JOURNAL OF THE SENATE.

At a General Assembly, began and held in the City of Raleigh, on Monday, the 19th day of November, in the year of our Lord one thousand eight hundred and twenty seven, and in the fifty-second year of the Independence of the United States of America, it being the first session of this General Assembly:

On which day, being that appointed by Law for the meeting of the General Assembly, the following members of the Senate appeared, produced their credentials, were qualified agreeably to Law, and took their seats, to wit:

From Anson County, Joseph Pickett, Iredell, Abner Franklin,
Ashe, Alex. B. M'Millan, Lenoir, Nathan B. Whitfield,
Beaufort, Jas. O K Williams, Lincoln, Michael Reinhardt,
Beth. George O. Askew, Macon, Joseph J. Williams,
Bladen, John Owen, Mecklenburg,
Brunswick, Benjamin R. Locke, Montgomery, Edmund Deberry,
Buncombe, Athian A. M'Dowell, Moore, Alexander M'Neil,
Burke, Merritt Burgin, Nash. Nicholas Drake,
Cabarrus, New Hanover,
Camden, Willis Wilson, Northampton, Exum Holland,
Carrol, Nathan Fuller, Onslow,
Caswell, Bartlett Yancey, Orange, William Montgomery,
Chatham, Joseph Ramsay, Pasquotank, John L. Baily,
Chowan, William Walton, Perquimans, Willis Riddick,
Columbus, Person, Robert Vanhook,
Craven, Richard D. Spaight, Pitt, John Joiner,
Cumberland, Laughlin B-lbone, Randolph, Alexander Gray,
Currituck, Samuel Salyear, Richmond, Erasmus Love,
Davidson, John M. Smith, Robeson, Archibald M'Eachin,
Davison, Andrew Hurst, Rockingham,
Edgecom, Louis D. Wilson, Rowan, John Scott,
Franklin, James Howze, Rutherford, Martin Shuford,
Gates, Abraham Harrell, Sampson, Hardy Royall,
Granville, James Nuttall, Stokes, Emanuel Shoeb,
Greene, Jesse Speight, Surry, William P. Dobson,
Guilford, Jonathan Parker, Tyrrell, John B. Beasley,
Haliifax, Isham Matthews, Wake, Charles L. Hinton,
Haywood, Thomas Love, Warren, Micajah T. Hawkins,
Hertford, David O. Askew, Washington, Samuel Davenport,
Hyde, Benjamin Saunders, Wayne, Gabriel Sherard,
Johnston, David Thomson, Wake, Edmund Jones,
Jones, Risden M. M'Daniel,
A quorum, consisting of a majority of the whole number of members, being present, on motion of Mr. Wilson, of Edgecomb, Bartlett Yancey, Esquire, the Senator from the county of Caswell, was unanimously chosen Speaker, and was conducted to the chair; after which he made his acknowledgments to the Senate in an appropriate address.

On motion of Mr. Love, of Haywood, James W. Clark was appointed Clerk of the Senate.

On motion of Mr. Sherard, the Senate proceeded to the election of the Assistant Clerk; whereupon the following persons were nominated for that appointment, to wit: Robert H. Helme, William M. Sneed, Samuel F. Patterson, Archibald R. Ruffin, Henry M. Miller, John C. Stedman and Robert W. Goodman. Mr. Speight of Greene and Mr. Wilson of Edgecombe were appointed superintendents of the balloting.

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

Mr. Wilson, of Edgecomb, from the committee appointed to superintend the balloting for Assistant Clerk, reported that no person in nomination had a majority of votes: whereupon, on motion of Mr. Wilson, of Edgecomb, another balloting was ordered, and to be conducted by the same superintendents. Mr. Wilson, of Edgecomb, from the committee appointed to conduct the balloting for Clerk Assistant, reported that no person in nomination had a majority of votes. On motion of Mr. Wilson, of Edgecomb, a further balloting was ordered for the Clerk Assistant; and the superintendents heretofore appointed for that purpose, were ordered to conduct it; and, on motion of Mr. Spaight, of Craven, the name of Robert H. Helme was withdrawn from the nomination.

On motion of Mr. Love, of Haywood, ordered that the rules of the Senate of the last session of the Legislature be the rules of order and decorum for the government of the Senate during the present session; and that they be printed, one copy for each member.

Mr. Wilson, of Edgecomb, from the committee appointed to superintend the balloting for Clerk Assistant, reported that Samuel F. Patterson, having a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

On motion of Mr. Sherard, ordered that a message be sent to the House of Commons, informing them that the Senate is duly organized, and ready to proceed on public business, having appointed Bartlett Yancey, Esquire, Speaker; James W. Clark, Clerk; and Samuel F. Patterson, Clerk Assistant; and Thomas B. Wheeler and Robert Ray, Doorkeepers.

On motion of Mr. Hawkins, ordered that a message be sent to the House of Commons, proposing the appointment of a joint select committee, to wait on the Governor, and inform him that the Legislature has convened agreeably to law, and is now ready to receive any communication he may think proper to make.

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

TUESDAY, NOVEMBER 20, 1827.

Lawson H. Alexander, the Senator from the county of Cabarrus, and Thomas Devane, the Senator from the county of New Hanover, appeared, produced their credentials, were qualified, and took their seats.
Received from the House of Commons a message, stating the due
organization of that branch of the Legislature, by the appointment of
James Iredell, Speaker; Pleasant Henderson, Clerk; Charles Manly,
Clerk Assistant; 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, to appoint a joint select committee to wait on the Governor,
and to inform him of the organization of the Legislature, and of their
readiness to receive any communication he may be pleased to make to
them; and appointing of the committee, on the part of that House, Mr.
Newland and Mr. Gary. Mr. Hawkins and Mr. Shober were appointed
of the committee on the part of the Senate.

A message was received from the House of Commons, proposing the
appointment of a joint select committee to prepare and report joint rules
for the regulation of the intercourse between the two Houses; which proposition was agreed to, and Mr. Owen, Mr. Spaight of Craven, and Mr.
Pickett were appointed of the committee on the part of the Senate.

Mr. Speight of Greene, announced the death of John Haywood, Public
Treasurer of this State. Whereupon, on motion of Mr. Speight, of
Greene,

Resolved, That this House deeply deplore the loss the public has sustained in the
death of John Haywood, Esquire, the long tried and faithful Treasurer of the State.

Resolved, As a token of the deep respect we feel, and the great affection and
veneration we have for the character and virtues of the deceased, that the members of
this House, with the Speaker at their head, attend his funeral in procession at the
hour of three o'clock this afternoon; and that we wear crape on the left arm during the
remainder of the session.

Resolved, That this House abstain from any further business during this day; and
that a committee of five members be appointed to join a like committee on the part of
the Commons, to confer with the family, and make suitable arrangements for the
procession to the tomb of the deceased.

Mr. Speight of Greene, Mr. Jones, Mr. Wilson of Edgecomb, Mr.
Love and Mr. Riddick, were appointed of the committee on the part of
the Senate.

And the Senate adjourned until this afternoon, 2 o'clock.

Tuesday Evening, 2 o'clock.

Mr. Speight, of Greene, from the committee appointed to confer with the
family of the late John Haywood, Esquire, and make suitable arrangements for the procession to the tomb of the deceased, reported that the
procession for the interment of John Haywood, Public Treasurer of North
Carolina, will form on the public square, east of the State House, march to the late dwelling of the deceased, and there join the family, relatives and
friends of the deceased, and in the following order return to the
Presbyterian Church, to attend a funeral discourse: thence, in the same
order, to return to the place of interment.

Order of Procession.
1st. The corpse, with three pall bearers on each side.
2d. The family and relatives of the deceased.
3d. The Reverend Clergy,
4th. His Excellency the Governor and Heads of Departments,
5th. The Judicial Officers of the State.
6th. The Speakers of the Senate and House of Commons.
7th. The Committee of Arrangements
8th. Members of the Senate and Clerks
9th. Members of the Commons and Clerks.
10th. Officers of the two Houses.
11th. Citizens and Strangers.


Resolved, That the Rev. Doct M'Pheeters be requested to perform the funeral obsequies at 3 o'clock this afternoon.

Resolved, That General Beverly Daniel be requested to act as Marshal of the day.

The report was concurred in; and then the Senate adjourned to 10 o'clock, to-morrow morning.

Wednesday, November 21, 1827.

Received from the House of Commons a message, of the date of yesterday, proposing to ballot for three Engrossing Clerks at the meeting of the two Houses on to day, and stating that Robert W. Goodman, Wilson B. Hodges, Thomas Dewes, Robert H. Heime, Thomas G Stone, Edmund F. Lilley, William J. Cowan William E. Troy, John K. Campbell, Henry M. Jasper, James Irwin, John Hill and Calvin Covington are nominated for the appointment; which proposition was agreed to. On motion of Mr. Williams, of Martin, James H. Johnston, and, on motion of Mr. Matthews, Robert Ransom was added to the nomination. Thereupon Mr. Williams of Martin and Mr. M'Millan were appointed superintendents of the balloting, and the House of Commons informed thereof by message.

Received from the House of Commons a further message, stating that Mr. Marshall and Mr. Busbee attend the Senate as superintendents of the balloting for three Engrossing Clerks; and that the name of Joshua E. Lumsden is added to the nomination.

Mr. Hawkins, from the committee appointed to wait on the Governor, reported that the committee were authorised to state, that he would make a communication to the Legislature at 12 o'clock this day.

On motion of Mr. Hawkins,

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

Edward T. Brodax, the Senator from Rockingham county, appeared, produced his credentials, was qualified, and took his seat.

Received from the House of Commons a message from the Governor, accompanied with a proposition from that House, that the message be printed, one copy for each member of the Legislature; which proposition was concurred in, and the House of Commons were informed thereof by message.

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

Received from the House of Commons a message, proposing that another balloting immediately take place for the three Engrossing Clerks; and stating that the name of Joshua E. Lumsden is withdrawn; which proposition was agreed to, and a message was sent to the House of Commons, stating that Robert Ransom is also withdrawn, and that Mr. Beasley and
Mr. Ramsay are appointed superintendents of the balloting. Whereupon a message was received from the House of Commons, appointing Mr. Gary and Mr. Lewis superintendents of the balloting on the part of that House.

Mr. Williams, of Martin, presented a petition of William D. Taylor, of Martin county, praying to be divorced from his wife Nancy. Whereupon, on motion of Mr. Williams, of Martin, a committee on Divorce and Alimony was appointed.

The committee consists of Messrs. Williams, of Martin, Joiner, Parker, Gray and Mathews.

Ordered that the petition of William D. Taylor, of Martin county, be referred to the said committee.

Mr. Owen, from the joint select committee, to whom was referred the resolution instructing them to report joint rules for the regulation of the intercourse between the two Houses, made a report, which was read, and the resolution therein contained, was concurred in by the Senate, as follows:

Resolved, That the joint rules, adopted in the year eighteen hundred and twenty-four, as the permanent joint rules for the government of the intercourse between the two Houses, be printed, one copy for each member of this General Assembly.

On motion of Mr. Placket.

Resolved, That the Senate do now proceed to the appointment of the standing committees, pursuant to the rules and orders of the Senate.

And a Committee of Finance, on the part of the Senate, was appointed, consisting of Messrs. Love, of Haywood, Deberry, Vanhook, Bethune, Owen, Spaight, of Craven, Wilson, of Edgecomb, and Bailey; and a message sent to the House of Commons informing them thereof.

A committee of claims was appointed, consisting of Messrs. Jones, Alexander, Gray, M'Eachin, Ward, Whitfield, Matthews and Askew of Hertford.

A committee of Propositions and Grievances was appointed, consisting of Messrs. M'Dowell, Shoiber, Montgomery, Love of Richmond, Hurst, Sherard, Hawkins and A-kew of Berrie.

A committee of Privileges and Elections was appointed, consisting of Messrs. Bargin, Scott, Hinton, M'Nell, Locke, Thompson, Howze and Wilson of Camden.

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

THURSDAY, NOVEMBER 22, 1827.

Mr. Ramsay, from the committee appointed to conduct the balloting for three Engrossing Clerks, reported that Thomas G. Stone is elected; and that no other person in nomination had a majority of votes.

Received from the House of Commons a message, proposing to ballot immediately for two Engrossing Clerks; which proposition was agreed to, and Messrs. Drake and Askew were appointed to conduct the balloting, and the House of Commons informed thereof by message. Whereupon a message was received from the House of Commons, stating the appointment of Messrs. Pool and Bateman to conduct the balloting on the part of that House.

Mr. Gray presented a bill to prevent the falling of timber in, or obstructing the run of Carraway creek, in Randolph county; which was
read the first time and passed. Ordered that the bill, together with the petition accompanying it, be referred to the committee of Propositions and Grievances.

Mr. Drake, from the committee appointed to conduct the balloting for two Engrossing Clerks, reported that no person in nomination had a majority of votes. Whereupon, on motion of Mr. Drake, a message was sent to the House of Commons, proposing to ballot again immediately for the two Engrossing Clerks.

James Burney, the Senator from the county of Columbus, appeared, produced his credentials, was qualified, and took his seat.

Received from the House of Commons a message, agreeing to the proposition of the Senate to ballot again immediately for two Engrossing Clerks, and appointing Messrs. Whitaker and Stedman of Gates to conduct the balloting on the part of that House; and stating that the name of Robert H. Helme is withdrawn from the nomination. Thereupon a message was sent to the House of Commons, informing them that Messrs. Shoher and Davenport attend to conduct the balloting on the part of the Senate.

On motion of Mr. Pickett,
1st. Resolved, That so much of the Governor’s Message as relates to internal improvements, be referred to a select committee.
2d. Resolved, That so much of said message as relates to the draining and reclaiming the swamp and marsh lands, be referred to a select committee.
3d. Resolved, That so much of said message as relates to public education, be referred to a select committee.
4th. Resolved, That so much of said message as relates to the Judiciary, be referred to a select committee.
5th. Resolved, That so much of said message as relates to the procuring from the British Government such materials as are in their possession, relating to the colonial history of this State, be referred to a select committee.
6th. Resolved, That so much of said message, as relates to the surveying and selling the lands lately acquired from the Cherokee Indians, be referred to a select committee.

On motion of Mr. Owen,
Resolved, That so much of the Governor’s Message as relates to the alteration of the Tariff, contemplated by the “Woollens Bill,” be referred to a joint select committee.

The committee, on the part of the Senate, consists of Messrs. Owen, Pickett, Speight of Greene, Spaight of Craven, and Brodnax.

On motion of Mr. Burgin, a committee on the Militia and Militia Laws was appointed. The committee consists of Messrs. Burgin, Speight of Greene, Williams of Beaufort, Jones and Nuttall. Thereupon Mr. Burgin presented the petition of sundry inhabitants of Burke county, residing within the bounds of the first and second regiments of said county, praying an alteration of the boundary line of the first regiment. Ordered that the petition be referred to said committee.

Mr. Love, of Haywood, moved that a message be sent to the House of Commons, proposing to ballot to-morrow for a Public Treasurer, and nominated for that appointment John S. Haywood. Mr. Montgomery moved to amend the motion, by substituting “Monday next,” in lieu of “to-morrow;” which was not agreed to. The question then recurred upon Mr. Love’s motion, and being taken, it passed in the affirmative; and a message was sent to the House of Commons accordingly.

Mr. Jones presented the resignation of Jesse Speight, of Greene county; Mr. Whitfield presented the resignation of David Griffin, of the county of Lenoir; Mr. Salyear presented the resignation of William W. Read.
of Currituck county; Mr. Brodnax presented the resignation of Samuel Young, of the county of Rockingham, Justices of the Peace in their respective counties; and Mr. Vanhook, the resignation of Reuben Walton, Lieut. Col. of cavalry in the 16th Brigade, and 3d Division; which were severally read and accepted.

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

**Friday, November 23, 1827.**

Mr. Shober, from the committee appointed to conduct the balloting for two Engrossing Clerks, reported that no person in nomination had received a majority of votes. Thereupon, on motion of Mr. Shober, ordered that a message be sent to the House of Commons, proposing to ballot again immediately for two Engrossing Clerks, and withdrawing the name of James H. Johnston.

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

Received from the House of Commons, a message, agreeing to ballot again immediately for two Engrossing Clerks, appointing Messrs. G. L. Stewart and Joseph D. White superintendents on the part of the House of Commons, and withdrawing the name of John K. Campbell. Thereupon, a message was sent to the Commons, stating that Messrs. Ramsay and Hawkins superintend the balloting on the part of the Senate.

Mr. Ramsay, from the committee appointed to conduct the balloting for two Engrossing Clerks, reported that no person in nomination had a majority of votes. On motion of Mr. Ramsay, a message was sent to the House of Commons, proposing a further balloting for the two Engrossing Clerks; and a message was received from that House, agreeing to the proposition, naming Mr. Bateman and Mr. Gilmour as superintendents, and withdrawing the name of James Irwin. Thereupon, a message was sent, informing the House of Commons that Messrs. Hawkins and Drake conduct the balloting on the part of the Senate.

On motion of Mr. Pickett,

_Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of increasing the official bonds of the Clerks of the several Courts of Record in this state; and also of amending the acts of the General Assembly, providing for the deposit and safe keeping said bonds._

On motion of Mr. Sherard,

_Resolved, That the Judiciary committee be instructed to inquire into the expediency of so amending the laws concerning bastardy, as to give one justice of the peace competent jurisdiction._

On motion of Mr. Speight, of Greene, a message was sent to the House of Commons, proposing to raise a select joint committee, to be styled the "Committee on the Public Buildings," and appointing of the committee, on the part of the Senate, Messrs. Speight of Greene, Hinton, Burgin, Vanhook, and Love of Richmond.

A message was received from the House of Commons, stating their agreement to the proposition of the Senate, to raise a joint select committee, to be styled the "Committee on the Public Buildings," and appointing a committee on their part, consisting of Messrs. Lewis, Glisson, Gary, Bozman and Love.

M. Hinton presented the following resolutions:

_Resolved, That Joseph Ross be appointed to take charge of the State House during_
the recess of the Legislature, whose duty it shall be to take in possession the keys, to keep the doors locked, except when he may think proper to open them for the accommodation of visitors, or for the purpose of airing the apartments; and to take the necessary measures for the preservation of the furniture and fixtures belonging to the State House; and that it shall be the duty of the Comptroller, before the said Joseph Ross shall enter on the duties of his appointment, to take bond and security of the said Joseph Ross, in the sum of two thousand dollars, conditioned for the faithful performance of the duties aforesaid.

Resolved further, That the said Joseph Ross receive, as a compensation for his services, in performance of said duties, a salary of one hundred dollars per annum.

Resolved further, That the said Joseph Ross cause such measures to be taken for the preservation of the furniture of the State, as he may deem necessary; and that he also cause 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 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 said square, raked up and carried off once a year; and that the Treasurer advance the sums necessary to carry into effect the object of this resolution; for which he shall be allowed in the settlement of his public accounts.

Mr. Hinton also presented the petition of Henry Gorman, of the city of Raleigh, praying to be appointed keeper of the State House and premises at a moderate annual salary.

Ordered that the resolution and petition aforesaid be referred to the committee on the Public Buildings.

The following persons were appointed on the several select committees, ordered on the message of the Governor, in pursuance of Mr. Pickett's resolutions:

On the first resolution, Messrs. Owen, Brodnax, Deberry, Williams of Martin, and Bethune.


On the 3d, Messrs. Shober, Drake, Joiner, Franklin and Whitfield.

On the 4th, Messrs. Pickett, Bailey, Hinton, Lock and Reinhardt.


A message was received from the House of Commons, stating that they do not agree with the proposition of the Senate, to ballot this morning for a Public Treasurer; and proposing to ballot for that officer on Monday next, at the meeting of the two Houses. Mr. Montgomery moved to amend the proposition contained in the message, by substituting "Thursday next," in lieu of "Monday," which was not agreed to. The question then recurred on agreeing with the proposition of the House of Commons, and being taken, it passed in the affirmative; and the House of Commons informed thereof by message.

Received from the House of Commons a message, proposing to refer so much of the Governor's message as relates to the Tuscarora lands in this State, to a select joint committee; and appointing of the committee on the part of that House, Mr. Hill, Mr. Stewart, Mr. White, Mr. Blackledge, and Mr. Montgomery; which proposition was concurred in, and a message sent, informing the House of Commons thereof; and stating that Messrs. Pickett, Askew of Bertie, Davenport, Harrell and Beasley, are appointed of the committee on the part of the Senate.
Received also from the House of Commons a message, stating their concurrence in the resolution of the Senate, referring so much of the Governor's Message as relates to the alteration of the Tariff, contemplated in the "Woolens Bill," to a joint select committee, consisting of Messrs. Settle, Eccles, Fisher, William A. Blount and Wheeler.

Received from the House of Commons the report of the joint select committee, to whom was referred the resolution instructing them to report rules for the government of the intercourse between the two Houses, endorsed in that House "read and concurred in."

Mr. Shober presented a petition of Christiana Critenden, of Stokes county, praying that an act may be passed to secure to her such property as she may hereafter acquire. Ordered that the petition be referred to the committee on Divorce and Alimony.

Mr. Dobson presented the petition of John Caste Stephens, of Surry county, praying that he may be restored to credit. Ordered that the petition be referred to the committee of Propositions and Grievances.

Mr. Drake, of the committee appointed to superintend the balloting for two Engrossing Clerks, reported that William J. Cowan was elected; and that no other person had a majority of votes.

On motion of Mr. Drake, a message was sent to the House of Commons, proposing to ballot immediately for the remaining Engrossing Clerk; and a message was received from that House, agreeing to the ballot, naming Mr. Barnard and Mr. Webb superintendents on the part of the Commons, and withdrawing the name of Robert W. Goodman. Thereupon a message was sent to the House of Commons, appointing Messrs. Shober and M'Eachin superintendents on the part of the Senate.

Received from the House of Commons a message, stating the appointment on their part, of a committee of Finance, consisting of Messrs. Pool, Blount, Moore, Scott, Troy, Mitchell, Spruill and Eccles.

Mr. Speight, of Greene, presented a bill to repeal an act, passed in the year 1823, entitled "An act concerning the Roanoke Navigation Company;" which was read the first time and passed.

Mr. Wilson, of Edgecomb, presented the resignation of R. Pitman, a justice of the peace for Edgecomb county; also the resignation of W. R. Bullock, as Major of the first regiment of Edgecomb militia; and the resignation of B. Wilkinson, as Lieut. Colonel of the second regiment of Edgecomb militia; which were severally read and accepted.

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

Saturday, November 24, 1827.

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

A message was received from the House of Commons, proposing a further balloting for one Engrossing Clerk, and withdrawing the names of Messrs. Hodges, Jasper, Covington and Litley; which proposition was agreed to, and Messrs. Burney and M'Neill appointed to conduct the balloting on the part of the Senate, and the Commons informed thereof by message. Whereupon a message was received, appointing Mr. Taylor and Mr. Brevard to conduct the balloting on the part of the House of Commons.
Mr. M'Neill, of the committee appointed to conduct the balloting for one Engrossing Clerk, reported that Thomas Dewes is duly elected.

Received from the House of Commons the certificate of allowance, made by the County Court of Cumberland, in favor of Ann Morrison, widow of Alexander Morrison, a soldier in the continental line of this State in the Revolutionary war, countersigned by the Speaker of that House; which being read, was, on motion of Mr. Bethune, ordered to be countersigned by the Speaker of the Senate.

Received a message from the House of Commons, proposing that so much of the Governor’s message as relates to the Cherokee lands, be referred to a special joint committee; and stating that Messrs. Donoho, Allen of Buncombe, Allen of Montgomery, and Jones of Rowan, form the committee on the part of that House; which, on motion of Mr. Pickett, was ordered to be laid on the table.

Mr. Shober, from the committee of Propositions and Grievances, made a report on the petition of John Castejphens, which was read; when Mr. Shober reported a bill to restore to credit John Castejphens, of Surry county; which was read the first and second times and passed.

Mr. Shober, from the same committee, to whom was referred the bill to prevent the falling of timber in, or otherwise obstructing the run of Carraway creek, in Randolph county, reported the same without amendment. Thereupon the bill was read the second and third times and passed, and ordered to be engrossed.

Mr. Deberry presented the petition of Elizabeth Culpeper, of Montgomery county, praying to be divorced from her husband Charles Culpeper. Ordered that the said petition be referred to the committee on Divorce and Alimony.

On motion of Mr. Speight, of Greene,

Resolved, That the committee on Internal Improvements be instructed to inquire, and report to the Senate, what progress has been made towards completing the navigation of the river Roanoke, and into the practicability of completing the same by lockings in from the basin at Weldon’s Orchard, together with the probable expense of completing the same; and what practical good would result to the State from effecting the same.

On motion of Mr. Speight, of Greene, ordered that the bill to repeal an act, passed in the year 1823, entitled “an act concerning the Roanoke Navigation Company,” be referred to the committee on Internal Improvements.

Mr. Montgomery presented a bill concerning the election of sheriffs; which was read the first time and passed, and ordered to be printed, one copy for each member of the General Assembly; and thereupon the said bill was, on motion of Mr. Speight, of Greene, committed to a committee of the whole House, and made the order of the day for Wednesday next.

Mr. Bailey presented the petition of Mary Mixen, of Perquimons county, praying to be divorced from her husband Jeremiah Mixen. Mr. Salyear presented the petition of John Salyear, of Washington county, praying to be divorced from his wife Betsey. Ordered that the said petitions be referred to the committee on Divorce and Alimony.

Mr. Salyear presented the resignations of H. W. Otter and Thomas Tillet, justices of the peace for the county of Currituck; and Mr. Saunders presented the resignation of John W. Roper, of Hyde county, as Col. Commandant of the 11th Regiment and the 13th Brigade of Militia; which were severally read and accepted, and sent to the House of Commons.
Received from the House of Commons a message, proposing that the two Houses do proceed, on Thursday next, to the election of a Comptroller of public accounts: and nominating for the appointment John L. Henderson, James Logrand, James Grant, David W. Stone, James Howze, John H. Green, and Samuel S. Downey. Received also another message, adding to the nomination the name of Ambrose K. Ramsay.

On motion of Mr. Speight, of Greene, Thomas Blackwell was added to the nomination for Comptroller, and a message was sent to the House of Commons, informing them thereof, and agreeing to their proposition to ballot on Tuesday next for a Comptroller of public accounts.

Received from the House of Commons the following resignations, to wit: The resignations of Alfred Ballard, of Gates county, as Lieutenant Colonel of the 6th regiment of North Carolina militia, and Samuel Mercer, as Colonel of the militia of Camden county; also the resignations of William Graham, of Martin county; Samuel Mercer, of Camden county; William C. Berry and William Wilson, of Buncombe county; L. Berryman, of the county of Rowan; William Thomas, of the county of Richmond; James Harper, of the county of Greene; Tyrrell Wilkins, of the county of Rutherford; John Windsor, of Rockingham county; Jacob Baldwin, of Ashe county; and I. M. Greenlee, of Burke county, justices of the peace in their respective counties; which were severally read and agreed to by the Senate.

And then the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, NOVEMBER 26, 1827,

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill, entitled "A bill to prevent the falling of timber in, or otherwise obstructing the run of Carraway creek, in Randolph county;" in which they ask the concurrence of that House.

On motion of Mr. Speight, of Craven, ordered that David Thomson, the Senator from the county of Johnston, have leave of absence from the services of the Senate, from and including this day, until Friday next.

On motion of Mr. Nuttall, James Seawell was added to the nomination for Public Treasurer.

On motion of Mr. Shoer, Archibald M'Nair was added to the nomination for Comptroller of Public Accounts.

On motion of Mr. Pickett,

Resolved, That a joint select committee be appointed to inquire into the expediency of amending and consolidating the several acts of the General Assembly, respecting the Treasury Department; and that the said committee be instructed to examine the books of the Treasury, the monies in the Treasury Office, and the sums deposited in the different Banks to the credit of the State.

Ordered that Messrs. Pickett, Owen, Speight of Greene, Wilson of Edgecomb, and Gray, be of the committee on the part of the Senate.

A motion was made by Mr. Gray to reconsider the vote taken this day on the resolution introduced by Mr. Pickett, with the view of amending the resolution: and on the question, will the Senate reconsider said vote? it was determined in the negative, and the resolution was sent to the House of Commons for concurrence.

On motion of Mr. Speight, of Greene,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending our Judicial system, as to give to the Superior Courts original exclusive jurisdiction over all matters in controversy, where the title of land is brought in quest...
tion; and to the County Courts original exclusive jurisdiction over all actions of assault and battery; subject, however, in the latter case to an appeal to the Superior Court; and that they report by bill or otherwise.

Received from the House of Commons a message, appointing Messrs. Mann and Wheeler superintendents of the balloting for a Public Treasurer, heretofore agreed on by the two Houses; and adding to the nomination the name of James Seawell. Thereupon a message was sent to that House, stating that Messrs. Nuttall and Ramsay attend to conduct the balloting on the part of the Senate; and that the name of James Seawell is added to the nomination.

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

Received from the House of Commons a message, agreeing to raise a select joint committee for the purpose of amending and consolidating the several acts of Assembly relating to the Treasury Department; and stating that Messrs. Fisher, Spruill, Alexander, Morehead and White are appointed of the committee on the part of that House.

Mr. Spaight, of Craven, presented the petition of William Holland, of the county of Craven, praying that an act may be passed to divorce him from the bonds of matrimony, now existing between him and his wife Esther; also a bill to divorce William Holland, of Craven county, from his wife Esther; which was read the first time, and passed; and a petition of sundy citizens of Craven, in behalf of the said William Holland. Ordered that the said bill and petitions be referred to the Committee on Divorce and Alimony.

Mr. Love, of Haywood, presented a bill to keep open Tuckasegee river, the Tennessee river, and their tributary streams, in the county of Haywood; which was read the first time and passed.

The bill to restore to credit John Castephens, of Surry county, was read the third time and passed, and ordered to be engrossed.

Mr. Jones presented the petition of Sarah Tilley, of the county of Wilkes, praying that a law may be passed, securing to her such property as she may hereafter acquire; and Mr. Wilson, of Camden, presented the petition of Edward S. Pugh, of the county of Camden, praying to be divorced from his wife Lydia, together with sundy documents accompanying the same. Ordered that the said petitions and documents be referred to the committee on Divorce and Alimony:

Mr. Love, of Haywood, presented the petition of sundy citizens of Haywood county, praying that the south western part of said county may be erected into a new county; and the said petition, on motion of Mr. Love, of Haywood, was referred to a select committee. Messrs. Love of Haywood, Shober, Spaight of Craven, Franklin and Scott were appointed of the committee.

Mr. Shober presented the resignation of A. Vanhoy, of the county of Stokes, as a justice of the peace; which was read and accepted.

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

Tuesday, November 27, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill, entitled "a bill to restore to credit John Castephens, of Surry county;" in which they ask the concurrence of the House of Commons.
Mr. Wilson, of Edgecomb, 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.

Received from the House of Commons a message, stating that Mr. Stewart and Mr. Blackledge attend the Senate to superintend the balloting for Comptroller of Public Accounts, heretofore agreed on to take place this morning; and adding the name of Robert W. Goodman, and withdrawing that of Samuel S. Downey from the nomination: Whereupon, a message was sent to that House, stating that Messrs. Speight of Greene, and Hinton, are appointed to conduct the balloting on the part of the Senate.

Mr. Owen presented a bill to legitimate Duncan Melvin and others, of the county of Bladen; which was read the first time and passed.

The bill to keep open the Tusaseege river, the Tennessee river, and their tributary streams, in the county of Haywood, was read the second and third times and passed, and ordered to be engrossed.

Mr. Hinton, from the committee appointed to superintend the balloting for Comptroller of Public Accounts, reported that no person in nomination had received a majority of votes.

On motion of Mr. Speight, of Greene, a message was sent to the House of Commons, proposing a further balloting for Comptroller; and a message was received from that House, agreeing to the proposition of the Senate, naming Messrs. Gary and Hardy as the balloting committee, and withdrawing the name of D. W. Stone: Whereupon, a message was sent to the House of Commons, appointing Messrs. Speight of Greene and Hinton, to conduct the balloting on the part of the Senate.

Mr. Gray presented resolutions and documents, relative to the territory occupied by the Cherokee Indians, within the limits of this State; and instructing the Judiciary committee to inquire into the expediency of extending the jurisdiction and laws of the State over the said Territory; which being read, on motion of Mr. Wilson, of Edgecomb, ordered that the resolutions and documents lie on the table.

Mr. Hinton, from the committee appointed to superintend the balloting for Comptroller, reported that no person in nomination had a majority of votes.

A message was received from the House of Commons, proposing a further balloting for Comptroller; which proposition was agreed to, and a message sent to that House in conformity therewith, and naming Messrs. Askew, of Bertie, and Franklin, as the committee of superintendence on the part of the Senate: Whereupon, a message was received from the House of Commons, appointing Messrs. Borden and Love the balloting committee on the part of that House.

Mr. Burgin presented the petition of sundry inhabitants of the county of Burke, praying an appropriation of money for the opening of a road across the Yellow Mountain and Blue Ridge. Ordered that the petition be referred to the Committee on Internal Improvements.

Mr. McDowell presented the petition of Benjamin Warson, of the county of Buncombe, praying to be divorced from his wife Elizabeth. Ordered that the petition be referred to the Committee on Divorce and Alimony.

Mr. Askew, of Bertie, from the committee appointed to superintend
the balloting for a Comptroller, reported that no person in nomination had a majority of votes. Thereupon, on motion of Mr. Speight, of Greene, a message was sent to the House of Commons, proposing a further balloting for that officer; and a message was received from the House of Commons, agreeing thereto, and withdrawing the name of Mr. Howze, and stating that Messrs. Hill and Scott are appointed of the committee to superintend the balloting on their part; and a message was sent to the House of Commons, naming Messrs. Alexander and Bailey the balloting committee on the part of the Senate.

Received from the House of Commons, the resolution appointing a joint select committee to inquire into the expediency of amending and consolidating the several acts of the General Assembly respecting the Treasury department, endorsed "concurred in;" and appointing of the committee, on the part of that House, Messrs. Fisher, Spruill, Alexander, Morehead and White.

Received from the House of Commons, a communication from the Governor, with the accompanying documents, relative to the swamp and marsh lands; with a proposition on the part of that House to print the message and documents, three copies for each member of the Legislature; which proposition was agreed to, and the House of Commons were informed thereof by message.

Received from the House of Commons, the following resolution, to wit: Resolved, That a joint select committee, consisting of three members on the part of each House, be appointed, to inquire and to report, whether John McRae, of the town of Fayetteville, has complied with that part of the resolution of the last General Assembly, for a loan of five thousand dollars to the said John McRae, to aid him in the publication of a map of the State, requiring him to execute a bond, with good and sufficient security, for the completion of said map, under certain conditions.

The resolution being read, Mr. Speight, of Greene, moved to amend it, by striking out all of the said resolution, after the word "resolved," and to insert "that the committee of Finance be instructed to inquire into and report to the Legislature, whether John McRae, to whom five thousand dollars was loaned by the State at the last Session of the General Assembly, has complied with the condition, upon which the said loan was authorised to be made;" and the question thereon being taken, it passed in the affirmative. The question then recurred on the adoption of the resolution as amended; and it passed in the affirmative, and the House of Commons were informed thereof by message.

The following resignations were presented, to wit: by Mr. Royal, the resignations of Archibald Colquehoun and David Underwood, justices of the peace for the county of Sampson; which were read and accepted.

Received from the House of Commons, the following resignations, to wit: the resignation of Josiah Tripp, of Beaufort county; the resignation of Turner Pullen, of Wake county, justices of the peace; which were severally read and accepted.

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

WEDNESDAY, NOVEMBER 28, 1827.

A message was sent to the House of Commons stating that the Senate have passed the engrossed bill, entitled "a bill to keep open the Tuckasegee river, the Tennessee river, and their tributary streams, in the county of Haywood; in which they ask the concurrence of the House of Commons."
Mr. Alexander, from the committee appointed to superintend the balloting for Comptroller, reported that no person in nomination had received a majority of votes.

A message was received from the House of Commons, proposing to ballot again immediately for a Comptroller; which proposition was agreed to, and a message sent to the House in conformity therewith, and appointing Messrs. Hinton and Reinhardt a committee of superintendence on the part of the Senate. Thereupon a message from the Commons, stating the appointment of Messrs. Busbee and Leonard a committee of superintendence on the part of that House.

