a Solicitor in the first Judicial Circuit, reported that no person in nomination had received a majority of the votes.

Mr. M'Kay presented a bill concerning the county of Bladen; which was read the first, second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

Received from the House of Commons, a message, stating that they have passed a bill to alter an act, passed in 1823, entitled “An act to amend an act, passed at the last Session of the General Assembly, entitled ‘an act to provide a revenue for the payment of the Civil List and contingent charges of government;” also a resolution requesting the Governor of the State to make application to the British Government for permission to take copies from the office of the Board of Trade and Plantations in London of such papers and documents as relate to the Colonial History of North Carolina; and resolutions in favor of Wm. Thompson; in which they ask the concurrence of the Senate. Thereupon the bill was read the first time and passed, and the resolutions were severally read and agreed to, and ordered to be enrolled.

The bill to amend an act to incorporate a company to build a bridge across Tar River, near the town of Washington, in Beaufort county, and to make a road through a swamp adjacent thereto, was read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons, a message, stating that Mr. Armstrong and Mr. Whitaker are appointed superintendents of the balloting for Lieutenant Colonel of the Cavalry attached to the 11th brigade of militia. Thereupon Mr. Hill, of Stokes, and Mr. Beasley 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 bills, to wit: A bill to amend an act, passed in 1823, entitled “an act declaring what hogshead and barrel staves shall be merchantable;” and a bill to appoint commissioners to lay out a road from Lincoln to Statesville, by John Thomas’s Ferry, in Iredell county, on the Catawba river; a bill to authorise the persons therein named to collect arrears of taxes; a bill concerning the town of Oxford; and a bill concerning the entry of land in this State, with sundry amendments a-
adopted by that House in the said bills, respectively; in which they ask the concurrence of the Senate. Thereupon the same were severally read and agreed to, and the House of Commons was informed thereof by message.

On motion of Mr. Sharpe, a message was sent to the House of Commons, proposing that another balloting immediately take place for a Solicitor in the first Judicial Circuit; and a message was received from the House of Commons, agreeing to this proposition, and stating that Mr. Marshall and Mr. Blount are appointed superintendents of the balloting on the part of that House. Thereupon Mr. Sharpe and Mr. Sillers were appointed superintendents on the part of the Senate.

Mr. Hill, of Stokes, from the committee appointed to conduct the balloting for Lieutenant Colonel of the Cavalry attached to the 11th brigade of the militia, reported that William C. Means was duly elected; which report was concurred in.

Received from the House of Commons, a message, stating that they agree to the amendments made by the Senate in the following engrossed bills, to wit: A bill authorising the County Court of Haywood to contract with Joseph Kilpatrick to open a pack-way from his house, on Fine's Creek, to the top of the Rich Mountain; a bill to amend the laws regulating the sale of lands and slaves, so far as respects the county of Anson; a bill to render valid the official acts of Elihu Chambers, of Haywood county; and a bill to authorise the commissioners of the town of Halifax to sell the Academy lots and their appurtenances in said borough; also a resolution in favor of Edward Griffin; and a resolution appointing commissioners to ascertain the practicability of connecting Lockwood's Folly river with Elizabeth river, by means of a navigable canal. Thereupon the said bills were severally ordered to be enrolled.

Received from the House of Commons, a message, stating that they agree to the first amendment made by the Senate in the engrossed resolution relative to the Secretary of State; but do not agree to the other amendments made in the Senate to the said resolution, relative to the purchase of carpeting for the floors of the Senate Chamber and House of Commons. Thereupon the Senate resolved to insist upon their said amendments.

Received from the House of Commons, a message, stating that they insist on their disagreement to the amendments made by the Senate to the engrossed resolution to appoint a superintendent of the State House in the recess of the Legislature, and for other purposes. Thereupon a message was sent to the House of Commons, proposing a conference on the disagreeing votes of the two Houses.

Received from the House of Commons, a message, stating that they have passed the engrossed bill concerning swamp and marsh land in this State, with an amendment adopted by that House; in which they ask the concurrence of the Senate. Thereupon the same was read and 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 prescribing the mode of surveying and selling the lands lately acquired from the Cherokee Indians, with sundry amendments adopted by that House; in which they ask the concurrence
of the Senate. Thereupon the amendment to strike out the words "as
well those now surveyed as those," in the 3d and 4th lines of the 4th sec-
tion, was agreed to; but the amendment proposed in the 13th line of the
same section, to strike out "two dollars," and insert "one dollar and
fifty cents," was not 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 resolution relating to the Lunatic Hospital; in
which they ask the concurrence of the Senate. Thereupon the same was
read and concurred in, and amended, on motion of Mr. Sneed, by adopt-
ing the amendment by him submitted; and a message was sent to the
House of Commons, asking their concurrence in the amendment.

