At a General Assembly, begun and held in the City of Raleigh, on Monday, the 16th day of November, in the year of our Lord one thousand eight hundred and twenty-nine, and in the fifty-fourth 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, Clement Marshall, 
Ache, Anderson Mitchell, 
Beaufort, Joseph B. Hinton, 
Berde, George O. Askew, 
Bladen, 
Brunswick, Jacob Leonard, 
Buncombe, James Allen, 
Burke, Merritt Burgin, 
Cabeaus, Christopher Melchor, 
Camden, Haywood S. Bell, 
Carteret, Oway Burns, 
Caswell, Bedford Brown, 
Chatham, Joseph Hansey, 
Chowan, William Walton, 
Columbus, James Burney, 
Craven, Richard D. Spaight, 
Cumberland, Archibald McDiarmid, 
Currituck, Caleb Etheridge, 
Davidson, Ransom Harris, 
Duplin, Stephen Miller, 
Edgecomb, Louis D. Wilson, 
Franklin, Wm. P. Williams, 
Gates, Wm. W. Cowper, 
Granville, Wm. M. Sneed, 
Greene, Wyatt Moore, 
Gulford, John M. Dick, 
Hartford, Isham Matthews, 
Hoke, William Welch, 
Hertford, Bridger L. Montgomery, 
Hyde, 
Johnston, Reuben Sanders, 
Jones, Risdien M. McDaniel, 

From Iredell, Thomas A. Allison, 
Lenoir, William D. Moseley, 
Lincoln, Daniel Hoke, 
Macon, Thomas Love, 
Martin, Joseph J. Williams, 
Mecklenburg, 
Montgomery, John Crump, 
Moore, Alex't M'Neil, 
Nash, Wm. W. Boudie, 
New Hanover, Wm. B. Meares, 
Northampton, 
Onslow, Edward Ward, 
Orange, Wm. Montgomery, 
Pasquotank, John Pool, 
Pamlico, Willis Riddick, 
Perquimans, Maurice Smith, 
Pitt, Marshall Dickinson, 
Randolph, Abraham Brower, 
Richmond, Tryam M'Farland, 
Robeson, Neil B. Johnson, 
Rockingham, Robert Martin, 
Rowan, David F. Caldwell, 
Rutherford, John M'Entire, 
Sampson, David Underwood, 
Stokes, Gabriel T. Moore, 
Surry, Meshack Franklin, 
Terry, John B. Beatley, 
Wake, Charles L. Hinton, 
Warren, Richard Davis, 
Washington, Samuel Davenport, 
Wayne, Gabriel Sherard, 
Wilkes, James Wellborn.

A quorum, consisting of a majority of the whole number of members, being present, on motion of Mr. Williams, of Martin, the Senate proceeded to the choice of a Speaker. Whereupon Mr. Williams, of Martin, nominated for that appointment Louis D. Wilson, Esquire, the Senator from the county of Edgecomb. On motion of Mr. Burns, the name of Bedford Brown, Esquire, the Senator from the county of Caswell, was added to the nomination. An election by ballot thereupon took place, Messrs. Williams, of Martin, and Burns being appointed superintendents to conduct it. Mr. Williams, of Martin, from the committee appointed to superintend the ballot for Speaker, reported that Bedford Brown, the Senator from the county of Caswell, was duly elected; in which report the Senate concurred. Whereupon Mr. Brown was conducted to the Speaker's chair by Mr. Burns; from whence he made his acknowledgments to the Senate in an appropriate address.

On motion of Mr. Matthews, Samuel E. Patterson was appointed Clerk of the Senate.
On motion of Mr. Wellborn, the Senate proceeded to the election of the Assistant Clerk; and, on motion of Mr. Montgomery, of Hertford, Thomas G. Stone was nominated for the appointment. On motion of Mr. Burns, the name of Henry Potter was added to the nomination. On motion of Mr. Wellborn, the name of William Seawell was added to the nomination. On motion of Mr. Askew, the name of Henry M. Miller was added to the nomination. On motion of Mr. Montgomery, of Orange, the name of John C. Stedman was added to the nomination; and, on motion of Mr. Meares, the name of William J. Cowan was added to the nomination; and Messrs. Montgomery, of Orange, and Leonard were appointed to conduct the balloting.

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

Mr. Montgomery, of Orange, 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. Meares, another balloting was ordered, and conducted by the same superintendents. On motion of Mr. Wellborn, the name of William Seawell was withdrawn from the nomination.

Mr. Leonard, from the committee appointed to superintend the balloting for Clerk Assistant, reported that William J. Cowan, 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 that House that the Senate is duly organized and ready to proceed on public business, having appointed Bedford Brown, Esquire, Speaker; Samuel F. Patterson, Clerk; and William J. Cowan, Clerk Assistant; and Thomas B. Wheeler and Robert Ray, Doorkeepers.

Thereupon, on motion of Mr. Matthews, the Senate adjourned until tomorrow morning, 10 o'clock.

Tuesday, November 17, 1829.

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

A message was received from the House of Commons, stating the due organization of that branch of the Legislature, having appointed William Jarvis Alexander, of Mecklenburg, Speaker; Pleasant Henderson, Clerk; and Charles Manly, Clerk Assistant; John Lumsden Door-keeper; and Richard Roberts Assistant Door keeper.

A message was received from the House of Commons proposing to appoint a select joint committee to wait upon his excellency the Governor, and inform him of the organization of the Legislature, and of its readiness to receive any communication he may think proper to make; which proposition was agreed to, and a message sent to the House of Commons, informing them thereof, and naming Messrs. Franklin and Miller of the committee on the part of the Senate.

Mr. Wellborn presented the following resolution, to wit:

Resolved, That a joint select committee of both Houses be appointed to take into consideration the propriety of altering or rescinding the present Joint Rules of the two Houses.

Which being read, and the question thereon, shall the said resolution be adopted? it was determined in the negative.
On motion of Mr. Spaight, 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.

Received from the House of Commons a message, proposing that the two Houses proceed immediately to the election of three Engrossing Clerks, and nominating for the appointment Thomas Dews, Thomas G. Stone, Willis L. Williams, John C. Stedman, Thomas Whitaker, John W. Covington, Nathaniel J. Palmer, James A. Vaughan and Hays P. Shipman; which proposition was agreed to, and a message sent to the House of Commons, informing them thereof, and that the name of Joseph Simpson is added to the nomination; and stating that Messrs. Askew and Marshall are appointed superintendents of the balloting on the part of the Senate. Whereupon a message was received from the House of Commons, stating that Messrs. Wyche and Stedman were appointed to conduct the ballot on their part.