On motion of Mr. Speight, of Greene,
Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of allowing the State the right of challenge in criminal cases; and that they report by bill or otherwise.

Mr. Pickett, from the Judiciary committee, to whom was referred a resolution relative to the amendment of the bastardy laws, made a report, which was read, and the resolution therein contained was concurred in by the Senate, as follows:
Resolved, That it is inexpedient to change the existing laws respecting bastardy.

Mr. Pickett, from the same committee, to whom was referred the resolution respecting the official bonds of Clerks of Courts in this State, reported a bill to increase the penalty of the official bonds of the Clerks of the several Courts of Record in this state, and to provide for the deposit and safe keeping said bonds; which bill was read the first time and passed.

Mr. Speight, of Greene, from the select joint committee on the Public Buildings, reported a resolution as follows:
Resolved, That the two rooms in the Capitol immediately over the conference room, be assigned for the use of the Engrossing Clerks and committees; and the room below, on the right of the western wing of the Capitol, be assigned for the use of the door-keepers.

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

Received from the House of Commons, the resolution relative to the distribution of certain rooms of the Capitol, endorsed in that House "read and concurred in."

Mr. Hinton, from the committee of superintendence of the balloting for a Comptroller, reported that no person in nomination had a majority of votes.

On motion of Mr. Speight, of Greene, a message was sent to the House of Commons, proposing a further balloting for Comptroller; and a message was received from that House, agreeing to the proposition, and appointing Messrs. Lewis and Speller superintendents. Whereupon, Messrs. Brodnax and Holleman were appointed a committee of superintendence, and the Commons informed thereof by message.

Mr. Brodnax, from the committee of superintendence of the balloting for Comptroller, reported that no person in nomination is elected.

A message was received from the House of Commons, proposing another balloting for Comptroller; which was agreed to, and a message sent to that House, informing them thereof, and appointing Messrs. Williams, of Martin, and Franklin, a committee of superintendence on the part of the Senate; and a message was received from that House, naming Messrs. Marshall and Burke superintendents on their part.
Mr. Williams, of Martin, reported from the balloting for Comptroller, that no person in nomination had a majority of votes.

On motion of Mr. Williams, of Martin, a message was sent to the House of Commons, proposing a further balloting for Comptroller; and a message was received from that House, agreeing to the proposition, and naming Messrs. H. C. Jones and Montgomery, of the balloting committee on their part: Whereupon, a message was sent to the House of Commons, stating that Messrs. Sherard and Salyear conduct the balloting on the part of the Senate.

The bill to legitimate Duncan Melvin and others, of the county of Bladen, was read the second and third times and passed, and ordered to be engrossed.

Mr. Deberry presented a bill to provide for the final settlement of Executors and Administrators; which was read the first time and passed. On motion of Mr. Spaight, of Craven, ordered, that the said bill be referred to the Judiciary committee, and that it be printed, one copy for each member of the General Assembly.

On motion of Mr. Wilson, of Edgecomb, the Senate took up the resolutions submitted yesterday by Mr. Gray, to the consideration of the Senate; and the resolutions being read, Mr. Pickett moved an amendment, to wit: to strike out the words "the committee on the Judiciary," in the first line of the first resolution, and to insert the words "a select joint committee be appointed;" which amendment was agreed to. The question then recurred on the adoption of the resolution as amended, and it passed in the affirmative. The committee consists of Messrs. Pickett, Gray, Speight of Greene, Jones, and Love of Haywood. Ordered that the document accompanying the resolution be referred to said committee; and the resolution was sent to the House of Commons for their concurrence.

Received from the House of Commons the following resolution:

Resolved, That the committee on the Public Buildings be instructed to inquire into the propriety of providing suitable furniture for the conference chamber; and of making the necessary repairs in said chamber; and that they report by resolution, bill or otherwise.

Which resolution was agreed to, and the House of Commons informed thereof by message.

Mr. Shober presented the memorial of sundry members of the South regiment of Stokes county militia, praying that the officers of the said regiment may be compelled to hold the general muster at or near the centre of the district; or that an additional regiment be erected. Ordered that the said memorial be referred to the committee on the Militia and Military Laws.

Mr. Hinton presented the petition of Washington Price, of the county of Wake, praying to be divorced from his wife Susanna. Ordered that the said petition be referred to the committee on Divorce and Alimony.

Mr. Saunders presented the following resolution:

Resolved, That John S. Haywood, Treasurer of the State of North-Carolina, be instructed to pay to the agent of Caleb Spencer, administrator of John J. Bonner, late of the county of Hyde, the full amount of pay as a member of the last session of the General Assembly, that would have been due him, had he lived until the rise of the Session; and that the same be allowed the Treasurer in the settlement of his public accounts.

Which resolution was read the first time and passed.

Received from the House of Commons, a message, proposing that the two Houses on Monday next, ballot for a Brigadier General of the 14th brigade of the militia, to supply the vacancy occasioned by the death of
General Covington; which was agreed to, and a message sent, informing the Commons thereof.

Mr. Saunderson presented a bill to authorise the County Court of Hyde to order all deeds, bills of sale, division of lands, and other instruments of writing that have been lost by fire, or otherwise destroyed in the Register's office, to be registered anew, and for other purposes; which was read the first time and passed.

Received from the House of Commons, a message, accompanied by a communication from the Governor, containing a proposition from that House, that so much of the Governor's message of the 22nd instant, as relates to an interchange of laws with the State of Delaware, be referred to the Library committee; which proposition was agreed to, and the House of Commons informed thereof by message.

The Library committee on the part of the Senate, consists of Messrs. Baily, Drake and Deberry.

Received from the House of Commons the resignation of James White, of the county of Sampson, as a justice of the peace.

Mr. Love, of Haywood, presented the petition of Mary Layfong, of the county of Haywood, praying to be divorced from her husband, Benedict Layfong. Ordered that the said petition be referred to the committee on Divorce and Alimony.

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

THURSDAY, NOVEMBER 29, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill, entitled "a bill to legitimate Duncan Melvin and others, of the county of Bladen?" in which they ask the concurrence of the House of Commons.

Mr. Sherard, from the committee appointed to superintend the balloting for a Comptroller, reported that no person in nomination had received a majority of votes.

A message was received from the House of Commons, proposing another balloting for Comptroller; which was agreed to, and a message sent informing them thereof, and appointing Messrs. Beasley and Montgomery the balloting committee on the part of the Senate: Whereupon, a message was received from the House of Commons, appointing Messrs. Scott and Tillett superintendents of the ballot on their part.

On motion of Mr. Speight, of Greene,

Resolved, That the joint select committee appointed to examine the accounts of the Treasury, be, and they are hereby empowered to send for persons and papers, and use all necessary means to ensure a full and fair investigation of the subject to them committed.

And the resolution was sent to the House of Commons for their concurrence.

Mr. Walton presented the certificate of allowance made by the county court of Chowan, in favor of Eleanor Trulove, the widow of a revolutionary soldier; which, on motion of Mr. Walton, was ordered to be countersigned by the Speaker of the Senate; which was accordingly done, and the certificate sent to the House of Commons.

Mr. Beasley, from the committee appointed to superintend the balloting for a Comptroller, reported that no person is elected.

A message was received from the House of Commons, proposing a further balloting for Comptroller; which proposition was agreed to, and a
message was sent to the House of Commons, informing them thereof, and stating the appointment of Messrs. Burney and Davenport, as the committee of superintendence on the part of the Senate. Thereupon, a message was received from the House of Commons, naming Messrs. White and Bozman the superintending committee on the part of that House.

On motion of Mr. Hinton,

Resolved, That the Judiciary committee be instructed to inquire if any, and what alterations are necessary to be made in the laws respecting the warden's of the poor, in the respective counties of the State; and that they have leave to report by bill or otherwise.

The bill to authorize the County Court of Hyde to order all deeds, bills of sale, division of lands, and other instruments of writing, that have been lost by fire, or otherwise destroyed in the Register's office, to be registered anew, was read the second and third times and passed, and ordered to be engrossed.

Mr. Burney, from the committee to conduct the balloting for a Comptroller, reported that no person is elected.

Received from the House of Commons a message, proposing to ballot again for a Comptroller; which proposition was agreed to, and a message sent, stating the agreement, and appointing Messrs. Hinton and Ramsay of the balloting committee on the part of the Senate.

A message was then received from the House of Commons, naming Messrs. Marshall and Seawell the superintendents on the part of that House.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to authorize the building a bridge across Neuse river, at the place therein mentioned, and for other purposes; a bill making it the duty of the Major Generals to review the second regiment of Randolph militia at their usual regimental muster ground; and a bill to compel the officers of Sampson county to hold their respective offices at the Court House; in which they ask the concurrence of the Senate. Thereupon, the two last named bills were read the first, second and third times and passed, and ordered to be enrolled; and the bill to authorize the building a bridge across Neuse river, at the place therein mentioned, and for other purposes, was read the first time and passed.

Mr. Ramsay, from the committee appointed to conduct the balloting for a Comptroller, reported that no person in nomination had a majority of votes: Whereupon, a message was received from the House of Commons, proposing a further balloting for that officer; which was agreed to, and a message sent informing them thereof, and stating that Messrs. Shoeberry and McMillan are the balloting committee on the part of the Senate. A message was then received from the House of Commons, appointing Messrs. Barnard and Underwood the committee of superintendence on the part of that House, and withdrawing the name of John H. Green.

The bill to authorize the building a bridge across Neuse river, at the place therein mentioned, and for other purposes, was read the second time. On motion of Mr. Whitfield, ordered that the bill lie on the table until to-morrow.

The bill to increase the penalty of the official bonds of the Clerks of the several Courts of Record in this state, and to provide for the deposit and safe keeping said bonds, being read the second time, Mr. Speight, of Greene, moved to amend the bill, by inserting at the end of the second
section of the bill, an additional section, as follows: "And be it further enacted, that the clerks in whose offices said bonds shall be deposited, shall cause the same to be immediately registered in the Register's office of the respective counties; and on the destruction or loss of the originals, a certified copy of said bonds shall be received in evidence;" which was agreed to. Mr. Montgomery then moved further to amend the bill, by adding a fifth section, in the following words, to wit: "And be it further enacted, that no Clerk of any County or Superior Court, or Clerk and Master in Equity in this State, shall enter on the duties of his office before he enters into and delivers over to the person authorised to receive the same, the bond required by this act, under the penalty of one thousand pounds;" which was agreed to. Mr. Ward moved to amend the bill, by striking out "Clerks and Masters in Equity," in the first section of the bill; which was not agreed to, and the bill read the second time and passed.

The resolution of the House of Commons, in relation to John McRae, of the town of Fayetteville, which was amended in the Senate, was received from the House of Commons, endorsed in that House, "the amendment read and agreed to."

Mr. Whitfield presented the resignation of Joshua Mosely, as Colonel Commandant of the Lenoir regiment of militia; which was read and accepted.

Received from the House of Commons the resignation of R. B. Davis, of Washington county, a justice of the peace; also, the resignations of John Wiley, Colonel of the regiment of cavalry attached to the 16th Brigade; and of Jesse H. Simmons, as Colonel Commandant of the second regiment of the militia of Halifax county.

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

Friday, November 30, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill, entitled "a bill to authorise the County Court of Hyde to order all deeds, bills of sale, division of lands, and other instruments of writing that have been lost by fire, or otherwise destroyed in the Register's office, to be registered anew, and for other purposes; in which they ask the concurrence of the House of Commons.

Mr. Shober, from the committee appointed to conduct the balloting for a Comptroller, reported that James Grant is duly elected; in which report the Senate concurred.

Received from the House of Commons, a message of the date of yesterday, proposing to ballot for a Governor on Saturday next, and nominating for the appointment James Iredell and Richard D. Spaight; which proposition was not agreed to: Thereupon, on motion of Mr. Wilson, of Edgecomb, a message was sent to the House of Commons to ballot for a Governor on Tuesday next.

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 1816, chap. 21; also, a bill to establish a poor house in the county of Pasquotank; in which they ask the concurrence of the Senate; which bills were severally read the first time and passed.

Mr. Hawkins presented the certificate of allowance made by the County
Court of Warren, in favor of Elizabeth Harris, a pensioner, in right of her husband, Burwell Harris, a revolutionary soldier; which, on motion of Mr. Hawkins, was ordered to be countersigned by the Speaker of the Senate; which was accordingly done, and the certificate sent to the House of Commons.

Mr. Hurst presented a bill to alter the times of holding the Courts of Pleas and Quarter Sessions of Duplin county; which was read the first time and passed.

Received from the House of Commons, the resolution empowering the joint select committee appointed to examine the accounts of the Treasury, to send for persons and papers, endorsed in that House "read and concurred in."

Received also from that House, the resolution relative to the territory occupied by the Cherokee Indians, endorsed in that House "read and concurred in;" and appointing of the committee on the part of that House, Messrs. W. W. Jones, Settle, Blackledge, R. H. Jones and Benners.

The engrossed bills, to wit: a bill to establish a poor house in the county of Pasquotank; and the bill to repeal an act of the General Assembly, passed in the year 1816, chap. 21, were read the second and third times and passed, and ordered to be enrolled.

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

On motion of Mr. Whitfield, the Senate considered the bill to authorize the building a bridge across Neuse river, at the place therein mentioned, and for other purposes; and the bill being read, Mr. Spaight, of Craven, moved to amend the bill, by striking out the last section; which was agreed to. The question then recurred on the passage of said bill the second time; and the question being stated, it passed in the affirmative.

The bill to increase the penalty of the official bonds of the Clerks of the several Courts of Record in this state, and to provide for the deposit and safe keeping said bonds, being read the third time, Mr. Pickett moved to amend the bill, by striking out the third section, and inserting in lieu thereof as follows, to wit: "And be it further enacted, that the Justices of the County Courts shall cause all bonds taken by them, to be acknowledged in open Court, and a record thereof to be made, and an endorsement of such acknowledgment to be made on said bond; and that the Judges of the Superior Courts of Law and Courts of Equity, shall cause all bonds taken by them in term time, to be acknowledged, recorded and endorsed, in like manner; and all bonds taken by any of the Judges in vacation, shall be acknowledged before them, and endorsed by the Judge so taking said bond.

"And be it further enacted, that it shall be the duty of the Clerks giving any of said bonds, to pay into the Clerk's office of their respective counties, forty cents for the registration of said bonds; and it shall be the duty of the Clerks in whose office any of said bonds shall be filed, to cause the same to be registered.

"And be it further enacted, that upon proof of the loss or destruction of any of said bonds, a registered copy shall be received in evidence: Pro-
vided, that any person or persons who shall be sued on any lost or destroyed bond, may plead non est factum upon oath; in which case, the execution of said bond shall be established, under the rules now provided by law."

And the question being taken thereon, it was determined in the negative. The question then recurred on the passage of said bill the third time; and being stated, it passed in the affirmative, and was ordered to be engrossed.

Received from the House of Commons, the resignation of Britton Jones, as a Justice of the Peace for the county of Camden.

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

**Saturday, December 1, 1827.**

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill, entitled "a bill to increase the penalty of the official bonds of the Clerks of the several Courts of Record in this State, and to provide for the deposit and safe keeping said bonds;" also, the engrossed bill, entitled "a bill to alter the times of holding the Courts of Pleas and Quarter Sessions of Duplin county;" in which they ask the concurrence of the House of Commons.

On motion of Mr. Shober,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of amending or explaining the acts of the General Assembly concerning Dower, in such a way, that when a man dies intestate, possessed of several and distinct tracts of land, a jury summoned for that purpose, shall not be restricted to assign for Dower the third part in the different tracts; but may allot to her, her proportion of the whole in one tract, taking into view the rights of the heirs, as well as the interest of the widow.

On motion of Mr. Gray,

Resolved, That the Secretary of State be instructed to issue to the heirs of Jesse Henly, deceased, late of Randolph county, a grant, agreeable to a warrant, No. 52, issued by the Entry-Taker of said county to Abraham Elliot, Senior, and transferred by said Entry-Taker to said Henly, on which a grant has not heretofore issued, in consequence of an irregularity in said transfer.

And the resolution, with the accompanying document, was sent to the House of Commons for their concurrence.

Received from the House of Commons the certificate of allowance to Eleonor Truelove, endorsed in that House "read and countersigned by the Speaker, under the direction of the House."

On motion of Mr. Dobson, the name of William Polk was added to the nomination for Governor, and the House of Commons was informed thereof by message.

A message was received from the House of Commons, proposing that the two Houses ballot on Friday next for a Brigadier General of the 15th Brigade, and nominating for the appointment Athan A. McDowell and Merrit Burgin; which proposition was agreed to, and the House of Commons informed thereof by message.

Received also a message from that House, agreeing to the proposition of the Senate to ballot on Tuesday next for Governor.

Received from the House of Commons, the certificate of allowance made by the County Court of Cumberland, in favor of Issabella Campbell, widow of James Campbell, of the continental line of this State, endorsed "read and countersigned by the Speaker, by order of the House." On motion of Mr. Bethune, ordered that the said certificate be countersigned by the Speaker of the Senate; which was accordingly done.
Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to alter the names of Lindsey Green Doty and Edward Tidwell, orphans, of the county of Rutherford; a bill to repeal an act passed in the year 1826, appointing commissioners to lay off and cause to be opened a public road from Lincolnton to Rutherfordton; a bill to alter the boundary line between the first and second regiment of Buncombe militia; a bill to amend an act, entitled "an act to establish an academy in the town of Snow-Hill, in the county of Greene;" and a bill to compel the Sheriff of Burke county to give written summons to jurors of said county; in which they ask the concurrence of the Senate. Thereupon, the said bills were severally read the first time and passed.

On motion of Mr. Wilson, of Edgecomb, a message was sent to the House of Commons, proposing to ballot on Monday next for a Public Printer, and nominating for the appointment Lawrence & Lemay.

The Senate proceeded to consider the bill to alter the times of holding the Superior Courts of Law and Equity in the third judicial circuit; when, on motion of Mr. Hinton, ordered that the bill be referred to a committee consisting of the Senators from the counties composing the third judicial circuit.

Mr. Love, of Haywood, from the select committee to whom was referred the petition of sundry citizens of Haywood county, made a report, which was read; when Mr. Love, of Haywood, reported a bill for the division of Haywood county; which was read the first time and passed. On motion of Mr. Love, of Haywood, ordered, that the said bill and report be committed to a committee of the whole House, and made the order of the day for Wednesday next, and that they be printed, one copy for each member of the General Assembly.

Mr. Sherard presented a bill to repeal an act, passed at the last session of the General Assembly, entitled "an act to establish a poor house in the county of Wayne;" which was read the first time and passed.

Mr. McDowell presented the petition of Samuel I. Edney, of Buncombe county, praying to be divorced from his wife Olivia. Mr. Ramsay presented the petition of Rachael Hamblett, of Chatham county, praying to be divorced from her husband William Hamblett. Ordered that the said petitions be referred to the committee on Divorce and Alimony.

The engrossed bill to authorize the building a bridge across Neuse river, at the place therein mentioned, and for other purposes, being read a third time, Mr. Joiner moved to amend the bill by striking out the following words, to wit: 'fifteen,' 'forty,' 'eighty,' 'one dollar,' 'ten,' 'two,' where they occur in the 50th, 32d, 35d, 35th, 50th and 59th lines of the first section of the bill, and to insert in lieu thereof the following words, to wit: 'ten,' 'twenty-five,' 'sixty,' 'eighty cents,' 'five,' 'one;' which amendments were not agreed to. The question then recurred on the passage of the bill the third time, and it passed in the affirmative; and a message was sent to the House of Commons, asking their concurrence to the amendment made to the bill, on its second reading, to wit: "to strike out the last section."

Mr. Shober presented the petition of sundry citizens of Stokes county, praying that a law may be passed, authorising them to clear out the South fork of Muddy Creek, and for other purposes. Ordered that the petition be referred to the committee of Propositions and Grievances.
Mr. M'Dowell presented a bill to appoint Commissioners for the town of Asheville, Buncombe county; which was read the first time and passed.

A message was received from the House of Commons, stating that they have passed the engrossed bill concerning the State Bank of North Carolina; in which they ask the concurrence of the Senate. Thereupon, the said bill was read the first time and passed.

Mr. Speight, of Greene, moved that the 11th rule of the Senate, requiring all bills of a public nature, when ready for a second hearing, to be noted to be read at least one day previous thereto, be suspended so far as regards the bill concerning the State Bank of North Carolina; which was agreed to, and the said bill was 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. Shober in the Chair, on the bill concerning the election of Sheriffs; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Shober reported that the committee had had the said bill under consideration, and made some progress therein, and asked leave to sit again. Ordered that the committee of the whole have leave to sit again on Monday next.

Received from the House of Commons the resignation of Oliver W. Holland, as Colone! Commandant of the first regiment of militia of the county of Lincoln; which was read and accepted.

And then the Senate adjourned until Monday morning, 10 o’clock.

MONDAY, DECEMBER 3, 1827.

On motion of Mr. Speight, of Greene, a message was sent to the House of Commons, proposing to ballot on to-morrow for a Major General of the 7th Division, and nominating for the appointment Colonel Micajah T. Hawkins.

Mr. Wilson, of Edgecomb, presented a bill to establish Columbia Academy, on the lands of Joseph John Pippin, in the county of Edgecomb, and to incorporate the Trustees thereof; which was read the first time and passed.

The bill to appoint Commissioners for the town of Asheville, Buncombe county, being read the second time, Mr. M'Dowell moved to amend the bill by inserting in the 5th line of the bill after the word “Brittain,” the following words, to wit: “Samuel Davidson;” which amendment was agreed to. The question then recurred on the passage of the bill, as amended, the second time, and it passed in the affirmative; and the bill was subsequently read the third time and passed, and ordered to be engrossed.

In pursuance of the joint rules of the two Houses, Mr. Brodax and Mr. Bailey were appointed of the committee on Enrolled Bills on the part of the Senate, and the House of Commons informed thereof by message.

The following engrossed bills, to wit: A bill to amend an act, entitled “an act to establish an academy in the town of Snow Hill, in the county of Greene;” a bill to alter the boundary line between the first and second regiment of Buncombe militia; a bill to compel the Sheriff of Burke county to give written summons to jurors of said county; and a bill to alter the names of Lindsey Green Doty and Edward Tidwell, orphans, of
the county of Rutherford, were severally read the second and third times and passed, and were ordered to be enrolled.

The bill to repeal an act, passed at the last session of the General Assembly, entitled "an act to establish a poor house in the county of Wayne," was read the second and third times and passed, and ordered to be engrossed.

William Davidson, the Senator from the county of Mecklenburg, appeared, produced his credentials, was qualified and took his seat.

The Senate again resolved itself into a committee of the whole House, Mr. Shober in the Chair, on the bill concerning the election of Sheriffs; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Shober reported that the committee had had the same under consideration, and made no amendment. Whereupon, the said bill was read the second time. Mr. Speight, of Greene, moved an amendment to the bill, to wit: to strike out in the second section of the bill the following words, to wit: "at the times and places for holding the elections in each county for members of the General Assembly," and insert "on the first Monday of May, in each and every year," which amendment was not agreed to. Mr. Speight, of Greene, moved further to amend the said bill, by striking out the words "five or more members," in the 11th line of the 5d section, and insert the following words, to wit: "a majority," which amendment was agreed to, and the bill being read a second time as amended, the question recurred on the passage of the said bill the second time. Mr. Bailey moved the indefinite postponement thereof; and the question thereon being taken, it was determined in the negative—Yeas 30—Nays 32. The yeas and nays being demanded by Mr. Montgomery—


The question then recurred on the passage of the said bill a second time, and it passed in the affirmative. Ordered that the bill be read a third time to-morrow.

A message was received from the House of Commons, stating the appointment of Messrs. Glisson, Barnard, Little and N. Stedman, of the committee on Enrolled Bills on the part of that House.

Received also a message from that House, stating that the name of John Stanly is added to the nomination for Governor, and a message stating the agreement of the House of Commons to the proposition of the Senate, to ballot this day for a Public Printer.

A motion was made by Mr. Joiner to reconsider the vote taken on Saturday last, on the third and last reading of the engrossed bill to authorise the building a bridge across Neuse river, at the place therein mentioned, and for other purposes, with the view of amending the bill; and on the question, will the Senate reconsider the said bill? it passed in the affirmative.

And then the Senate adjourned until to-morrow, 10 o'clock.
TUESDAY, DECEMBER 4, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to appoint Commissioners for the town of Asheville, Buncombe county; and a bill to repeal an act, passed at the last session of the General Assembly, entitled "an act to establish a poor house in the county of Wayne;" in which they ask the concurrence of the House of Commons.

Received from the House of Commons the certificate of allowance made by the County Court of Warren, in favor of Elizabeth Harris, endorsed in that House "read and ordered to be countersigned by the Speaker."

Mr. Speight, of Greene, presented a bill to legitimate and alter the name of Mary Ann Eliza Tooley; which was read the first time and passed.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to authorise the Public Treasurer to pay to Thomas Searcy the cost of a suit wherein the State was plaintiff, and Gen'l. William Bethell defendant; a bill to secure to Phebe Mc'Kaughen, of Guilford county, such property as she may have hereafter acquire; a bill to alter the name of Henry Rogers, of Duplin county, and to legitimate him; and a bill to amend an act, entitled "an act to establish an academy at Williamston, in the county of Martin," passed in the year 1816; in which they ask the concurrence of the Senate.

On motion of Mr. Ward, a message was sent to the House of Commons, proposing to ballot, as heretofore agreed on, for a Governor, and appointing Messrs. Ward and Franklin of the balloting committee on the part of the Senate. Whereupon, a message was received from the House of Commons, stating that Messrs. Taylor and Burns are appointed superintendents on the part of that House.

On motion of Mr. Shober, a message was sent to the House of Commons, proposing to ballot on this day for a Brigadier General of the 14th Brigade, and nominating for that appointment Mr. Leak, Mr. M'Eachin, Mr. Alfred Dockery and Mr. Reading Anderson.

The engrossed bill to repeal an act, passed in the year 1826, appointing Commissioners to lay off and cause to be opened a public road from Lincolnton to Rutherfordton, being read the second time, on motion of Mr. Alexander, ordered that the said bill, with the accompanying documents, be referred to a select committee. The committee consists of Messrs. Alexander, Shuford, Reinhardt, Mathews and Joiner.

On motion of Mr. Bailey

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of amending the Wreck Laws, so far as regards salvage; that instead of a compensation by way of arbitration, a daily allowance be substituted, fixed and determined by law; and that they report by bill or otherwise.

Mr. Bailey presented the memorial of sundry merchants and other citizens of Elizabeth City, praying the passage of a law to incorporate them as an insurance company. Ordered that the memorial be referred to the Judiciary committee.

Mr. Reinhardt presented a bill for the relief of persons who have made entries of land with Entry-takers, or who have had land surveyed by surveyors, who have not renewed their bonds agreeably to law; which was read the first time and passed.
Mr. Davidson presented the following petitions, to wit: The petition of Abner Alexander, of the county of Mecklenburg; and the petitions of John Millwee and John Conally, also of the county of Mecklenburg, severally praying to be placed on the pension list. Ordered that the said petitions, with the documents accompanying them, be referred to the committee of Propositions and Grievances.

Mr. Williams, of Martin, from the committee on Divorce and Alimony, made a report, which being read, Mr. Williams, of Martin, reported a bill to secure to Christiana Crittenden, of Stokes county, such property as she may hereafter acquire; which bill was read the first time and passed, and was subsequently read the second and third times and passed, and ordered to be engrossed.

Mr. Ward, from the committee appointed to superintend the balloting for Governor, reported that no person in nomination had a majority of votes. On motion of Mr. Ward, a message was sent to the House of Commons, proposing a further ballot for Governor.

The bill to establish Columbia Academy, on the lands of Joseph John Pippin, in the county of Edgecomb, and to incorporate the Trustees thereof, was read the second and third times and passed, and ordered to be engrossed.

The following engrossed bills, to wit: A bill to amend an act, entitled "an act to establish an academy at Williamston, in the county of Martin," passed in the year 1816; a bill to alter the name of Henry Rogers, of Duplin county, and to legitimate him; a bill to authorise the Public Treasurer to pay to Thomas Searcy the cost of a suit, wherein the State was plaintiff, and Gen'l. William Bethell defendant; and a bill to secure to Phoebe M'Kaughen, of Guilford county, such property as she may hereafter acquire, were severally read the second and third times and passed, and ordered to be enrolled.

The Senate proceeded to consider the resolution relative to the payment of the amount therein specified, to the agent of the administrator of John J. Bonner. Mr. Saunderson moved to amend the resolution, by striking out all the words of the resolution from the word "the" in the 5th line, to the word "and" in the 8th line; and insert the words "sum of one hundred and fifty six dollars and thirty cents, for the services of the said John J. Bonner, a member of the county of Hyde of the last General Assembly," which was agreed to, and the resolution, as amended, was read the second time and passed.

The bill to legitimate and alter the name of Mary Ann Eliza Tooley, was read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons a message, proposing that the two Houses, at their meeting on Saturday morning next, proceed to ballot for Brigadier General of the 16th Brigade, and nominating for the appointment Obediah Falkoner, Bedford Brown and Thomas N. Norman; which proposition was agreed to, and the House of Commons were informed thereof by message.

On motion of Mr. Owen,
Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of repealing so much of the act of 1741, chap. 26, section 10, as relates to the stealing or maiming any cattle, &c. by negroes, Indians, or mulatto slaves; and that they report by bill or otherwise.
Received from the House of Commons a message, containing a proposition for the appointment of a select joint committee to inquire into the expediency of instructing the Board of Internal Improvements, relative to a survey from Newbern, by the way of Raleigh, to Salisbury, on the most practicable route for a rail road; which being read, on motion of Mr. Spright, of Greene, ordered that the message lie on the table.

Mr. Spaight, of Craven, presented the certificate of allowance made by the County Court of Craven, in favor of Thomas Ewell and Christopher Bexley, pensioners. Also the certificate of allowance made by the County Court of Craven, in favor of Captain John Rhem, a pensioner. On motion of Mr. Spaight, of Craven, ordered that the said certificates be countersigned by the Speaker of the Senate; which was accordingly done, and the certificates sent to the House of Commons.

Received from the House of Commons a message, together with a communication from the Governor of the 3d instant, transmitting the annual report of the Board of Internal Improvements, together with sundry documents; accompanied with a proposition from that House, that the communication of the Governor, together with the documents therein referred to, be printed, one copy for each member of the Legislature; which was agreed to, and the House of Commons informed thereof by message.

The bill to authorize the building a bridge across Neuse river at the place therein mentioned, and for other purposes, being again read for the third time, Mr. Joiner moved to amend the bill, by the insertion of an additional section as follows, to wit: "Be it further enacted, that at any time after eight years from the day of the completion of the bridge aforesaid, the General Assembly of North Carolina may in any manner alter the rates and toll permitted to be taken by the owner of said bridge: Provided always, that should no alteration be made by the Legislature as aforesaid, the said Wright C. Stanly, his heirs, executors, administrators or assigns, may be entitled to demand and receive the rates now established;" which amendment was agreed to. The question then recurred on the passage of the bill as amended the third time, and it passed in the affirmative, and a message sent to the House of Commons, asking their concurrence in the amendments.

The bill concerning the election of Sheriffs was read the third time, and the question being stated, shall the bill pass? it was determined in the negative—Yeas 50—Nays 52. The yeas and nays being demanded by Mr. Vanhook—


The following resignations were presented, to wit: By Mr. Joiner, the resignation of William Clark, as a Justice of the Peace for the county of Pitt; and by Mr. Franklin, the resignation of Robert Carson, as a Justice of the Peace for the county of Iredell; also received from the House of Commons the resignation of Francis H. Reeder, as Colonel Commandant of the
first regiment of the Wake Militia; which were severally read and accepted, and the two first named sent to the House of Commons.
And then the Senate adjourned until to-morrow, 10 o'clock.

WEDNESDAY, DECEMBER 5, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to establish Columbia Academy, on the lands of Joseph John Pippin, in the county of Edgecomb, and to incorporate the Trustees thereof; a bill to secure to Christiana Crittenden, of Stokes county, such property as she may hereafter acquire; and a bill to legitimize and alter the name of Mary Ann Eliza Tooly; in which they ask the concurrence of the House of Commons.

Mr. Pickett, from the Judiciary committee, to whom was referred a bill to provide for the final settlements of Executors and Administrators, reported the said bill without amendment.

Mr. DeBerry presented the petition of Jennett Ingram, of the county of Montgomery, praying to be divorced from her husband Matthew Ingram. Ordered that the said petition be referred to the committee on Divorce and Alimony.

Mr. Shoiber presented the memorial of sundry citizens of Stokes county, praying the passage of a law to prevent the further introduction of slaves into this State. Mr. Gray presented the petitions of sundry citizens of the counties of Randolph and Davidson. Ordered that the said petitions be referred to the committee of Propositions and Grievances.

Mr. Shuford presented the petition of Green B. Palmer, of Rutherford county, praying the passage of a law, whereby he may be enabled to effect a settlement with the Board of Internal Improvements, in relation to a certain contract therein set forth. Ordered that the said petition be referred to the committee on Internal Improvements.

On motion of Mr. Pickett,
Resolved, That the select joint committee, appointed to investigate the state of the Treasury department, and to amend and consolidate the laws respecting the same, have leave to sit during the hours of business in each day, until they shall finish the investigation.

On motion of Mr. Pickett,
Resolved, That the joint select committee, appointed to investigate the transactions of the Treasury department, and to consolidate and amend the laws respecting the same, be instructed to take into their possession all the monies, books, and archives, deposited in the Treasury office, until the appointment of a Treasurer shall be made.

Received from the House of Commons, a message, stating their agreement to the proposition of the Senate, of yesterday, to ballot again for a Governor, withdrawing the name of John Stanly from the nomination, and appointing Mr. Morehead and Mr. Blackledge a committee, on the part of that House, to superintend the balloting. Whereupon a message was sent to that House, naming Mr. Brodnax and Mr. Bailey superintendents on the part of the Senate.

Mr. Brodnax, from the committee appointed to conduct the balloting for a Governor, reported that no person in nomination had a majority of votes; whereupon, on motion of Mr. Speight, of Greene, a message was sent to the House of Commons, proposing to ballot again immediately for a Governor; and a message was received from that House, agreeing to the proposition of the Senate, and stating that Messrs. Blount and Hill are the superintendents on the part of the House of Commons, and with-
drawing the name of Col. William Polk; whereupon a message was sent to that House, naming Messrs. Shober and Williams of Martin the balloting committee on the part of the Senate

Received from the House of Commons, a message, stating that Messrs. Adams and M'Millan attend the Senate, to conduct the balloting for a Brigadier General of the 14th Brigade, and nominating for the appointment Messrs. Archibald McEachin, Reading Anderson, Alfred Dockery and Walter F. Leak; whereupon a message was sent to that House, appointing Messrs. Burney and M'Millan the superintending committee on the part of the Senate.

Mr. Shober, from the committee appointed to conduct the balloting for a Governor, reported that James Iredell having a majority of all the votes, is duly elected; which report was concurred in.

On motion of Mr. Hawkins.

Resolved, That the committee of Propositions and Grievances be instructed to inquire into the expediency of discharging from imprisonment Thomas H. Christians, who is in bad health, and who is now confined in the jail of Warren county, on account of being unable to obtain security in an enormous sum, which was required of him for his good behaviour; and that they report by bill or otherwise.

Mr. Burney, from the committee appointed to conduct the balloting for a Brigadier General of the 14th Brigade, reported that no person in nomination had received a majority of votes. On motion of Mr. Burney, a message was sent to the House of Commons, proposing a further ballot for Brigadier General of the 14th Brigade.

Received from the House of Commons, a message, stating that they do not agree to ballot for Major General of the 7th Division at the time proposed by the Senate; but propose to ballot for that officer to-morrow; which proposition was agreed to; and a message was sent to the House of Commons, informing them thereof, and nominating for the appointment Brigadier General John Alston.

Mr. Williams, of Martin, from the committee on Divorce and Alimony, made a report, which was read; when Mr. Williams, of Martin, reported a bill to secure to Sarah Tilley, of Wilkes county, such property as she may hereafter acquire; which was read the first time and passed.