Received from the House of Commons, a message, agreeing to the pro-
position of the Senate for a conference on the disagreeing votes of the two
Houses on the resolution to appoint a superintendent of the State House
in the recess of the Legislature, and stating that Mr. Settle and Mr.
Shepperd form the committee on the part of that House. Thereupon Mr.
Pickett and Mr. Seawell were appointed the committee on the part of
the Senate.

Mr. Sharp, from the committee appointed to conduct the balloting for a
Sollicitor in the first Judicial Circuit, reported that no person in nomi-
nation has received a majority of the votes. Thereupon a message was re-
ceived from the House of Commons, proposing another balloting for that
appointment; which proposition was agreed to. The name of David L.
Swain was added to the nomination, and Mr. Blackwell and Mr. Daven-
port were appointed superintendents of the balloting on the part of the
Senate. And a message was received from the House of Commons, stat-
ing that Mr. Montgomery and Mr. Scott are appointed superintendents
on the part of that House.

Mr. Love, from the committee of Claims, reported the following reso-
lution:

Resolved, That the Secretary of State issue to Richard Bullock, heir of Joshua
Bullock, dec'd, a warrant for eight hundred and eighty-eight acres of land, it being
for the military services of the said Joshua Bullock, deceased, as an Ensign in the re-
volutionary war.

Which was agreed to, and ordered to be engrossed and sent to the
House of Commons.

Mr. King, from the committee to whom was referred a communication
from his Excellency the Governor, and sundry accounts accompanying
the same, relative to James Forsythe, made a report thereon, which was
concurred in.

On motion of Mr. Love, the committee of Claims was discharged from
all further duties for this session.

The resolution on the subject of a Penitentiary, was read and agreed to,
and ordered to be engrossed.

Mr. Hill presented a bill for the relief of the good people of the coun-
ties of Halifax, Nash, Warren, Wake, Franklin, Johnston and Granville,
by reducing the land and poll taxes of said counties; which was read the
first time and passed, and the same being read the second time, was, on
motion of Mr. Speight, of Greene, indefinitely postponed. The yeas and
nays on this question being demanded by Mr. Matthews, are as follows:


Mr. Burney then moved to reconsider the vote of the Senate taken yesterday, by which it was indefinitely postponed the bill to relieve the people, by reducing the land and poll tax for one year; and the question was determined in the negative.

Received from the House of Commons, the resignation of Isaac Roberson, a Justice of the Peace of Haywood county; which was read and accepted by the Senate.

Mr. Mc'Leary presented the resignation of John Fincher, as Justice of the Peace of Mecklenburg county; which was read and accepted, and sent to the House of Commons.

Thereupon the Senate adjourned to half past 3 o'clock, this afternoon.

SATURDAY EVENING, HALF PAST 3 O'CLOCK.

The Senate met.

Mr. Blackwell, from the committee appointed to conduct the balloting for a Solicitor in the first Judicial Circuit, reported that David L. Swain was duly elected; which report was concurred in.

On motion of Mr. Montgomery, the Senate proceeded to the consideration of the bill concerning the Superior Courts of Orange county; which was read the second time, and it was resolved by the Senate that this bill shall not pass.

Mr. Hill, of Franklin, moved for permission to withdraw the papers presented by him this session relative to the claims of a Court Martial convened for the trial of Col. Ephraim Daniel; which was agreed to.

Mr. Seawell presented the following resolution:

Resolved, That the Public Treasurer pay to William Thompson the sum of one dollar and twenty-five cents, for placing a lock on the office door of the Clerk of the Senate; and that the rule of the House requiring all resolutions, the object of which is to draw money from the Treasury, to be read three times, be dispensed with as regards this resolution.

Which was agreed to, and ordered to be engrossed and sent to the House of Commons.