Mr. Hinton of Beaufort announced to the Senate the death of John Silverthorn, Esquire, the Senator elect from the county of Hyde; whereupon, on motion of Mr. Hinton of Beaufort, it was ordered that a writ of election issue to the sheriff of Hyde county, commanding him to hold an election at the several places now prescribed by law in said county, on Wednesday the 2d day of December next, for the purpose of electing some person qualified to fill the vacancy in the Senate occasioned by the death of John Silverthorn aforesaid.

Mr. Sherard moved that the Senate do now proceed to the appointment of the standing committees, pursuant to the rules and orders of the Senate; and the question being taken thereon, it was determined in the affirmative; whereupon a committee of Finance on the part of the Senate was appointed, consisting of Messrs. Davidson, Ward, M'Farland, Wilson, Sneed, Askew, Weilborn and Moseley.

A committee of Claims was appointed, consisting of Messrs. Martin, Leonard, M'Diamid, Matthews, Smith, Montgomery of Hertford, M'Entire and Sherard.

A committee of Propositions and Grievances was appointed, consisting of Messrs. Dick, Miller, Johnson, Williams of Martin, Montgomery of Orange, Beasley, Welch and Dickinson.

A committee of Privileges and Elections was appointed, consisting of Messrs. Franklin, Underwood, M'Neill, Boddie, Pool, Ramsey, Burgin and M'Daniel.

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

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

Mr. Askew, from the committee appointed to conduct the balloting for three engrossing clerks, reported that Thomas Dews and Thomas G. Stone having a majority of the whole number of votes, are duly elected, and that no other person in nomination had a majority of the votes; in which report the Senate concurred; whereupon, on motion of Mr. Marshall, a message was sent to the House of Commons, proposing to ballot again immediately for one engrossing clerk yet to be elected.

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

**WEDNESDAY, NOVEMBER 19, 1829.**

A message was received from the House of Commons, agreeing to the pro-
position of the Senate to ballot again for one engrossing clerk, and stating that the name of Hays F. Shipman is withdrawn from the nomination, and naming Messrs. Simpson and Murphey as superintendents of the ballot ing on the part of that House, whereupon Messrs. Marshall and Askew were appointed a committee to conduct the ballot ing on the part of the Senate.

Mr. Allen presented a bill to erect out of a part of the counties of Burke and Buncombe, a separate and distinct county, which was read the first time and passed; and on motion of Mr. Allen, the said bill, together with the petition accompanying the same, was ordered to be referred to a select committee; which committee consists of Messrs. Allen, Ward, Burgin, Beasley and M'Entire.

Mr. M'Farland presented a bill to establish and incorporate Hickory Grove Academy in the county of Richmond, on the lands of John Carmichael; which was read the first time and passed.

Received from the House of Commons a message from the Governor, accompanied with a proposition from that House that the message be printed, three copies for each member of the Legislature; which proposition was agreed to, and the House of Commons were informed thereof by message.

Mr. Marshall from the committee appointed to conduct the ballot ing for engrossing clerk, reported that no person in nomination had a majority of the votes; in which report the Senate concurred: whereupon, on motion of Mr. Askew, a message was sent to the House of Commons, proposing to ballot again immediately for one engrossing clerk yet to be elected.

Received from the House of Commons a message, agreeing to ballot again immediately for one engrossing clerk, appointing Messrs. Calloway and Branch superintendents of the ballot ing on the part of that House, and stating that the name of Thomas Whitaker is withdrawn from the nomination. Whereupon a message was sent to the House of Commons, stating that Messrs. M'Neill and Davis are appointed to superintend the ballot ing on the part of the Senate.

Mr. Wellborn submitted sundry resolutions, to wit:

1st. Resolved, That so much of the Governor's message as relates to Internal Improvement, be referred to a select committee.

2d. Resolved, That so much of said message as relates to Common Schools and Education, be referred to a select committee.

3d. Resolved, That so much of said message as relates to our Banks, and the currency of the country, 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 Cherokee Lands, be referred to a select committee.

6th. Resolved, That so much of said message as relates to the Map of the State, be referred to a select committee.

7th. Resolved, That so much of said message as relates to the militia and public arms, be referred to a select committee.

8th. Resolved, That so much of said message as relates to amendments of the Federal Constitution, with the accompanying documents and resolutions of various States, be referred to a select committee.

9th. Resolved, That so much of said message as relates to the appropriation of funds by the General Government for the benefit of the Colonization Society, be referred to a select committee.

Which were read and ordered to lie on the table.

Received from the House of Commons a message transmitting the annual report of the Public Treasurer, accompanied with a proposition from that House, that the report be printed, one copy for each member of the Legisla-
Mr. M'Diarmid presented the certificates of allowance made by the County Court of Cumberland in favor of Sherwood Fort and Anne Morrison; which were read, and, on motion of Mr. M'Diarmid, were ordered to be countersigned by the Speaker of the Senate, and sent to the House of Commons.

Mr. M'Neill, from the committee appointed to conduct the balloting for an Engrossing Clerk, reported that no person in nomination had a majority of the votes; in which report the Senate concurred. On motion of Mr. Davis, a message was sent to the House of Commons, proposing to ballot again immediately for an Engrossing Clerk, and stating that the name of James A. Vaughan is withdrawn from the nomination. Whereupon a message was received from the House of Commons, agreeing to the proposition of the Senate, and stating that Messrs. Barringer and Stanly attend the Senate as superintendents of the balloting on the part of that House.

Mr. Matthews presented the resignation of John Holliday, Colonel commandant of the twenty seventh regiment of North Carolina militia; for the county of Greene; which was read and accepted, and sent to the House of Commons.

Mr. Martin gave notice to the Senate that on Monday next, he should ask leave to bring in a bill to establish a Bank on the funds and faith of the State.

Mr. M'Neill, from the committee appointed to conduct the balloting for an Engrossing Clerk, reported that no person in nomination had a majority of the votes; in which report the Senate concurred.

A message was received from the House of Commons, proposing a further balloting for an Engrossing Clerk; which proposition was agreed to, and Messrs. Davis and M'Neill appointed superintendents on the part of the Senate; and the House of Commons were informed thereof by message. Whereupon a message was received, stating that Messrs. Barringer and Stanly were appointed a committee to conduct the balloting on the part of the House of Commons.

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

THURSDAY, NOVEMBER 19, 1829.