The bill for the relief of persons who have made entries of land with entry takers, or who have had lands surveyed by surveyors, who have not renewed their bonds agreeably to law, was read the second time and passed; when, on motion of Mr. Love, of Haywood, ordered that the said bill be referred to the committee on the Judiciary.

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

Resolved, That so much of the Governor's message as relates to a communication from the American Minister at London, be referred to a joint select committee of three members of each House, with instructions to inquire what measures this Legislature should take, consistent with considerations of just policy, towards the publication of a History of North-Carolina; and that they report by bill or otherwise.

Resolved, That Messrs. Fisher, Kerr and M'Millan, form the committee on the part of this House.

Which resolution was not agreed to; and, on motion of Mr. Speight, of Greene, a message was sent to the House of Commons, stating that the Senate, having already referred the subject embraced in their resolution to a select joint committee of their own body, do not agree thereto.

Received from the House of Commons, a message, proposing to ballot for Public Treasurer at the meeting of the two Houses on Monday next, and nominating for the appointment William Robards and John S. Hay-
wood; which was not agreed to, and a message was sent to the House of Commons, stating the disagreement of the Senate, and proposing to ballot for that officer on Wednesday next.

Received from the House of Commons the following resolution:

Resolved, That all resolutions, the object of which is to draw money out of the Public Treasury, shall be read three times in each House of this Legislature before they take effect, and shall not be read more than twice on the same day.

Which was not agreed to; and a message was sent to the House of Commons, stating that the Senate having a rule of their House, directing the number of times resolutions appropriating public money shall be read before they pass, the Senate do not agree to the resolution on that subject.

Mr. Davidson presented the following resolution, to wit:

Resolved, That the Speakers of each House of this General Assembly, be, and they are hereby authorised to draw on the Cashiers of either of the Banks in this city, with whom public money is deposited, for all such sums of money as may be necessary for the expenditure incurred in either House.

Which was not agreed to.

Received from the House of Commons, the resignation of John S. Haywood, Public Treasurer; which, with the accompanying communication, was read, and the resignation accepted.

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

THURSDAY, DECEMBER 6, 1827.

Mr. Jones presented a bill to allow further time for the payment of the purchase money on entries for vacant land, made in the year 1825, which will lapse on the 15th day of December, 1827; which was read the first time and passed.

Mr. Deberry presented the petition of sundry inhabitants of Montgomery county, praying that a law may be passed to prevent the further introduction of slaves into this State. Ordered that the said petition be referred to the committee of Propositions and Grievances.

Mr. Pickett, from the Judiciary committee, to whom was referred the resolution instructing them to inquire into the expediency of allowing the State the right of challenge in criminal cases, made a report, which was read; when Mr. Pickett reported a bill to allow the right of challenge to the State in certain cases; which was read the first time and passed.

Mr. Pickett, from the same committee, to whom was referred the petition of sundry merchants and other citizens of Elizabeth City, reported a bill to incorporate the Elizabeth City Marine Insurance Company; which was read the first time and passed.

On motion of Mr. Matthews,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending the existing laws relative to recording and registering deeds of trust, mortgages, &c. so as to give greater publicity to the same; and that they report by bill or otherwise.

Mr. Jones presented a bill to extend the time for registering grants and mesne conveyances, powers of attorney, bills of sale and deeds of gift; which was read the first time and passed.

Mr. M'Neill presented a petition of sundry citizens of Moore county, relative to the establishment of a Fair. Ordered that the said petition be referred to the committee of Propositions and Grievances.

Mr. Sparight, of Craven, presented the petition of Keziah Sawyer, of
the town of Newbern, praying that a law may be passed either to dissolve the bonds of matrimony existing between her and her husband, James Sawyer, or to secure to her such property as she may hereafter acquire. Ordered that the said petition be referred to the committee on Divorce and Alimony.

On motion of Mr. Vanhook, a message was sent to the House of Commons, proposing to ballot on Monday next for a Solicitor General of the 4th Judicial Circuit, and nominating for the appointment John M. Morehead, John Scott and Romulus M. Saunders.

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

Resolved, That the joint select committee appointed to investigate the accounts of the Treasury Department, and to amend and consolidate the laws, have leave to sit during the hours of business in each day, until they shall finish the investigation.

Endorsed in that House, "read and agreed to."

Received also from that House, the following resolution, to wit:

Resolved, That the joint select committee appointed to investigate the transactions of the Treasury Department, and to consolidate and amend the laws respecting the same, be instructed to take into their possession all the monies, books and archives deposited in the Treasury Office, until the appointment of a Treasurer shall be made.

Endorsed in that House, "read and agreed to."

The following bills, to wit: a bill to incorporate the Elizabeth City Marine Insurance Company, and a bill to secure to Sarah Tilley, of Wilkes county, such property as she may hereafter acquire, were read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. Saunderson, the Senate considered the resolution in favor of the agent of the administrator of John J. Bonner; and the said resolution being read, Mr. Pickett moved to strike out the words "John S. Haywood," in the first line of the resolution; which was agreed to. The question then recurred on the passage of the resolution, as amended, for the third time, and it passed in the affirmative, and was ordered to be engrossed.

A message was received from the House of Commons, stating that Messrs. M'Nair and Gillespie attend the Senate, as a committee on the part of the House of Commons, to conduct the balloting for Brigadier General of the 14th Brigade. Whereupon a message was sent to the House of Commons, appointing Messrs. Beasley and Whitfield superintendents of the balloting on the part of the Senate, and withdrawing the name of Reading Anderson.

Mr. Williams, of Martin, from the committee on Divorce and Alimony, made a report, which was read; when Mr. Williams, of Martin, reported a bill to divorce John Salyear, of the county of Currituck, from his wife Elizabeth; which was read the first time and passed.

Mr. Beasley, from the committee appointed to conduct the balloting for a Brigadier General of the 14th brigade, reported that no person in nomination had a majority of votes.

Received from the House of Commons, a message, naming Messrs. Busbee and Mann superintendents of the balloting for Major General of the 7th division, and adding to the nomination the name of Henry Blount, of Nash. A message was thereupon sent to the House of Commons, stating the appointment of Messrs. Williams, of Martin, and Burney, superintendents of the balloting on the part of the Senate.
Mr. M'Neill presented the petition of William Barrett, of Moore county, praying the loan from the State of two hundred and fifty dollars for one year without interest, to aid him in working a gold mine. Ordered that the said petition be referred to a joint select committee. The committee consists of Messrs. M'Neill, Deberry, Davidson, Jones and Bethune, on the part of the Senate; and a message was sent to the House of Commons, asking their concurrence therein.

A message was received from the House of Commons, stating that Messrs. Barnard and Conrad attend the Senate as superintendents of the balloting heretofore agreed on for Public Printer for the ensuing year, and proposing that the ballot be now had for that appointment, which was agreed to, and a message sent to that House, informing them thereof, and that Messrs. Davenport and Askew, of Bertie, are appointed of the balloting committee on the part of the Senate.

Mr. Williams, of Martin, from the committee appointed to conduct the balloting for Major General of the 7th division, reported that no person in nomination had a majority of votes.

A message was received from the House of Commons, proposing to ballot again immediately for Major General of the 7th division; which proposition was not agreed to. Whereupon, on motion of Mr. Drake, a message was sent to that House, informing them of the disagreement of the Senate, and proposing that a ballot be had for Major General of the 7th division on to-morrow.

Mr. Askew, of Bertie, from the committee of superintendence of the balloting for Public Printer, reported that Lawrence & Lemay are duly elected; which report was concurred in.

A message was received from the House of Commons, proposing a further ballot for a Brigadier General of the 14th brigade, and naming Messrs. Taylor and Troy of the balloting committee on the part of that House. Whereupon a message was sent to the House of Commons, agreeing to the proposition, and appointing Messrs. Beasley and Ramsay to conduct the balloting on the part of the Senate.

Received from the House of Commons, a message, stating that the name of James Seawell is added to the nomination for Public Treasurer.

Mr. Ramsay, from the committee appointed to conduct the ballot for Brigadier General of the 14th brigade, reported that no person in nomination had a majority of votes.

A message was received from the House of Commons, proposing that another balloting be had for Brigadier General of the 14th Brigade, and withdrawing the name of Walter F. Leake; which proposition was agreed to, and a message was sent to that House, informing them thereof, and naming Messrs. M'Millian and Burney of the committee of superintendence on the part of the Senate. Thereupon a message was received from the House of Commons, appointing Messrs. Hill and Jones of Rowan of the balloting committee on their part.

Received from the House of Commons, the certificate of allowance made by the County Court of Cumberland, in favor of Sherwood Fort, a pensioner, endorsed in that House "read and countersigned by the Speaker." On motion of Mr. Bethune, ordered that the said certificate be countersigned by the Speaker of the Senate; which was accordingly done.
Received from the House of Commons, a message, announcing to the Senate, that Thomas Settle, of Rockingham, had been unanimously elected Speaker of that House, in the room of James Iredell, resigned.

A message was received from the House of Commons, stating that they have passed the engrossed bill authorising Thomas Brown, of the county of Haywood, to erect two gates, for one year, on the public road leading from Franklin down the Tennessee river; in which they ask the concurrence of the Senate.

Received also from that House, a message, stating their concurrence in the amendments proposed by the Senate to the engrossed bill authorising the building a bridge across Neuse river at the place therein mentioned, and for other purposes. Thereupon, the said bill was ordered to be enrolled.

Received from the House of Commons, a communication from the Governor, transmitting to the General Assembly the report of the Adjutant General of the Militia of North Carolina, together with several resignations received by him since the commencement of the session; which being read, was ordered to lie on the table.

The following resignations were received from the House of Commons, to wit: The resignation of Edward Jones, as Solicitor General; the resignation of Thomas Brown, as Lieutenant Colonel of the forty-second regiment of Militia; and the resignation of Abner Smith, as a Justice of the Peace for the county of Ashe; which were severally read and accepted.

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

Friday, December 7, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to incorporate the Elizabeth City Marine Insurance Company; and a bill to secure to Sarah Tilley, of Wilkes county, such property as she may hereafter acquire; also, the engrossed resolution in favor of the agent of the administrator of John J. Bonner; in which they ask the concurrence of the House of Commons.

Mr. Burgin presented a bill concerning the election of County Surveyors; which was read the first time and passed.

Mr. Love, of Richmond, presented a bill to repeal an act, passed in the year 1823, entitled "an act to regulate the Courts of Pleas and Quarter-Sessions for Richmond county;" which was read the first time and passed.

Mr. Dobson presented a bill, making it the duty of Sheriffs to notify persons of the day on which their lands will be sold for taxes, and for other purposes; which was read the first time and passed. On motion of Mr. Shoher, ordered that the said bill be referred to the Judiciary Committee.

Mr. Burney, from the committee appointed to conduct the balloting for a Brigadier General of the 14th Brigade, reported that Alfred Dockery was duly elected; in which report the Senate concurred.

Received from the House of Commons, a message proposing the appointment of a joint select committee, consisting of two persons on the part of each House, to wait on James Iredell, and to inform him of his election to the Chief Magistracy of the State; and to enquire of him when it will be convenient for him to take the oaths of office, and naming of the
committee on the part of that House, Messrs. Morehead and Blount, which proposition was agreed to, and a message sent to the House of Commons, informing them thereof, and stating that Messrs. Brodax and Bailey are appointed of the committee on the part of the Senate.

A message was also received from the House of Commons, agreeing to the proposition of the Senate, to ballot on Monday next for Solicitor of the 4th Judicial Circuit.

On motion of Mr. Spaight, of Craven, Nathan B. Whitfield, the Senator from the county of Lenoir, had leave of absence from the services of the Senate, from and after this day, until Monday next.

Received from the House of Commons a message, proposing to ballot again immediately for Major General of the 7th Division; which was agreed to, and a message was sent, informing that House of the agreement of the Senate to their proposition, and stating that Messrs. Sherard and Nuttall attend to conduct the ballot on the part of the Senate. Whereupon, a message was received from the House of Commons, appointing Messrs. Gary and Busbee of the committee of superintendence on their part.

Mr. Sherard, from the committee appointed to conduct the ballot for a Major General of the 7th Division, reported that Micajah T. Hawkins was duly elected; in which report the Senate concurred.

The bill to divorce John Salyear, of the county of Currituck, from his wife Elizabeth, was read the second and third times, and ordered to be engrossed.

The engrossed bill authorising Thomas Brown, of the county of Haywood, to erect two gates, for one year, on the public road leading from Franklin down the Tennessee river, was read the second and third times and passed, and ordered to be enrolled.

A message was received from the House of Commons, stating that they have passed the engrossed bill to alter an act, entitled "an act to amend the fourth section of an act, passed in the year one thousand eight hundred and four, fixing the time for paying the purchase money into the Treasury on entries of land;" which was read the first time and passed.

Received from the House of Commons a message, proposing to ballot immediately for a Brigadier General of the 15th Brigade, as heretofore agreed on; and stating that Messrs. Clayton and Glasgow attend the Senate to conduct the ballot on the part of that House. Whereupon, a message was sent to the House of Commons, agreeing to their proposition, and appointing Messrs. Alexander and Nuttall of the balloting committee on the part of the Senate.

The bill to allow further time for the payment of the purchase money on entries for vacant land, made in the year 1825, which will lapse on the 15th day of December, 1827, was read the second time and passed.

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

Mr. Scott presented a bill to amend an act, passed in the year 1815, entitled "an act making further provisions in favor of the owners of strays;" which was read the first time and passed.

On motion of Mr. Shoher,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of revising and consolidating the different acts of Assembly, relative to the manner in which lands liable to taxes are to be sold, with such amendments as may be necessary to create more publicity of an intended sale, and a better notice to proprietors.
Received from the House of Commons a message, proposing that Thursday next be set apart for balloting for all officers to fill the vacancies existing in the Militia of this State, except such ballotings as the two Houses have already agreed shall take place on a day certain; which was agreed to, and the House of Commons informed thereof by message.

Mr. Wilson, of Camden, presented the petition of Willie M'Pherson and Samuel Procter, of Camden county, praying the passage of a law to exempt them from making a road on a canal therein specified, as required by the provisions of an act of the General Assembly of 1804, and of the act of 1808, supplemental thereto; and an extension of the charter of the White Oak Spring Canal Company. Ordered that the said petition, with the accompanying documents, be referred to the committee on Internal Improvement.

Mr. Harrell, of Gates, presented the petition of certain citizens of the county of Gates and others, praying the Legislature not to renew or extend the charter of the White Oak Spring Canal Company. Ordered that the said petition be referred to the committee on Internal Improvement.

Mr. Sherard presented the resignation of Jesse Barden, as a Justice of the Peace for the county of Wayne; which was read and accepted.

Received from the House of Commons, the following resignations, to wit: The resignation of John Cannon, as a justice of the peace for the county of Pitt; the resignation of David G. Flannegin, of the county of Mecklenburg, as a justice of the peace; the resignation of Ezekiel Scumb, as a justice of the peace for the county of Wayne; and the resignation of William Pyron, as a justice of the peace for the county of Mecklenburg; also the resignation of Merrit Burgin, as Colonel Commandant of the third regiment of the county of Burke; and the resignation of Cyrus Christian, as Major of the south regiment of militia of the county of Granville; which were severally read and accepted by the Senate.

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

Saturday, December 8, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: a bill to divorce John Salyear, of the county of Currituck, from his wife Elizabeth; and a bill to extend the time for registering grants and mesne conveyances, powers of attorney, bills of sale and deeds of gift; in which they ask the concurrence of that House.

Mr. Brodnax, from the committee appointed to wait on James Iredell, and to inform him of his election to the Chief Magistracy of the State, and to ascertain when it will be convenient for him to qualify, reported that the committee had performed the duty assigned them, and that the Governor elect would on this day, at 12 o'clock, attend the Legislature to take the several oaths prescribed by law for his qualification.

Mr. Nuttall, of the committee to conduct the balloting for Brigadier General of the 15th brigade, reported that Athan A. M'Dowell was duly elected; in which report the Senate concurred.

On motion of Mr. Speight, of Greene, Gabriel Sherard, the Senator from the county of Wayne, obtained leave of absence from the services of the Senate, from and after this day, until Monday next.

Received from the House of Commons, a message, naming Messrs.
Fisher and Webb to conduct the balloting for a Brigadier General of the 16th brigade, heretofore agreed on, and proposing that the ballot take place this morning; which proposition was agreed to, and a message was sent to that House, stating the agreement, and appointing of the balloting committee on the part of the Senate Messrs. Davenport and Burney.

Mr. Locke presented a bill to repeal an act, passed in the year 1824, entitled "An act to authorise the payment of persons summoned to serve as talismen jurors for the county of Brunswick," which was read the first time and passed.

Mr. Burney, from the committee to conduct the ballot for Brigadier General of the 16th brigade, reported that no person in nomination had a majority of votes.

On motion of Mr. Vanhook, a message was sent to the House of Commons, proposing to ballot again immediately for a Brigadier General of the 16th brigade, and appointing Messrs. Brodnax and Vanhook superintendents on the part of the Senate. Whereupon, a message was received from the House of Commons, agreeing to the proposition, and stating that Messrs. Lewis and Lawson attend the Senate to conduct the ballot on the part of that House.

A message was sent to the House of Commons, stating that the Senate do not agree to their proposition to appoint a select joint committee to inquire into the expediency of instructing the Board of Internal Improvements relative to a survey for a rail road.

On motion of Mr. Drake, a message was sent to the House of Commons, stating that the name of John L. Henderson is added to the nomination for Public Treasurer.

The following bills, to wit: The bill to repeal an act, passed in 1823, entitled "An act to regulate the Courts of Pleas and Quarter Sessions of Richmond county;" and a bill to repeal an act, passed in the year 1824, entitled "An act to authorise the payment of persons summoned to serve as talismen jurors for the county of Brunswick," were severally read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. M'Eachin,

Resolved, That the committee on the Militia Laws be instructed to inquire into the expediency of so amending the Militia Laws, as that every captain or commanding officer of a company shall have discretionary powers as to the time of keeping his men under arms; and also into the expediency of extending the same exemption from militia duties to all officers, as is now given to continental officers; and that they report by bill or otherwise.

Mr. Hinton, from the select committee, to whom was referred the bill to alter the times of holding the Superior Courts of Law and Equity in the third Judicial Circuit, reported the said bill without amendment.

Mr. Owen presented the petition of Purdie Richardson, Moses King and Stephen King, citizens of the county of Brunswick, praying to be attached to the county of Bladen, together with a bill to annex part of Brunswick county to the county of Bladen; which bill was read the first time and passed. On motion of Mr. Owen, ordered that the said bill, together with the petition and accompanying documents, be referred to the committee of Propositions and Grievances.

Mr. Owen, of the committee on Internal Improvements, to whom was referred a resolution instructing them to inquire what progress has been made towards completing the navigation of Roanoke river, together with a bill to repeal an act, passed in the year 1823, entitled "An act concern-
ing the Roanoke Navigation Company,” reported the bill without amendment.

Received from the House of Commons, a message, proposing the appointment of a joint select committee to wait on James Iredell, the Governor elect, and to conduct him into the Commons Hall, to take the usual oaths of office, and appointing of the committee, on the part of that House, Messrs. Moore and Morehead; which proposition was agreed to, and a message sent to the House of Commons, informing them thereof; and that Messrs. Speight, of Greene, and Wilson, of Edgecomb, form the committee on the part of the Senate.

The hour designated by the Governor elect for his qualification, having arrived, and the Senate being informed that the House of Commons is in readiness to receive them on the occasion, the two Houses of the Legislature convened in the Commons Hall; when the oaths prescribed by law to be taken by the Governor, before entering on the duties of his appointment, were administered in the presence of both branches of the Legislature, to James Iredell, by Johnson Busbee, one of the justices of the peace of Wake county. Whereupon, the Senate returned to their chamber for the purpose of legislation.

Mr. Vanhook, from the committee to conduct the balloting for a Brigadier General of the 16th brigade, reported that Thomas W. Norman is duly elected; in which report the Senate concurred.

Received from the House of Commons, a message, stating that they do not agree to the proposition of the Senate, to refer the petition of William Barrett, of Moore county, to a select joint committee.

Mr. Shober, from the committee of Propositions and Grievances, to whom was referred the memorial of John Conally, made a report thereon, which was read; and the resolution therein contained, was concurred in by the Senate, as follows: Resolved, that the prayer in the memorial contained, be not allowed.

Mr. Shober, from the same committee, made a report on the petition of certain citizens of Moore county, relative to the establishment of a Fair, which was read; and the resolution therein contained, was concurred in by the Senate, as follows: Resolved, that the prayer of the petitioners be not allowed.

The following petitions were presented, to wit: By Mr. M’Eachin, the petition of Mary E. Rowland, of Robeson county, praying to have such property secured to her as she may hereafter acquire; by Mr. Dobson, the memorial of sundry citizens of Surry county, praying the passage of a law to prevent the further introduction of slaves into this State. Ordered that the said petition and memorial be referred to the committee of Propositions and Grievances.

Received from the House of Commons, the certificate of allowance of the County Court of Craven, in favour of Thomas Ewell and Christopher Bexley; also the certificate of allowance from the same court, in favour of Captain John Rhem, endorsed in that House “read and countersigned by the Speaker.”

Mr. Vanhook presented the resignation of Obadiah Faiknor, as the Colonel Commandant of the regiment of militia of Person county.

Received from the House of Commons, a message, proposing the appointment of a select joint committee, to consist of five members of each
House, to inquire into the most advisable mode of representing the interest of the State in the Cape-Fear Bank, at the meeting of the stockholders shortly to be held in Wilmington; and that they be instructed to inquire into the propriety of agreeing to the surrender of the charter of the said Bank, provided such proposal be made at the contemplated meeting; and appointing Messrs. Jones, of Rowan, Hill, Eccles, Blackledge and Spruill, of the committee on the part of that House; which proposition was agreed to, and Messrs. Speight, of Greene, Owen, Spaight, of Craven, Ward and Davenport, were named of the committee on the part of the Senate.

Received from the House of Commons the following resignations, to wit: the resignation of William Allen, as Colonel Commandant of the regiment of militia of Greene county; and the resignation of Alfred Dockery, as Colonel Commandant of the first regiment of Richmond militia; which were severally read and accepted by the Senate.

And then the Senate adjourned until 10 o'clock, Monday morning.

MONDAY, DECEMBER 10, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: a bill to repeal an act, passed in 1825, entitled "An act to regulate the Courts of Pleas and Quarter Sessions of Richmond county;" and a bill to repeal an act, passed in the year 1824, entitled "An act to authorise the payment of persons summoned to serve as talismen jurors for the county of Brunswick;" in which they ask the concurrence of that House.

Mr. Speight, of Greene, presented a bill to authorise Zachariah Elliott, one of the securities of Henry S. Taylor, late Sheriff of Greene county, to collect arrears of taxes; which was read the first time and passed.

Mr. Shober, from the committee of Propositions and Grievances, to whom was referred the petition of John Millwee, of the county of Mecklenburg, made a report, which was read, and the resolution therein contained, as follows, to wit: Resolved, That John Millwee, of the county of Mecklenburg, be, and he is hereby placed on the pension list of the State, at the rate of seventy-five dollars per annum; and that the Treasurer of the State pay the said sum to the said Millwee annually, from any unappropriated money in the Treasury, as long as he shall live, or his wants require it, upon an authenticated certificate, countersigned by the Speakers of both Houses of the Legislature; and that one half of the first annuity (which would become due twelve months hence) shall be paid to him at the rise of the present General Assembly; which was read the first time and passed.

Received from the House of Commons a message, proposing that the report of the Adjutant General be printed, one copy for each member of the Legislature; which was agreed to, and a message sent to that House, informing them thereof.

On motion of Mr. Ward, a message was sent to the House of Commons, proposing to refer the report of the Adjutant General to a joint select committee; and stating that Messrs. Ward, Jones, Owen, Williams, of Beaufort, and Davidson, are appointed of the committee on the part of the Senate.

The bill to authorise Zachariah Elliott, one of the securities of Henry
S. Taylor, late Sheriff of Greene county, to collect arrears of taxes, was read the second time and passed.

On motion of Mr. Parker,

Resolved, That the committee of Finance be instructed to inquire into the expediency of withdrawing any further appropriation, by the Treasurer of this State, for the education of Miss Udney M. Blakely.

Mr. Deberry presented the certificate of allowance made by the County Court of Cumberland, in favor of Lucy Shaw, the widow of David Shaw, a militia soldier of the revolutionary war. On motion of Mr. Speight, of Greene, ordered that the said certificate be referred to the committee of Claims.

Mr. Fuller presented a bill to alter the place of holding the Battalion muster in Carteret county; which was read the first time and passed.

The bill to amend an act, passed in the year 1815, entitled "an act making further provisions in favor of the owner of strays," being read the second time, Mr. Speight, of Greene, moved to amend the bill, by striking out the word "stray," in the 13th line of the first section of the bill, and to insert in lieu thereof the following words, to wit: "horse, mare, gelding or mule," which amendment was agreed to. Mr. M'Eachin then moved the indefinite postponement of the bill; which was not agreed to. The question then recurred on the passage of the bill the second time as amended, and it passed in the affirmative.

Received from the House of Commons a message, stating that Mr. Jones of Rowan, and Mr. Mann, attend the Senate as superintendents of the balloting for Solicitor General, as heretofore agreed on; and a message was thereupon sent to that House, naming Messrs. Wilson, of Edgecomb, and Ramsay, of the balloting committee on the part of the Senate.

Mr. Wilson, of Edgecomb, from the committee appointed to superintend the ballot for Solicitor General, reported that John Scott having a majority of all the votes, is duly elected; in which report the Senate concurred.

The bill to alter the place of holding a battalion muster in Carteret county, and the resolution in favor of John Millwee, of Mecklenburg county, were severally read the second and third times and passed, and were ordered to be engrossed.

Mr. Ward presented the following resolutions, to wit:

Resolved by the Senate and House of Commons, That the Comptroller of this State be directed to take an inventory of all the property of every description, belonging to the State, and appertaining to the house of the Governor, during this session of the Legislature; and that he hereafter take an inventory of the said property, at the expiration of the term of the several Governors of this State, hereafter to be appointed; and that he file the said inventory in his office, subject to the inspection of the members of the Legislature.

Resolved, That the said Comptroller take an inventory of the property of the State, belonging to the Capitol, at the expiration of each session of the Legislature; and that he file the same in his office, there to be kept, subject to the inspection of the members of the Legislature.

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

The bill concerning the election of County Surveyors, was read the second time and passed.

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

Resolved, That a joint select committee, to consist of three members on the part of each House, be raised and instructed to inquire into the expediency of ascertaining what quantity of surplus produce is made in each and every county of this State; in what it consists; to what market or markets it is carried; and what the expense of getting it to market.

Resolved, That shall the committee, on investigation and deliberation, believe the infor-
mation important and attainable, that they be requested to submit a plan for its accomplish-
ment to the Legislature for its consideration.

Messrs. Blount, Moore and Fisher form the committee on the part of the Commons; which being read, and the question on the passage thereof being put, it was determined in the negative, and a message sent to the House of Commons, informing them thereof.

The bill to alter the times of holding the Superior Courts of Law and Equity in the third Judicial Circuit, being read the second time, Mr. Williams, of Martin, moved, that the said bill be indefinitely postponed; and the question thereon being put, it was determined in the affirmative.

The engrossed bill to alter an act, entitled "an act passed in the year 1804, fixing the time for paying purchase money into the Treasury on entries of land," being read the second time, Mr. Jones moved to amend the said bill by striking out the words of the bill which occur between the word "five," in the 8th line of the first section, and the word "any," in the 11th line of the said section, and to insert the following, to wit: "And such entries, upon payment thereof within the said time, shall be as good and valid, as if the said payment had been made before the 15th of December, 1827," which amendment was agreed to. The question then re-
curred on the passage of the bill the second time as amended, and it was determined in the affirmative; and the bill was subsequently read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

Mr. Alexander presented the following resolution, to wit:

Resolved, That the Public Treasurer pay John W. Hamilton, or his representative, the sum of eleven dollars and twenty cents, the amount of insolvent taxables and re-
movals, not allowed in his settlement with the Public Treasurer, as Sheriff of Ca-
barrus county, for the preceding year.

Which was read the first time and passed, and, on motion of Mr. Alex-
der, referred to the committee on Claims.

Mr. Holleman presented the petition of Ransom Capel, of the county of Northampton, praying remuneration for a certain runaway slave, who was killed. Ordered that the said petition be referred to the committee on Claims.

Mr. Hawkins presented the petition of John B. Thrower, of Warren county, praying the Legislature to pass a law, authorising him, as admin-
istrator of Sterling P. Thrower, to sell a certain piece of land, for the ben-
efit of the heir of the said Sterling P. Thrower. Ordered that the said petition be referred to the committee on the Judiciary.

The following resignations were presented, to wit: by Mr. Thomson, the resignations of Allen Adams and David Daniel, justices of the peace for the county of Johnson; and by Mr. Scott, the resignation of Alexander W. Brandon, a justice of the peace for the county of Anson; which were severally read and accepted, and sent to the House of Commons.

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

TUESDAY, DECEMBER 11, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bill, to wit: A bill to alter the place of holding a battalion muster in Carteret county; also the engrossed resolu-
tion instructing the Comptroller to take inventories of certain property belonging to the State; and the resolution in favor of John Millwee, of
Mecklenburg county, in which they ask the concurrence of that House.

Mr. Shober, from the committee of Propositions and Grievances, made a report on the petition of Mary E. Rowland, of Robeson county; which being read, Mr. Shober reported a bill to secure to Mary E. Rowland, of Robeson county, such property as she may hereafter acquire; which was read the first time and passed.

Mr. Shober, from the same committee, made a report on the petition of Abner Alexander, of Mecklenburg county; which was read, and the resolution therein contained was concurred in, as follows, to wit: Resolved, That the prayer of the petitioner be not allowed.

Received from the House of Commons a message, stating their agreement to the amendment made by the Senate to the engrossed bill to alter an act, entitled "an act to amend the 4th section of an act, passed in the year 1804, fixing the time for paying purchase money into the Treasury, on entries of land." Thereupon, the said bill was ordered to be enrolled.

Mr. Jones, from the committee on the Militia and Militia Laws, made a report on the petition of sundry citizens of Burke county; which was read; when Mr. Jones reported a bill, to add all that part of the second regiment of Militia of Burke county, lying south of the Catawba river in said county, to the first regiment; which was read the first time and passed.

Mr. Williams, of Martin, of the committee of Divorce and Alimony, made a report on the petition of William D. Taylor, of the county of Martin; which was read, when Mr. Williams, of Martin, reported a bill to divorce William D. Taylor, of the county of Martin, from his wife Nancy; which was read the first time and passed.

The bill to authorize Zachariah Elliott, one of the securities of Henry S. Taylor, late Sheriff of Greene county, to collect arrears of taxes, being read the third time, Mr. Joiner moved to amend the said bill, by adding thereunto a proviso, as follows, to wit: "Provided, that the collection shall not extend to administrators and executors, or to persons who have removed out of the county, or to those who will make oath before some justice of the peace that they have paid the same;" which amendment was agreed to. The question then recurred on the passage of the bill, as amended, the third time; and it passed in the affirmative, and was ordered to be engrossed.

The bill to amend an act, passed in the year 1815, entitled "an act making further provisions in favour of the owner of strays," being read the third time; and the question thereon being taken, it was determined in the negative.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to divorce John Salyear, of Currituck county, from his wife Elizabeth; and that they have indefinitely postponed the engrossed bill, to repeal an act, passed in 1823, entitled "an act to regulate the Courts of Pleas and Quarter Sessions of Richmond county."

The bill concerning the election of county surveyors being read the third time, Mr. Hinton moved to amend the said bill, by striking out the words "a majority of," in the 10th line of the bill, and inserting in lieu thereof the word "seven." Whereupon, on motion of Mr. Love, of Haywood, the said bill was ordered to lie on the table.

Received from the House of Commons, a message, stating that they have passed the following engrossed bills, to wit: A bill to secure to Jane
Wilson, of Buncombe county, wife of James Wilson, such property as she may hereafter acquire; and a bill to establish a turnpike road in the county of Buncombe; in which they ask the concurrence of the Senate. Whereupon the said bills were read the first time and passed.

Mr. Sherard presented the petition of Jesse Borden, of Wayne county, praying to be divorced from his wife Ann; also the petition of Ann Maria Borden, of the same county, praying the Legislature not to interfere with the ties of matrimony, existing between her and her husband, Jesse Borden. Ordered that the said petitions be referred to the committee on Divorce and Alimony.

Mr. M'Dowell presented the memorial of David Rogers, of Buncombe county, praying a reimbursement for money expended, and damages sustained, in the purchase of a tract of land within the bounds of the territory, lately acquired from the Cherokees. Ordered that the said memorial be referred to the committee on Cherokee Lands.

Mr. Spaight, of Craven, presented a communication from S. J. Baker, to Hutchings G. Burton, late Governor of the State, on the subject of the Tuscarora lands. Ordered that the said communication be referred to the committee on the Tuscarora Lands.

Mr. Davidson presented the petition of Eliza Simons, alias Dowling, of Mecklenburg county, praying the Legislature to grant her a divorce from the bonds of matrimony existing between her and her husband Zacheus Dowling. Ordered that the said petition be referred to the committee on Divorce and Alimony.

The Senate resolved itself into a committee of the whole House, Mr. Owen in the Chair, on the bill for the division of Haywood county; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Owen reported that the committee had, according to order, had the said bill under consideration, and had directed him to report an amendment thereto, to wit: to strike out the first section of the bill. Mr. Speight, of Greene, moved that the said bill, together with the amendment, be indefinitely postponed; and the question thereon being taken, it passed in the affirmative—yeas 33, nays 29. The yeas and nays being demanded by Mr. Drake—


Mr. Pickett, from the select joint committee appointed to investigate the accounts of the Treasury department, and to amend and consolidate the laws respecting the same, made a detailed report; which was read, when Mr. Pickett reported a bill concerning the Public Treasurer; which was read the first time and passed. On motion of Mr. Speight, of Greene, ordered that the said bill be committed to a committee of the whole House, and made the order of the day for Thursday next, and that it be printed, one copy for each member of the Legislature. Whereupon a motion was made by Mr. Pickett, that a message be sent to the
House of Commons, proposing to print the report of the committee, three copies for each member of the Legislature. Mr. Nuttall moved to amend the motion, by striking out "three" and inserting "five;" which was agreed to. The question then recurred on the motion of Mr. Pickett as amended, and it passed in the affirmative, and a message sent to the House of Commons in conformity therewith.

Received from the House of Commons, a message, stating that the name of Hutchins G. Burton is added to the nomination for Public Treasurer. And then the Senate adjourned until 10 o'clock, to-morrow.

**Wednesday, December 12, 1827.**

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill, to wit: A bill to authorise Zachariah Elliott, one of the securities of Henry S. Taylor, late Sheriff of Greene county, to collect arrears of taxes; in which they ask the concurrence of that House.

Mr. Whitfield presented a bill to authorise Frederick Jones, of Lenoir county, to erect a bridge across Neuse river; which was read the first time and passed.

Received from the House of Commons, a message, stating that Messrs. Brevard and Morehead now attend the Senate to conduct, on the part of that House, the ballot for Public Treasurer, heretofore agreed on to take place this day. Whereupon a message was sent to the House of Commons, naming Messrs. Franklin and Bailey of the balloting committee on the part of the Senate.

Mr. Pickett, from the Judiciary committee, to whom was referred a resolution relative to amending the dower laws, reported a bill to amend the different acts of the General Assembly concerning dower; which was read the first time and passed.

Mr. Pickett, from the same committee, to whom was referred the bill for the relief of persons who have made entries of land with entry takers, or who have had lands surveyed by surveyors, who have not renewed their bonds agreeable to law, reported the said bill without amendment; and the bill was read the third time and passed, and ordered to be engrossed.

Mr. Pickett, from the same committee, to whom was referred the petition of John B. Thrower, reported that it would be inexpedient to grant the prayer of the petitioner; which report was concurred in.

Mr. Pickett, from the same committee, to whom was referred the resolution relative to the expediency of giving the Superior and County Courts exclusive jurisdiction in certain cases, reported that it is inexpedient to amend the existing laws on these subjects; which report was concurred in.