Mr. Seawell, from the committee appointed on the part of the Senate to confer with a committee on the part of the House of Commons on the disagreement of the two Houses on the amendment made by the Senate in the resolution to appoint a superintendent of the State House in the recess of the Legislature, reported that, upon conference with the committee of the other House, they have agreed to recommend to the Senate to recede from the amendments D, C, and A, and to insist upon the amendment B; which was concurred in.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to amend an act, entitled "An act to authorise the County Courts in this State to direct the sheriff to sell any slave that
may be taken up and confined in any jail as a runaway, after certain length of imprisonment and public notice," passed in 1818; and the engrossed bill relative to advancements; also that they have indefinitely postponed the engrossed bill, limiting the time within which deeds of trust and mortgages shall be registered, and to provide for giving publicity to the same; and that they have passed the engrossed bill for the protection of sureties, with an amendment adopted by that House; in which they ask the concurrence of the Senate; 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 recede from their second amendment to the bill prescribing the mode of surveying and selling the lands lately acquired from the Cherokee Indians. Thereupon the same was ordered to be enrolled.

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

Resolved, That Lauriston B. Hardin be appointed Librarian to the State Library, with a salary of seventy-five dollars per annum; and that the said Lauriston B. Hardin shall make out and deposit with the Secretary of State a list of all books now belonging to the Library, and of all such as may hereafter be purchased; and that the rule, requiring resolutions appropriating money, to be read three times, be dispensed with so far as regards this resolution.

Which was agreed to, and ordered to be engrossed.

Received from the House of Commons, a message, stating that they do not concur in the amendment made by the Senate, in the engrossed resolution relating to a Lunatic Hospital. Thereupon, on motion of Mr. Sneed, the Senate receded from their amendment.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to authorise the building of a toll bridge over Chowan river, at the town of Winton, and to incorporate a company for that purpose; and the engrossed resolutions in relation to the amendment of the Constitution of the United States; in which they ask the concurrence of the Senate. Thereupon the said resolution was adopted and ordered to be enrolled, and the said bill was read the first, second and third times and passed, and amended, on motion of Mr. Seawell, by restricting the tolls, receivable at said bridge; 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 the engrossed bill to alter the times of holding the Courts of Pleas and Quarter Sessions in Duplin county, with an amendment adopted by that House; in which they ask the concurrence of the Senate. Thereupon the same was read and agreed to.

Received from the House of Commons, a message, stating that they have rejected the following engrossed bills and resolutions, to wit: A bill to secure to Mary Turner, wife of Henry A. Turner, of Washington, such property as she may hereafter acquire; a bill to secure to Mary E. Rowland, of Robeson county, such property as she may hereafter acquire; also a bill to secure to Martha Barbee, of the county of Wake, such property as she may hereafter acquire; also a bill to secure to Elizabeth Robertson, of Wake county, such property as she may hereafter acquire; also a bill to secure to Mary Waller, wife of Amos J. Waller, of Duplin county, such property as she may hereafter acquire; also a bill to secure to Siddy Smith, of Wake county, such estate as she may hereafter ac-
quire; also a resolution in favor of Henry Hargett, of Mecklenburg; also a resolution requesting his Excellency the Governor to obtain from the Clerks of the Superior and County Courts a statement of the prison fees, &c. for the imprisonment of persons confined for the commission of crimes for the last twelve months; also a bill to direct the manner in which constables shall hereafter be appointed in the counties of Iredell and Carteret; also a bill to secure to Mildred M'Lilly, of Halifax county, such property as she may hereafter acquire; and the bill to secure to Mourning Adams, of Randolph county, such property as she may hereafter acquire.

Received from the House of Commons, a message, stating that they have passed the engrossed resolution in favor of Lawrence & Lemay; in which they ask the concurrence of the Senate. Thereupon the same was read the first, second and third times and passed, and ordered to be enrolled.

Thereupon the Senate adjourned to 7 o'clock, on Monday morning next.

MONDAY, FEBRUARY 12, 1827.

The Senate met.

Mr. Pickett moved to reconsider the vote of the Senate, taken on Saturday last, on the resolution in relation to the amendment of the Constitution of the United States; which was agreed to, and thereupon, on motion of Mr. Wilson, of Edgecombe, the same was ordered to lie on the table.

Received from the House of Commons, the resignation of Wm. D. Smith, as Brigadier General of the 15th brigade of the militia; which was read and accepted by the Senate. Thereupon, Mr. Hill, of Franklin, moved that a message be sent to the House of Commons, proposing that a balloting immediately take place for that appointment; which was not agreed to.

Received from the House of Commons, a resolution in favor of Lemuel Dowdy and William Johnson; which was read and adopted, and ordered to be enrolled:

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. Pickett offered the following resolution:

Resolved unanimously, That the thanks of the Senate be, and is hereby tendered 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 the resolution being put by the Clerk, the same was adopted unanimously; and thereupon the Honorable Speaker made an 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.