Mr. M'Neill, from the committee appointed to conduct the balloting for an Engrossing Clerk, reported that John W. Covington, having obtained a majority of all the votes, is duly elected; in which report the Senate concurred.

The Speaker laid before the Senate a communication from E. R. Hunter, accompanied with sundry documents, contesting the election of Wm. W. Cowper, the Senator returned from the county of Gates. The communication being read, on motion of Mr. Caldwell, the reading of the accompanying documents was dispensed with; and on motion of Mr. Caldwell, ordered that the communication, together with the documents, be referred to the Committee on Privileges and Elections.

On motion of Mr. Martin, the Senate proceeded to consider the resolutions presented on yesterday by Mr. Wellborn and laid on the table; which, after being read, Mr. Martin moved to strike out the third resolution, viz.

"Resolved, That so much of said Message as relates to our Banks and the currency of the country, be referred to a select committee."

And insert as follows, viz:

"And insert as follows, to wit:
Resolved, That a message be sent to the House of Commons, proposing to refer so much of the Governor's Message as relates to the Banks, and the disposition of the funds of the State, to a joint select committee."

And the question being taken on said amendment, it passed in the affirmative.

Mr. Montgomery, of Hertford, moved further to amend the resolutions by adding the following as an additional resolution, to wit:

"Resolved, That so much of the Governor's Message as relates to the cutting an outlet from the Albemarle Sound, be referred to a joint select committee of both Houses."

And the question being taken thereon, it was determined in the affirmative.

Mr. Caldwell moved further to amend the said resolutions, by inserting the word "joint" before the word "select," in the fourth line of the eighth resolution; which was agreed to; and the question then recurring on the adoption of the resolutions as amended, it was determined in the affirmative.

On motion of Mr. Caldwell,

Resolved, That so much of the Governor's Message as relates to the produce annually exported from the State, be referred to a select committee.

On motion of Mr. Dick,

Resolved, That so much of the Governor's Message as relates to the salary of the late Chief Justice Taylor, be referred to the committee of Claims.

On motion of Mr. Sherard,

Resolved, That so much of the Governor's Message as relates to Miss Udney X Blakeley, be referred to the committee of Claims.

On motion of Mr. Mitchell,

Resolved, That so much of the Governor's Message as relates to the construction of roads from the town of Fayetteville to the Yadkin river, be referred to a joint select committee of the two Houses.

Mr. Askew presented the following resolution, to wit:

Resolved, That the Speaker of this House assign a suitable place in the Senate Hall for one or more stenographers.

Which being read, on motion of Mr. Wellborn, it was ordered to lie on the table.

The bill to establish and incorporate Hickory Grove Academy in the county of Richmond, on the lands of John Carmichael, was read the second time and passed.

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

Friday, November 20, 1829.

Colien W. Barnes, the Senator from the county of Northampton, appeared, produced his credentials, was qualified and took his seat.

Mr. Allen presented a bill to discontinue the appropriation of Udney X Blakeley, which was read the first time and passed; and on motion of Mr. Allen, ordered, that the said bill, together with the documents accompanying the Governor's message relative to that subject, be referred to the committee on Claims.

Received from the House of Commons, a message, proposing that the two Houses proceed to ballot on Monday next, for a Judge of the Supreme Court to supply the vacancy occasioned by the death of Chief Justice Taylor, an stating that the names of Thomas Ruffin and John D. Toomer are in nomination for the appointment; whereupon Mr. Wellborn moved to lay the message on the table until to-morrow, which was not agreed to; and the question then recurring on agreeing to the proposition of the House of Commons, it passed in the affirmative; and on motion of Mr. Wellborn, the name...
Henry Seawell, and, on motion of Mr. Matthews, the name of Joseph J. Daniel were added to the nominations; and the House of Commons informed thereof by message.

A message was also received from the House of Commons of the date of yesterday, proposing that the two Houses ballot on to morrow week for a Senator to represent this State in the Senate of the United States, to supply the vacancy occasioned by the resignation of John Branch. Whereupon Mr. Love moved that said message be laid upon the table, which was not agreed to; and the question recurring on agreeing to the proposition, it was decided in the affirmative; and the House of Commons were informed thereof by message.

Mr. Davidson presented the petitions of Henry Huston and Robert Robinson, of Mecklenburg county, praying to be placed on the pension list of the State, in consideration of services performed during the revolutionary war. Ordered that the said petitions be referred to the committee on Propositions and Grievances.

On motion of Mr. Mitchell, a message was sent to the House of Commons, nominating Montfort Stokes, of Wilkes, for the appointment of Senator in the Congress of the United States.

The bill to establish and incorporate Hickory Grove Academy, in the county of Richmond, on the lands of John Carmichael, was read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, proposing to refer so much of the Governor’s message as relates to the Banks and the circulating medium to a joint select committee, consisting of six members on the part of that House, which was agreed to; and, on motion of Mr. Martin, ordered that the committee consist of six members on the part of the Senate. Messrs. Martin, Meares, Wilson, Wellborn, Dick, and Montgomery of Orange, were appointed the said committee.

Received also from the House of Commons a message, proposing to refer so much of the Governor’s message as relates to the opening of a passage between the Albemarle Sound and the ocean to a joint select committee, consisting of six members on the part of that House; which was agreed to; and, on motion of Mr. Martin, ordered that the committee consist of six members on the part of the Senate. Messrs. Montgomery of Hertford, Caldwell, Barnes, Askew, Williams of Franklin, and Dickinson, were appointed the said committee.

Mr. Smith presented the resignation of Elijah Hester, as colonel commandant of cavalry in the 16th brigade of the 3d division; which was read and accepted, and sent to the House of Commons.

Mr. Davidson presented the resignation of Wm. N. Parkes, as colonel commandant of the regiment of cavalry attached to the 11th brigade of the 4th division of North Carolina militia; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons the following resignations, to wit: The resignation of John Kendall, of the county of Montgomery; the resignation of Stephen Outerbridge, of the county of Martin; the resignation of Nathan York, of the county of Randolph; the resignation of John Little, of the county of Montgomery; the resignation of George Dickey of the county of Macon; the resignation of John Sanders, of the county of Johnston; the resignation of Lindsey F. Cagle, of the county of Montgomery; the resigna-
tion of Elijah Dever, of the county of Haywood; the resignation of James Tyre, of the county of Pitt; the resignation of John Harrell, jr, of the county of Tyrrell; the resignation of Ab-alom Scales, of the county of Stokes; the resignation of Henry Brown, of the county of Surry; the resignation of Joseph Brown, of the county of Greene; the re-ignation of John Faulk, of the county of Columbus; the resignation of Cyrus P. Conley, of the county of Burke; the resignation of Isham Sowls, of the county of Columbus; and the resignation of Jacob Powell, of the county of Columbus, Justices of the Peace for their respective counties; also the resignation of Samuel C. Tate, lieutenant colonel of the 79th regiment of North Carolina militia; the resignation of Joseph Cathey, as colonel commandant of the first regiment of Haywood county militia; and the resignation of Jacob Smith, lieutenant colonel of the first regiment of Haywood county militia; endorsed in that House, "read and accepted;" and which were severally read and accepted by the Senate.