Mr. Bailey, from the committee appointed to conduct the ballot for Public Treasurer, reported that no person in nomination had a majority of votes.

Received from the House of Commons, a message, proposing to ballot again immediately for Public Treasurer; which proposition was agreed to, and a message was sent to that House, stating the agreement of the Senate, and naming Messrs. Williams, of Martin, and M'Millan, of the balloting committee on their part. Whereupon a message was received
from the House of Commons, stating that Messrs. Blount and Bozman
are appointed to conduct the balloting for Public Treasurer on their part.
Mr. Pickett presented a bill to incorporate the North-Carolina Gold
Mining Company; which was read the first time and passed.
Mr. Williams, of Martin, from the committee to conduct the ballot
for a Public Treasurer, reported that no person in nomination had a ma-
nority of votes.
A message was received from the House of Commons, proposing a fur-
ther ballot for Public Treasurer; which proposition was agreed to, and
a message sent to that House, informing them thereof, and naming Messrs.
Williams of Martin and Burney of the balloting committee on the
part of the Senate. Whereupon a message was received from the House
of Commons, stating that Messrs. Webb and Glasgow are appointed on
their part to conduct the ballot for Public Treasurer.
The bill to add all that part of the second regiment of militia of Burke
county, lying South of the Catawba river in said county, to the first re-
giment, was read the second and third times and passed, and ordered to
be engrossed.
Mr. Parker presented the petition of Pricilla Brasher, the wife of Na-
than Brasher, of Guilford county, praying the passage of a law to secure
to her such property as she may hereafter acquire. Ordered that the
said petition be referred to the committee on Divorce and Alimony.
Mr. Love, of Richmond, presented a bill directing the manner in which
roads shall hereafter be established, altered, turned and discontinued in
the county of Richmond; which was read the first time and passed.
Received from the House of Commons, a message, stating their con-
currence in the proposition of the Senate to print the report of the com-
mittee appointed to investigate the Treasury department, with the ac-
companying exhibits.
Mr. Williams, of Martin, from the committee to conduct the ballot for
a Public Treasurer, reported that no person in nomination had a majority
of votes.
On motion of Mr. Speight, of Greene, a message was sent to the House
of Commons, proposing to ballot again immediately for Public Treasur-
er; and a message was received from the House of Commons, agreeing
thereto, and appointing Messrs. Taylor and Wheeler of the balloting
committee on the part of that House, and withdrawing the name of James
Seawell. Whereupon a message was sent to the House of Commons,
stating that Messrs. Nuttall and Ward attend the House of Commons
as a balloting committee on the part of the Senate.
The bill to secure to Mary E. Rowland, of Robeson county, such pro-
erty as she may hereafter acquire, was read the second and third times
and passed, and ordered to be engrossed.
Mr. Owen, from the committee on Internal Improvement, to whom
was referred the petition of Green B. Palmer, of Rutherford county,
made a report; which was read. Ordered that the committee on Intern-
al Improvement be discharged from the further consideration of the
petition of Green B. Palmer.
The bill to divorce William D. Taylor, of the county of Martin, from
his wife Nancy, was read the second and third times and passed, and or-
dered to be engrossed.
Mr. Speight, of Greene, presented the following resolution, to wit:

Whereas, George W. Haywood, Executor of John Haywood, deceased, has conveyed to the State of North-Carolina all the negroes belonging to his testator, and so much of the real estate as he was authorised to convey by the will; and Elizabeth E. A. Haywood, John S. Haywood, George W. Haywood, Fabius J. Haywood and Thomas B. Haywood, have also conveyed to the State of North-Carolina all the real estate of said John Haywood, deceased, which was devised to them respectively by the last will and testament of said John Haywood, for the purpose of securing to the State of North-Carolina whatsoever sum should appear due to said State for monies received by said John Haywood, deceased, as Public Treasurer, and not accounted for, under the conditions mentioned in said deeds, subject to the approbation of the General Assembly:

Resolved, therefore, That the said conveyances be accepted by the General Assembly, upon the limitations and conditions therein expressed.

Which resolution being read, on motion of Mr. Pickett, ordered that the resolution, with the accompanying documents, be referred to the committee appointed to investigate the Treasury department, and to amend and consolidate the laws relating to the same.

The engrossed bill to establish a turnpike road in the county of Buncombe, being read the second time, Mr. Montgomery moved to amend the said bill by striking out the words "mail stage," in the last line of the second section of the bill, and to insert in lieu thereof "United States' mail;" which amendment was agreed to. The question then recurred on the passage of the bill the second time, as amended; and the question thereon being taken, it passed in the affirmative; and the said bill was subsequently read the third time, and, on motion of Mr. Pickett, ordered that the said bill lie on the table.

Mr. Shober, from the committee of Propositions and Grievances, to whom was referred the resolution in favor of Thomas H. Christmas, made a detailed report, which was read, and the resolution accompanying the report as follows, to wit:

Resolved by both Houses of the Legislature, That the Sheriff of the county of Warren is hereby authorised and directed to discharge Thomas H. Christmas from imprisonment, provided he shall bind himself, with sufficient security in a bond payable to the Governor, himself in the sum of five hundred dollars, and his security in the sum of five hundred dollars, on condition to be void, if the said Christmas make his personal appearance at the next Superior Court to be held for the county of Warren, and thence not depart the Court without leave; and in the mean time keep the peace, and behave himself generally.

Being read, and the question on agreeing thereto being taken, it was determined in the negative.

Mr. Howze presented the resignation of William D. Freeman, as Lieutenant Colonel of the 29th regiment and 17th Brigade of the militia of this State.

And then the Senate adjourned until to-morrow, ten o'clock.

Thursday, December 13, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill for the relief of persons who have made entries of land with Entry Takers, or who have had land surveyed by surveyors, who have not renewed their bonds agreeably to law; a bill to add all that part of the second regiment of militia of Burke county, lying south of the Catawba river in said county, to the first regiment; a bill to secure to Mary E. Rowland, of Robeson county, such property as she may hereafter acquire; and a bill to divorce William D. Taylor, of the county of Martin, from his wife Nancy; in which they ask the concurrence of that House.

Mr. Nuttall, from the committee appointed to conduct the ballot for
Public Treasurer, reported that no person in nomination had a majority of votes.

Received from the House of Commons, a message, proposing a further ballot for Public Treasurer; which proposition was agreed to, and a message was sent to the House of Commons, informing them thereof, and naming Messrs. Ramsay and Burney of the balloting committee on the part of the Senate. Whereupon a message was received from the House of Commons, naming Messrs. Smith and King as the committee to superintend the balloting on the part of that House.

Mr. Smith presented a bill to amend an act, passed in the year 1810, entitled "an act to amend an act, passed in the year 1809, entitled 'an act to amend the several acts heretofore passed, relative to the removal of obstructions to the passage of fish up the several rivers within this State, as relates to the Pee Dee and Yadkin rivers;" which was read the first time and passed.

Mr. Williams, of Martin, from the committee on Divorce and Alimony, made a report on the petition of Jesse Bardin, of Wayne county; which report was read, when Mr. Williams, of Martin, reported a bill to divorce Jesse Bardin, of Wayne county, from his wife Ann; which was read the first time and passed.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to explain an act, entitled "an act passed in the year 1810, chap. 33, authorising Enoch Sawyer to open a road across Pasquotank river Swamp, opposite his plantation, and to erect a bridge across Pasquotank river;" in which they ask the concurrence of the Senate. Whereupon the said bill was read the first time and passed.

Mr. Burney, from the committee to conduct the ballot for Public Treasurer, reported that no person in nomination had received a majority of votes. On motion of Mr. Burney, a message was sent to the House of Commons, proposing a further ballot for Public Treasurer; and a message was received from that House, agreeing to the proposition of the Senate, and appointing Messrs. White and Lewis on their part to conduct the ballot. Whereupon a message was sent to the House of Commons, naming Messrs. Hinton and Davenport as a committee of superintendence on the part of the Senate.

Mr. Deberry presented the following resolution, to wit:

Resolved, That William R. Hill be appointed Librarian to the State Library for the ensuing year, and that he be allowed the sum of seventy-five dollars per annum, to be paid by the Public Treasurer, for his services as aforesaid.

Which was read the first time and passed.

The bill to authorise Frederick Jones, of Lenoir county, to erect a bridge across Neuse river; was read the second time and passed.

Mr. Alexander, from the select committee, to whom was referred the engrossed bill to repeal an act, passed in the year 1825, appointing commissioners to lay off, and cause to be opened a public road from Lincoln ton to Rutherfordton, reported the said bill with an amendment, to wit: strike out all of the original bill after the enacting clause, and insert in lieu thereof, the amendment submitted; which amendment was agreed to, and the bill read the second and third times and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

Mr. Hinton, from the committee appointed to conduct the ballot for
Public Treasurer, reported that no person in nomination had received a majority of votes.

On motion of Mr. Hinton, a message was sent to the House of Commons, proposing a further balloting for Public Treasurer; and a message was received from that House, agreeing thereto, and naming Messrs. Glisson and Hardy of the ballotting committee on their part. Thereupon, a message was sent to the House of Commons, stating that Messrs. Askew, of Bertie, and Dobson attend to conduct the ballot for Public Treasurer on the part of the Senate.

The bill to divorce Jesse Bardin, of Wayne county, from his wife Ann; also the bill directing the manner in which roads shall hereafter be established, altered, turned and discontinued in the county of Richmond; and the bill to allow the right of challenge to the State in certain cases, were severally read the second and third times and passed, and ordered to be engrossed.

The following engrossed bills, to wit: A bill to explain an act, entitled "an act passed in the year 1810, chap. 33, authorising Enoch Sawyer to open a road across Pasquotank river swamp, opposite his plantation, and to erect a bridge across Pasquotank river; and a bill to secure to Jane Wilson, of Buncombe county, wife of James Wilson, such property as she may hereafter acquire, were severally read the second and third times and passed. and ordered to be enrolled.

On motion of Mr. Shober,

Resolved, That a select joint committee of both Houses of the Legislature be appointed to inquire into the expediency of establishing a penitentiary, in connexion with an asylum for idiots and lunatics.

Resolved, That the said committee prepare and report the most approved plan, with an estimate of the probable cost, embracing a view of the best system of government for such an institution.

Resolved, That should the proper information be not within the reach of the committee, they submit a plan, by which the necessary view of the subject may be obtained, in order to be submitted to a future Legislature.

The committee on the part of the Senate consists of Messrs. Shober, Owen, Franklin, Wilson of Edgecomb and Davidson.

On motion of Mr. Pickett, the Senate proceeded to consider the bill to establish a turnpike road in the county of Buncombe. A motion was made by Mr. Pickett, to amend the said bill by adding at the end of the fourth section of the bill a proviso, to wit: "Provided that nothing contained in this act shall be construed to exonerate the persons liable by law to keep the said road in repair from the penalties now prescribed for omissions of duty;" and the question being taken thereon, it passed in the affirmative. The question then recurred on the passage of the bill, as amended, the third time, and it passed in the affirmative; and a message sent to the House of Commons, asking their concurrence in the amendments.

On motion of Mr. Shober,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending or explaining the different acts of the General Assembly, limiting the time in which judgments may be reversed either in the Superior or County Courts, by writ of error, or other proceedings.

Resolved further, That the said committee be instructed to inquire into the expediency of limiting, by an act of the General Assembly, the time in which decrees of the Court of Equity may be reversed by bill of review or otherwise.

Mr. Williams, of Martin, of the committee on Divorce and Alimony, made a report on the petition of Keziah Sawyer, of the coun-
ty of Craven; which was read, when Mr. Williams, of Martin, reported a bill to divorce Keziah Sawyer, of the county of Craven, from her husband, James Sawyer; which was read the first time and passed.

The bill to provide for the final settlements of executors and administrators, was read the second time. Mr. Pickett moved to amend the said bill, by inserting as the 7th section of the bill, the following, to wit: "Be it further enacted, that the said board shall attend at least one day during each term of the County Courts of Pleas and Quarter Sessions of their respective counties, at the Court House, and at such other times and places as they shall deem expedient;" and the question being taken thereon, it passed in the affirmative. The question then recurred on the passage of the bill, as amended, the second time; and it passed in the affirmative.

The bill to amend an act, passed in the year 1810, entitled "An act to amend an act, passed in the year 1809, entitled "An act to amend the several acts heretofore passed, relative to the removal of obstructions to the passage of fish up the several rivers within this State, as relates to the Pee Dee and Yadkin rivers," was read the second time and passed; and the said bill being subsequently read the third time, Mr. Pickett moved to amend the bill, by striking out the words "in which he, she or they may reside," and inserting in lieu thereof, as follows, to wit: "in which the said obstruction shall be erected;" which was agreed to. The question then recurred on the passage of the said bill, as amended, the third time, and it passed in the affirmative, and was ordered to be engrossed.

Mr. Owen, from the committee on Internal Improvements, to whom was referred the petition of sundry inhabitants of the county of Burke, made a report, accompanied with a recommendation that the petition be rejected; in which report the Senate concurred.

Mr. Scott presented the resignation of Alexander W. Brandon, as Colonel Commandant of a regiment of Cavalry, attached to the 14th brigade of the second division of the militia of this State; which was read and accepted by the Senate.

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

---

FRIDAY, DECEMBER 14, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to amend an act, passed in the year 1810, entitled "An act to amend an act, passed in the year 1809, entitled "An act to amend the several acts heretofore passed, relative to the removal of obstructions to the passage of fish up the several rivers within this State, as relates to the Pee Dee and Yadkin rivers;" a bill to divorce Jesse Bardin, of Wayne county, from his wife Ann; a bill directing the manner in which roads shall hereafter be established, altered, turned and discontinued in the county of Richmond; and a bill to allow the right of chal-
leng to the State in certain cases; also the engrossed resolutions relative to making enquiries into the expediency of erecting a Penitentiary; in which they ask the concurrence of that House.

Mr. Dobson, from the committee appointed to conduct the ballot for a Public Treasurer, reported that no person in nomination had a majority of votes. A message was received from the House of Commons, proposing a further ballot for Public Treasurer, and withdrawing the name of John S. Haywood from the nomination; which proposition was agreed to, and a message was sent to the House of Commons, informing them thereof, and naming Messrs. Speight, of Greene, and Wilson, of Edgecomb, to conduct the ballot on the part of the Senate; and proposing that the balloting committee be instructed to wait on the sick members at their chambers to receive their ballots. Thereupon, a message was received from the House of Commons, stating that Messrs. Gary and Glisson attend the Senate as the balloting committee on their part; and informing the Senate that they do not agree to their proposition, that the superintendents wait on the sick members at their chambers.

Mr. Pickett, from the Judiciary committee, to whom was referred the resolution relative to the wreck laws, reported a bill to repeal the second section of an act, passed in the year one thousand eight hundred and one, so far as regards salvage; which was read the first time and passed.

Mr. Bailey, from the Library committee, to whom was referred that part of the Governor's Message relating to an interchange of laws with other States, reported a resolution as follows, to wit:

Resolved, That the Governor of this State, and his successors in office, be authorised and empowered to interchange the laws of this State with the State of Delaware, or with any other State or States, who have, or are willing to interchange their laws for the laws of this State.

And resolved further, That the Governor, and his successors in office, be authorised to have the laws of this State, which he may hereafter think proper to interchange with any other State or States, bound in a neat and substantial manner.

Which was read the first time and passed.

Mr. Bailey presented the following resolution, to wit:

Resolved, That the room now used for a Conference room, shall, after the rise of the General Assembly, be fitted up and occupied as a Library room; and that the Library room shall be used for a Conference room.

Resolved further, That it shall be the duty of the Librarian to have book cases erected agreeably to the directions of the Library committee; and that the Public Treasurer pay for the work performed, at the order of the Librarian.

Which was read the first time and passed.

On motion of Mr. Wilson, of Camden,

Resolved, That the Judiciary committee be instructed to inquire whether any provision is made under the existing laws concerning bastardy, to charge the estate of the reputed father (who may have died before the bastard child is sworn to him) with the maintenance of the same; and that they report by bill or otherwise.

On motion of Mr. Walton,

Resolved, That the Judiciary committee be instructed to inquire what amendment can be made in the laws concerning the wardens of the poor, so that the money expended on the paupers in each district, shall be at the order of the wardens living in that district; and that they report by bill or otherwise.
Mr. Dobson presented a bill to appoint a committee of Finance in the county of Surry; which was read the first time and passed.

Received from the House of Commons, a message, proposing to ballot on Saturday morning next for a Council of State; and nominating for the appointment Thomas Kenan, George W. Jeffries, Gideon Alston, William B. Lockhart, William Blackledge, Archibald M'Bride, John M'Dowell, Isaac T. Avery, Meshack Franklin, William L. Davidson and Alexander Elliott; which proposition was agreed to, and the House of Commons were informed thereof by message.

Mr. Riddick presented the memorial of sundry citizens of Perquimans county, praying that a law may be passed to prevent the further introduction of slaves into this State. Ordered that the said petition be referred to the committee of Propositions and Grievances.

The Senate resolved itself into a committee of the whole House, Mr. Spaight, of Craven, in the Chair, on the bill concerning the Public Treasurer; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Spaight, of Craven, reported that the committee had, according to order, had the said bill under consideration, and had directed him to report that the committee had made some progress therein, and asked leave to sit again. Ordered that the committee of the whole House have leave to sit again to-morrow on the said bill.

Mr. Spaight, of Greene, from the committee to conduct the ballot for Public Treasurer, reported that William Robards, having a majority of all the votes, was duly elected; in which report the Senate concurred.

Mr. Ramsay presented the petition of Thomas M. Johnston, of Chatham county, praying the Legislature to remit a penalty incurred by him, in not paying his tax as a merchant. Mr. Owen presented the memorial of Joseph Cain, of Bladen county, praying the Legislature to relieve him from certain penalties therein set forth. Ordered that the said petition and memorial be referred to the committee of Propositions and Grievances.

On motion of Mr. Owen,

Resolved, That the committee on Propositions and Grievances be instructed to inquire into the expediency of remitting that part of a penalty going to the wardens of the poor of Bladen county, incurred by David Thomas, of said county, for a violation of the law against trading with negroes, and on which a judgment has been obtained in favor of Willie Atkinson; and that they report by bill or otherwise.

Mr. Montgomery presented the petition of Amy Gilmore, of Orange county, praying to be divorced from her husband, Stephen Gilmore. Ordered that the said petition be referred to the committee on Divorce and Alimony, together with the accompanying documents.

On motion of Mr. Montgomery, a message was sent to the House
of Commons, stating that the name of Alfred Jones is added to the nomination for Counsellors of State.

The resolution relative to an interchange of laws with other States, was read the second and third times and passed, and ordered to be engrossed.

The bill to divorce Keziah Sawyer, of the county of Craven, from her husband, James Sawyer, was read the second and third times and passed, and ordered to be engrossed.

The bill to appoint a committee of Finance in the county of Surry, was read a second time and passed.

Mr. Pickett, from the select joint committee, appointed to investigate the Treasury Department, to whom was referred the resolution respecting the conveyances made by the personal representatives and devisees of John Haywood, deceased, made a detailed report, which was read; and the question being stated on the resolution therein contained, as follows, to wit: Resolved, that it is inexpedient to accept of the conveyances of the representatives and devisees of the late Treasurer, under the restrictions and conditions therein contained. Mr. Speight, of Greene, moved to amend the resolution, by striking out the word "inexpedient," and inserting in lieu thereof, the word "expedient;" and debate arising thereon, on motion of Mr. Speight, of Greene, ordered that the said resolution do lie on the table.

And then the Senate adjourned until to-morrow, ten o'clock.

Saturday, December 15, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to divorce Keziah Sawyer, of the county of Craven, from her husband, James Sawyer; also the engrossed resolution relative to an interchange of laws with other States; in which they ask the concurrence of that House.

Mr. Shober, from the committee of Propositions and Grievances, to whom was referred the resolution in favor of David Thomas, of Bladen county, reported that it is inexpedient to remit the penalty incurred by David Thomas; in which report the Senate concurred.

Mr. Love, of Haywood, presented a bill to amend an act, passed in the year 1824, entitled "An act giving the assent of North Carolina to, and enforcing in this State certain acts of the General Assembly of the State of Tennessee, relating to the Smoky Mountain Turnpike Road;" which was read the first time and passed. Ordered that the said bill be referred to the committee on Internal Improvements.

Received from the House of Commons, a message, proposing to ballot on this day for a Board of Internal Improvements, and nominating Cadwallader Jones, Andrew Joiner, James M'Kay and Marsden Campbell for the appointment; which proposition was agreed to, and a message sent to the House of Commons, informing
them thereof, and stating that Messrs. Owen and Franklin attend the Commons to conduct the ballot on the part of the Senate. Thereupon a message was received from the House of Commons, naming Messrs. Hill and Blount as the committee of superintendence on their part; and stating that the name of Marsden Campbell is withdrawn from the nomination, and the name of Otway Burns added thereto.

Received from the House of Commons, a message, stating that Messrs. Gary and Ruffin now attend the Senate to conduct the balloting for a Council of State, and adding the name of Elijah Callaway, of Ashe county, to the nomination. Thereupon a message was sent to the House of Commons, naming Messrs. Nuttall and Montgomery to superintend the ballot on the part of the Senate.

Received from the House of Commons, the resolution appointing a select joint committee to inquire into the expediency of establishing a Penitentiary, endorsed in that House, read and concurred in, and referred on the part of this House to Messrs. Morehead, Alexander, Scott, Brevard and Little."

On motion of Mr. Dobson,
Resolved, That the Judiciary committee be instructed to inquire into the expediency of passing a law, making all debts due by bond or note, recoverable when the persons owing the same are about to move beyond the limits of the State, or that the persons so intending to leave the State, shall, if required, give new security.

Mr. Pickett, from the Judiciary committee, to whom was referred the resolution, instructing them to inquire what amendment can be made in the laws concerning the wardens of the poor, so that the money expended on the paupers in each district shall be at the order of the wardens in that district, made a report, which was read; and the resolution therein contained, as follows, to wit: Resolved, that it is inexpedient to change the existing laws in relation to the disposition of the monies raised for the maintenance of the poor of the respective counties, was concurred in by the Senate.

Mr. Pickett, from the same committee, to whom was referred the resolution, instructing them to inquire what alterations are necessary in the laws respecting the wardens of the poor, reported a bill to amend an act, passed in the year 1786, entitled "An act to compel certain officers therein mentioned to publish the application of the public monies and allowances for insolvents;" which was read the first time and passed.

On motion of Mr. Hinton, ordered that Micajah T. Hawkins, the Senator from the county of Warren, have leave of absence from the services of the Senate, from and including this day until Friday next.

On motion of Mr. Montgomery,
Resolved. That the committee on Internal Improvements be instructed to inquire whether any money has been drawn from the fund set apart for Internal Improvement, not authorised by law, during the years 1825, 1826 and 1827; and if any, how much, by whom drawn, and for what purposes.
Received from the House of Commons, a message, stating that the concurrence of that House in the amendments proposed by the Senate in the engrossed bill to establish a turnpike road in the county of Buncombe. Whereupon, the said bill was ordered to be enrolled.

Mr. M'Millan presented the petition of sundry citizens of Ashe county, praying the passage of a law, to secure to Jane Becknal, of Ashe county, such property as she may hereafter acquire. Ordered that the said petition be referred to the committee on Divorce and Alimony.

Mr. M'Millan presented the petition of sundry citizens of Ashe county, praying the Legislature to pass a law, restoring to the privileges of a citizen John Rose, of Ashe county. Ordered that the said petition be referred to the committee of Propositions and Grievances.

Received from the House of Commons, a communication from William Robards, Public Treasurer, accompanied by the following resolution, to wit:

Resolved, That William Robards, Treasurer elect, enter on the duties of his office as soon as he gives bond and takes the oath of office now required by law.

In which resolution the Senate concurred, and a message sent to the House of Commons, informing them thereof.

Mr. Owen, from the committee appointed to conduct the ballot for a Board of Internal Improvement, reported that Cadwallader Jones, James J. M'Kay and Andrew Joiner were duly elected.

Mr. Montgomery, from the committee to conduct the ballot for a Council of State, reported that Gideon Alston, William Blackledge, George W. Jeffries, Meshack Franklin, William B. Lockhart and Isaac T. Avery were elected, and that no other person had a majority of votes; in which report the Senate concurred.

A message was received from the House of Commons, proposing that another ballot take place immediately for a Councillor of State, and withdrawing the name of Alfred Jones; which proposition was agreed to, and a message sent to the House of Commons, informing them thereof, and naming Messrs. Hollamon and Fuller to conduct the ballot on the part of the Senate. Whereupon, a message was received from the House of Commons, appointing Messrs. Little and Lilly superintendents of the ballot on their part.

On motion of Mr. Pickett, the Senate proceeded to consider the report of the committee appointed to investigate the Treasury Department. The question before the Senate, was on the motion submitted yesterday by Mr. Speight, of Greene, to wit: to amend the resolution, by striking out the word "inexpedient," and inserting in lieu thereof the word "expedient;" and the question being taken, it was determined in the negative. The question then recurred on agreeing to the resolution, to wit: Resolved, that it is inexpedient to accept of the conveyances of the representatives and devisees of the late Treasurer, under the restrictions and conditions therein contained, and it passed in the affirmative; and the report and accom-
panying documents were sent to the House of Commons for their concurrence.

The Senate again resolved itself into a committee of the whole House, Mr. Spaight, of Craven, in the chair, on the bill concerning the Public Treasurer; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Spaight, of Craven, reported that the committee had again had the said bill under consideration, and made sundry amendments thereto, which were read and concurred in by the Senate. Whereupon the said bill was read the second time, amended, on motion of Mr. Jones, and passed.

The bill to authorise Frederick Jones, of Lenoir county, to erect a bridge across Neuse river, being read the third time, Mr. Whitfield moved to amend the said bill, by inserting as the second section of the bill, the following, to wit: "Be it further enacted, that one or more of the arches of said bridge in the deepest part, or middle of the river, shall be at least forty feet wide, and sufficiently high for the free passage of boats and rafts under said bridge at high water," which amendment was agreed to. The question then recurred on the passage of the bill, as amended, the third time, and it passed in the affirmative, and was ordered to be engrossed.

The bill to amend the different acts of the General Assembly, concerning dower, was read the second and third times and passed, and ordered to be engrossed.

Mr. Pickett presented the petition of certain citizens of Stokes county, against opening Muddy Creek. Ordered that the said petition be referred to the committee of Propositions and Grievances.

On motion of Mr. Shober,

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of repairing and improving the road leading from Fayetteville, through the counties of Moore, Randolph, Guilford and Stokes, to Wilkesborough, agreeable to a survey heretofore made by the Civil Engineer; and that they report by bill or otherwise.

The bill to appoint a committee of Finance in the county of Surry, was read the third time and passed, and ordered to be engrossed.

The bill to incorporate the North Carolina Gold Mining Company, was read the second time and passed.

Received from the House of Commons, the following resignations, to wit: The resignation of Isaac Benton, as a justice of the peace for the county of Columbus; the resignation of R. Kendall, as Col. Commandant of the second regiment of Montgomery county militia; and the resignation of Isaac Winston, as Colonel Commandant of the 20th regiment, attached to the 17th brigade of North Carolina militia.

And then the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, DECEMBER 17, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: a bill to au-
thorise Frederick Jones, of Lenoir county, to erect a bridge across Neuse river; a bill to amend the different acts of the General Assembly concerning dower; and a bill to appoint a committee of Finance in the county of Surry; in which they ask the concurrence of that House.

Received from the House of Commons, a message, stating their agreement to the several amendments made by the Senate in the engrossed bill to repeal an act, passed in the year 1826, appointing commissioners to lay off and cause to be opened, a road from Lincolnton to Rutherfordton. Whereupon the said bill was ordered to be enrolled.

Mr. Pickett, from the Judiciary committee, to whom was referred a bill making it the duty of sheriffs to notify persons of the day on which their lands will be sold for taxes, and for other purposes, reported the said bill without amendment; and the bill was made the order of the day for to-morrow.

Mr. Pickett, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of amending or explaining the laws, limiting the time in which judgments may be reversed, reported a bill for the limitation of writs of error for matters of fact and bills of review; which was read the first time and passed.

Mr. Pickett presented a bill to amend an act, passed in the year 1777, entitled "an act to establish Courts of Law and regulate the proceedings therein." Mr. Locke presented a bill concerning the Sheriff of Brunswick county. Which bills were severally read the first time and passed.

Mr. Williams, of Martin, from the committee on Divorce and Alimony, made a report on the petition of Washington Price; which was read, when Mr. Williams, of Martin, reported a bill to divorce Washington Price, of Wake county, from his wife Susan Price; which bill was read the first time and passed.

Mr. Hollamon, from the committee appointed to conduct the ballot for a Counsellor of State, reported that no person in nomination had received a majority of votes.

On motion of Mr. Scott,

Resolved, That a select committee be appointed to inquire into the expediency of so amending the laws on bastardy, as to make the fine imposed on the reputed father payable to some person for the use of the child, instead of the mother, with leave to report by bill or otherwise.

The committee consists of Messrs. Scott, Sherard, Montgomery, Hollamon and Thomson.

Mr. Parker presented the petition of Nancy Donnell, of Guilford county, praying that a law may be passed, confirming and validating the emancipation of certain slaves therein named. Ordered that the said petition be 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 incorporate the New Garden Library Society; a bill respecting the elections in the county of Perquimans; and also a bill to exempt from certain public duties the keeper of the poor house in the county of Stokes; in which they ask the concurrence of the Senate. Whereupon the said bills were read the first time and passed.

The bill concerning the Public Treasurer being read the third time, Mr. Spaight, of Craven, moved to amend the said bill by adding an additional section as follows, to wit: "Be it further enacted, that if at any time the Treasurer shall suspect the solvency of any of the banks in which public monies are deposited, it shall be his duty to communicate the same to the Governor; and if, upon an examination of the subject, the Governor shall consider that the public interest requires the public money to be withdrawn from the bank, it shall be the duty of the Treasurer immediately to remove, or cause to be removed the deposit in the said bank;" which was agreed to. Mr. Pickett moved further to amend the bill by inserting in the 5th line of the 3d section, after the word impositions, the words "and otherwise;" also in the 6th line of the same section, by inserting after the word "of," the words "public dues"; which amendments were agreed to. Mr. Pickett moved further to amend the bill by striking out in the 7th section, all the words intervening between the word "tax," in the 18th line, and the word "in," in the 16th line, as follows, to wit: "and the Treasurer shall raise an account against each and every such persons, and debit them accordingly;" which amendment was not agreed to. Mr. Pickett moved further to amend the said bill by striking out in the 6th line of the 11th section of the bill, after the word "banks," the words "in this city," and to insert in lieu thereof, the words "of this State;" which amendment was agreed to. Mr. Pickett moved further to amend the bill, by adding at the end of the 13th section, the following words, to wit: "But the Treasurer may check for and keep in his office during the session of the Legislature, an amount of money sufficient to pay the members and officers of the two Houses;" which amendment was agreed to. Mr. Spaight, of Craven, moved further to amend the bill by inserting in the 4th line of the 25th section, after the word "persons," the following words, to wit: "acting as agents for the State, who are;" which amendment was agreed to. Also to insert in the same line after the word State, the words "by or on account of such agency;" which amendment was also agreed to. The question then recurred on the passage of the bill the third time as amended, and it passed in the affirmative, and was ordered to be engrossed.

Mr. Williams, of Martin, from the committee on Divorce and Alimony, made a report on the petition of William Holland, of Craven county; which was read. Mr. Williams, of Martin, also
reported the bill to divorce William Holland, of Craven county, from his wife Esther, without amendment. Whereupon the said bill 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 the engrossed bill to alter the place of holding a battalion muster in Carteret county, with an amendment, in which they ask the concurrence of the Senate; which being read, and the question thereon taken, it passed in the affirmative, and the House of Commons were informed thereof by message.

Received from the House of Commons, a message, stating that they have passed the engrossed resolution in favor of John J. Bonner, with an amendment, to wit: "to raise the sum from one hundred and fifty-six dollars and thirty cents, to one hundred and fifty-seven dollars and twenty-five cents," in which they ask the concurrence of the Senate; and the question being taken on said amendment, it passed in the affirmative, and the House of Commons were informed thereof by message.

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

On motion of Mr. Fuller,

Resolved, That a joint select committee be appointed to examine and settle the accounts of the Clubfoot and Harlows Creek Canal Company, and make report of the same.

The committee on the part of the Senate consists of Messrs. Fuller, Askew of Bertie, Wilson of Edgecomb, Spaight of Craven, and Davidson.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to divorce Keziah Sawyer, of the county of Craven, from her husband James Sawyer; and that they have passed the engrossed resolution in favor of Joseph Welch and Mark Coleman; in which they ask the concurrence of the Senate; whereupon the said resolution was read the first time and passed.

The engrossed bill respecting the elections in the county of Perquimans, was read the second and third times and passed, and ordered to be enrolled; and the engrossed bill to incorporate the New Garden Library Society, was read the second time and passed.

The bill to divorce Washington Price, of Wake county, from his wife Susan, being read the second time, and the question being taken thereon, it was determined in the negative.

The bill concerning the sheriff of Brunswick county, was read the second and third times and passed, and ordered to be engrossed.

Mr. Pickett, from the Judiciary committee, to whom was referred the resolution relative to recording and registering deeds of trust, mortgages, &c. 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.

Received from the House of Commons, the resignation of Charles Butler, as a Justice of the Peace for the county of Sampson; which was read and accepted by the Senate.

And then the Senate adjourned until to-morrow, ten o'clock.

Tuesday, December 18, 1837.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: a bill concerning the Public Treasurer; a bill to divorce William Holland, of Craven county, from his wife Esther; and a bill concerning the Sheriff of Brunswick county; in which they ask the concurrence of that House.

On motion of Mr. Vanhook, a message was sent to the House of Commons, proposing to ballot again immediately for a Counsellor of State.

Mr. Mathews presented the resignation of John Alston, as Brigadier General of the 5th brigade of North Carolina militia; which was read and accepted by the Senate.

Mr. Shoher, from the committee of Propositions and Grievances, made a report on the petition of sundry citizens of Ashe county, in behalf of John Rose; which was read, when Mr. Shoher reported a bill to restore John Rose, of Ashe county, to credit; which was read the first time and passed.

On motion of Mr. Mathews, a message was sent to the House of Commons, proposing to ballot on Thursday next for a Brigadier General of the 5th brigade, and nominating for the appointment Louis D. Wilson.

Received from the House of Commons, a message, stating that they have passed the engrossed bill concerning the committee of Finance and receivers of public monies in the county of Cumberland; in which they ask the concurrence of the Senate. Whereupon, the said bill was read the first time and passed.

Received from the House of Commons, a message, stating their agreement to the proposition of the Senate to refer to a select joint committee, the report of the Adjutant General, and naming as the committee, on the part of that House, Messrs. Hill of Wilmington, Blount, Boykin, Bateman and Ruffin.

Received from the House of Commons, a message, stating their agreement to ballot, as proposed by the Senate, for a Counsellor of State, withdrawing the names of William L. Davidson and Elijah Calloway from the nomination, and naming Messrs. H. C. Jones and Boykin as a committee on the part of that House to superintend the ballot. Whereupon, a message was sent to the House of Commons, naming Messrs. Williams of Martin and Burney to conduct the ballot on the part of the Senate.
Mr. Spaight, of Craven, from the committee on the Cherokee Lands, made a report on the memorial of David Rogers, of Buncombe county; which was read, and the resolution accompanying the report as follows, to wit:

Resolved, by the General Assembly of the State of North Carolina, That the Public Treasurer of the State pay to David Rogers, of Buncombe county, the sum of thirty dollars, for costs incurred by him in the suits of Doe and Who-ya-lah vs. Pansey Lewis and Roe and Tegan-tossey vs. Hugh Rogers, both tenants of said David Rogers, determined against them in the April Term of 1824, of Buncombe Superior Court; and in the suit of Doe on the demise of Tegan-tossey vs. David Rogers, determined in Oct Term, 1824, of said Court,

Was the first time and passed.