The Senate then adjourned until to-morrow. 10 o'clock.

SATURDAY NOVEMBER 21, 1829

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill, entitled "A bill to establish and incorporate Hickory Grove Academy, in the county of Richmond, on the lands of John Carmichael;" in which they ask the concurrence of that House.

The following persons were appointed on the several select committees ordered on the message of the Governor, in pursuance of Mr. Wellborn's resolutions, and the amendments thereto, to wit:

On the first resolution, Messrs. Franklin, Burns, Burney, Caldwell and M'Entire.
On the second resolution, Messrs. Sneed, Hinton of Wake, Smith, Barnes, and Williams of Martin.
On the fourth resolution, Messrs. Meares, Miller, Dick, Marshall and Moseley.
On the fifth resolution, Messrs. Love, Allison, Allen, Budde and Burgin.
On the sixth resolution, Messrs. M'Diarmaid, M'oye, Leonard, Bell and Moore.
On the seventh resolution, Messrs. Ward, Etheridge, Underwood, Beasley and Hoke.
On the eighth resolution, Messrs. Spaight, M'Farland, Davenport, Williams of Franklin, and Matthews.
On the ninth resolution, Messrs. Davidson, Hinton of Beaufort, Riddick, Harris and Crump.
On the amendatory resolution submitted by Mr. Mitchell, Messrs. Mitchell, Ramsey, Melebor, M'Neill and Brower.
On the amendatory resolution submitted by Mr. Caldwell, Messrs. Caldwell, Sanders, Sherard, Davis and M'Daniel.

Mr. Spaight presented the certificate of Craven County Court in favor of Thomas Ewell, Christopher Bexley, and captain John Rhem, pensioners of the State; which was read and ordered to lie on the table.

Mr. M'Farland presented a bill for altering the time of appointing overseers of roads in the county of Richmond; which was read the first time and passed.

Mr. Wellborn presented a bill to authorise and direct the Supreme Court to be held in the several places therein directed; which was read the first time and passed.

Received from the House of Commons a message, proposing that a joint select committee be raised, consisting of the members representing the several counties composing the third judicial circuit, whose duty it shall be to inquire if any, and what alteration is necessary, as regards the present organization of said circuit, and that they report by bill or otherwise; which
proposition was agreed to, and the House of Commons informed thereof by message.

Mr. Franklin, from the committee on Privileges and Elections, to whom was referred the petition of E. R. Hunter, of the county of Gates, with its accompanying documents, praying that the seat of Wm. W. Cowper, the Senator from the county of Gates, may be vacated, made a report thereon, recommending that the prayer of the petitioner be rejected; in which report the Senate concurred.

On motion of Mr. Martin, Resolved: That the Judiciary committee be instructed to enquire into the expediency of consolidating and amending the road laws of this State, with leave to report by bill or otherwise.

Received from the House of Commons a message, proposing to refer the following subjects, referred to in the Governor's message to the Legislature, to select joint committees, to wit: So much thereof as relates to the public documents on the subject of Slavery, and the constitutional power of the Congress of the United States to appropriate money in aid of the Colonization Society; so much thereof as relates to State rights and the Tariff acts, and the Constitutional authority of Congress to impose a Tariff of duties with a view to the protection of Manufactures; and so much thereof as relates to the right of Congress to adopt a system of Internal Improvement, and to appropriate money for purposes of Internal Improvement; which, after being read, was, on motion of Mr. Wellborn, ordered to lie on the table.

Mr. Hoke presented the petition of Richard T. Brumley, of Lincoln county, praying that a law may be passed to authorize him to erect a gate on his own lands, across the road leading from Statesville to Lincolnton, by the Buffalo Shoal ford. Mr. Hoke also presented a bill to carry the prayer of the said petitioner into effect; which was read the first time and passed. Ordered that the said bill, together with the accompanying petition, be referred to the committee on Propositions and Grievances.

Mr. Franklin presented the following resolutions, to wit:

Resolved, That our Senators in Congress be instructed, and our Representatives requested, to use their utmost endeavors to procure the extinguishment of the Indian claims to all their lands in the State of North Carolina.

Resolved, That our Senators in Congress be instructed, and our Representatives requested, to use their utmost endeavors to procure the repeal of the Salt tax.

Which, after being read, were, on motion of Mr. Franklin, ordered to lie on the table.

On motion of Mr. Caldwell,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of modifying the punishment affixed by law to the crime of Bigamy.

On motion of Mr. Sneed,

Resolved, That the documents accompanying the message of the Governor, at the last session, in relation to a Lunatic Asylum, and which were ordered to be filed in the State Library, be referred to a joint select committee.

On motion of Mr. Davidson,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of allowing an addition in the distribution of the acts of the General Assembly, of one copy to each of the coroners, trustee, commissioner of public buildings, county surveyor, register and ranger, in the several counties in this State; and that they report by bill or otherwise.

Mr. Allen, from the select committee to whom was referred a bill to erect out of a part of the counties of Burke and Buncombe a separate and distinct county, made a detailed report thereon, recommending the passage of said bill into a law. Whereupon, on motion of Mr. Allen, ordered that the said
bill be laid upon the table until Tuesday next, and that the report be printed, one copy for each member of the General Assembly.

On motion of Mr. Williams of Martin, ordered that a message be sent to the House of Commons, stating that the name of Samuel P. Carson is added to the nomination for Senator in Congress.

Mr. Boddie presented the resignation of Azariah King, a justice of the peace for the county of Nash; which was read and accepted, and sent to the House of Commons.

Mr. Brower presented the resignation of Thomas Marley, a justice of the peace for the county of Randolph; and Mr. Marshall presented the resignation of Alexander W. Brandon, a justice of the peace for the county of Anson; which were read and accepted, and sent to the House of Commons.

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

MONDAY, NOVEMBER 23, 1829.

Mr. Pool presented a bill providing for the repair of certain roads therein mentioned, which was read the first time and passed, and, on motion of Mr. Pool, ordered to be referred to the committee on Internal Improvement.

Mr. Miller presented the following resolutions, to wit:

Resolved, That so much of the Governor's Message as relates to the division of the State into smaller judicial districts, be referred to a joint select committee.

Resolved further, That said committee be instructed to inquire into the expediency of so modifying the present Supreme Court, as that the judges of that court shall perform judicial circuits.

Resolved further, That the said committee be instructed to inquire into the expediency of so changing the Supreme Court as to provide for the holding of the said court by a greater number of judges.

Resolved further, That the said committee be instructed to inquire into the expediency of making some provision by law for the holding of courts in the recess of the regular sessions of the Superior Courts, for the trial of criminal cases, when the same cannot be tried at the regular session of the courts of the county.

Which, after being read, Mr. Caldwell moved that the said resolutions be laid upon the table; which was not agreed to; and the question recurring on the adoption of said resolutions, it was decided in the affirmative; and Messrs. Miller, Caldwell, Meares, Spaight and Dick were appointed to form said committee.

Mr. Miller moved that a message be sent to the House of Commons, proposing to postpone until Monday next the balloting for a Judge of the Supreme Court; which was not agreed to. Whereupon, on motion of Mr. Martin a message was sent to the House of Commons, stating that Messrs. Meares and Franklin attend that House as superintendents of the balloting for a Judge of the Supreme Court as heretofore agreed upon.

Mr. Love presented a bill to amend an act, entitled an act for the relief of certain purchasers of the Cherokee lands, passed in the year 1825; which was read the first time and passed.

Mr. M'Farland presented a bill for the education of the poor children of the State of North Carolina; which was read the first time and passed, and, on motion of Mr. M'Farland, ordered to be referred to the committee on Education.

Mr. Montgomery, of Orange, presented a bill to vest the right of electing sheriffs in the several counties within this State in the free white men thereof; which was read the first time and passed.

Received from the House of Commons a message, of the date of Saturday
last, stating that the name of Archibald D. Murphey is added to the nomination for a Senator in the Congress of the United States.

Received also from the House of Commons a message, proposing that the document accompanying the Governor's message, containing a plan of primary schools in this State, as prepared by a citizen thereof, be printed, one copy for each member of the Legislature; which proposition was agreed to, and the House of Commons informed thereof by message.

A message was also received from the House of Commons, agreeing to the proposition of the Senate, "that so much of his excellency the Governor's message as relates to the construction of a road from the town of Fayetteville to the Yadkin river, be referred to a joint select committee," and stating that Messrs. M'Neill, Murchison, Bogle, Hough and Calloway form the committee on the part of that House.

Mr. Hinton, of Beaufort, presented a bill providing compensation for the jurors of the county of Beaufort; which was read the first time and passed.

Received from the House of Commons a message, stating that Messrs. Wyche and Simpson attend the Senate as superintendents of the balloting for a Judge of the Supreme Court, on the part of that House.

Mr. Allen presented a bill to restore to credit John Griffith, jr. of the county of Buncombe; which was read the first time and passed, and, on motion of Mr. Allen, ordered that the said bill, together with the petition accompanying the same, be referred to the committee on Propositions and Grievances.

Mr. Martin presented a bill to establish a bank in behalf of, and for the benefit of the State; which was read the first time and passed, and, on motion of Mr. Wellborn, ordered that the said bill be laid upon the table and be printed, one copy for each member of the General Assembly.

Mr. Meares, from the committee appointed to conduct the balloting for a Judge of the Supreme Court, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

On motion of Mr. M'Farland, ordered that the bill for the education of the poor children of the State of North Carolina, be printed, one copy for each member of the Legislature.

On motion of Mr. Spaight, ordered that the bill to authorise and direct the Supreme Court to be holden in the several places therein directed, be referred to the committee on the Judiciary.

A message was received from the House of Commons, proposing that another balloting be had immediately for a Judge of the Supreme Court; which proposition was agreed to, and Messrs. Franklin and Meares appointed a committee to conduct the balloting on the part of the Senate; and the House of Commons were informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Wheeler and Simpson are appointed superintendents of the balloting on the part of that House.

Received from the House of Commons a message, proposing that a select joint committee be appointed, to whom shall stand referred all the papers and documents relating to a Penitentiary and Lunatic Asylum, which were presented to the Legislature by the late Governor Iredell; and that said committee duly consider the propriety of building a Penitentiary in this State, and shall have leave to report by bill or otherwise; which proposition was agreed to, and Messrs. Sneed, Meares, Pool, M'Daniel and Moore were appointed to form said committee on the part of the Senate; and the House of Commons were informed thereof by message.
A message was also received from the House of Commons, stating that the name of William B. Meares, of Wilmington, is added to the nomination for a Senator in the Congress of the United States.

Received also a message from the House of Commons, stating that they have appointed Messrs. Polk, O'Brien and Webb to constitute, on their part, the joint select committee on the Public Library, in pursuance of the Joint Rules.

The bill for altering the time of appointing overseers of roads in the county of Richmond, was read the second and third times and passed, and ordered to be engrossed.

A message was received from the House of Commons, proposing that so much of the Governor's message as relates to the purchase of slaves for the use and benefit of the State, for works of internal improvement, be referred to a joint select committee; that said committee be instructed to inquire into the expediency or inexpediency of purchasing such a number of slaves that may be divided and distributed to the different stations now in operation under the control of the Board of Internal Improvement; which proposition was agreed to, and Messrs. Miller, Burns, Wilson, Barnes and Caldwell were appointed to form said committee on the part of the Senate and the House of Commons were informed thereof by message.

Received from the House of Commons the certificates of allowance made by the county court of Cumberland, in favour of Sherwood Fort and Ann Morrison, endorsed in that House, "read and ordered to be countersigned by the Speaker of the House of Commons."

Received also the resignations of William Orr, colonel commandant John Clayton, lieutenant colonel; and Gideon Stephens, major, of the first regiment of Buncombe county militia, endorsed in that House, "read and accepted," and which were severally read and accepted by the Senate.

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

Tuesday, November 24, 1829.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill entitled a bill for altering the time of appointing overseers of roads in the county of Richmond; in which they ask the concurrence of that House.