Mr. Williams, of Martin, from the committee to conduct the ballot for a Counsellor of State, reported that no person in nomination had received a majority of votes. On motion of Mr. Williams, of Martin, a message was sent to the House of Commons, proposing a further ballot for a Counsellor of State.

The bill to incorporate the New Garden Library Society, being read the third time, Mr. Parker moved to amend the said bill by inserting in the 4th line of the first section, after the word "established," the words "at New Garden," which amendment was agreed to. Mr. Parker moved further to amend the bill by inserting an additional (as the second) section as follows, to wit: "Be it further enacted, that the members of a society lately established in said county, at Nazareth, for the purpose of aiding the progress of learning and science, be, and they are hereby incorporated into a body politic and corporate, by the name and style of the 'Nazareth Library Society,' and by that name may sue and be sued, plead and be impleaded, and have succession and a common estate in such books, pamphlets and papers, or other property as they may acquire, either by purchase, donation, or otherwise;" which amendment was agreed to. Ordered that the title of the bill be amended, in conformity with the amendments, to wit: "A bill to incorporate the New Garden Library Society, and the Nazareth Library Society." The question then recurred on the passage of the bill, as amended, the third time, and the question being taken thereon, it passed 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 1786, entitled "An act to compel certain officers therein mentioned to publish the application of the public monies and allowances for insolvents," being read the second time, Mr. Speight, of Greene, moved that the said bill be indefinitely postponed; and the question being taken thereon, it was determined in the affirmative.

The bill making it the duty of Sheriffs to notify persons of the day on which their lands will be sold for taxes, and for other purposes, being read the second time, Mr. Jones moved to amend the said bill by inserting, at the end of the first section thereof, the following words, to wit: "or the county in which the land is situated;"
which amendment was agreed to. Mr. Whitfield moved that the said bill be indefinitely postponed. Whereupon, on motion of Mr. Speight, of Greene, ordered that the said bill do lie on the table.

The bill limiting the time within which deeds of trust and mortgages shall be registered, and to provide for giving publicity to the same, being read the second time, Mr. Ward moved to amend the said bill, by inserting in the 17th line of the second section, after the word "deeds," the following words, to wit: "and be shall deliver to the register for registration, the said deeds of trust or mortgages within ten days from the adjournment of the said Court, at which they shall be proven." Mr. Shober moved the indefinite postponement of the bill, together with the amendment. When, on motion of Mr. Thomson, ordered that the said bill, together with the amendment proposed, do lie on the table.

The following bills, to wit: a bill to repeal the second section of an act, passed in the year 1801, so far as regards salvage; and a bill for the better regulation of the Court of Pleas and Quarter Sessions for the county of Martin, were severally read the second and third times and passed, and ordered to be engrossed.

The resolution for the relief of David Rogers, of Buncombe county, was read the second time; and the question being taken on the passage of the said resolution the second time, it was determined in the negative.

The bill to amend an act, passed in 1777, entitled "An act to establish Courts of Law, and regulate the proceedings therein," was read the second time and passed.

The engrossed resolution in favor of Joseph Welch and Mark Coleman, was read the second time and passed; and the said resolution being read the third time, and the question taken on the passage thereof, it was determined in the negative—yeas 25, nays 35.

The yeas and nays being demanded by Mr. Speight, of Greene—


The bill to restore John Rose, of Ashe county, to credit, was read the second time; and the question being taken on the passage thereof, it was determined in the negative.

The engrossed bill concerning the committee of Finance and receivers of public monies in the county of Cumberland, was read the second and third times and passed, and ordered to be enrolled.

A message was received from the House of Commons, agreeing to ballot immediately for one Counsellor of State, and stating that the names of Alfred Jones and Alexander Elliott are withdrawn from
the nomination, and naming Messrs. Britton and Marshall as a
commitee of superintendence on the part of that House. Whereup-
on, a message was sent to the House of Commons, stating that Mes-
srs. Deberry and M'Dowell attend that House to conduct the ballot
for one Councellor of State.

Mr. Deberry, from the committee to conduct the ballot for a
Councellor of State, reported that Archibald M'Brice is duly elect-
ed; in which report the Senate concurred.

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

WEDNESDAY, DECEMBER 19, 1827.

A message was sent to the House of Commons, stating that the
Senate have passed the following engrossed bills, to wit: a bill to
repeal the second section of an act, passed in the year 1801, so far
as regards salvage; and a bill for the better regulation of the Court
of Pleas and Quarter Sessions for the county of Martin; in which
they ask the concurrence of that House.

Mr. Shoher, from the committee of Propositions and Grievances,
to whom was referred the petition of Thomas M. Johnston, made a
report, which was read; and the resolution therein contained, as fol-
lows, to wit: "Resolved, that the penalty incurred by Thomas M.
Johnston, of Chatham county, for failing to pay the tax due on his
store for the current year, be, and the same is hereby remitted: pro-
vided, the said Thomas M. Johnston shall pay to the Sheriff of
Chatham county, on or before the first day of February next, his
ordinary store tax, under the rules and regulations as prescribed in
the revenue act," was read, and the question on agreeing thereto be-
ing taken, it was determined in the negative.

Mr. Jones, from the committee of Claims, to whom was referred
the resolution in favor of John W. Hamilton, reported the said re-
solution without amendment; which was read the second time and
passed.

Mr. Vanhook presented a resolution relative to the purchase of
stationary by the Secretary of State; which was read the first time
and passed.

A motion was made by Mr. Gray, that the Senate reconsider the
vote taken yesterday, on the third reading of the resolution in favor
of Joseph Welch and Mark Coleman; and, on the question, will the
Senate reconsider the said vote? it passed in the affirmative. Or-
dered that the said resolution be referred to a select committee.
The committee consists of Messrs. Gray, Speight of Greene, Love,
Owen and Bailey.

A motion was made by Mr. Shoher, that the Senate reconsi-
der the vote taken yesterday on the second reading of the resolu-
tion for the relief of David Rogers, of Buncombe county; and, on
the question, will the Senate reconsider the said vote? it passed in
the affirmative, and the resolution was read the second and third
times and passed, and ordered to be engrossed.
Mr. Shoher, from the committee of Propositions and Grievances, to whom was referred the bill to annex part of Brunswick county to the county of Bladen, reported the said bill without amendment; which was read the second time and passed, and being subsequently read the third time and amended, on motion of Mr. Owen, and the question taken on the passage thereof, it was determined in the negative—yeas 29, noes 30. The yeas and nays being demanded by Mr. Locke—


Mr. Devane presented a bill to exempt aged men from serving on juries; and Mr. Howze, a bill to compel the public register of Franklin county to keep his office in the town of Louisburg, in said county; which bills were read the first time and passed.

Mr. Deberry presented the petition of Wm. Ferrell, of Montgomey county, praying the passage of a law restoring him to the privileges of a citizen. Ordered that the said petition be referred to the committee of Propositions and Grievances.

Mr. Owen, from the committee on Internal Improvement, to whom was referred the bill to amend an act, passed in the year 1824, entitled "An act giving the assent of North Carolina to, and enforcing in this State certain acts of the General Assembly of the State of Tennessee, relating to the Smoky Mountain Turnpike Road," reported the same without amendment, and the bill was read the second time and passed.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to divorce William Holland from his wife Esther; and that they have passed the engrossed bill to compel the County Court of Gates to appoint a committee of Finance; and the engrossed resolution relative to Richard Roberts; which were read the first time and passed.

Mr. Williams, of Martin, from the committee of Divorce and Alimony, to whom was referred the petition of Priscilla Brasher, of Guilford county, made a report; which was read, when Mr. Williams, of Martin, reported a bill to secure to Priscilla Brasher, of Guilford county, such property as she may hereafter acquire.

Mr. Williams, of Martin, from the same committee, made a report on the petition of Eliza Dowling, of Mecklenburg county; which was read, when Mr. Williams, of Martin, reported a bill to divorce Eliza Dowling from her husband, Zachues Dowling; which bills were severally read the first time and passed.

Mr. Williams, of Martin, from the same committee, to whom was
referred the petition of Jennett Ingram, of Montgomery county, reported that the case of the petitioner is not sufficiently aggravated to demand legislative interposition; in which report the Senate concurred.

Mr. Jones presented a bill prescribing upon what evidence the Public Treasurer shall receive the purchase money for vacant and unappropriated lands; which was read the first time and passed.

The bill to amend an act, passed in 1777, entitled "an act to establish Courts of Law, and regulate the proceedings therein," was read the third time and passed, and ordered to be engrossed.

On motion of Mr. Shober,

Resolved, That the committee on Finance be instructed to inquire whether any, and if any, what alterations are necessary to insure a better accountability to the State, as far as regards allowances made to the Sheriffs for insolvents, and whether it be expedient to make any alteration in the manner and time in which blank licences are issued to Sheriffs.

Received from the House of Commons, a message, stating their agreement to the proposition of the Senate to ballot on Thursday next, for a Brigadier General of the 5th brigade, and adding the name of Carter Jones to the nomination. On motion of Mr. Williams, of Martin, a message was sent to the House of Commons, stating that the name of Benjamin Sharp is added to the nomination for Brigadier General of the 5th brigade.

The bill to incorporate the North-Carolina Gold Mining Company, being read the third time, Mr. Spaight, of Craven, moved that the said bill be indefinitely postponed; and the question being taken thereon, it was determined in the negative—Yeas 29, Noses 30. The yeas and nays being demanded by Mr. Speight, of Greene—


On motion of Mr. Speight, of Greene, ordered that the said bill do lie on the table.

Received from the House of Commons the resignation of Athan A. M'Dowell, as Colonel Commandant of the regiment of Calvary attached to the 15th brigade of North-Carolina militia; which was read and accepted by the Senate.

Mr. Owen presented the resignation of J. Wright, as a justice of the peace for the county of Bladen; which was read and accepted, and sent to the House of Commons.

Mr. Pickett presented the following resolution, to wit:

Resolved, That the committee of Finance be instructed to take charge of all the money in the Treasury office, and that they burn so much of the Treasury notes as
they may deem unfit for circulation; also such counterfeit notes and bills of the emissions of 1783 and 1785, as are in said office; that they deliver over the balance to the Public Treasurer, and take his receipt for the same; and that they report the amount to be burnt to the Legislature.

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

Thursday, December 20, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to amend an act, passed in 1777, entitled "an act to establish Courts of Law and regulate the proceedings therein;" also the engrossed resolution for the relief of David Rogers, of Buncombe county; in which they ask the concurrence of that House.

The Senate proceeded to consider the resolution submitted yesterday by Mr. Pickett, the agreeing thereto being the question before the Senate at its adjournment; and the said resolution being again read, was agreed to by the Senate.

The following bills were presented, to wit: By Mr. McNeill, a bill concerning the town of Carthage, in the county of Moore; and by Mr. Gray, a bill for the relief of Clerks of Courts and Clerks and Masters in Equity; which were read the first time and passed.

Mr. Shofer, from the committee of Propositions and Grievances, made a report on the memorial of Joseph Cain; which was read, and the resolution therein contained was concurred in by the Senate, as follows, to wit: Resolved, That the prayer of the memorialist be not allowed.

Mr. Jones, from the committee of Claims, to whom was referred the petition of Ransom Capell, of Northampton county, reported that the said Ransom Capell is not entitled to remuneration; in which report the Senate concurred.

Received from the House of Commons, a message, stating their agreement to all the amendments made by the Senate in the bill to incorporate the New Garden Library Society. Whereupon the said bill was ordered to be enrolled.

Received from the House of Commons, the resolution appointing a joint select committee to examine and settle the accounts of the Clufho't and Harlow Creek Canal Company; endorsed in that House "read and concurred with, and a committee selected to join the committee of the Senate, consisting of Messrs. Burns, Lewis and Bentners."

Received from the House of Commons, a message, proposing that Saturday evening next be set apart for the purpose of recommending field officers and justices of the peace; which proposition was agreed to, and the House of Commons informed thereof by message.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to divorce William D. Taylor from his wife Nancy.
The engrossed bill, to wit: A bill to compel the County Court of Gates to appoint a committee of Finance; and the engrossed resolution relative to Richard Roberts, were read the second and third times and passed, and ordered to be enrolled.

The following bills, to wit: A bill to divorce Eliza Dowling from her husband Zacheus Dowling; a bill to compel the Public Register of Franklin county to keep his office in the town of Louisburg, in said county; and a bill to secure to Priscilla Brasier, of Guilford county, such property as she may hereafter acquire; also a resolution requiring the Secretary of State to purchase stationary, were severally read the second and third times and passed, and ordered to be engrossed.

The resolution in favour of John W. Hamilton, was read the third time and passed, and ordered to be engrossed.

The bill to provide for the final settlements of executors and administrators, being read the third time, Mr. Deberry moved to amend the said bill, by striking out the words "two years," in the 12th line of the first section, and insert in lieu thereof the words "the time now limited by law;" which amendment was agreed to. Mr. Shober moved further to amend the bill by inserting the following words, as the second section of the bill, to wit: "Be it further enacted, that if the several County Courts shall deem it expedient, they may appoint more than one Board of Auditors, not exceeding three, for the purposes and under the rules and regulations as in this act prescribed;" which was agreed to. Mr. Mathews moved further to amend the bill, by striking out the word "seven," in the 7th line of the first section, and inserting in lieu thereof the words "a majority of the;" which amendment was not agreed to. Mr. Saunderson moved further to amend the bill, by striking out the word "ten," in the 4th line of the 6th section, and inserting in lieu thereof the word "five;" which amendment was not agreed to. The question then recurred on the passage of the bill, as amended, the third time, and it passed in the affirmative, and was ordered to be engrossed.

The bill to repeal an act, passed in the year 1823, entitled "an act concerning the Roanoke Navigation Company," being read the third time, on motion of Mr. Pickett, ordered that the said bill do lie on the table.

The following bills, to wit: a bill to exempt aged men from serving on juries; and a bill concerning the town of Carthage, in the county of Moore, were read the second time and passed.

The bill prescribing upon what evidence the Public Treasurer shall receive the purchase money for vacant and unappropriated lands, was read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. Shober, the Senate proceeded to consider the bill to incorporate the North Carolina Gold Mining Company. Mr.
Shober moved to amend the said bill by inserting at the end of the first section, the following proviso, to wit: "Provided, that nothing in this act contained shall authorise the company to work on any lands belonging to the State, or shall be considered as in any wise relinquishing the right of the State to her part of the minerals that may be found on lands, to which she has such claim." Mr. Wilson, of Edgecomb moved to amend the amendment, by inserting at the end thereof, an additional proviso in the words following, to wit: "and provided further, that the real estate, which the said corporation may own, sell and transfer, shall extend only to a quantity sufficient to carry on their mining operations; and that the corporation hereby created, shall be liable in their individual capacity for all debts by them created, and the same shall exist for twenty five years, and no longer;" which amendment was agreed to. The question then recurred on agreeing to the amendment, as amended; and the question being taken thereon, it passed in the affirmative—yeas 33, noes 25. The yeas and nays being demanded by Mr. Speight of Greene—


Thereupon, the said bill was read the third time, as amended; and the question on the passage thereof being taken, it passed in the affirmative, and was ordered to be engrossed.

On motion of Mr. Mathews, a message was sent to the House of Commons, stating that Messrs. M'Neill and Askew of Bertie at attend that House to conduct the ballot for a Brigadier General of the 5th brigade as heretofore agreed on; and a message was received from that House, stating that Messrs. Bateman and Speller are appointed of the balloting committee on their part for a Brigadier General of the 5th brigade, and adding the name of Benjamin Sharp to the nomination.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to authorise Frederick Jones, of Lenoir county, to erect a bridge across Neuse river, with an amendment, to wit: in the 4th line of the second section, strike out the word "forty," and insert "thirty;" in which amendment they ask the concurrence of the Senate; and the question being taken thereon, it was determined in the negative, and a message sent to the House of Commons, informing them thereof.

On motion of Mr. Thomson, the Senate proceeded to consider 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 question before the Senate was on the motion made by Mr. Shoaber, on the 18th inst. to wit: "That the said bill, together with the amendment submitted by Mr. Ward, to wit: to insert in the 17th line of the 2d section, after the word 'deeds,' the following words, to wit: 'and he shall deliver to the register, for registration, the said deeds of trust and mortgages within ten days from the adjournment of the said Court, at which they shall be proven;' and the question being taken thereon, it was determined in the negative. The question then recurred on the amendment submitted by Mr. Ward; which was agreed to. Mr. Nuttall moved to lay the bill on the table; which was not agreed to, and the bill, as amended, was read the second time and passed.

Received from the House of Commons, the following resignations, to wit: the resignations of Daniel M'Iver and John Weldon, as justices of the peace for the county of Moore; and the resignation of Lovett Bell, as a justice of the peace for the county of Hyde; which were read and accepted by the Senate.

And then the Senate adjourned until to-morrow, ten o'clock.

Friday, December 21, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to compel the public register of Franklin county to keep his office in the town of Louisburg, in said county; a bill prescribing upon what evidence the Public Treasurer shall receive the purchase money for vacant and unappropriated lands; a bill to secure to Priscilla Brasher such property as she may hereafter acquire; a bill to divorce Eliza Dowling from her husband Zacheus Dowling; a bill to incorporate the North Carolina Gold Mining Company; and a bill to provide for the final settlement of executors and administrators; also the engrossed resolution requiring the Secretary of State to purchase stationary; and a resolution in favor of John W. Hamilton; in which they ask the concurrence of that House.

Mr. M'Neill, from the committee to conduct the ballot for a Brigadier General of the 5th brigade, reported that no person in nomination had received a majority of votes.

Received from the House of Commons, a message, proposing that another ballot be immediately had for a Brigadier General of the 5th brigade; which proposition was agreed to, and a message was sent to that House, informing them thereof, and naming Messrs. Speight, of Greene, and Hinton, as the balloting committee on the part of the Senate. Whereupon, a message was received from the House of Commons, stating that Messrs. Bozman and Burns attend the Senate to conduct the ballot on their part.

Mr. Saunderson presented a bill to repeal an act, entitled "An act concerning the Courts of Pleas and Quarter Sessions for the county of Hyde;" which was read the first time and passed.
Mr. Ward, from the joint select committee, to whom was referred the resolution instructing them to inquire into the most advisable mode of having the interest of the State represented at a meeting of the stockholders of the Bank of Cape Fear, made a detailed report, which was read, and the resolution therein contained was concurred in by the Senate, as follows, to wit:

Resolved by the General Assembly of the State of North Carolina, That three persons be elected by joint ballot of both Houses of the General Assembly, to represent the interest which the State of North Carolina has in the stock of the Bank of Cape Fear, at the meeting of the stockholders of said Bank, to be held on the first Monday of January, A. D. 1828.

Mr. Gray presented the petition of John Waddell, of Randolph county, praying the passage of a law authorising him to erect two gates on his own land, on a road therein mentioned; also the memorial of sundry citizens of Randolph county, praying the passage of a law to prevent the further introduction of slaves into this State. Ordered that the said petition and memorial be referred to the committee of Propositions and Grievances.

Mr. Hinton, from the committee to conduct the ballot for a Brigadier General of the 5th brigade, reported that Louis D. Wilson, having a majority of all the votes, is duly elected; in which report the Senate concurred.

The bill concerning the town of Carthage, in the county of Moore, being read the third time, Mr. M'Neill moved to amend the said bill, by inserting at the end of the second section, the following words, to wit: "and the money arising from the sale of said lots shall be paid over by the commissioners aforesaid to the County Trustee, to be applied to county purposes;" which amendment was agreed to. The question then recurred on the passage of the bill, as amended, the third time, and it passed in the affirmative, and was ordered to be engrossed.

The bill to amend an act, passed in the year 1824, entitled "An act giving the assent of North Carolina to, and enforcing in this State certain acts of the General Assembly of the State of Tennessee, relating to the Smoky Mountain Turnpike Road," was read the third time and passed, and ordered to be engrossed.

The bill to exempt aged men from serving on juries, being read the third time, Mr. Williams, of Martin, moved the indefinite postponement thereof; and the question being taken, it was determined in the affirmative.

The bill limiting the time within which deeds of trust and mortgages shall be registered, and to provide for giving publicity to the same, being read the third time, Mr. Pickett moved to amend the said bill, by adding an additional section, as follows, to wit: "And be it further enacted, that all deeds of trust and mortgages, not proven or acknowledged and registered within the time prescribed by this act, shall be null and void as to creditors and subsequent purchasers;" which amendment was agreed to. Mr. Thomson moved fur-
ther to amend the bill, by striking out the word "ten," in the 15th line of the second section of the bill, and inserting in lieu thereof, the word "twenty;" which amendment was not agreed to. The question then recurred on the passage of the bill, as amended, the third time; and the question being taken, it was determined in the negative.

The bill to repeal an act, entitled "an act concerning the Courts of Pleas and Quarter Sessions for the county of Hyde," was read the second and third times and passed, and ordered to be engrossed.

The bill for the limitation of writs of error for matters of fact and bills of review, being read the second time, Mr. Shoher moved to amend the said bill, by striking out the word "ten," in the last line of the first section of the bill, and inserting in lieu thereof, the word "five;" which amendment was not agreed to. The question then recurred on the passage of the bill the second time, and it passed in the affirmative.

The bill for the relief of Clerks of Courts and Clerks and Masters in Equity, was read the second time and passed.

Mr. M'Dowell asked and obtained leave to withdraw the petition of Joseph King and others, of Buncombe county, presented to the Senate in 1824.

Mr. M'Millan asked and obtained leave to withdraw the petition of sundry citizens of Ashe county, in favor of John Rose, presented to the Senate during the present session.

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

Saturday, December 22, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: a bill concerning the town of Carthage, in the county of Moore; a bill to amend an act, passed in 1824, entitled "An act giving the assent of North Carolina to, and enforcing in this State certain acts of the General Assembly of the State of Tennessee relating to the Smoky Mountain Turnpike Road;" and a bill to repeal an act, entitled "An act concerning the Courts of Pleas and Quarter Sessions for the county of Hyde;" in which they ask the concurrence of that House.

Mr. Shoher presented a bill to render valid certain acts of the acting coroner of Stokes county; which was read the first time and passed.

Mr. Jones, from the committee of Claims, to whom was referred the certificate of allowance in favor of Lucy Shaw, made a report recommending that the said application be not allowed; in which report the Senate concurred.

Mr. Williams, of Martin, from the committee of Divorce and Alimony, made a report on the petition of Elizabeth Culpeper; which was read, when Mr. Williams, of Martin, reported a bill to divorce Elizabeth Culpeper, of Montgomery county, from her husband Charles Culpeper.
Mr. Williams, of Martin, from the same committee, made a report on the petition of Mary Mixen, of Perquimons county; which was read, when Mr. Williams, of Martin, reported a bill to divorce Mary Mixen, of the county of Perquimons, from her husband Jeremiah Mixen; which bills were severally read the first time and passed.

Received from the House of Commons, a message, stating that that House recedes from their amendment made in the engrossed bill to authorise Frederick Jones, of Lenoir county, to erect a bridge across Neuse river.

Mr. Spaight, of Craven, presented the petition of Sally Flowers, of Craven county, praying to be divorced from her husband Christopher Flowers. Ordered that the said petition be referred to the committee of Divorce and Alimony.

On motion of Mr. Pickett, ordered that the Judiciary committee be discharged from the further consideration of the resolution, heretofore presented and referred to them, relative to the expediency of revising and consolidating the laws relative to the manner in which lands liable to taxes are to be sold, and that the said resolution lie on the table.

Mr. Pickett, from the Judiciary committee, to whom was referred the resolution relative to making debts due by bond or note recoverable, when the persons owing the same are about to move beyond the limits of the State, made a report, which was read, and the resolution therein contained was concurred in, as follows, to wit: Resolved, That it is inexpedient to change the laws respecting the recovery of debts by bond or note, or to compel persons about to leave the State, before their debts arrive at maturity, to give new security when required.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to subject bail to costs; and the engrossed resolution in favor of James Patton, of Buncombe county; in which they ask the concurrence of the Senate. Whereupon the said bill and resolution were read the first time and passed.

The following bills were presented, to wit: By Mr. Love, of Haywood, a bill to continue in force an act, passed at the last session of the General Assembly, entitled " an act to revive and continue in force an act, passed in the year 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;" and by Mr. Saunderson, a bill to exempt certain persons in Hyde county from serving on juries; which bills were read the first time and passed.

Mr. Hinton presented the following resolution, to wit:

Resolved, That the Treasurer be directed to pay to William Thompson the sum of fifteen dollars, for a crito purchased by order of the Legislature, and that he be allowed for the same in the settlement of his public accounts.

Which was read the first time and passed.

The bill to render valid certain acts of the acting coroner of
Stokes county, was read the second time, amended on motion of Mr. Shober, and passed; and was subsequently read the third time and passed, and ordered to be engrossed.

The bill for the limitation of writs of error for matters of fact and bills of review, being read the third time, Mr. Shober moved to amend the said bill, by inserting in the 5th line of the first section, after the word "facts," the words "or any proceeding in the nature of a writ of error," which amendment was not agreed to. The question then recurred on the passage of the bill the third time, and it passed in the affirmative, and was ordered to be engrossed.

The bill for the relief of Clerks of Courts and Clerks and Masters in Equity, was read the third time and passed, and ordered to be engrossed.

The following bills, to wit: A bill making it the duty of Sheriffs to notify persons of the day on which their lands will be sold for taxes, and for other purposes; a bill to divorce Mary Mixen, of the county of Perquimons, from her husband Jeremiah Mixen; and a bill to divorce Elizabeth Culpeper, of Montgomery county, from her husband Charles Culpeper, were severally read the second time, and the question on the passage thereof being taken, it was determined in the negative.

The bill to exempt certain persons in Hyde county from serving on juries, was read the second and third times and ordered to be engrossed.

Received from the House of Commons, the resolution relative to the election of three persons by joint ballot of the Legislature, to represent the State at the meeting of the stockholders in the Cape Fear Bank, to be held on the first Monday of January, A. D. 1828, endorsed in that House, read and concurred in, and the resolution was ordered to be enrolled.

Mr. Sherard presented the petition of Calvin R. Blackman, Sheriff of Wayne county, praying to be exempted from a certain penalty, unavoidably incurred by him. Ordered that the said petition be referred to the Committee of Propositions and Grievances.

Mr. Dobson presented a bill to repeal the 4th section of an act, passed in the year 1784, entitled "an act to prevent the several species of hunting therein mentioned;" which was read the first time and passed.

The resolution in favor of William Thompson, was read the second and third times and passed, and ordered to be engrossed.

The engrossed resolution in favor of James Patton, of Buncombe county, being read the second time, Mr. Pickett moved to amend the resolution, by inserting at the end thereof, the words "and that the same be charged to the account of John Haywood, deceased, late Public Treasurer with the State;" which amendment was agreed to. Mr. Whitfield moved further to amend the resolution, by inserting after the word "county," in the 5th line of the resolution,
the words "out of the fund set apart for internal improvement;" which amendment was not agreed to. Mr. Nuttall called for the yeas and nays on the passage of the resolution; when, on motion of Mr. Shober, ordered that the resolution de die on the table.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to increase the penalty of the official bonds of the clerks of the several courts of record in this State, and to provide for the deposite and safe keeping said bonds, with sundry amendments; in which they ask the concurrence of the Senate; which amendments were read and severally agreed to by the Senate, and the House of Commons informed thereof by message.

Received also a message from the House of Commons, stating that they have passed the engrossed bill to allow the right of challenge to the State in certain cases, with an amendment, to wit: strike out all the bill after the word jurors in the 10th line, and insert the words "provided the said officer make his election to challenge before the juror is tendered to the prisoner; any law to the contrary notwithstanding;" and the question on agreeing thereto was determined in the negative, and the House of Commons were informed thereof by message.

On motion of Mr. Spaight, of Craven, ordered that David Thomson, the Senator from the county of Johnston, have leave of absence from the services of the Senate for this day.

Received from the House of Commons, the following resignations, to wit: the resignation of Jesse Barnard, as a justice of the peace for the county of Currituck; the resignation of R. M. G. Moore, as a justice of the peace for the county of Hyde; the resignation of Benjamin Sharpe, as Col. Commandant of the first regiment of Edgecomb militia; the resignation of Nathan Wright, as Major of the 4th division and 8th brigade of cavalry; and the resignation of J. H. Hereford, as Major of the 2nd regiment of Rockingham county; which were read and accepted by the Senate.

The following resignations were presented, to wit: by Mr. Mathews, the resignation of Thomas Nicholson, as Col. Commandant of the first regiment of militia of Halifax county; and by Mr. Spaight, of Craven, the resignation of Nathan B. Whitfield, as Major of the regiment of Lenoir militia; which were read and accepted and sent to the House of Commons.

And then the Senate adjourned until 8 o'clock this afternoon.

Saturday, December 22, 1827.
3 o'clock in the afternoon.

Mr. Spaight, of Craven, presented a bill to authorise the Treasurer of public buildings of the county of Craven to convey certain property to the trustees of the Newbern Academy, and to receive from said trustees, and hold in trust for said county, certain
property; which was read the first, second and third times and passed, and ordered to be engrossed.

Mr. Ramsay presented the petition of Hannah H. Carlos, of the county of Chatham, praying the passage of a law to authorise her to sell certain property therein mentioned. Ordered that the said petition be referred to a select committee. The committee consists of Messrs. Ramsay, Shober, Bailey, Williams of Martin, and Gray.

On motion of Mr. Scott, a message was sent to the House of Commons, proposing to ballot on Tuesday next for a Brigadier General of the 4th brigade and 7th division, and nominating for the appointment Thomas A. Allison, William H. Carr, Abner F. Caldwell, Francis Young, William F. Kelly and John M. Smith.

And then the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, DECEMBER 24, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to render valid certain acts of the acting coroner of Stokes county; a bill for the limitation of writs of error for matters of fact and bills of review; a bill for the relief of Clerks of Courts and Clerks and Masters in Equity; a bill to exempt certain persons in Hyde county from serving on juries; and a bill to authorise the Treasurer of public buildings of the county of Craven to convey certain property to the trustees of the Newbern Academy, and to receive from said trustees, and hold in trust for said county, certain property; also the engrossed resolution in favor of William Thompson; in which they ask the concurrence of that House.

Mr. Shober, from the committee of Propositions and Grievances, made a report on the petition of Nancy Donnell, of Guilford county; which was read, and the resolution therein contained was concurred in by the Senate as follows, to wit: Resolved, that the prayer of the petitioner be not allowed.

The following bills were presented, to wit: by Mr. Wilson, of Edgecomb, a bill to appoint additional commissioners for the town of Stantonsburg, in the county of Edgecomb; and by Mr. Brodnax, a bill to authorise Robert Gallaway, jun. to erect a gate across the public road leading from Rockingham court house to the Eagle Falls on Dan river; which were read the first time and passed.

Mr. M'Neill presented the following resolution, to wit:

Resolved, That the Public Treasurer be directed to refund to Jesse Rogers, of Moore county, twelve dollars and fifty cents, received at the Treasurer's office by entry-takers certificate, No. 809; and that he be allowed the same in the settlement of his public accounts.

Which was read the first time and passed.

Received from the House of Commons, a message, stating that they have passed the following engrossed bills, to wit: A bill to erect out of a part of the counties of Burke and Buncombe, a separate and distinct county; a bill to incorporate the Cotton Plant Steam
Boat Company, in the town of Fayetteville; a bill to establish a medical board, and to regulate the practice of physic and surgery in this State; and a bill appointing commissioners to run and establish the boundary line between the counties of Bladen and Columbus; in which they ask the concurrence of the Senate. Whereupon the said bills were read the first time and passed.

Mr. Pickett presented sundry resolutions instructing the Public Treasurer relative to the debt due to the State by John Haywood, late Treasurer, and to the collection and security of all debts due to the State for the sale of lands, near the city of Raleigh; which being read, on motion of Mr. Shooper, ordered that the said resolutions do lie on the table.

The following bills, to wit: A bill to authorise Robert Gallaway, jun. to erect a gate across the public road leading from Rockingham court house to the Eagle Falls on Dan river; and a bill to appoint additional commissioners for the town of Stantonsburg, in the county of Edgecomb; also the resolution appointing W. R. Hill Librarian, were read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. Riddick,

Resolved, That the Judiciary committee be instructed to inquire into the expediency and practicability of providing a remedy by law against the usurious practices which arise in the buying and selling of bonds, notes and other negotiable paper, so that the abuse commonly known under the appellation of shaving may be prevented or punished.

On motion of Mr. Vaunnoak, a message was sent to the House of Commons, proposing to ballot on Wednesday next for cavalry officers of the 16th brigade and 3d division, and nominating Elijah Hester for Colonel Commandant, Samuel Mitchel for Lieutenant Colonel, and James W. Jones for Major.

Mr. Davidson presented a bill to authorise the wardens of the poor for the county of Mecklenburg to purchase a tract of land, and erect such buildings as will be suitable for the comfortable accommodation of the poor of said county; Mr. Pickett presented a bill to regulate the salary of the Public Printer, and to prescribe the manner in which printing shall hereafter be done for the departments of this State, and for the preservation of the public buildings; Mr. Shooper presented a bill supplementary to the acts, relative to the power of Courts of Equity in cases of partition; Mr. Burney presented a bill concerning the dockets of the Courts of Equity for the county of Columbus; Mr. Whitfield a bill more effectually to punish the crime of poisoning; which several bills were read the first time and passed, and the last mentioned bill was, on motion of Mr. Whitfield, referred to the committee on the Judiciary.

The engrossed bills, to wit: A bill to incorporate the Cotton Plant Steam Boat Company, in the town of Fayetteville, and a bill appointing commissioners to run and establish the boundary line between the counties of Bladen and Columbus, were read the second time and passed; and the engrossed bill to subject bail to costs, was
read the second time and passed, and on motion of Mr. Shober, ordered to lie on the table.

The following bills, to wit: A bill to repeal the 4th section of an act, passed in the year 1784, entitled "an act to prevent the several species of hunting therein mentioned;" a bill to continue in force an act, passed at the last session of the General Assembly, entitled "an act to revive and continue in force an act, passed in the year 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;" a bill to authorise the wardens of the poor for the county of Mecklenburg to purchase a tract of land, and erect such buildings as will be suitable for the comfortable accommodation of the poor of said county; and a bill concerning the dockets of the Court of Equity for the county of Columbus; also the resolution in favor of Jesse Rogers, of Moore county, were severally read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. Sherard, ordered that Jesse Speight, the Senator from the county of Greene, have leave of absence from the services of the Senate, from and including yesterday, for the remainder of the session.

Mr. Owen, from the committee on Internal Improvements, to whom was referred the resolution instructing them to inquire whether any money, not authorised by law, had been drawn from the fund set apart for internal improvement during the years 1825, 1826, 1827, made a detailed report; which was read, and ordered to lie on the table.

Mr. Sherard presented the petition of A. F. Moses, of the county of Wayne, praying permission to erect a gate across the road leading from his house to White Hall, on his own land. Ordered that the said petition be referred to the committee of Propositions and Grievances.

On motion of Mr. Owen, the Senate proceeded to consider the resolution in favor of James Patton, of Buncombe county; which being read, and the question taken on the passage thereof the second time, it was determined in the negative.

The Speaker presented a letter from James Nourse, agent of the American Colonization Society, together with a memorial of the American Colonization Society, with some accompanying documents; and the letter and memorial being read, Mr. Parker moved that the letter and memorial be referred to a joint select committee; which was not agreed to. Ordered that the said letter and memorial and accompanying documents do lie on the table.

Received from the House of Commons, a message, stating that they insist on their amendment proposed in the engrossed bill to allow the right of challenge to the State in certain cases. A motion was made by Mr. Spaight, of Craven, that the Senate do insist on their disagreement to the amendment; and the question being taken
thereon, it was determined in the negative. Whereupon, on motion of Mr. Shober, a message was sent to the House of Commons, stating that the Senate recede from their disagreement to the amendment proposed by that House, in the bill to allow the right of challenge to the State in certain cases, and agree to said amendment.

Mr. Deberry presented the resignation of Richard Stoker, as a justice of the peace for the county of Montgomery; which was read and accepted.