Mr. Meares, from the committee appointed to conduct the balloting for Judge of the Supreme Court, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Received from the House of Commons a message, proposing that another balloting be had immediately for a Judge of the Supreme Court, and stating that the name of Joseph J. Daniel is withdrawn from the nomination; which proposition was agreed to; and, on motion of Mr. Wellborn, the name of Henry Seawell was withdrawn from the nomination. Whereupon a message was sent to the House of Commons, stating that Messrs. Davidson and Sneed attend that House as superintendents of the balloting on the part of the Senate. Whereupon a message was received, stating that Messrs. Wilson and Jones attend the Senate as superintendents of the balloting on the part of the House of Commons.

Mr. Spaight moved that the certificate of allowance from the County Court of Craven in favor of Thomas Ewell, Christopher Bexley and Captain John Rhelm, be now taken up; which was agreed to; and, on motion of Mr
right, ordered that it be countersigned by the Speaker of the Senate; which was accordingly done, and the certificate sent to the House of Commons.

Mr. Boddie presented the following preamble and resolutions, to wit:

Whereas, agreeably to an act, passed in the year 1784, chapter 226, and an act, passed in the year 1789, chapter 308, heirs and devisees have the right of selling the real estate which may have descended to the heirs or devisees of any deceased person before the estate of such deceased person is settled, (or before said acts is issued against the heirs and devisees,) although the heirs or devisees may at the time be insolvent, to the great injury of honest creditors:

Therefore be it resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending said acts of 1784 and 1789, as to prevent heirs or devisees from selling the real estate of deceased persons before such estate is settled, within the time limited by law; and that they report by bill or otherwise.

Which was read, and the question being taken on the adoption thereof, was decided in the affirmative.

Received from the House of Commons a message, stating that they have pointed on the part of that House the following persons to compose the several select joint committees ordered on the Governor's message, to wit:

On so much of said message as relates to the opening of a passage between the James River and the Ocean, Messrs. Haughton, Graham, Kerr, Wheeler, Sawyer and Blair.

On so much of said message as relates to the Banks and circulating medium, Messrs.ston, Fisher, Eccles, Gary, Swain and Carson.

On so much of said message, and the accompanying documents, as relates to slavery of the Colonization Society, Messrs. Hill of Wilmington, Wilson of Caswell, Newland, orden and Russell.

On so much of said message, and the accompanying documents, as relates to State rights and the Tariff, Messrs. Bynum, Nash, Mhoon, Hough and Loretz.

On so much of said message, and the accompanying documents, as relates to the right of Congress to carry on internal improvements, Messrs. Fisher, Moore, Bethell, assor and Stedman.

Received also a message from the House of Commons, stating that they are appointed on their part a committee on Enrolled Bills, consisting of Messrs. Barringer, Green, Lilly and Webb.

Received also a message from the House of Commons, stating that Messrs. Laird, Smallwood, J. J. Gause, A. M'Neil, Green, Wyche, E. Alexander and Stokes form the committee of Finance on the part of that House.

Mr. Bell presented a bill to authorise the Court of Pleas and Quarter Sessions of Camden county to appoint a committee of finance; which was read the first time and passed.

Mr. Allen presented a bill to amend an act, passed A. D. 1828, entitled a act to allow compensation to jurors of the original pannel in the county of Buncombe; which was read the first time and passed.

Received from the House of Commons a message, proposing that the reports of the commissioners appointed under a resolution of the last General Assembly, on the claim of the State against the United States, and the old land accounts on the books of the Comptroller's office, be referred to a select joint committee, and be printed, one copy for each member of the Assembly; which, on motion of Mr. Franklin, was ordered to lie upon the table.

Mr. Beasly presented "a bill for the protection of the bridge across Scuppernong river, at Columbia, in Tyrrell county;" which was read the first time and passed.

On motion of Mr. Montgomery of Orange, ordered that the bill to vest the
right of electing sheriffs in the several counties within this State, in the free white men thereof, be printed, one copy for each member of the Legislature.

Received from the House of Commons a message, proposing that the two Houses ballot on to-morrow for a Major General of the 4th division of N. C. militia, stating that the names of Thomas G Polk and John N. Phifer, are in nomination. Whereupon, on motion of Mr. Melchor, it was ordered that the message be laid upon the table.

The bill providing compensation for the jurors of the county of Beaufort, was read the second time and passed, and being read the third time, it was amended, on motion of Mr. Ward, by inserting the words "and Onslow" immediately after the word Beaufort in the caption of said bill; and, on motion of Mr. Montgomery of Hertford, it was ordered to be laid upon the table until to morrow.

Mr. Sneed, from the committee appointed to conduct the balloting for a judge of the Supreme Court, reported that Thomas Ruffin, having received a majority of all the votes, is duly elected; in which report the Senate concurred.

The bill to erect out of a part of the counties of Burke and Buncombe a separate and distinct county, was taken up, and, on motion of Mr. Allen, ordered that the said bill be laid upon the table until to morrow, and be committed to a committee of the whole house.

Mr. Caldwell presented the following resolution, to wit:

Resolved, As the opinion of this Legislature, that Congress, under the Constitution possesses power to make improvements of national concern, and to appropriate the public funds towards the promotion of the general welfare.

And the resolution being read, on motion of Mr. Caldwell, it was ordered to lie on the table. Mr. Martin moved that the said resolution be printed and one copy for each member of the Legislature; and the question being taken thereon, it was decided in the negative.

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

WEDNESDAY, NOVEMBER 25, 1829.

A motion was made by Mr. Wellborn to reconsider the vote taken yesterday on the proposition to print the resolution submitted by Mr. Caldwell, and on the question will the Senate reconsider the said vote? it passed in the affirmative. Whereupon, on motion of Mr. Wellborn, ordered that the said resolution be printed, one copy for each member of the Legislature.

On motion of Mr. Davidson, ordered that a message be sent to the House of Commons, proposing that the two Houses proceed to ballot at their meeting on to morrow morning for a Solicitor of the 6th Judicial Circuit; and stating that the name of William Julius Alexander is in nomination for the appointment; and, on motion of Mr. Askew, the name of Anderson Mitchell was added to the nomination.

Mr. Sneed presented the following resolution, to wit:

Resolved, That the committee of Finance be authorised and instructed to burn such amount of the Treasury Notes in the Treasurer's office as they may consider unfit for circulation, and that they report the amount to the Legislature.

Which was read the first time and passed; and, on motion of Mr. Sneed, ordered that the rule of the Senate requiring all resolutions, the object of which is to draw money from the Public Treasury, to be read three times on three several days, be dispensed with so far as regards this resolution.
Whereupon the resolution was read the second and third times and passed and ordered to be engrossed.