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

**TUESDAY, DECEMBER 25, 1827.**

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to authorise Robert Gallaway, jun. to erect a gate across the public road leading from Rockingham court house to the Eagle Falls on Dan river; a bill to appoint additional commissioners for the town of Stantonsburg, in the county of Edgecomb; a bill to repeal the 4th section of an act, passed in the year 1784, entitled "an act to prevent the several species of hunting therein mentioned;" a bill to continue in force an act, passed at the last session of the General Assembly, entitled "an act to revive and continue in force an act, passed in the year 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 the State;" a bill to authorise the wardens of the poor for the county of Mecklenburg to purchase a tract of land, and erect such buildings as will be suitable for the comfortable accommodation of the poor of said county; and a bill concerning the dockets of the Court of Equity for the county of Columbus; also the engrossed resolution in favor of Jesse Rogers, of Moore county; and the resolution appointing W. R. Hill Librarian; in which they ask the concurrence of that House.

Mr. Pickett, from the Judiciary committee, to whom was referred the resolution instructing them to inquire into the expediency of repealing so much of the act of 1741, chapter 26, section 10, as relates to the stealing or mismarking of any cattle, &c. by negro, indian, or mulatto slave, made a report, which was read; and the resolution therein contained, was concurred in by the Senate, as follows, to wit: Resolved, That it is inexpedient to legislate on the subject of the aforesaid resolution.

Mr. Fuller moved to reconsider the vote taken yesterday on the second reading of the resolution in favor of James Patton, of Buncombe county; and on the question, will the Senate reconsider the said vote? it passed in the affirmative. Thereupon, on motion of Mr. Owen, ordered that the said resolution do lie on the table.

The engrossed bill appointing commissioners to run and establish the boundary line between the counties of Bladen and Columbus,
being read the third time, Mr. Owen moved to amend the said bill, by striking out the name of Samuel B. Andres, in the fifth line of the first section, and inserting in lieu thereof, the name of John Lloyd; which was agreed to. The question then recurred on the passage of the bill, as amended, the third time, and it passed in the affirmative; and a message was sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill to incorporate the Cotton Plant Steam Boat Company, in the town of Fayetteville, was read the third time and passed, and ordered to be enrolled.

Mr. Pickett, from the committee appointed to investigate the accounts of the Treasury Department, and to amend and consolidate the laws respecting the same, reported a bill to provide more effectually for the representation of the Stock of the State held in the State Bank of North Carolina; which was read the first time and passed.

Mr. Ward presented a bill concerning the appointment of Clerks of the Superior Courts, and Clerks and Masters in Equity; which was read the first time and passed.

Mr. Pickett, from the Judiciary committee, to whom was referred the resolution instructing them to inquire whether certain provisions exist in the laws relative to bastardy, reported a bill to provide for the maintenance of bastards, when the reputed father shall have died before the bastard child is sworn to him; which was read the first time and passed.

Mr. Love, of Richmond, presented the resignation of Thorogood Pate, as a Justice of the Peace for the county of Richmond; which was read and accepted by the Senate, and sent to the House of Commons.

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

Wednesday, December 26, 1827.

On motion of Mr. Scott, a message was sent to the House of Commons, proposing to ballot immediately for a Brigadier General of the 4th brigade and 7th division.

On motion of Mr. Pickett,

Resolved, That a joint select committee, consisting of two members from each House, be appointed to confer with the representatives, devisees, and widow of the late Treasurer of this State, and to make such arrangements with them, as may be thought compatible with the public interest, to secure to the State the payment of the debt due from said decedent, or such portion thereof as may be practicable, subject to the ratification of the Legislature, and that they report thereon.

Messrs. Pickett and Owen were appointed of the committee on the part of the Senate, and the resolution sent to the House of Commons for their concurrence.

Mr. Gray, from the select committee, to whom was referred a resolution in favor of Joseph Welch and Mark Coleman, made a report thereon, recommending the adoption of the resolution. Where-
upon the said resolution was read the third time and passed, and ordered to be enrolled.

Mr. Drake presented a bill to incorporate the Nashville Male and Female Academies: which was read the first time and passed.

Received from the House of Commons, a message, stating that they have passed the following engrossed bills, to wit: A bill to incorporate Mount Moriah Lodge, established on the lands of Dr. James J. Philips, in the county of Edgecomb; a bill for the better regulation of the town of Kenansville, in the county of Duplin; and a bill to secure to Susannah Suddath such property as she may hereafter acquire; which were read the first time and passed.

Ordered that Mr. Spaight, of Craven, be excused from serving as one of the committee, to whom was referred the resolution relative to the Clubfoot and Harlow Creek Canal; and Mr. Burney was appointed of the committee.

Mr. Devane presented a bill to alter the place of holding the separate election in that part of New Hanover county, called Canetuc; which was read the first time and passed.

Mr. Shober, from the committee of Propositions and Grievances, to whom was referred the petition of A. F. Moses, of Wayne county, made a report thereon, which was read; and the resolution therein contained, was concurred in by the Senate, as follows, to wit: Resolved, that the prayer of the petitioner be not allowed.

The engrossed bill to establish a Medical Board, and to regulate the practice of physic and surgery in this State, was read the second time. Mr. Wilson, of Edgecomb, moved to amend the said bill by striking out the name of Edward T. Brodnax, in the 12th line of the 2d section, and inserting the name of Philip Thomas, of Milton; which amendment was agreed to. Mr. Whitfield moved that the said bill be indefinitely postponed, and the question being taken, it was determined in the affirmative, and the House of Commons were informed thereof by message.

The bill to provide for the maintenance of bastards, when the reputed father shall have died before the bastard child is sworn to him, being read the second time, on motion of Mr. Pickett, ordered that the said bill do lie on the table.

The bill to provide more effectually for the representation of the Stock of the State held in the State Bank of North Carolina, was read the second time and passed, and being read the third time, on motion of Mr. Montgomery, ordered that the said bill do lie on the table.

Received from the House of Commons, the resolution appointing a joint select committee, consisting of two members from each House, to confer with the representatives, devisees and widow of the late Treasurer of this State, endorsed in that House, • read and concurr-
red in, and Mr. Alexander and Mr. Gaston selected as a commit-
tee on the part of this House.”
The following bills, to wit: A bill concerning the appointment of Clerks of the Superior Courts and Clerks and Masters in Equity; a bill to regulate the payment of the salary of the Public Printer, and to prescribe the manner in which printing shall hereafter be done for the departments of this State, and for the preservation of the public buildings; a bill supplementary to the acts relative to the powers of the Court of Equity in cases of partition; a bill to alter the place of holding the separate election in that part of New-Hanover county called Canecuc; and a bill to incorporate the Nashville male and female Academies, were read the second and third times and passed, and ordered to be engrossed.

The following engrossed bills, to wit: A bill to incorporate Mount Moriah Lodge, established on the lands of Doctor James J. Philips, in the county of Edgecomb; a bill for the better regulation of the town of Kenansville, in the county of Duplin; and a bill to secure to Susannah Suddath such property as she may hereafter acquire, were read the second and third times and passed, and ordered to be enrolled.

On motion of Mr. Love, of Haywood, the Senate proceeded to consider the bill concerning the election of county surveyors, when Mr. Love, of Haywood, moved to amend the said bill, by striking out "all the bill," except the words "a bill" and inserting the amendment by him submitted; which amendment being read, was agreed to. Mr. Jones moved further to amend the bill by striking out the words "on the bench;" which amendment was agreed to. Whereupon the said bill was read the third time, as amended, and passed, and ordered to be engrossed.

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

THURSDAY, DECEMBER 27, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill concerning the appointment of Clerks of the Superior Courts, and Clerks and Masters in Equity; a bill to regulate the payment of the salary of the Public Printer, and to prescribe the manner in which printing shall hereafter be done for the departments of this State, and for the preservation of the public buildings; a bill supplementary to the acts relative to the power of Courts of Equity in cases of partition; a bill to alter the place of holding the separate election in that part of New-Hanover county called Canecuc; a bill to incorporate the Nashville male and female Academies; and a bill concerning the election of county surveyors in the counties of Burke, Rutherford, Buncombe, Wilkes, Ashe and Haywood; in which they ask the concurrence of that House.

Mr. Shoher, from the committee of Propositions and Grievances, to whom was referred the petition of John Waddle, of Randolph county, made a report; which was read, when Mr. Shoher reported
a bill to authorise John Waddle, of Randolph county, to erect two
gates; which was read the first time and passed.

Mr. Shoher, from the same committee, to whom was referred the
petition of C. R. Blackman, sheriff of Wayne county, made report;
which was read, and the resolution therein contained, as follows, to
wit:

Resolved, That Calvin R. Blackman, sheriff of Wayne county, be permitted to
settle and close his revenue accounts with the proper officer for the last fiscal year,
and that he be discharged from any penalty and forfeiture to which he may be liable.

Which was read the first time and passed.

Mr. Shoher, from the same committee, to whom was referred the
petition of William Ferrell, of Montgomery county, made a detailed
report; which was read, when Mr. Shoher reported a bill to
restore to credit William Ferrell, of Montgomery county; which
being read, and the question taken on the passage thereof the first
time, it was determined in the negative.

The following bills were presented, to wit: By Mr. Spaight, of
Craven, a bill to repeal an act, entitled "an act relating to the ex-
ercise of the right of challenge in certain cases," passed in the year
of our Lord 1826; by Mr. Joiner, a bill to amend an act, passed
at the last session of the General Assembly, entitled "an act to es-
ablish a poor house in the county of Pitt;" and by Mr. Owen, a bill
to amend an act, passed in 1823, entitled "an act respecting the
reservations of certain Indians in the lands lately acquired by trea-
ty from the Cherokee Indians;" which bills were read the first time
and passed.

A message was received from the House of Commons, stating
that they have passed the following engrossed bills, to wit: A bill
to compel the Register and Clerk of the County Court of Hyde to
keep their respective offices at the court house in said county; a bill
requiring the public register of Orange county to keep his office at
the court house of said county; a bill to authorise and direct the
sheriff of Rowan county to collect the taxes imposed by the com-
misssioners of the town of Salisbury; a bill to incorporate Jerusalem
Lodge, in Greene county; a bill to amend the sale law in Rutherford
county; a bill to alter the time of holding the Courts of Pleas and
Quarter Sessions for the county of Brunswick; and a bill to incor-
porate the Occocock Navigation Company; also the engrossed re-
solution in favor of Joshua E. Lumsden; in which they ask the con-
currence of the Senate. Whereupon the said bills and resolution
were read the first time and passed.

Received from the House of Commons, a message, proposing to
ballot at 4 o'clock this evening for Brigadier General of the 7th
brigade and 4th division; which proposition was not agreed to: when,
on motion of Mr. Dobson, a message was sent to the House of
Commons, proposing to ballot immediately for that officer.

On motion of Mr. Pickett, a message was sent to the House of
Commons, proposing to ballot at the meeting of the two Houses to-
morrow, for three persons to represent the interest of the State in the Cape-Fear Bank, at the approaching general meeting of the stockholders thereof.

Mr. Davidson presented a resolution in favor of the administrator of Thomas Elliott, of Mecklenburg county; which was read the first time and passed.

Mr. Pickett, from the Judiciary committee, to whom was referred the bill more effectually to punish the crime of poisoning, reported the bill without amendment, and it was made the order of the day for to-morrow.

The following bills, to wit: A bill to amend an act, passed at the last session of the General Assembly, entitled "an act to establish a poor house in the county of Pitt," and a bill to authorize John Waddle, of Randolph county, to erect two gates; also the resolution in favor of C. R. Blackman, sheriff of Wayne county, were respectively read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons, a message, stating their agreement to the amendment made by the Senate in the engrossed bill appointing commissioners to run and establish the boundary line between the counties of Bladen and Columbus. Whereupon the said bill was ordered to be enrolled.

Received from the House of Commons, a message, stating their agreement to the proposition of the Senate to ballot to-morrow morning for three suitable persons to represent the interest of the State in the Cape-Fear Bank at the approaching general meeting of the stockholders; but that they do not agree to ballot immediately for a Brigadier General of the 7th brigade and 4th division, as proposed by the Senate, and propose to ballot for that officer to-morrow; which proposition was agreed to, and the House of Commons were informed thereof by message.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to provide for the final settlement of executors and administrators; also another message, informing the Senate of their rejection of the engrossed bill to repeal the 4th section of an act, passed in 1784, entitled "an act to prevent the several species of hunting therein mentioned."

Received from the House of Commons, a message, proposing to amend the recommendation for Field Officers for the county of Richmond, by striking out the name of "Duncan M'Farland," and inserting that of "Henry Dockery," which was not agreed to; and, on motion of Mr. Love, of Richmond, a message was sent to that House, stating that the Senate do not agree to the recommendation of Henry Dockery, as Major of the Richmond militia; but recommend for that appointment George Northam.

Received from the House of Commons, a message, stating that they have passed the engrossed resolution appointing W. R. Hill
Librarian, with an amendment, in which they ask the concurrence of the Senate. And the said amendment being read as follows, to wit: "Resolved, that said Hill make out and deposit with the Secretary of State, an alphabetical list of all books belonging to the Library, and of such as may hereafter be purchased," was agreed to by the Senate, and the House of Commons informed thereof by message.

On motion of Mr. Montgomery, the Senate proceeded to consider the bill to provide more effectually for the representation of the stock of the State, held in the State Bank of North Carolina. Mr. Montgomery moved to amend the bill by striking out "all the bill after the enacting clause," and inserting "that there shall be annually elected, by joint ballot of both Houses of the General Assembly, some suitable person to represent the State and her interest in the annual and all other meetings of the stockholders of the State Bank;" which amendment was not agreed to. Mr. Montgomery moved further to amend the bill by inserting in the third line of the bill after the word "Governor," the word "Treasurer;" which amendment was not agreed to. Mr. Dobson moved further to amend the bill, by inserting in the 5th line of the bill, after the word "person," the words "not a stockholder;" which amendment was agreed to. The question then recurred on the passage of the bill, as amended, the third time, and the question being taken, it passed in the affirmative, and was ordered to be engrossed.

Received from the House of Commons, the resolution reported from the committee appointed to investigate the Treasury Department, to wit: "Resolved, that it is inexpedient to accept of the conveyances of the representatives and devises of the late Treasurer, under the restrictions and conditions therein contained," endorsed in that House, "read and concurred in."

Mr. Pickett asked and obtained leave to withdraw the conveyances made by the representatives of the late Treasurer to the Governor, to the use of the State of North Carolina.

The resolution in favor of the administrator of Thomas Elliott, of Mecklenburg county, was read the second and third times and passed, and ordered to be engrossed.

Mr. Shofer presented a resolution relative to procuring iron backs for the fire places in the Senate Chamber and Commons Hall, and directing the Treasurer to advance the sum necessary for the procurement thereof; which was read the first and second times and passed.

The following engrossed bills, to wit: A bill to compel the Register and Clerk of the County Court of Hyde to keep their respective offices at the Court House in said county; a bill to amend the sale law in Rutherford county; and a bill to incorporate Jerusalem Lodge, in Greene county; also the engrossed resolution in favor of Joshua E. Lumsden, were read the second and third times and passed, and ordered to be enrolled.
The engrossed bills, to wit: A bill to authorise and direct the Sheriff of Rowan county to collect the taxes imposed by the commissioners on the town of Salisbury; and a bill to alter the times of holding the Courts of Pleas and Quarter Sessions for the county of Brunswick, were read the second time and passed.

The bill to erect out of a part of the counties of Burke and Buncombe, a separate and distinct county, being read the second time, Mr. Askew, of Bertie, moved the indefinite postponement thereof; and the question being taken, it was determined in the affirmative—yeas 34, nays 27. The yeas and nays being demanded by Mr. Wilson, of Edgecomb—


Those who voted in the negative, are Messrs. Alexander, Bargin, Bethune, Brodnax, Deberry, Dobson, Davidson, Franklin, Gray, Jones, Love of Haywood, Love of Richmond, M'Millan, M'Dowell, M'Neil, Montgomery, M'Eachin, Owen, Pickett, Parker, Ramsay, Reinhardt, Smith, Scott, Shuford, Shofer, VanhooK.

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

Friday, December 28, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: a bill to amend an act, passed at the last session of the General Assembly, entitled "An act to establish a poor house in the county of Pitty;" a bill to authorise John Waddle, of Randolph county, to erect two gates; and a bill to provide more effectually for the representation of the stock of the State held in the State Bank of North Carolina; also the engrossed resolution in favor of Calvin R. Blackman, Sheriff of Wayne county; and a resolution in favor of the administrator of Thomas Elliott, of Mecklenburg county; in which they ask the concurrence of that House.

Mr. Deberry presented the petition of Parham Kirk, late Sheriff of Montgomery county, praying the Legislature to release him from a certain fine, and to allow him his commissions, insolvents, mileage, &c. Ordered that the said petition be referred to the committee of Propositions and Grievances.

Mr. Gray presented the petition of John B. Ogg, of the borough of Norfolk, and State of Virginia, praying that certain military certificates be allowed him. Ordered that the said petition be referred to the committee of Claims.

Received from the House of Commons, a message, stating that they have passed the following engrossed bills, to wit: a bill to incorporate the first Presbyterian Church in the town of Oxford; a bill to establish Wake Forest Pleasant Grove Academy, in the county of Wake; a bill to incorporate the town of Lexington, in the county of Davidson; a bill to alter the existing line between the first and
second regiments of the militia of Guilford; a bill to incorporate the Hookerton Library Company, in the county of Greene; a bill to authorize Henry Gibbs, Sheriff of Hyde county, to collect arrears of taxes; a bill empowering the commissioners of the town of Halifax, to sell to Lemuel Long a certain strip of land of the commons of said town; a bill to incorporate the Franklin Lodge, No. 94, in the county of Hyde; and a bill to repeal the second, third and fourth sections of an act, passed in the year 1819, entitled "An act prescribing the manner of assessing lands in this State for taxation, so far as relates to the county of Anson; also a resolution in favor of Matthew Coman; in which they ask the concurrence of the Senate. Whereupon the said bills and resolution were read the first time and passed.

The following bills were presented, to wit: by Mr. Fuller, a bill to regulate the fees which shall be allowed the pilots of Occacock Inlet, Old Topsail Inlet, Bogue Inlet, and the waters connected therewith; and by Mr. Drake, a bill to provide for the payment of jurors of the county of Nash; which bills were read the first time and passed.

The engrossed bills, to wit: a bill to alter the time of holding the Courts of Pleas and Quarter Sessions for the county of Brunswick; and the bill to authorize and direct the Sheriff of Rowan county to collect the taxes imposed by the commissioners on the town of Salisbury, were read the third time and passed, and ordered to be enrolled.

The resolution relative to procuring iron backs for the fire places in the Senate Chamber and Commons Hall, was read the third time and passed, and ordered to be engrossed.

Mr. Fuller presented a bill to compel inspectors of fish, naval stores, lumber, and all other kind of produce, to work on roads and perform military duty, so far as regards the county of Carteret; which was read the first time and passed.

On motion of Mr. Bailey, the Senate proceeded to consider the engrossed resolution in favor of James Patton, of Buncombe county; and the said resolution being read the second time, and the question taken on the passage thereof, it passed in the affirmative—yeas 32, noes 26. The yeas and nays being demanded by Mr. Nuttall—

Those who voted in the affirmative, are Messrs. Alexander, Burgin, Bethune, Bailey, Beasley, Brodnax, Burney, Deberry, Drake, Dobson, Davidson, Fuller, Gray, Hurst, Hinton, Joiner, Jones, Love of Haywood, Love of Richmond, M'Dowell, M'Elchin, Owen, Pickett, Parker, Reinahardt, Riddick, Smith, Saundersen, Scott, Shuford, Shoher, Williams of Martin.


The resolution being read the third time, Mr. Nuttall moved to amend it by inserting in the last line of the resolution, after the word "dollars," the words "to be paid out of the funds set apart for In-
ternal Improvements;" which amendment was agreed to. The question then recurred on the passage of the resolution, as amended, the third time, and the question being taken, it passed 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 1823, entitled "An act respecting the reservations of certain Indians, in the lands lately acquired by treaty from the Cherokee Indians, was read the second and third times and passed, and ordered to be engrossed.

The bill more effectually to punish the crime of poisoning, being read the second time, and the question taken on the passage thereof, was determined in the negative.

On motion of Mr. Montgomery, a message was sent to the House of Commons, stating that Messrs. Montgomery and Scott attend the House of Commons to conduct the ballot for a Brigadier General of the 7th brigade and 4th division on the part of the Senate. Whereupon, a message was received from the House of Commons, appointing Messrs. Burns and Sharpe, as the balloting committee on the part of that House.

The bill to repeal an act, entitled "an act relating to the exercise of the right of challenge in certain cases," passed in the year of our Lord 1826, being read the second time, and the question taken on the passage thereof, it was determined in the negative.

Mr. Montgomery, from the committee to conduct the ballot for Brigadier General of the 7th brigade, reported that no person in nomination had received a majority of votes.

On motion of Mr. Montgomery, a message was sent to the House of Commons, proposing to ballot again immediately for a Brigadier General of the 7th brigade, and naming Messrs. Hawkins and Davenport as the balloting committee on the part of the Senate. Whereupon, a message was received from the House of Commons, agreeing to the proposition of the Senate, appointing Messrs. Taylor and Glisson to conduct the ballot on the part of that House, and withdrawing the names of Mr. Kelly and Mr. Allison from the nomination.

The following engrossed bills, to wit: A bill empowering the commissioners of the town of Halifax to sell to Lennel Long a certain strip of land of the commons of said town, &c.; a bill to alter the dividing line between the first and second regiments of the militia of Guilford; a bill to establish Wake Forest Pleasant Grove Academy, in the county of Wake; a bill to authorize Henry Gibbs, sheriff of Hyde county to collect arrears of taxes; a bill to incorporate the Franklin Lodge, No. 94, in the county of Hyde; a bill to incorporate the Hookerton Library Company, in the county of Greene; and a bill to incorporate the town of Lexington, in the county of Davidson; also the engrossed resolution in favor of Matthew Coman; which bills and resolution were read the second and third times and passed, and ordered to enrolled.

The engrossed bill to incorporate the first Presbyterian Church, in the town of Oxford, being read the second time, Mr. Joiner moved the indefinite postponement thereof; and the question being taken, it was determined in the affirmative.

The engrossed bill to repeal the second, third and fourth sections of
an act, passed in the year 1819, entitled "an act prescribing the manner of assessing lands in this State for taxation," so far as relates to the county of Anson, was read the second time and passed, and on motion of Mr. Shober, ordered that the said bill do lie on the table until to-morrow.

The bill to provide for the payment of jurors of the county of Nash; and the bill to compel the inspectors of fish, naval stores, lumber, and all other kind of produce, to work on roads and perform military duty, so far as regards the county of Carteret, were read the second and third times and passed, and ordered to be engrossed.

The bill to incorporate the Occacock Navigation Company, being read the second time, Mr. Ward moved to amend the bill, by striking out in the 15th line of the 5th section, the word "seven," and inserting the word "eight;" which amendment was agreed to. Mr. Ward moved further to amend the bill, by striking out the word "eight," in the 6th line of the 6th section, and inserting the word "nine;" which amendment was agreed to. Mr. Wilson, of Edgecomb, moved further to amend the bill, by striking out the words "an annual," in the 17th line of the 10th section, and inserting the letter "a;" which amendment was agreed to. The question then recurred on the passage of the bill, as amended, the second time, and the question being taken, it passed in the affirmative.

Mr. Hawkins, from the committee to conduct the ballot for a Brigadier General of the 7th brigade, reported that no person in nomination had a majority of votes.

A message was received from the House of Commons, stating that they have passed the bill concerning the Public Treasurer, with sundry amendments, in which they ask the concurrence of the Senate; and the amendments being read, were severally agreed to, except the amendment at the close of the 12th section, which was not agreed to; and the House of Commons were informed thereof of my message.

The following resignations were presented, to wit: By Mr. Burgin, the resignation of P. Ballew, as Colonel Commandant of the second regiment of Burke militia; and the resignation of David Newland, as Lieutenant Colonel of the second regiment of Burke militia; by Mr. Scott, the resignation of W. H. Kerr, as Colonel Commandant of the first Rowan regiment of North Carolina militia; and by Mr. Smith, the resignation of Jesse Hargrave, as a Justice of the Peace for the county of Davidson; which resignations were read and accepted by the Senate, and sent to the House of Commons.

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

Saturday, December 29, 1827.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to amend an act, passed in 1823, entitled "An act respecting the reservations of certain Indians in the lands lately acquired by treaty from the Cherokee Indians;'' a bill to provide for the payment of jurors of the county of Nash; and a bill to compel inspectors of fish, naval stores, lumber, and all other kinds of produce to work on roads and perform military duty, so far as regards the county of Carteret; also the resolution relative to the procuring iron backs for the fire places in the Senate Chamber and Commons Hall; in which they ask the concurrence of that House.
Mr. Jones, from the committee on the Militia and Militia Laws, to whom was referred the resolution instructing them to inquire into the expediency of amending the militia laws in relation to the time that a captain of a company shall keep his men under arms, &c. reported that it is inexpedient to change the now existing laws on either of the above subjects; in which report the Senate concurred.

Mr. Burgin presented a bill to vest the election of Sheriff in the freemen of the county of Burke; which was read the first time and passed.

On motion of Mr. Vanhook,

Resolved, That the committee of Finance be instructed to inquire into the expediency of issuing one hundred thousand dollars in Treasury notes; and that they report by bill or otherwise.

Mr. Ramsay, from the select committee, to whom was referred the petition of Hannah H. Carlos, made a detailed report; which was read, when Mr. Ramsay reported a bill relative to the sale of the estates of infants; which was read the first time and passed.

On motion of Mr. Nuttall, a message was sent to the House of Commons, proposing to ballot again immediately for Brigadier General of the 7th brigade, withdrawing the name of Francis Young, and naming Messrs. Nuttall and M'Millan to conduct the ballot on the part of the Senate. Whereupon, a message was received from the House of Commons, agreeing to the proposition of the Senate, withdrawing the name of Abner F. Caldwell, and appointing Messrs. Burns and Boon the committee to conduct the ballot on the part of that House.

Mr. M'Eachin presented a bill providing for the appointment of Electors to vote for President and Vice President of the United States; which being read the first time, Mr. Williams, of Martin, moved that the said bill be indefinitely postponed. Mr. Bailey moved to lay the bill on the table; which motion was not agreed to. The question then recurred on the indefinite postponement of the bill, and the question being taken, it was determined in the affirmative—yeas 43, noes 16. The yeas and nays being demanded by Mr. Williams, of Martin—


Those who voted in the negative, are Messrs. Bethune, Deberry, Davidson, Fuller, Franklin, Gray, Joiner, Jones, Locke, Love of Richmond, M'Millan, M'Neill, M'Eachin, Parker, Reinhardt, Williams of Beaufort.

Mr. Brodnax presented a bill to amend an act, passed in the year 1825, to continue in force the provisions of an act, passed in 1818, entitled "An act directing a road to be laid out and opened from the town of Leaksville, in Rockingham county, by Rockford, in Surry county, to the town of Wilkesborough," which was read the first time and passed.

Received from the House of Commons, a message, stating that
they have passed the engrossed bill to appropriate $6,252 for the purpose of improving the navigation of the Cape Fear river, below the town of Wilmington, and for other purposes; and a resolution in favor of Hardy B. Croom; in which they ask the concurrence of the Senate. Whereupon the said bill and resolution were read the first time and passed.

Mr. Nuttall, from the committee to conduct the ballot for a Brigadier General of the 7th brigade and 4th division, reported that William H. Kerr was duly elected; in which report the Senate concurred.

On motion of Mr. Hawkins, a message was sent to the House of Commons, proposing to ballot to-day for a Colonel of Cavalry attached to the 17th brigade, nominating Gideon Macon Green for the appointment, and naming Messrs. Hawkins and Shober to conduct the ballot on the part of the Senate. Whereupon, a message was received from the House of Commons, stating that they do not agree to ballot immediately, as proposed by the Senate, for a Colonel of Cavalry; but propose to ballot for that officer on Monday at the meeting of the two Houses, and adding the name of William Davis to the nomination; which proposition was agreed to, and the House of Commons informed thereof by message.

The engrossed bill to repeal the second, third and fourth sections of an act, passed in the year 1819, entitled "An act prescribing the manner of assessing lands in this State for taxation, so far as relates to the county of Anson," was read the third time and passed, and ordered to be enrolled.

The engrossed bill requiring the public register of Orange county to keep his office at the Court House of said county, was read the third time and passed, and ordered to be enrolled.

The bill to vest the election of Sheriff in the freemen of the county of Burke, being read the second time, and the question taken on the passage thereof, it was determined in the negative.

Mr. Owen, from the committee of Finance, to whom was referred the resolution relative to Miss Udney M. Blakely, made a report recommending that the appropriation be not withheld. On motion of Mr. Love, of Haywood, ordered that said report do lie on the table.

Mr. Owen, from the same committee, to whom was referred a resolution relative to insolvents and blank licenses, made a report which was read, and the resolution therein contained was concurred in by the Senate as follows, to wit: Resolved, that it is inexpedient to legislate on either of the subjects embraced in the resolution at this time.

Mr. Reinhardt presented the petition of John Davis, of Lincoln county, praying the Legislature to place him on the pension list. Mr. Shuford presented the petition of Thomas Martin, of Rutherford county, praying the passage of a law restoring him to credit.
Ordered that the said petitions be referred to the committee of Propositions and Grievances.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to legitimate Duncan Melvin and others, of the county of Bladen, with an amendment; in which they ask the concurrence of the Senate; which being read, was agreed to by the Senate, and the House of Commons informed thereof by message.

On motion of Mr. Pickett, the Senate reconsidered the vote taken yesterday on one of the amendments proposed by the House of Commons in the bill concerning the Public Treasurer. Whereupon, Mr. Pickett moved to amend the amendment proposed by the House of Commons in the said bill, to wit: by striking out all of said amendment between the word "bonds," in the 19th line of the amendments proposed to the first section of said bill; which amendment to the amendment was agreed to, and a message sent to the House of Commons, asking their concurrence therein.

The bill to incorporate the Occoeeck Navigation Company being read the third time, Mr. Ward moved to amend the said bill by striking out in the 25th line of the fifth section the word "seven," and inserting the word "eight." Mr. Askew, of Bertie, moved to postpone the further consideration of the bill until Monday next, which was not agreed to. The question then recurred on the amendment proposed by Mr. Ward; and the question being taken, it was determined in the negative. Mr. Shoher moved to strike out the word "eight," in the 15th line of the 5th section, and the word "nine," in the 6th line of the 6th section, and to insert in lieu of "eight," the word "seven," and the word "eight" in lieu of "nine," in the 5th and 6th sections respectively; which amendments were agreed to. Mr. Alexander moved further to amend the bill, by striking out the 8th section; which was agreed to. Mr. Pickett moved further to amend the bill, by striking out the 9th section. Mr. Shoher moved to amend the 9th section, by adding thereto the following words, to wit: "unless the profits on the capital stock shall exceed more than 6 per cent.;" which amendment was not agreed to. The question then recurred on the amendment submitted by Mr. Pickett, to strike out the 9th section; which was agreed to. The question was thereupon taken on the passage of the bill, as amended, the third time, and it passed in the affirmative; and a message was sent to the House of Commons, asking their concurrence in the amendments.

Received from the House of Commons, the resignation of Micajah T. Hawkins, as Colonel of Cavalry attached to the 17th brigade of militia; which was read and accepted by the Senate.

Mr. Jones presented the resignation of Francis Young, as Colonel Commandant of the second regiment of militia of Iredell county;
which was read and accepted by the Senate, and sent to the House of Commons.

And then the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, DECEMBER 31, 1827.

Mr. Ward, from the joint select committee, to whom was referred the report of the Adjutant General of the militia of this State, made a detailed report; which was read, when Mr. Ward reported a bill to erect an Arsenal on the south-west of the Public Square, on which the Capitol stands; which was read the first time and passed.

Mr. Jones, from the committee of Claims, to whom was referred the petition of John B. Ogg, made a report; which was read, and the resolution therein contained, as follows, to wit: Resolved, that the prayer of the petitioner be not allowed, was, on motion of Mr. Owen, ordered to be laid on the table.

Mr. Fuller presented a bill to amend an act, passed in the year 1825, entitled "an act for the better regulation of the town of Beaufort," which was read the first time and passed.

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

Resolved, That a joint select committee be appointed to inquire what measures this Legislature can adopt, if any, to protect the local banks of this State, and consequently the interest of the State and its citizens, against the destructive operation of the Bank of the United States at Fayetteville, and that they report by bill or otherwise. Resolved, That Messrs. Alexander, Fisher and Bynum, form the committee on the part of this House.

Which resolution was read and agreed to. Messrs. Shober, M'Eachin and Pickett were appointed of the committee on the part of the Senate, and the resolution sent to the House of Commons.

Mr. Shober, from the committee of Propositions and Grievances, to whom was referred the petition of Parham Kirk, sheriff of Montgomery county, made a report; which was read, and the resolution therein contained, as follows, to wit: "Resolved, That Parham Kirk, sheriff of Montgomery county, be permitted to settle and close his accounts with the proper officer for the last fiscal year; and that on such settlement he be allowed the usual commission, mileage and attendance, and that he be discharged from any penalty or forfeiture, which he may have incurred in failing to account within the proper time," was read the first time and passed.

Received from the House of Commons, a message, stating that they have passed the following engrossed bills, to wit: A bill for the more convenient administration of justice in the Court of Pleas and Quarter Sessions of the county of Caswell; a bill to incorporate the Zion Relief Society of North-Carolina; a bill to incorporate the trustees of Holly Grove Academy, in Sampson county; a bill to authorise Ann Fewell, of the county of Rockingham, to erect a gate across the public road leading through her plantation on Dan
river; a bill to explain and amend the several acts of Assembly concerning the poor house, in the county of Beaufort; a bill to allow the sheriff of Carteret county travelling fees, when he may be compelled to travel to Occacock or Portsmouth, to execute process of any sort; a bill to establish a turnpike road in the county of Haywood; a bill to authorise the Court of Pleas and Quarter Sessions of the county of Rowan to appoint a committee of Finance; and a bill to amend an act to provide for the paying of jurors of the county of Wayne, passed in the year 1828; in which they ask the concurrence of the Senate. Whereupon the said bills were read the first time and passed.

On motion of Mr. Love, of Haywood, the Senate proceeded to consider the report of the committee of Finance on the resolution in relation to Miss Udney M. Blakely; and the said report having been read, and the question taken on concurring therewith, it was determined in the negative, when Mr. Love, of Haywood, presented the following resolution, to wit:

Resolved by the Senate and House of Commons, That the appropriation for the education of Udney M. Blakely, the daughter of Johnston Blakely, having been continued for twelve years, at the price of six hundred dollars per annum, it is the opinion of this Legislature that the same be, and it is hereby discontinued.

Which being read, on motion of Mr. Owen, ordered that the said resolution do lie on the table.

Mr. Owen, from the committee on Internal Improvement, to whom was referred the petition of Samuel Proctor and Wiley M'Pherson, for himself and the heirs of Holloway Old, made a detailed report; which was read, when Mr. Owen reported a bill to revive and continue in force certain acts of Assembly therein named; which was read the first time and passed.

Mr. Pickett, from the Judiciary committee, to whom was referred the resolution instructing them to inquire into the practicability of providing by law a remedy against the usurious practices which arise in the buying and selling bonds, notes, &c. made a report; which was read, and the resolution therein contained was concurred in, as follows, to wit: Resolved, That it is inexpedient to amend the laws restraining the practice of usury.

Received from the House of Commons, the report of the joint select committee, to whom was referred the resolution instructing them to confer with the representatives, devisees and widow of the late Treasurer of this State, endorsed in that House "read and concurred in, and the resolution accompanying, adopted," together with a proposition that the report and the resolution be printed, five copies for each member. The said report and resolution being read, on motion of Mr. Pickett, Resolved, That the Senate doth, on its part, approve of the recommendations contained in this report, and direct that the arrangements therein proposed be carried into effect; and a message was sent to the House of Commons, stating the concurrence of the Senate in the resolution, and their agreement to print the report and resolution, five copies for each member.
The resolution in favor of Parham Kirk, sheriff of Montgomery county, was read the second and third times and passed, and ordered to be engrossed.

The bill to amend an act, passed in the year 1825, entitled "an act for the better regulation of the town of Beaufort," was read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons, a message, stating their concurrence in the amendment made by the Senate in the engrossed resolution in favor of James Patton, of Buncombe county. Whereupon the said resolution was ordered to be enrolled.

Received from the House of Commons, a message, stating that they recede from their amendment made in the engrossed bill concerning the Public Treasurer at the close of the 12th section, and that they agree to the amendment proposed by the Senate in the first section.

Received from the House of Commons, a message, proposing to ballot immediately for Colonel Commandant of Cavalry, attached to the 17th brigade, and adding to the nomination the name of Thomas G. Stone, also naming Messrs. Gary and Simpson to conduct the ballot on the part of that House; which proposition was not agreed to.

On motion of Mr. Drake, a message was sent to the House of Commons, proposing to ballot for Colonel of cavalry attached to the 17th brigade, on Thursday next, and adding to the nomination the name of William Bellamy.

On motion of Mr. Wilson, of Edgecomb, a message was sent to the House of Commons, proposing to ballot to-morrow for cavalry officers, attached to the 5th brigade and 7th division of militia, and nominating Roderick B. Gary as Colonel, Solomon Pender for Lieut. Colonel and Jesse A. Bynum as Major.

Received from the House of Commons, a message, proposing to ballot to-morrow for Colonel, Lieut. Colonel and Major of cavalry attached to the 15th brigade; which proposition was agreed to, and a message sent to that House, informing them of the agreement of the Senate, and nominating Benjamin Brittain for Colonel.

The following engrossed bills, to wit: A bill to authorise Ann Fewell, of the county of Rockingham, to erect a gate across the public road leading through her plantation on Dan river; a bill to allow the sheriff of Carteret county travelling fees, when he may be compelled to travel to Occacock or Portsmouth, to execute process of any sort; a bill to authorise the Court of Pleas and Quarter Sessions of the county of Rowan to appoint a committee of Finance; a bill for the more convenient administration of justice in the Court of Pleas and Quarter Sessions of the county of Caswell; a bill to amend an act to provide for the paying of jurors of the county of Wayne, passed in the year 1823; a bill to explain and amend the several acts of Assembly concerning the poor house in
the county of Beaufort; a bill to incorporate the trustees of Holly Grove Academy, in Sampson county; and a bill to establish a turnpike road in the county of Haywood, were read the second and third times and passed, and ordered to be enrolled.

The engrossed bill to incorporate the Zion Relief Society of North Carolina, was read the second time, and the question being taken on the passage thereof, it was determined in the negative.

A message was received from the House of Commons, stating that they have postponed indefinitely the engrossed bill to exempt certain persons in Hyde county from serving on juries; also the bill concerning the dockets of the Court of Equity for the county of Columbus; and the resolution in favor of Jesse Rogers, of Moore county.

The bill to regulate the fees which shall be allowed the pilots of Occacock Inlet, Old Topsail Inlet, Bogue Inlet, and the waters connected therewith, being read the second time, Mr. Ward moved to amend the bill, by striking out "Bogue Inlet," in the first section of the bill. Whereupon, on motion of Mr. Spaight of Craven, the said bill and amendment were indefinitely postponed.

The bill to amend an act, passed in the year 1825, to continue in force the provisions of an act, passed in 1818, entitled "An act directing a road to be laid out and opened from the town of Leakesville, in Rockingham county, by Rockford, in Surry county, to the town of Wilkesborough;" and the bill relative to the sale of the estates of infants, were read the second time and passed.

Received from the House of Commons, a message, proposing that the two Houses ballot to-morrow morning for four trustees of the University of North Carolina, to supply the vacancies in that board, and nominating William Robards, Gavin Hogg and Hugh D. Waddell for the appointments; which proposition was agreed to, and the House of Commons informed thereof by message, and adding the name of Emanuel Shofer to the nomination. Received also from that House, a communication from the Governor, transmitting the annual report of the Treasurer of the Board of Trustees of the University of North Carolina; which were read and ordered to lie on the table.

Mr. Pickett moved that the Senate reconsider the vote taken on Saturday on the third reading of the engrossed bill to incorporate the Occacock Navigation Company; and on the question, will the Senate reconsider the said vote? it passed in the affirmative. Mr. Pickett then moved to reconsider the vote taken on Saturday on the amendment to the said bill, submitted by Mr. Alexander, to wit: to strike out the 8th section; which was agreed to. Mr. Pickett moved also to reconsider the vote taken on the same day on the amendment submitted by himself to the said bill, to wit: to strike out the 9th section; which was agreed to. Mr. Pickett then moved to amend the bill, by striking out, in the 5th line of the 9th section,
the words "or the property held by the company;" which amendment was agreed to. Mr. Alexander then moved to amend the said bill, by striking out, in the 15th and 16th lines of the 8th section, the following words, to wit: "with interest from the time of such payment;" which amendment was agreed to. The question then recurred on the passage of the bill, as amended, the third time, and the question being taken, it passed in the affirmative; and a message was sent to the House of Commons, asking their concurrence in the amendments.

A message was received from the House of Commons, stating that they have passed the engrossed bill to repeal an act, entitled "An act concerning the Courts of Pleas and Quarter Sessions for the county of Hyde, and for other purposes," with an amendment, to wit: strike out the "proviso" in the bill, and insert the amendment herewith submitted; in which they ask the concurrence of the Senate; which amendment was agreed to, and the House of Commons informed thereof by message.

The bill to appropriate six thousand two hundred and thirty-two dollars, for the purpose of improving the navigation of Cape Fear river, below the town of Wilmington, and for other purposes, being read the second time, Mr. Alexander moved to postpone for the present the further consideration of the bill, and that it be committed to a committee of the whole House, and made the order of the day for to-morrow; which motion was agreed to.

Received from the House of Commons, the recommendation of the representatives of the county of Duplin, of certain persons therein named, as Justices of the Peace, endorsed in that House, "read and agreed to: provided the name of William Glisson be added to the nomination;" and the question being taken on the proposition of the House of Commons, to wit: to add the name of William Glisson, it was determined in the negative; and the recommendation sent to the House of Commons, with a message stating the disagreement of the Senate.

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

Tuesday, January 1, 1828.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to amend an act, passed in the year 1825, entitled "An act for the better regulation of the town of Beaufort;" and the engrossed resolution in favor of Parham Kirk, Sheriff of Montgomery county; in which they ask the concurrence of that House.

Mr. Vanhook presented a bill to authorise the Person Library Company to sell or dispose of the books and property belonging to the said company; which was read the first time and passed.

Mr. Shofer, from the committee of Propositions and Grievances, to whom was referred the petition of Thomas Martin, of Rutherford
county, made a report; which was read, when Mr. Shober reported a bill to restore to credit Thomas Martin, of Rutherford county; which was read the first time and passed.

Mr. Jones, from the committee on the Militia and Militia Laws, to whom was referred the memorial of sundry of the militia of the county of Stokes, made a detailed report; which was read, when Mr. Jones reported a bill making it the duty of the field officers of the second regiment of Stokes militia, to convene their regiment at, or within a convenient distance of the centre of their district; which was read the first time and passed.

Mr. Hurst presented a bill imposing an additional tax on suits in the Superior Courts of Law and Courts of Equity, and Courts of Pleas and Quarter Sessions, in the county of Duplin. Mr. M’Eachin presented a bill for the better regulation of the Court of Pleas and Quarter Sessions in the county of Robeson. Mr. Williams, of Martin, presented a bill to authorise the securities of Edward Griffin, late sheriff of Martin county, to collect arrearages of taxes for 1825 and 1826. Mr. Pickett presented the following resolution, to wit:

Resolved, That the Public Treasurer pay to Ichabod Wetmore the sum of fifty dollars for his services as clerk to the committee of investigation of the Treasury department, and that the same be allowed in the settlement of the Treasurer’s public account.

Which said bills and resolution were respectively read the first time and passed.

Mr. Williams, of Martin, from the committee on Divorce and Alimony, to whom was referred the petition of sundry citizens of Ashe county, made a report; which was read, when Mr. Williams, of Martin, reported a bill to secure to Jane Becknall, of Ashe county, what property she may hereafter acquire; which was read the first time and passed.

Mr. Scott, from the select committee to whom was referred the resolution instructing them to inquire into the expediency of amending the bastardy laws, made a report; which was read, and the resolution therein contained was concurred in, as follows, to wit: Resolved, That it is inexpedient to change the existing laws on the subject of bastardy.

Mr. Shober, from the committee of Propositions and Grievances, to whom was referred the petition of John Davis, of the county of Lincoln, made a report, which was read; and the resolution accompanying the said report, was read the first time and passed, as follows, to wit: Resolved, That John Davis, of the county of Lincoln, be, and he is hereby adopted as a pensioner of the State, at the rate of eighty four dollars per year, and that the Treasurer pay the amount to him annually, as long as he shall live, or his wants shall require it, upon an authenticated certificate allowed to him by any court of record in this State, countersigned by the Speakers of both Houses of the Legislature, and that one half of the first annuity, which would fall due twelve months hence, be paid to him or his agent at the rise of the Legislature.

Received from the House of Commons, a message, stating that they have passed the following engrossed bills, to wit: A bill to incorporate St. John’s Lodge, in the county of Lenoir; a bill to regulate the sale of land and slaves, so far as respects the county of Northampton; a bill to compel the County Court of Nash to appoint a committee of Finance; a bill to alter the time of holding the County Court of Pleas and Quar-
ter Sessions in the county of Davidson; a bill prescribing the time for
the sale of land and slaves within Ashe county; a bill for the better regu-
lation of the towns of Newbern and Wilmington; a bill to encourage the
destruction of Wolves within Ashe county; a bill to annex the village of
Drysboro', in the county of Craven, to the town of Newbern; a bill
concerning the committee of Finance of Montgomery county; a bill to
incorporate Enfield Lodge, No. 88, in the county of Halifax; and a bill
to repeal an act, passed in the year 1826, entitled "an act to appoint
commissioners to build a new court-house in Surry, and for other purpo-
ses;” which bills were respectively read the first time and passed.

The bill to erect an Arsenal on the south-west of the public square
on which the capitol stands; and the bill relative to the sale of the estate
of infants, were read, the last mentioned bill the third time, and the first
mentioned the second and third times, and passed, and ordered to be en-
grossed.

The bill to revive and continue in force certain acts of Assembly there-
in named, was read the second time and passed.

Received from the House of Commons, a message, proposing to ballot
for trustees of the University, at the meeting of the two Houses to-mor-
row morning, and stating that the name of Gavin Hogg is withdrawn
from the nomination, and that the names of John J. Daniel, Nicholas J.
Drake, John Eccles, John C. Jaylor, William J. Alexander and Alfred
M. Gatlin are added; which proposition was agreed to, and the House of
Commons were informed thereof by message.

The resolution in favor of John Davis, of Lincoln county, being read
the second time, Mr. Askew, of Bertie, moved to amend the resolution,
by striking out in the 4th line the words “eighty four,” and inserting
in lieu thereof the word “sixty;” which amendment was agreed to, and
the resolution, as amended, passed the second time, and was subsequent-
ly read the third time and passed, and ordered to be engrossed.

The following bills, to wit: A bill imposing an additional tax on suits
in the Superior Courts of Law and Courts of Equity, and Courts of
Pleas and Quarter Sessions, in the county of Duplin; a bill for the better
regulation of the Court of Pleas and Quarter Sessions in the county of
Robeson; a bill to authorise the Person Library Company to sell or dis-
pose of the books and property belonging to the said company; a bill to
authorise the securities of Edward Griffin, late sheriff of Martin county,
to collect arrears of taxes for 1825 and 1826; a bill to secure to Jane
Becknall, of Ashe county, what property she may hereafter acquire; and
a bill to restore to credit Thomas Martin, of Rutherford county, were
read the second and third times and passed, and ordered to be engrossed.

The engrossed bill to alter the time of holding the County Court of
Pleas and Quarter Sessions in the county of Davidson; and the engrossed
bill making it the duty of the field officers of the second regiment of Stokes
county militia to convene their regiments in the centre of the district,
were read the second time and passed.

The engrossed bill to encourage the destruction of wolves within Ashe
county, was read the second time and passed; and being subsequently
read the third time, was, on motion of Mr. M'Millan, indefinitely post-
poned.

The resolution in favor of Ichabod Wetmore being read the second
time, Mr. Nuttall moved to amend the resolution, by striking out in the second line the word "fifty," and inserting in lieu thereof the word "thirty," which was not agreed to. The question then recurred on the passage of the resolution the second time, and it passed in the affirmative; and was subsequently read the third time and passed, and ordered to be engrossed.

The engrossed bill to annex the village of Draysborough, in the county of Craven, to the town of Newbern, was read the second time. Mr. Spaight, of Craven, moved to amend the said bill, by striking out "all of the bill after the enacting clause," and inserting the following words, to wit: "That that part of the town of Draysborough, known as the public burial ground, be, and the same is hereby annexed to the town of Newbern," which amendment was agreed to, and the bill, as amended, was read the second time and passed, and was subsequently read the third time and passed; and a message was sent to the House of Commons, asking their concurrence in the amendment.

The following engrossed bills, to wit: A bill concerning the committee of Finance in Montgomery county; a bill prescribing the time for the sale of land and slaves within Ashe county; a bill to compel the County Court of Nash to appoint a committee of Finance; a bill to incorporate St. John's Lodge, in the county of Lenoir; a bill to incorporate Enfield Lodge, No. 88, in the county of Halifax; and a bill to regulate the sale of land and slaves, so far as respects the county of Northampton, were read the second and third times and passed, and were ordered to be enrolled.

The engrossed bill to repeal an act, passed in the year 1826, entitled "An act to appoint commissioners to build a new court house in Surry, and for other purposes, being read the second time, Mr. Dobson moved to amend the said bill by striking out "all of the said bill" after the words "a bill," and inserting the amendment by him submitted; which amendment was agreed to, and the bill, as amended, was read the second time and passed, and was subsequently read the third time and passed; and a message 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 incorporate the Gold Mining Company, with an amendment, to wit: to strike out all the words after the word "State" in the 19th line of the first section to its end, and to insert in lieu thereof the amendment herewith submitted; which amendment being read, was agreed to by the Senate, and the House of Commons were informed thereof by message.

Received from the House of Commons, a message, stating the concurrence of that House in the two first amendments made by the Senate in the engrossed bill to incorporate the Occacock Navigation Company; but that they do not agree to the last amendment, to wit: to strike out the words "an annual," in the 17th line of the 10th section. Whereupon, on motion of Mr. Spaight, of Craven, the Senate recessed from the said last amendment, to wit: to strike out the words "an annual," and the House of Commons were informed thereof by message.

Received from the House of Commons, a message, proposing to ballot immediately for three persons to represent the State at the contemplated meeting of the stockholders of the Cape Fear Bank, and nominating for
the appointment, Isaac Wright, of Bladen, and Frederick J. Hill, of Wilmington; which proposition was agreed to, and a message sent to the House of Commons, stating the agreement of the Senate, adding the name of Louis D. Wilson to the nomination, and naming Messrs. Burney and Askew of Bertie to conduct the ballot on the part of the Senate. Whereupon, a message was received from the House of Commons, appointing Messrs. Gary and Simpson the balloting committee on the part of that House.

Mr. Burney, from the committee, to conduct the ballot for three persons to represent the State at the contemplated meeting of the stockholders of the Cape Fear Bank, reported that Isaac Wright, Frederick Hill and Louis D. Wilson were duly elected; in which report the Senate concurred.

The bill to repeal certain acts therein named, being read the second time, Mr. Pickett moved that the said bill be indefinitely postponed, and the question being taken, it was determined in the affirmative—yeas 32, noes 24. The yea and nays being demanded by Mr. Montgomery—


Received from the House of Commons, a message, stating that they insist on the amendment proposed by them to the recommendation of the representatives from Duplin, to wit: to add the name of "William Glisson." On motion of Mr. Hurst, ordered that the said message and recommendation do lie on the table.

The bill to amend an act, passed in 1825, to continue in force the provisions of an act, passed in 1818, entitled "an act directing a road to be laid out and opened from the town of Leakesville, in Rockingham county, by Rockford, in Surry county, to the town of Wilkesborough," being read the third time, Mr. Jones moved to amend the said bill by striking out from the word "Wilkesborough," in the 22d line of the first section, to the word "and," in the 27th line of the same section; which amendment was agreed to. Mr. Dobson moved further to amend the bill, by striking out the words "Thomas Hampton," in the 17th line of the first section, and inserting the words "Jesse Howard; which amendment was agreed to. Whereupon, on motion of Mr. Shober, ordered that the said bill do lie on the table.

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

**Wednesday, January 2, 1828.**

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill imposing an additional tax on suits in the Superior Courts of Law, and Courts of Equity, and Courts of Pleas and Quarter Sessions in the county of Duplin; a bill for the better regulation of the Courts of Pleas and Quarter Sessions in the county of Robeson; a bill to authorise the Person Library Company to sell or dispose of the books and property belonging to the said compa-
ny; a bill to authorise the securities of Edward Griffin, late Sheriff of Martin county, to collect arrears of taxes for 1825 and 1826; a bill to secure to Jane Becknall, of Ashe county, what property she may hereafter acquire; a bill to restore to credit Thomas Martin, of Rutherford county; a bill to erect an arsenal on the south west of the Public Square on which the capitol stands; and a bill relative to the sale of the estates of infants; also the engrossed resolution in favor of John Davis, of Lincoln county; and the resolution in favor of Ichabod Wetmore; in which they ask the concurrence of that House.

Mr. Askew, of Bertie, presented a bill for the relief of Lewis Bond, Sheriff of Bertie.

Mr. Love, of Haywood, presented a bill to change the time of holding the Supreme Court of this State.

Mr. Hinton presented the petition of Burwell Perry, of the county of Wake, praying the Legislature to legitimate and alter the names of certain persons therein named, together with a bill to alter the names of Sidney Smith Gay and others, of the county of Wake, and to legitimate them.

Mr. Askew, of Bertie, from the committee of Propositions and Grievances, to whom was referred the petition of sundry citizens of Stokes county, made a detailed report; which was read, and the resolution therein contained was concurred in, as follows, to wit: Resolved, that the prayer of the petitioner be not allowed.

Mr. Shofer presented the following resolution, to wit:

Resolved, That the Secretary of State procure two hundred copies of the revision of the laws of the State by Chief Justice Taylor, from the year 1821 to the year 1825, inclusive; and that they be distributed to the public offices and Clerks of the Courts, in the same manner as the original work was distributed, by an act passed in the year 1821: Provided, that they do not cost more than a dollar and fifty cents per copy, well bound.

Which was read the first time and passed.

Mr. Gray presented a bill to repeal an act of the Assembly, passed in 1820, entitled "An act directing the County Courts to pay fees to certain officers therein named, and in certain cases, so far as respects the county of Randolph; which was read the first time and passed.

Mr. Owen, from the joint select committee, to whom was referred the resolution relative to the "Woollens Bill," made a detailed report, which was read; and the question being taken on the resolutions therein contained, as follows, to wit:

Resolved, As the opinion of the Legislature of North-Carolina, that it is inexpedient at this time for the Congress of the United States to increase the duties on imports.

Resolved further, That the Governor of this State be requested to transmit copies of this report and resolutions, to each of the Senators and Representatives of this State in the Congress of the United States, with a request that they be laid before that body.

Mr. Ward moved to amend the first resolution, by striking out the 2d and 5d lines the words "at this time," which amendment was agreed to. The question then recurred on concurring in the said resolution, as amended, and it passed in the affirmative. Whereupon, the said report was concurred in, and the resolutions adopted by the Senate, and on motion of Mr. Wilson, of Edgecombe, a message was sent to the House of Commons, proposing to print the report and resolutions, one copy for each member of the General Assembly.

Mr. Riddick presented a resolution in favor of the door-keepers; which was read, and the question being taken on the passage thereof, it passed in the affirmative, and was ordered to be engrossed.
Mr. Davidson presented a resolution in favor of John Duckworth, which was read the first time and passed.

The bill making it the duty of the field officers of the second regiment of Stokes county militia to convene their regiment at, or within a convenient distance of the centre of their district; and the bill to revive and continue in force certain acts of Assembly therein named; also the engrossed bill to alter the time of holding the Court of Pleas and Quarter Sessions in the county of Davidson, were severally read the third time and passed, and the two first named bills were ordered to be engrossed, and the last named bill to be enrolled.

On motion of Mr. Wilson, of Edgecomb, Micajah T. Hawkins, the Senator from the county of Warren, had leave of absence from the services of the Senate, from and after yesterday, for the remainder of the session.

On motion of Mr. Nuttall, James Howze, the Senator from the county of Franklin, had leave of absence from the services of the Senate, from and after this day for the remainder of the session.

Received from the House of Commons, a message, stating that Messrs. Lewis and Burns attend the Senate to conduct the ballot on the part of that House for four trustees of the University. Whereupon, a message was sent to the House of Commons, naming Messrs. Ramsay and Burney the balloting committee on the part of the Senate.

The Senate resolved itself into a committee of the whole House, Mr. Shober in the Chair, on the bill to appropriate six thousand two hundred and thirty-two dollars, for the purpose of improving the navigation of the Cape-Fear river below the town of Wilmington, and for other purposes; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Shober reported that the committee had, according to order, had the said bill under consideration, and had directed him to report an amendment thereto, to wit: to add a second section to the bill, as follows, to wit: "Be it further enacted, that the money appropriated by this act shall be paid out of the money set apart for internal improvement, as soon as the same may be available in the hands of the Treasurer; and it shall be the duty of the Board of Internal Improvements to contract, if they can, with some person or persons to complete the improvement of the navigation as heretofore contemplated, for the aforesaid sum, with the use of the Dredging Machine, if such contract shall be made, and the said Board shall take bond with ample security, payable to the Governor and his successor for the faithful performance of the same, and if the contractor shall fail to complete said improvement agreeable to his contract, then and in that case the Board shall contract, if they can, with some other person to finish the work, and the former contractor and his securities shall be held liable, to pay such sum of money as will be necessary to complete said navigation;" and the question being taken on concurring in said amendment, it passed in the affirmative. The question then recurring on the passage of the bill, as amended, the second time, and it passed in the affirmative; and being subsequently read the third time, and the question taken on the passage thereof, it was determined in the affirmative—Yeas 36, nays 21. The yeas & nays being demanded by Mr. Askew, of Bertie—

Those who voted in the affirmative, are Messrs. Askew of Hertford, Alexander,
Bethune, Bailey, Brodax, Burney, Deberry, Dobson, Devane, Fuller, Harst, Hollis-  
non, Hinton, Joiner, Jones, Locke, Love of Haywood, Love of Richmond, MP\Mllian,  
M'Dowell, M'Daniel, M'Eachin, Owen, Pickett, Ramsay, Reinhart, Royal, Speight  
of Craven, Smith, Saunderson, Scott, Shober, Thomson, Vanhook, Williams of Beau-  
fort, Ward.

Those who voted in the negative, are Messrs. Askew of Bertie, Beasley, Drake, Da-  
venport, Davidson, Franklin, Gray, Harrell, Matthews, M'Neill, Montgomery, Nuttall,  
Parker, Riddick, Sadycar, Shuford, Sherard, Walton, Wilson of Edgecomb, Whitfield,  
Williams of Martin.

Mr. Burney, from the committee to conduct the ballot for four trustees of the University, reported that William J. Alexander, William Robards and Nicholas J. Drake were duly elected, and that no other person in nomination had a majority of votes; in which report the Senate concurred.

Received from the House of Commons the report of the joint select committee on the "woollens bill," endorsed in that House "read and concurred in."

The resolution relative to Taylor's revisal being read the second time, Mr. Pickett moved to amend the resolution, by striking out the last line thereof, the words "fifty cents." Mr. Nuttall moved the indefinite postponement of the resolution, together with the amendment. Mr. Sho-  

ber moved that the resolution lie on the table; which was not agreed to, and the question on the indefinite postponement thereof being taken, it was determined in the affirmative.

The bill to repeal an act of the Assembly, passed in 1820, entitled "an  
act directing the County Courts to pay fees to certain officers therein named, and in certain cases," so far as respects the county of Ran-  
dolph; and the bill to alter the names of Sidney Smith Gay and others, of the county of Wake, and to legitimate them; also the bill for the re-  
lief of Lewis Bond, sheriff of Bertie, were read the second and third  
times and passed, and ordered to be engrossed.

Received from the House of Commons, a message, proposing to ballot at the meeting of the two Houses to-morrow for a Brigadier General of the second brigade, to supply the vacancy occasioned by the resignation of General Jesse Speight, and nominating for the appointment Col. John J. Pasteur and Thomas Marshall; which proposition was agreed to, and the House of Commons were informed thereof by message.

Received from the House of Commons, a message, stating that they have passed the following engrossed bills; in which they ask the concurrence of the Senate, to wit: A bill to establish the county of Macon; a bill for the protection of securities, and for other purposes; a bill to pro-  
vide for the draining of Mattamuskeet lake; a bill supplementary to the several acts now in force for the relief of insolvent debtors; a bill to  
repeal in part the 3d section of an act, passed in the year 1806, entitled  
"an act to revise the militia laws of this State relating to the infant-  
ry," and to repeal the 9th and 10th sections of an act, passed in the  
year 1813, entitled "an act to amend the militia laws of this State;"  
and a bill respecting certain reservations claimed by Indians in the lands lately acquired by treaty from the Cherokee Indians; which were  
read the first time and passed; also the engrossed bills, to wit: A bill to  
incorporate the "Henrietta Steamboat Company," in the town of Pay-  
etteville; a bill prescribing the time at which county trustees for the coun-  
ty of Randolph shall be elected and make their settlement; a bill for the
more convenient administration of justice in the Courts of Pleas and Quarter Sessions for the county of Sampson; a bill making it the duty of Major Generals to review the first regiment of Edgecomb militia at their usual regimental muster ground; and a bill to repeal an act, passed in the year 1824, entitled "An act to alter the place of holding general musters in Washington county;" which were read the first, second and third times and passed, and ordered to be engrossed: also the engrossed bill prescribing the manner in which lands shall be hereafter advertised for sale for taxes in the county of Anson; which was read the first time and passed; and the said bill being read the second time, Mr. Dobson moved to amend the bill, by inserting in the 6th line of the bill, after the word "Anson," the words "and Surry," and to amend the bill and the title thereof to correspond therewith; which amendment was agreed to, and the bill, as amended, was read the second time and passed; and being subsequently read the third time, Mr. Pickett moved to amend the bill in the 11th line, by striking out the words "one month," and inserting "forty days; which amendment was agreed to, and the 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 amendments.

The engrossed bill to exempt from certain public duties the keeper of the poor house in the county of Stokes, was read the second and third times and passed, and ordered to be enrolled.

On motion of Mr. Pickett,
Resolved, That the Public Treasurer demand and receive of Benjamin A. Barham a transfert of thirty shares of the Capital Stock of the Newbern Bank, which the said Barham sold to the late Treasurer of this State; and also the dividends due, or which have been received by the said Barham, and not paid to the late Treasurer since the purchase.

Resolved further, That the said Treasurer proceed to the collection of all debts owing to the State, either by judgment, bond, or otherwise, for the sale of the public lands near the city of Raleigh; and that he make a report of the amount of such debts, and the sum collected therefrom, to the next General Assembly.

Ordered that the said resolution be engrossed.

The resolution in favor of John Duckworth, was read the second time and passed.

Received from the House of Commons, a communication from the Governor, transmitting to the Legislature the account of Governor Burton, while acting, ex-officio, as guardian of James Forsyth, with the accompanying vouchers, and sundry resignations of militia officers and justices of the peace; which being read, ordered that the communication be laid on the table.

Mr. Alexander moved that the Senate reconsider the vote taken yesterday on the second reading of the bill to repeal certain acts therein named; and the question, will the Senate reconsider the said vote? being taken, it was determined in the negative.

Received from the House of Commons, the following resignations, to wit: the resignation of James Howze, as a justice of the peace for the county of Franklin; the resignation of John Clement, as a justice of the peace for the county of Rowan; and the resignation of Calvin R. Blackman, as Major of the first regiment of Wayne militia; which were read and accepted by the Senate.

Mr. Vanhook presented the resignation of Miles Wells, as a justice of the peace for the county of Person; which was read and accepted and sent to the House of Commons.

And then the Senate adjourned until to-morrow, 10 o'clock.
A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: a bill making it the duty of the field officers of the second regiment of Stokes county militia to convene their regiment at, or within a convenient distance of the centre of their district; a bill to revive and continue in force certain acts of Assembly therein named; a bill to repeal an act of the Assembly, passed in 1820, entitled "an act directing the County Courts to pay fees to certain officers therein named, and in certain cases," so far as respects the county of Randolph; a bill to alter the names of Sidney Smith Gay and others, of the county of Wake, and to legitimate them; and a bill for the relief of Lewis Bond, sheriff of Bertie; also the engrossed resolution in favor of the door keepers; and the resolutions relative to the Public Treasurer; in which they ask the concurrence of that House.

The following bills were presented, to wit: By Mr. Burgin, a bill to amend an act, passed in the year 1822, entitled "an act to provide a revenue for the payment of the civil list and contingent charges of government;" by Mr. Davenport, a bill concerning the wardens of the poor for the county of Washington; by Mr. Spaight, of Craven, a bill to empower the overseer of bridges in the county of Craven to make contracts for the repairing or rebuilding of the same, and for other purposes; and by Mr. Owen, a bill to authorise the commissioners therein named to purchase a site for a new court-house in the county of Bladen, and for other purposes; which were severally read the first time and passed.

Mr. Williams, of Martin, presented a resolution in favor of Edward Griffin, late sheriff of Martin county; which was read the first time and passed.

The resolution in favor of John Duckworth, was read the third time and passed, and ordered to be engrossed.

On motion of Mr. Love, of Haywood, a message was sent to the House of Commons, stating that Messrs. Beasley and Askew, of Bertie, attend that House to conduct the ballot for Brigadier General of the 2d brigade. Whereupon, a message was received from that House, naming Messrs. Hardy and Smith theballoting committee on their part.

Mr. Askew, of Bertie, from the committee to conduct the ballot for a Brigadier General of the 2d brigade, reported that no person in nomination had received a majority of votes.

Received from the House of Commons, a message, proposing to ballot immediately for a trustee of the University, and withdrawing the names of John J. Daniel, John C. Taylor and Alfred M. Gatlin; which proposition was agreed to, and a message sent to the House of Commons, stating the agreement of the Senate, and naming Messrs. Davenport and McNeill to conduct the ballot on their part. Whereupon, a message was received from the House of Commons, stating that Messrs. Scott and Bynum attend the Senate as the balloting committee on the part of the House of Commons.

On motion of Mr. Drake, a message was sent to the House of Commons, proposing to ballot again immediately for a Brigadier General of the 2d brigade. Whereupon, a message was received from that House, agreeing to the proposition of the Senate, and appointing Messrs. White and Gordon superintendents on their part, and a message was sent to
the House of Commons, naming Messrs. Askew of Bertie, and Love of Richmond, as the balloting committee on the part of the Senate.

Mr. M'Neill, from the committee to conduct the ballot for a trustee of the University, reported that no person in nomination had received a majority of votes.

On motion of Mr. Williams, of Martin, a message was sent to the House of Commons, proposing to ballot again immediately for a trustee of the University.

The engrossed bill to subject bail to costs, was, on motion of Mr. Pickett, considered by the Senate, and the said bill was read the third time and passed, and ordered to be enrolled.

The engrossed bill for the better regulation of the towns of Newbern and Wilmington, being read the second time, Mr. Ward moved to amend the bill, by inserting at the end of the first section a proviso, as follows, to wit: "Provided nothing herein contained shall be so construed as to permit said slaves to work on the land, or to work at any employment, except to work in boats owned on said river by white persons, and to assist in loading and unloading said boats;" which amendment was agreed to, and the bill, as amended, was read the second time and passed, and being read the third time, on motion of Mr. Dobson, ordered that the bill do 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 1777, entitled "an act to establish Courts of Law and regulate the proceedings therein, with sundry amendments, in which they ask the concurrence of the Senate; and the said amendments being read, were severally concurred in by the Senate, and the House of Commons were informed thereof by message.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to add all that part of the second regiment of the militia of Burke county, lying south of the Catawba river in said county, to the first regiment, with an amendment, in which they ask the concurrence of the Senate; and the said amendment being read, Mr. Burgin moved to amend the amendment, by striking out in the 10th line of the amendment the word "eighty," and inserting the words "sixty-four," which amendment was agreed to. The question then recurred on concurring in the amendment, as amended, and it passed in the affirmative, and a message was sent to the House of Commons, stating the agreement of the Senate to the amendment, as amended, and asking their concurrence in the amendment.

The engrossed bill supplementary to the several acts now in force for the relief of insolvent debtors, was read the second and third times and passed, and ordered to be enrolled.

On motion of Mr. Bailey, the Senate considered the resolution relative to the Library room; and the resolution being read, Mr. Owen moved to amend the resolution, by striking out all the resolution after the word "resolved," and inserting the amendment by him submitted. Mr. Williams, of Martin, moved that the resolution, together with the amendment proposed, be indefinitely postponed, and the question being taken, it was determined in the affirmative.

Mr. Askew, of Bertie, from the committee to conduct the ballot for
Brigadier General of the 2d brigade, reported that Thomas Marshall was duly elected; in which report the Senate concurred.

The engrossed bill for the protection of securities and for other purposes, was read the second time and passed, and being read the third time, Mr. Ward moved to amend the bill by adding an additional as the second section, as follows, to wit: "And be it further enacted, that upon all contracts where there shall be a security or securities, the suit which may be brought thereon, shall be brought against the principal debtor and securities;" when, on motion of Mr. Drake, ordered that the said bill be laid on the table.

Received from the House of Commons, a message, stating that they agree to the amendment made by the Senate in the engrossed bill to repeal an act, passed in the year 1826, entitled "an act to appoint commissioners to build a new court-house in Surry, and for other purposes," with this exception, strike out the word "commissioners," in the 2d line of the 2d section, and insert "County Court, a majority of the justices of said county being present." The amendment being read, Mr. Dolson moved to amend the amendment, by inserting at the end of the 2d section, a proviso, as follows, to wit: "Provided nevertheless, that should the County Court fail at February and May term ensuing, to point out a site, then and in that case it shall be the duty of the commissioners, or a majority of them, to select one, agreeable to the provisions of this act, and proceed to build;" which amendment to the amendment was agreed to. The question then recurred on concurring in the amendment, as amended, and it passed in the affirmative, and a message was sent to the House of Commons, asking their concurrence in the amendment to the amendment.

Received from the House of Commons, a message, stating their agreement in the amendment made by the Senate in the engrossed bill to annex the village of Drysboro', in the county of Craven, to the town of Newbern. Whereupon the bill was ordered to be enrolled.

A message was received from the House of Commons, stating that they have rejected the engrossed bill to restore to credit Thomas Martin, of Rutherford county, and that they have indefinitely postponed the bill imposing an additional tax on suits in the Superior Courts of Law, and Courts of Equity and Courts of Pleas and Quarter Sessions in the county of Duplin; also a further message, stating that they have rejected the engrossed bill to authorise the Person Library Company to sell or dispose of the books and property belonging to the said company.

Received from the House of Commons, a message, agreeing to ballot immediately for a trustee of the University, appointing Messrs. W. H. Jones and W. W. Stedman superintendents on their part, and withdrawing the name of Mr. Eccles. Thereupon, a message was sent to that House, naming Messrs. Ramsay and Askew, of Hertford, to conduct the ballot on the part of the Senate.

Mr. Askew, of Hertford, from the committee to conduct the ballot for a trustee of the University, reported that Emanuel Shober was duly elected: in which report the Senate concurred.

The engrossed bill to repeal in part the 3d section of an act, passed in the year 1806, entitled "an act to revise the militia laws of this State relative to the infantry," and to repeal the 9th and 10th sections of an
The engrossed bill respecting certain reservations claimed by Indians in the lands lately acquired by treaty from the Cherokee Indians, was read the second time and passed.

The engrossed bill passed in the year 1813, entitled "an act to amend the militia laws of this State," was read the second time and passed.