Mr. Williams of Martin, from the committee of Propositions and Grievances, to whom was referred the petition of John Griffith, jr. of the county of Buncombe, praving to be restored to credit, made a report thereon, recommending that the prayer of the said petitioner be rejected; in which report the Senate concurred.

Received from the House of Commons a message, stating that the name of John R. Donnell, of Newbern, is added to the nomination for Senator in Congress.

The Senate entered on the orders of the day, on the bill to erect out of a part of the counties of Burke and Buncombe a separate and distinct county; and the bill being read the second time, on motion of Mr. Sneed, ordered that the further consideration of that bill be postponed until to morrow.

Mr. Moore presented a bill directing the manner, &c. in which Justices of the Peace shall hereafter be appointed; which was read the first time and passed.

Mr. Love presented a bill to repeal so much of an act, passed in the year 1827, entitled "an act to keep open the Tuckasegee river, the Tennessee river, and their tributary streams, in the county of Haywood," so far as relates to Catugajay creek, now in the county of Macon; which was read the first time and passed.

Mr. Moye presented a bill to amend an act, passed A. D. 1828, entitled "an act to alter the time and places of holding the elections in Greene county," which was read the first time, and, on motion of Mr. Miller, ordered to lie on the table.

Mr. Hinton, of Beaufort, presented a bill making provision, in certain cases, for the widows of intestates; which was read the first time and passed, and, on motion of Mr. Hinton of Beaufort, ordered that it be referred to the committee on the Judiciary.

On motion of Mr. Franklin, ordered that William W. Cowper, the Senator from the county of Gates, have leave to withdraw the papers submitted by him to the committee on Privileges and Elections, in the case of the contested election between himself and E. R. Hunter.

On motion of Mr. Hinton of Wake, ordered that a message be sent to the House of Commons, stating that the name of James Graham is added to the nomination for Solicitor of the 6th Judicial Circuit.

The bill providing compensation for the jurors of the counties of Beaufort and Onslow was read the third time. Whereupon, Mr. Montgomery of Hertford moved to amend it by inserting the word "Hertford" immediately after the word "Onslows" and Mr. Miller moved further to amend said bill by inserting the word "Duplin" in the title thereof; which amendments were agreed to.

Mr. Spaight moved further to amend said bill, by adding the following as an additional section, to wit: "Be it further enacted, that the provisions of this act shall not extend to persons living without the limits of said counties;" and the question being taken thereon, it was determined in the negative. Whereupon the said bill passed the third reading as amended, and was ordered to be engrossed.

On motion of Mr. M'Diarmid,

Resolved, That the Judiciary committee be instructed to inquire into the expediency...
of amending the law, so as to enable creditors to proceed to collect their debts out of the property of persons who die intestate, when letters of administration are not granted within a limited time; and that they report by bill or otherwise.

Mr. Allen presented a bill to amend an act, passed in the year 1826 entitled "an act to establish and regulate a turnpike road in the counties of Rutherford and Buncombe;" which was read the first time and passed.

Mr. Harris presented a bill, designating the place where the first regiment of the militia of Davidson county shall hereafter hold their musters; which was read the first time and passed.

Mr. Allison presented a bill to revive an act, passed in the year 1828, entitled "an act to authorise the committee of Finance of Iredell county to settle with the town commissioners of the town of Statesville;" which was read the first time and passed.

On motion of Mr. Caldwell, ordered that John M. Dick, the Senator from the county of Guilford, have leave of absence from and after this day, including Friday next.

Mr. Montgomery, of Hertford, presented the following preamble and resolution, to wit:

Whereas much inconvenience and unnecessary expenditure of public money has been the result of trying free negroes and mulattoes by a jury; to remedy which,

Be it resolved, That the Judiciary committee be instructed to inquire into the expediency of passing a law to constitute three justices of the peace, in any county in this State, a competent tribunal to try free negroes and mulattoes for all offences against the State, other than capital, without the intervention of a jury; and that they report by bill or otherwise.

On motion of Mr. Matthews,

Resolved, That Robert Ray be directed to employ some person to assist him as Door-keeper of this House, during the sickness of Thomas B. Wheeler, and he be allowed a sum not exceeding one dollar per day.

On motion of Mr. Wellborn, ordered that the rule of the Senate requiring all resolutions, the object of which is to draw money from the Treasury, to be read three times, be dispensed with, so far as regards this resolution.

The bill to authorise the Court of Pleas and Quarter Sessions of Camden county to appoint a committee of Finance; the bill to amend an act, passed A. D. 1828, entitled an act to allow compensation to jurors of the original pannel in the county of Buncombe; and the bill for the protection of the bridge across Scuppernong river at Columbia, in Tyrrell county, were severally read the second time and passed.

The Senate proceeded to consider a bill to amend an act, entitled an act for the relief of certain purchasers of the Cherokee lands, passed in the year 1825; and, on motion of Mr. Askew, ordered that the said bill be laid upon the table, and that it be made the order of the day for Saturday next.

Received from the House of Commons the following resolutions, to wit: the resignation of D. Tate, colonel commandant of the 48th regiment North Carolina militia; the resignation of James Ratliff, jr. lieutenant colonel of the 1st Anson regiment of North Carolina militia; the resignation of David Russell, a justice of the peace for the county of Haywood; and the resignation of Joshua Walters, a justice of the peace for the county of Anson, endorsed in that house "read and accepted," and which were severally read and accepted by the Senate.

And the Senate adjourned until to-morrow, 10 o'clock.
THURSDAY, NOVEMBER 26, 1829.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill entitled a bill to provide for the compensation of the jurors of the counties of Beaufort, Onslow, Hertford and Duplin; in which they ask the concurrence of that house.

Mr. Martin, from the committee on Claims, to whom was referred that part of the Governor's Message which relates to the salary of the late Chief Justice Taylor, made a report thereon, accompanied by the following resolution, to wit:

Resolved, That the Treasurer be, and he is hereby authorised and directed to pay to the legal representatives of John Louis Taylor, deceased, late Chief Justice of this State, the sum of twelve hundred and fifty dollars, out of any monies in the Treasury not otherwise appropriated, in consideration of his services during the current year.

Which was read the first time and passed.

Received from the House of Commons a message of the date of yesterday, stating that they agree to the proposition of the Senate to ballot on to-morrow morning for a Solicitor of the 6th Judicial Circuit, to supply the vacancy occasioned by the death of the late Joseph Wilson, Esquire. Whereupon a message was also received, stating that Messrs. Shipp and Long attend the Senate as superintendents of the balloting on the part of the House of Commons Whereupon Messrs. Mosely and Marshall were appointed a committee to conduct the said balloting on the part of the Senate, and the House of Commons informed thereof by message.