The bill altering the time of holding the elections in the counties of Warren, Nash and Franklin; a bill to alter the name of John M. Williams, of Edgecomb county, and to legitimate him; a bill making it the duty of sheriffs, coroners and constables to serve all notices required to be given in process at law or in Equity; a bill supplemental to an act, passed at the present session of the General Assembly, entitled "an act to amend the 4th section of an act, passed in the year 1804;" a bill directing what construction shall be given to contingent executive limitations; a bill to prevent the obstruction of fish passing up the Roanoke and Cashie rivers, and their waters; a bill to authorise Isaac T. Avery to establish a turnpike road in the county of Burke; a bill to reduce the number of petty musters to two in a year; a bill for the relief of Samuel Carter and Solomon Carter; and a bill prescribing the duty of the committee of Finance; also the engrossed resolution in favor of Giles Johnston; and the resolution directing the Public Treasurer to pay H. Gorman fourteen dollars and fifty cents; in which they ask the concurrence of the Senate.

The bill to establish the county of Macon, was read the second time, and the question being taken on the passage thereof, it was determined in the negative—yeas 29, nays 50. The yeas and nays being demanded by Mr. Wilson, of Edgecomb—


Mr. Hinton asked and obtained leave to withdraw the petition of Washington Price, of the county of Wake.

Mr. Williams, of Martin, from the committee of Divorce and Alimony, to whom was referred the following petitions, to wit: the petition of Edward S. Pugh, of Camden county; the petition of Amy Gilmore, of Orange county; the petition of Benjamin Warson, of Buncombe county; the petition of Sally Flowers, of the county of Craven; the petition of Mary Layfong, of Haywood county; the petition of Rachael Hamblet, of Chatham county; and the petition of Samuel I. Edney, of the county of Buncombe; asked and obtained leave to be discharged from the further consideration of said petitions. Ordered that the petitioners have leave to withdraw their petitions and documents.

And then the Senate adjourned until to-morrow, 10 o'clock.
A message was sent to the House of Commons, stating that the Senate have passed the engrossed resolution in favor of John Duckworth; in which they ask the concurrence of that House.

On motion of Mr. Wilson, of Edgecomb, a message was sent to the House of Commons, proposing to ballot immediately for cavalry officers attached to the 5th brigade.

Received from the House of Commons, a message, proposing to ballot immediately for Cavalry Officers of the 15th brigade, and nominating Benjamin Brittain for Colonel Commandant, William McGimsey for Lieutenant Colonel, and Benjamin Richardson for Major; which proposition was agreed to; and a message sent, informing the House of Commons of the agreement, and naming Messrs. Nuttall and Montgomery to conduct the ballot on the part of the Senate. Whereupon, a message was received from that House, naming Messrs. Alexander and Newland to conduct the ballot on their part.

The bill to empower the overseer of bridges in the county of Craven to make contracts for the repairing or rebuilding of the same, and for other purposes; and the bill to authorise the commissioners therein named to purchase a site for a new court house in the county of Bladen, and for other purposes, were read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. Pickett,

Resolved by the Senate and House of Commons, That the conveyances and powers of attorney from the widow, devisees and executor of the late John Haywood, taken by the Attorney General of this State, in pursuance of a resolution of the two Houses, be filed with the Treasurer of this State; and that he cause them to be duly proven and registered; and that he furnish the persons appointed to superintend the sale of the property conveyed, either with copies or the original conveyances, as they may prefer; and that he also cause the Bank Stock transferred in the powers of attorney, to be transferred as soon as may be convenient for him to do it, and that he draw the money mentioned in the other power of attorney, and hold the same as Public Treasurer.

And the resolution sent to the House of Commons for their concurrence.

Mr. Nuttall, from the committee to conduct the ballot for Cavalry Officers attached to the 15th brigade, reported that Benjamin Brittain was elected Colonel, William McGimsey for Lieutenant Colonel, and Benjamin Richardson, Major: in which report the Senate concurred.

Received from the House of Commons, a message, stating that they do not agree to ballot for Cavalry Officers attached to the 5th brigade.

The bill concerning the wardens of the poor for the county of Washington, being read the second time, was, on motion of Mr. Gray, amended, by inserting the word "Randolph," after the word "Washington," in the 12th line of the bill; and the bill as amended, was read the second time and passed, and being read the third time, was, on the respective motions of Mr. Smith, Mr. Wilson of Camden, Mr. Reinhardt and Mr. Hinton, amended, by the insertion of the words "Davidson, Camden, Lincoln and Wake," after the word Randolph, in the 12th line, and its provisions and title amended to correspond thereto; and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

The resolution in favor of Edward Griffin, late sheriff of Martin coun-
ty, was read the second and third times and passed, and ordered to be engrossed.

Mr. Montgomery, from the committee of Propositions and Grievances, to whom was referred petitions from the counties of Surry, Davidson, Stokes, Randolph, Montgomery and Perquimons, praying for the passage of a law prohibiting the further introduction of slaves into this State, made a report, which was read, and the resolution therein contained was concurred in by the Senate, as follows, to wit: Resolved, That it is inexpedient to pass a law, prohibiting the introduction of slaves into this State.

The engrossed bill to prevent the obstruction of fish, passing up the Roanoke and Cashie rivers, and their waters, was read the second time. Mr. Askew, of Bertie, moved the indefinite postponement of the bill, and the question being taken, it was determined in the negative. The question then recurred on the passage of the bill the second time, and it passed in the affirmative, and was subsequently read the third time and passed, and ordered to be enrolled.

The engrossed bill to authorise Isaac T. Avery to establish a Turnpike road in the county of Burke, was read the second time. Mr. M'Dowell moved to amend the bill by striking out the words "seventy-five cents," and inserting "one dollar," in the 20th line of the 4th section; which amendment was agreed to, and the bill, as amended, was read the second time and passed; and was subsequently read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bills, to wit: A bill to alter the name of John M. Williams, of Edgecomb county, and to legitimate him; and a bill making it the duty of sheriffs, coroners and constables to serve all notices required to be given in process at law or in Equity; also the engrossed resolution directing the Public Treasurer to pay H. Cormen fourteen dollars and fifty cents, were read the second and third times and passed, and ordered to be enrolled.

The engrossed bill prescribing the duty of the committee of Finance, was read the second and third times and passed, and ordered to be enrolled.

The bill to change the time of holding the Supreme Court of this State, was read the second and third times and passed, and ordered to be engrossed.

The engrossed resolution in relation to the Library room, was read the first time, and the question being taken on the passage thereof, it was determined in the negative.

The engrossed bill supplemental to an act, passed at the present session of the General Assembly, entitled "an act to alter an act, entitled "an act to amend the 4th section of an act, passed in the year 1804," was read the second time and passed, and being read the third time, Mr. M'Millan moved to amend the bill by adding at the end thereof, the following words, to wit: "And that this act shall be in force from and after the ratification thereof;" which amendment was agreed to, and the bill as amended, was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill for the relief of Samuel Carter and Solomon Carter,
was read the second time and passed, and, on motion of Mr. M'Millan, ordered that the said bill do lie on the table.

The engrossed bill directing what construction shall be given to contingent executory limitations, was read the second time, and the question being taken on the passage thereof, it was determined in the negative.

The bill to amend an act, passed in the year 1829, entitled "an act to provide a revenue for the payment of the civil list and contingent charges of Government, being read the second time, Mr. Thomson moved that the said bill be indefinitely postponed, and the question being taken, there were 25 ayes and 25 noes. There being an equal number of votes for and against the motion, Mr. Speaker voted in the negative, and the Senate determined that the said bill shall not be indefinitely postponed. The question then recurred on the passage of the bill the second time, and it passed in the affirmative, and was read the third time and passed, and ordered to be enrolled.

The engrossed bill to reduce the number of petty musters to two in a year, was read the second time. Mr. Williams, of Martin, moved that the said bill be indefinitely postponed, and the question being taken, there were 25 ayes and 25 noes. There being an equal number of votes for and against the motion, Mr. Speaker voted in the negative, and the Senate determined that the said bill shall not be indefinitely postponed. The question then recurred on the passage of the bill the second time, and it passed in the affirmative, and was read the third time and passed, and ordered to be enrolled.

The engrossed bill to repeal in part the 3d section of an act, passed in the year 1806, entitled "an act to revise the militia laws of this State relative to the infantry," and to repeal the 9th and 16th sections of an act, passed in the year 1813, entitled "an act to amend the militia laws of this State," being read the third time, and the question taken on the passage thereof, it was determined in the negative.

Received from the House of Commons, the resolution relative to the conveyances and powers of attorney from the widow, devisees and executor of the late John Haywood, taken by the Attorney General of this State, in pursuance of a resolution of the two Houses, endorsed in that House "read and concurred in."

Received from the House of Commons, a message, stating that they have rejected the engrossed bill making it the duty of the field officers of the second regiment of Stokes county militia to convene their regiment in the centre of the district.

Received also from that House, a message, stating their concurrence in the several amendments made in the Senate to the engrossed bill, to wit: a bill to appropriate $6,232 for the purpose of improving the navigation of the Cape Fear river below the town of Wilmington, and for other purposes; and the bill prescribing the manner in which lands shall hereafter be advertised for sale for taxes in the county of Anson.

A message was received from the House of Commons, stating that they have passed the engrossed bill to regulate the payment of the salary of the Public Printer, and to prescribe the manner in which printing shall hereafter be done for the Departments of this State, and for the preservation of the public buildings, with sundry amendments, in which they ask the concurrence of the Senate; which amendments being read, were agreed to by the Senate, and the House of Commons informed thereof by message.

A message was also received from that House, stating that they have passed the engrossed bill to erect an arsenal on the south west of the Pub-
lic Square on which the capitol stands, with an amendment, to wit: add the words "of good and substantial brick or stone" after the word "arsenal," in the 8th line of the 1st section; in which they ask the concurrence of the Senate; and the amendment being read, was agreed to by the Senate, and the House of Commons informed thereof by message.

A further message was received from the House of Commons, stating that they have passed the engrossed bill to repeal the second section of an act, passed in the year 1801, so far as regards salvage, with an amendment, to wit: to strike out the whole of said bill, after the word "bill," and insert the amendment herewith submitted; also to strike out "repeal," in the title of the bill, and insert "amend," in which they ask the concurrence of the Senate; and the amendments being read, were severally agreed to, and the House of Commons were informed thereof by message.

A message was received from the House of Commons, stating that they have passed the following engrossed bills, to wit: a bill to amend an act, passed in the year 1820, entitled "an act laying duties on sales at auction; and a bill to cede to the United States a point of marsh on the south side of Neuse river, for the purpose of erecting thereon a light-house; also the engrossed resolution in favor of Giles Johnston; and a resolution in favor of Matthew Pridgen, in which they ask the concurrence of the Senate; which bills were read the first time and passed; also the resolution in favor of Giles Johnston, which was subsequently read the second and third times and passed; and the resolution in favor of Matthew Pridgen, was read and agreed to, and both resolutions were ordered to be enrolled.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to alter the name of Sidney Smith Gay and others, of the county of Wake.

The engrossed bill to provide for the draining of Mattamuskeet Lake, was read the second time. Mr. Drake moved that the Senate now resolve itself into a committee of the whole House on said bill; which was not agreed to. Mr. Alexander moved to strike out the first section of the bill, and the question being taken, it was determined in the affirmative—yeas 41, noes 17. The yeas and nays being demanded by Mr. Williams, of Martin—


Whereupon, on motion of Mr. Montgomery, the further consideration of the bill was indefinitely postponed.

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

Saturday, January 5, 1828.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to authorise the commissioners herein named to purchase a site for a new Court House in
the county of Bladen, and for other purposes: a bill to empower the overseers of bridges in the county of Craven to make contracts for the repairing or rebuilding of the same, and for other purposes: a bill to change the time of holding the Supreme Court of this State; and a bill concerning the widows of the poor for the counties of Washington, Randolph, Davidson, Camden, Lincoln and Wake; also the engrossed resolution in favor of Edward Griffin, late sheriff of Martin county; in which they ask the concurrence of the Senate.

Mr. Shofer, from the joint select committee, to whom it was referred to inquire into the expediency of establishing a Penitentiary in connexion with an Asylum for idiots and lunatics, made a detailed report, which was read, and the resolution accompanying the report was read the first time and passed, as follows, to wit: "Resolved, That the Governor be requested to obtain and report to the next Legislature the most approved plan for a Penitentiary, separately and in connexion with an Asylum for idiots and lunatics, setting forth the best system of discipline for such an institution, with the amount of the probable cost, and setting forth from the best attainable information, whether two institutions of the kind in question can with advantage be connected."

Received from the House of Commons, a message, stating that they do not agree to the amendment proposed by the Senate to the amendment made by the House of Commons, in the bill to repeal an act, passed in the year 1826, entitled "an act to appoint commissioners to build a new court house in Surry, and for other purposes." Whereupon, on motion of Mr. Dobson, a message was sent to the House of Commons, insisting on the amendment made by the Senate to the amendments proposed by that House in the said bill, to wit: "Provided nevertheless that should the County Court fail at February or May term ensuing, to point out a site, then and in that case it shall be the duty of the commissioners; or a majority of them, to select one agreeable to the provisions of this act, and proceed to build."

Received also from the House of Commons, a message, stating their concurrence in the amendment made in the Senate in the bill to add that part of the 2d regiment of militia of Burke county, lying south of the Catawba river, in said county, to the first regiment, and the said bill was ordered to be enrolled.

Received from the House of Commons, the recommendation for justices of the peace for Johnston county, signed by one of the members of that House from said county. Mr. Thomson moved to strike out the names of Reuben Hobby and Josiah Adams; which was agreed to. Mr. Pickett moved to strike out the name of Right H. Adams; which was agreed to, and the recommendation returned to the House of Commons, with a message, asking their concurrence in the amendments.

Received from the House of Commons, a message, stating that they have passed the engrossed bill to revive and continue in force certain acts of Assembly therein named, with sundry amendments; in which they ask the concurrence of the Senate; which being read, Mr. Harrell moved to amend the proviso, proposed to be inserted at the end of the bill by the House of Commons, by inserting the words "and road," in the said proviso, after the word "canal;" which was agreed to. The question then recurred on the amendment, as amended, and the question being
taken, it was agreed to; and the question being taken on the second amendment proposed by the House of Commons, it was agreed to, and the House of Commons were informed thereof by message, and asking their concurrence in the amendment to the amendment.

A further message was received from the House of Commons, informing that they have passed the engrossed bill for the relief of Clerks of Courts and Clerks and Masters in Equity, with an amendment, to wit: strike out the word "January," in the 15th line, and insert "March;" and stating further that they have passed the engrossed bill supplemental to the acts relative to the power of Courts of Equity in cases of partition, with an amendment, to wit: strike out the word "discretion," in the 14th line, and insert the word "direction;" in which they ask the concurrence of the Senate; and the said amendments being read, were respectively agreed to, and the House of Commons informed thereof by message.

A message was received from the House of Commons, stating their agreement to the amendments made by the Senate in the engrossed bill, supplemental to an act, passed at the present session of the General Assembly, entitled "an act to amend the fourth section of an act, passed in the year 1804;" also their agreement to the amendment made by the Senate in the engrossed bill to authorise Isaac T. Avery to establish a Turnpike road in the county of Burke. Whereupon the said bills were ordered to be enrolled.

On motion of Mr. M'Millan, the Senate considered the engrossed bill for the relief of Samuel Carter and Solomon Carter, when Mr. M'Millan moved to amend the bill by inserting an additional section by him submitted; which was agreed to. Mr. M'Millan moved further to strike out the words of the title of the bill from the word "of," and insert the words "sundry citizens of the counties of Buncombe and Ashe;" which amendment was agreed to, and a message was sent to the House of Commons, asking their concurrence in the amendments.

On motion of Mr. Dobson, the Senate proceeded to consider the engrossed bill for the better regulation of the towns of Newbern and Wilmington; and the said bill being read the third time, was passed, and a message sent to the House of Commons asking their concurrence in the amendment made on the second reading of the bill.

The engrossed bill to cede to the United States a point of Marsh on the south side of Neuse river, for the purpose of erecting thereon a light house, and the engrossed bill to amend an act, passed in the year 1820, entitled "an act laying duties on sales at auction," were read the second and third times and passed, and ordered to be enrolled.

Mr. Bailey moved that the Senate reconsider the vote taken yesterday on the second reading of the bill, directing what construction shall be given to contingent executory limitations, and the question will the Senate reconsider the said vote, passed in the affirmative, and the bill was read the second time and passed.

The Senate proceeded to consider the report of the committee of Claims on the petition of John B. Ogg; and the said report being read, the resolution therein contained was concurred in as follows, to wit: Resolved, that the prayer of the petitioner be not allowed.

On motion of Mr. Owen,
Resolved, That the account of Hutchins G. Burton, late Governor, as guardian ex officio of James Forsythe, be approved by the General Assembly.

And the resolution was sent to the House of Commons for concurrence.

A message was received from the Governor, by Mr. Campbell, his Secretary, transmitting the annual report of the President and Directors of the Literary Fund; which being read, Mr. Shober moved that the message be printed, one copy for each member. Mr. Hinton moved to amend the motion, by proposing five copies. The question was first taken on the proposition to print; which was agreed to. The question then recurred on the proposition to print five copies for each member; which was not agreed to. Mr. Alexander moved that three copies be printed for each member; which proposition was agreed to, and a message sent to the House of Commons, asking their concurrence in the proposition.

Received from the House of Commons, a message, stating that they have passed the following engrossed bills, to wit: A bill concerning the appointment of a keeper of the State House, and for the preservation of the Statue of Washington; a bill to amend an act, passed in the year 1826, entitled “an act prescribing the mode of surveying and selling the lands lately acquired from the Cherokee Indians;” a bill to continue in force an act, passed in the year 1823, entitled “an act directing a Geological and Mineralogical survey to be made of the State of North-Carolina;” a bill concerning the entry of lands now covered by the waters of any of the lakes of this State; a bill in addition to the acts relative to weights and measures; a bill concerning the tax to be paid by persons peddling on certain waters; and a bill supplemental to an act for the improvement of the navigation of Perquimans river above Newby’s bridge; and a resolution concerning the Adjutant General; which bills were severally read the first time and passed, and the resolution concerning the Adjutant General was read the first time, and the question being taken on its passage, it was determined in the negative.

The engrossed bill to continue in force an act, passed in the year 1823, entitled “an act directing a Geological and Mineralogical Survey to be made of the State of North-Carolina,” was read the second and third times and passed, and ordered to enrolled.

The engrossed bill concerning the tax to be paid by persons peddling on certain waters, was read the second time and passed.

On motion of Mr. Shober, the Senate proceeded to consider the bill to amend an act, passed in the year 1825, to continue in force the provisions of an act, passed in 1818, entitled “an act directing a road to be laid out and opened from the town of Leaksville, in Rockingham county, by Rockford, in Surry county, to the town of Wilkesborough.” Mr. Shober moved to amend the bill, by inserting a proviso, at the end of the 3d section, to wit: “Provided that nothing shall be done towards laying off and opening the road in the counties of Surry and Stokes, so as to render said counties liable to any expenses, and its citizens to work and labour, unless a majority of the acting justices of the peace of said counties in court assembled shall then assent thereto.” Mr. Dobson moved that the bill, together with the amendment, be indefinitely postponed, and the question being taken, it was determined in the affirmative.

Received from the House of Commons, a message, proposing to ballot
this morning for cavalry officers of the 16th brigade and 3d division, and
nominating Elijah Hester as Colonel, Samuel Mitchell as Lieut. Colonel,
and James W. Jones as Major; which proposition was agreed to, and a
message sent to the House of Commons, stating that Messrs Vanhook
and Nuttall attend the Commons to conduct the ballot on the part of the
Senate. Whereupon, a message was received from the House of Com-
mons, naming Messrs. Donoho and H. C. Jones to superintend the ballot
on the part of that House.

Mr. Vanhook, from the committee to conduct the ballot for cavalry of-
ficers of the 16th brigade and 3d division, reported that Elijah Hester
was elected Colonel, Samuel Mitchell, Lieut. Colonel, and James W.
Jones; Major; in which report the Senate concurred.

The resolution relative to making inquiries into the expediency of
erecting a Penitentiary, was read the second time and passed, and being
read the third time, and the question taken on the passage thereof, it
passed in the affirmative—ayes 27, noes 21. The ayes and noes being
demanded by Mr. Nuttall—

Those who voted in the affirmative, are Messrs. Askew of Hertford, Bethune,
Brodnax, Dobson, Davvan, Davison, Fuller, Franklin, Gray, Hoffman, Hinton, Locke,
Love of Haywood, M'Millan McDowell, Bailey, Beasley, M'Neil, Montgomery, M'-
Eachin, Owen, Pickett, Parker, Scott, Shuford, Shoiber, Thomson.

Those who voted in the negative, are Messrs. Alexander, Deberry, Drake, Hurst,
Harrell, Joiner, Love of Richmond, M'Daniel, Nuttall, Riddick, Royd, Spaight of Craven,
Salvoor, Saunders, Sherard, Vanhook, Williams of Beaufort, Wilson of Camden,

And the resolution was sent to the House of Commons for concurrence.

On motion of Mr. Parker, the Senate proceeded to consider the reso-
olution relative to Miss Udney M. Blakely, and the resolution being
read the second time, and the question taken on the passage thereof, it
was determined in the negative—ayes 15, noes 36. The ayes and noes
being demanded by Mr. Parker—

Those who voted in the affirmative, are Messrs. Burgin, Dobson, Davvanport, Davvan,
Gray, Joiner, Locke, Love of Haywood, M'Daniel, Montgomery, Parker, Ramsay,
Smith, Saunders, Walton.

Those who voted in the negative, are Messrs. Askew of Bertie, Askew of Hertford,
Alexander, Bethune, Beasley, Brodnax, Burney, Deberry, Davison, Fuller,
Franklin, Hurst, Hinton, Jones, Love of Richmond, M'Millan, McDowell, M'Neil,
M'Eachin, Nuttall, Owen, Pickett, Riddick, Royd, Spaight of Craven, Scott, Shuford,
Shoiber, Sherard, Thomson, Vanhook, Williams of Beaufort, Wilson of Camden,
Wilson of Edgecomb, Ward.

Mr. Speaker presented a communication from Bennet T. Blake, ask-
ing, in the name of sundry citizens of Raleigh, the use of the Senate
Chamber for the next annual conference of the members of the Methodist
Episcopal Church of Virginia and North Carolina. Whereupon, on mo-
ton of Mr. Pickett, Resolved unanimously, that the person having the care of
the capital permit the ministers of the Methodist Episcopal
Church of Virginia and North Carolina to hold their conference in the
Senate Chamber at the session appointed to be held in the city of Raleigh,
on the 27th February next.

On motion of Mr. Love, of Haywood, the Senate considered the bill
respecting certain Indian reservations claimed by Indians, in the lands
lately acquired by treaty from the Cherokee Indians; and the bill being
read the third time, Mr. Love, of Haywood, moved to amend the bill,
by striking out the word "three," in the third line of the last section, and
inserting the word "four;" which was agreed to. Mr. Gray moved to
amend the bill, by striking out all of the bill after the word bill, and inserting the amendment by him submitted. Mr. Ward moved for the indefinite postponement of the bill, together with the amendment, and the question being taken, it was determined in the negative—ayes 9, noes 39. The ayes and nays being demanded by Mr. Ward—

Those who voted in the affirmative, are Messrs. Askew of Hertford, Franklin, Gray, Hurst, McNeill, Montgomery, Parker, Royal, Ward.


The question then recurred on the amendment submitted by Mr. Gray; which was not agreed to, and the bill passed the third time, and was ordered to be enrolled.

Mr. Sanderson asked and obtained leave to withdraw the documents accompanying the bill to drain Mattamuskeet lake.

On motion of Mr. Shober, Gabriel Sherard, the Senator from the county of Wayne, had leave of absence from the services of the Senate from and after to-morrow for the balance of the session.

On motion of Mr. Shober, ordered that Archibald M'Eachin, the Senator from the county of Robeson, have leave of absence from the services of the Senate from and after Monday next for the remainder of the session.

On motion of Mr. Ward, Louis D Wilson, the Senator from the county of Edgecomb, had leave of absence from and after to-day for the remainder of the session.

On motion of Mr. Wilson, of Edgecomb, ordered that the rule of the Senate requiring public bills to be notified one day before their second reading, be suspended for the balance of the session.

On motion of Mr. Shober, ordered that Michael Reinhardt, the Senator from the county of Lincoln, have leave of absence from the services of the Senate from and after yesterday for the remainder of the session.

On motion of Mr. Ward, Joseph J. Williams, the Senator from the county of Martin, had leave of absence from and after yesterday for the balance of the session.

And the Senate adjourned until this afternoon, 4 o'clock.

Saturday Evening, 4 o'clock.

Mr. Drake presented a bill to repeal an act, passed in the year 1825, entitled "an act to create a fund for the establishment of common schools;" which being read the first time, on motion of Mr. Alexander, the said bill was indefinitely postponed.

Mr. Owen presented a bill to authorise the President and Directors of the Literary Fund to employ a clerk; which bill was read the first, second and third times and passed, and ordered to be sent to the House of Commons.

Received from the House of Commons, the report of the President and Directors of the Literary Fund, endorsed in that House, read and concurred in.
Received from the House of Commons, a message, stating that they agree to the amendment made by the Senate in the engrossed bill for the relief of Samuel Carter and Solomon Carter, and also with the amendment made in the Senate to the amendment made in the House of Commons, in the bill to revive and continue in force certain acts of Assembly therein named. Whereupon the said bills were ordered to be enrolled.

Received from the House of Commons, a message, stating that they recede from their disagreement with the amendments made in the Senate, in the bill to repeal an act, passed in the year 1826, entitled "an act to appoint commissioners to build a new court-house in Surry county, and for other purposes." Whereupon the said bill was ordered to be enrolled.

Received from the House of Commons, a message, stating their disagreement to the amendment made by the Senate, in the bill for the better regulation of the towns of Newbern and Wilmington. Whereupon, on motion of Mr. Owen, the Senate receded from the amendment to the said bill, and the House of Commons were informed thereof by message.

The engrossed bills, to wit: A bill supplemental to an act, for the improvement of the navigation of Perquimons river above Newby's bridge; the bill concerning the tax to be paid by persons peddling on certain waters; the bill concerning the entry of lands now covered by the waters of any of the lakes of this State; the bill to amend an act, passed in the year 1826, entitled "an act prescribing the mode of surveying and selling the lands lately acquired from the Cherokee Indians;" and the bill concerning the appointment of a keeper of the State House and for the preservation of the Statue of Washington, were read the second and third times and ordered to be enrolled.

The engrossed bill to continue in force an act, passed in the year 1825, entitled "an act directing a Geological and Mineralogical survey to be made of the State of North-Carolina," was read the second and third times and passed, and ordered to be enrolled.

The engrossed bill in addition to the acts relative to weights and measures, was read the second time and passed, and being read the third time, Mr. Thomson moved the indefinite postponement thereof; which was not agreed to. The question then recurred on the passage of the bill the third time, and it passed in the affirmative, and was ordered to be enrolled.

Received from the House of Commons, a message, stating that they have passed the engrossed bills, to wit: A bill to make provision for widows when they dissent from the wills of their husbands;" a bill making the endorser or endorsers of bonds and promissory notes liable as surety or sureties; a bill giving the Superior Courts jurisdiction in all cases of divorce; a bill to limit the appointment of Solicitor General and Solicitors to four years; and a bill prescribing the manner in which staves, heading and shingles shall hereafter be inspected; and a resolution in favor of Lawrence & Lemay; in which they ask the concurrence of the Senate; which were read the first time and passed, and the first and last mentioned bills were read subsequently the second and third times and passed, and ordered to be enrolled.

The engrossed bill to limit the appointment of Solicitor General and Solicitors to four years, being read the second time, Mr. Alexander moved
to strike out from the word "longer" in the 11th line, the remainder of
the bill, to wit: "and that the appointments already made shall continue
for four years from the first day of the present session, and no longer;"
which was not agreed to. The question then recurred on the passage of
the bill the second time, and it passed in the affirmative; and was there-
upon read the third time and passed, and ordered to be enrolled.

The engrossed bill making the endorser or endorsers of bonds and pro-
missory notes liable as securities, was read the second time. Mr. Pick-
ett moved to amend the title of the bill by striking out all the words after
the words "a bill," and inserting "making the endorser of bills, bonds
and promissory notes surety for the same," which amendment was a-
greed to, and the bill, as amended, was read the second and third times
and passed, and a message sent to the House of Commons, asking their
concordance in the amendment. Whereupon a message was received
from that House, agreeing to the amendment of the Senate to the said
bill, and it was ordered to be enrolled.

The engrossed bill giving the Superior Courts exclusive jurisdiction in
all cases of divorce, was read the second time. Mr. Nuttall moved to
amend the bill by striking out the last section; which amendment was a-
greed to, and the bill, as amended, was read the second and third times
and passed, and a message sent to the House of Commons, asking their
concordance in the amendment; and a message was received from that
House, stating that they do not agree to the amendment proposed by the
Senate to the bill giving the Superior Courts of Law exclusive jurisdic-
tion in all cases of divorce. Whereupon Mr. Montgomery moved that
the Senate recede from their amendment, to wit: to strike out the last
section of the bill; which was not agreed to. Mr. Shober moved that
the Senate insist; which was agreed to, and the House of Commons were
informed by message that the Senate insist on their amendment, to wit:
to strike out the last section of the said bill.

The engrossed resolution in favor of Lawrence & Lemay, was read the
second time. Mr. Owen moved to amend the resolution by striking out
all the resolution after the word "resolved," and inserting the following
words, to wit: "That the account of Lawrence & Lemay for extra print-
ing, be referred to the Governor, Treasurer, Comptroller and Secretary
of State, who have, at this session of the Legislature, been appointed by
law a board for the settlement of such claims; and that the sum due there-
be paid by the Treasurer upon the certificate of the amount by the said
board;" which amendment was agreed to, and the resolution, as amend-
ed, was read the second time and passed; and subsequently read the
third time and passed, and a message 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 following engrossed bills, to wit: A bill to extend the
provisions of an act, passed in the year 1822, entitled "an act granting
further time to perfect titles of lands within this State;" a bill prescrib-
ing the manner in which field officers and general officers shall be re-
commended to the General Assembly; and a bill for revising, digesting
and amending the law relating to executors and administrators; which
were read the first time and passed; and the first named bill was subse-
quently read the second and third times and ordered to be enrolled; and
the last named bill was read the second time. Mr. Pickett moved to amend the bill by inserting in the 5th line of the 2d section, after the word "aforesaid," the words "for their consideration;" which amendment was agreed to. The question then recurred on the passage of the bill, as amended, the second time, and the question being taken, it passed in the negative, and the House of Commons were informed thereof by message.

The engrossed bill prescribing the manner in which field officers and general officers shall be recommended to the General Assembly, was read the second time; and, on motion of Mr. Drake, the said bill was indefinitely postponed, and the House of Commons were informed thereof by message.

Received from the House of Commons the following engrossed resolutions, to wit: A resolution authorising and directing the Secretary of State to have the well on the public square repaired and cleaned out; and a resolution for furniture for the Governor's house; which were read the first, 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 following engrossed bills, to wit: A bill to incorporate the North-Carolina Institution for the Instruction of Deaf and Dumb; a bill to compel the county trustee of each county to report the expenditures of the county in the prosecution and punishment of insolvent offenders; a bill to amend an act, passed in the year 1715, entitled "an act to appoint public registers, and to direct the method to be observed in conveying lands, goods and chattels, and for preventing fraudulent deeds and mortgages;" and a bill to prohibit vice and immorality at and in the vicinity of the University, and for other purposes; in which they ask the concurrence of the Senate. Whereupon the first named bills were read the first, second and third times and passed, and ordered to be enrolled; and the last named bill was read the first time. Mr. Montgomery moved its indefinite postponement; which was not agreed to; and the bill passed the first time. Being read the second time Mr. Montgomery moved to strike out the first section. Mr. Alexander moved to amend the bill by inserting in the 8th line of the first section, after the word "University," the words "or the county of Stokes;" which amendment was not agreed to. The question then recurred on the motion submitted by Mr. Montgomery, to wit: to strike out the first section; which was agreed to; and the bill, as amended, was read the second and third times and passed, and a message sent to the House of Commons, asking their concurrence in the amendment; and a message was received from the House of Commons, agreeing to the amendment of the Senate, and the bill was ordered to be enrolled.

Received from the House of Commons the resolution relative to the account of Governor Burton, as guardian ex officio of James Forsythe, endorsed in that House "read and concurred in," and the resolution was ordered to be enrolled.

Received from the House of Commons the resolution relative to making inquiries into the expediency of erecting a Penitentiary, endorsed in that House "read and concurred in." Whereupon the said resolution was ordered to be enrolled.

Received from the House of Commons the resignation of Kinchen Q. Adams, as a Justice of the Peace for the county of Johnston; which was read and accepted.
Received from the House of Commons, a message, stating that they have rejected the engrossed bill to authorise the President and Directors of the Literary Fund to employ a clerk.

And then the Senate adjourned until Monday morning, 7 o'clock.

MONDAY, JANUARY 7, 1828.

Mr. Owen, from the committee of Finance, to whom was referred a resolution instructing them to inquire whether John M' Rae, to whom the State had loaned 5,000 dollars, had given bond and security for the same, and to whom was referred also the subject of counting the Treasury Notes, and ascertaining what portion of them were fit for circulation, made a report; which was read and concurred in by the Senate.

Mr. Owen, from the committee of Finance, made a further report; which was read, and the resolution therein contained concurred in by the Senate, as follows, to wit: Resolved, that the Public Treasurer pay to H. G. Burton the sum of forty five dollars and forty two cents; and that he be allowed the same in the settlement of his public accounts.

Mr. Ward presented a resolution relative to the bringing, by the Adju tant General of the State, from the place where they may arrive, any arms which this State may receive from the general government during the present year, and providing for the expenses attending their transportation; which was read three times and passed, and ordered to be engrossed.

The engrossed bill directing what construction shall be given to contingent executory limitations, was read the third time and passed, and ordered to be enrolled.

Mr. Pickett presented a bill concerning the claim of the State on the estate of the late Treasurer and his securities; which was read the first, second and third times and passed, and ordered to be engrossed and sent to the House of Commons.

Mr. Pickett presented a resolution relative to the examination, by the Governor, Secretary and Treasurer, of the vouchers in relation to the expenses attendant on the reception of General Lafayette; which was read and agreed to, and ordered to be engrossed and sent to the House of Commons.

Mr. Pickett presented a resolution authorising the Governor to draw on the Treasurer for money to pay the necessary expenses incident to the surveying and selling the lands and other property of the late Treasurer Haywood; which was read the first, second and third times and passed, and sent to the House of Commons.

Received from the House of Commons, a message, stating their agreement to the amendment made by the Senate in the engrossed resolution in favor of Lawrence & Lemay, and the resolution was ordered to be enrolled.

Received from the House of Commons, a message, stating that that House insists on their disagreement with the amendment made by the Senate in the engrossed bill, giving to the Superior Courts of Law exclusive jurisdiction in all cases of Divorce. Whereupon, on motion of Mr. Alexander, a message was sent to the House of Commons, stating that the Senate recede from their amendment to the said bill, to wit: "to strike out the last section."
Received from the House of Commons, a message, stating that they have rejected the engrossed bill concerning the claim of the State on the late Treasurer and his securities, and agreeing to the amendment made by the Senate in the recommendation from the county of Johnston.

Received from the House of Commons, the resolution relative to the expenses attendant on the reception of Gen. Lafayette, endorsed in that House "read and concurred in," and the resolution was ordered to be enrolled; also the resolution authorising the Governor to draw on the Treasurer for money to pay the expenses incident to the surveying and selling the land and other property of the late Treasurer Haywood, endorsed in that House "read and agreed to," and the resolution ordered to be enrolled.

A message was sent to the House of Commons, stating that the Senate having acted on all the business before them, are ready to adjourn without day. Whereupon, a message was received from that House, stating that they are also ready to adjourn without day.

On motion of Mr. Dobson, Resolved unanimously, That the thanks of the Senate be presented to the Hon. Bartlett Yancy, Speaker thereof, for the able, impartial and dignified manner in which he has discharged the duties of the Chair.

Thereupon, Mr. Speaker made an appropriate address to the Senate, and adjourned the same sine die.

B. YANCY, S. S.

By order,

JAMES W. CLARK, Clerk of the Senate.