The Senate proceeded to consider the bill to erect out of a part of the counties of Burke and Buncombe a separate and distinct county; when, on motion of Mr. Caldwell, ordered that said bill be laid upon the table, and that it be made the order of the day for Tuesday next.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to provide for the payment of jurors in the counties of Rowan and Wake and for other purposes; and a bill concerning the patrols of Richmond county; in which they ask the concurrence of the Senate; which bills were read the first time and passed.

Mr. Miller presented the following resolution, to wit:

Resolved, That the Public Treasurer be authorised, and he is hereby requested, to make a report to this present General Assembly, what in his opinion would be the best way of investing the stock and funds of the State.

And the resolution being read, on motion of Mr. Meares, ordered that the said resolution be laid upon the table.

Mr. Allison presented a bill to authorise the justices of the peace of Iredell county to purchase a tract of land, and erect thereon such buildings as will be suitable for the comfortable accommodation of the poor of the county; which was read the first time and passed.

The Senate proceeded to consider the bill to vest the right of electing sheriffs in the several counties within this State in the free white men thereof; when, on motion of Mr. Montgomery of Orange, ordered that the said bill be laid upon the table, and that it be made the order of the day for Wednesday next.

Mr. Marshall, from the committee appointed to conduct the balloting for a Solicitor of the 6th Judicial Circuit, reported that no person in nomination has received a majority of the votes; in which report the Senate concurred.

On motion of Mr. Mosely, ordered that a message be sent to the House of Commons, proposing that another balloting take place immediately for a Se-
licitor in the 6th Judicial Circuit. Whereupon a message was received from the House of Commons, stating that they agree to the proposition of the Senate, and that Messrs. Shipp and Long attend the Senate as superintendents of the balloting on the part of that house. Messrs. Mosely and Marshall were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

On motion of Mr. Sneed,

Resolved, That a select committee be appointed to inspect and examine into the condition of the office of the Clerk of the Senate, and that they make report thereof to this house.

Mr. Mosely, from the committee appointed to conduct the balloting for a Solicitor of the 6th Judicial Circuit, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Received from the House of Commons a message, proposing that another balloting be immediately had for a Solicitor of the 6th Judicial Circuit; which proposition was agreed to, and Messrs. Mosely and Marshall were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons informed thereof by message. Whereupon a message was received, stating that Messrs. Shipp and Long were appointed superintendents of the balloting on the part of the House of Commons.

The engrossed bill to provide for the payment of jurors in the counties of Rowan and Wake, and for other purposes, being read the second time, Mr. Miller moved to amend the said bill by inserting the word "Duplin" after the word "Rowan," in the fourth line of the first section; and Mr. Crump moved further to amend the said bill by inserting the word "Montgomery" immediately after the word "Wake," in the fifth line of the first section; which amendments were agreed to. The bill was thereupon read the second time as amended, and passed.

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

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of amending the law, so as to permit persons to enter vacant Swamp and Marsh lands, where there is not a greater quantity than 640 acres vacant in any one Swamp, and that they report by bill or otherwise.

Which being read, Mr. Miller moved an amendment, by striking out the whole of said resolution, and inserting the following, to wit:

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of altering the law as regards the entry of vacant lands.

Which amendment was agreed to, and the question being taken on the adoption of the resolution as amended, it passed in the affirmative.

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

The bill to authorise the justices of the peace of Iredell county to purchase a tract of land, and erect thereon such buildings as will be suitable for the comfortable accommodation of the poor of the county; the bill to revive an act, passed in the year 1828, entitled an act to authorise the committee of Finance of Iredell county to settle with the town commissioners of the town of Statesville; the bill to repeal so much of an act, passed in the year 1827, entitled an act to keep open the Tuckaseerge river, the Ten- nessee river, and the tributary streams, in the county of Haywood as far as relates to the Catugajay creek, now in the county of Macon; and the bill designating the place where the first regiment of the militia of Davidson county shall hereafter hold their muster, were severally read the second and third times and passed, and ordered to be engrossed.
The bill to amend an act, passed A. D. 1828, entitled an act to allow compensation to jurors of the original panel in the county of Buncombe; the bill to authorise the Court of Pleas and Quarter Sessions of Camden county to appoint a committee of finance; and the bill for the protection of the bridge across Scuppernong at Columbia, in Tyrrell county, were severally read the third time and passed, and ordered to be engrossed.

Mr. Moore presented the following resolution to wit:
Resolved, That in case an increased amount of Treasury notes for payment, together with the contingent charges of government for the next fiscal year, shall reduce the funds of the Treasury so low as to require aid before the receipt of the revenue of the ensuing year, the Public Treasurer is, and shall hereby be authorised to obtain loans from the State Bank, on the deposit of Treasury notes or otherwise.

And the resolution being read on motion of Mr. Miller, ordered that it be referred to the committee on Finance.

Received from the House of Commons the resignation of Bryant Wooten, a justice of the peace for the county of New Hanover, endorsed in that House "read and accepted;" which was also read and accepted by the Senate.

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

FRIDAY, NOVEMBER 27, 1829.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to revise an act, passed in the year 1828, entitled an act to authorise the committee of Finance of Iredell county to settle with the commissioners of the town of Statesville; a bill to amend an act, passed A. D. 1828, entitled an act to allow compensation to jurors of the original panel of the county of Buncombe; a bill to authorise the Court of Pleas and Quarter Sessions of Camden county to appoint a committee of Finance; a bill to repeal so much of an act, passed in the year 1827, entitled an act to keep open the Tuckasegee river, the Tennessee river and their tributary streams, in the county of Haywood, so far as relates to the Catagajay creek, now in the county of Macon; a bill for the protection of the bridge erected across Scuppernong river at Columbia, in Tyrrell county; a bill to authorise the justices of the peace of Iredell county to purchase a tract of land, and erect thereon such buildings as will be suitable for the comfortable accommodation of the poor of the county; and a bill designating the place where the first regiment of the militia of Davidson county shall hereafter hold their musters; in which they ask the concurrence of the House of Commons.

Mr. Mosely, from the committee appointed to conduct the balloting for a Solicitor of the 6th judicial circuit, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

Received from the House of Commons a message, proposing that another balloting be had immediately for a Solicitor of the 6th judicial circuit; which proposition was agreed to, and Messrs. Moore and Montgomery of Hertford were appointed a committee to superintend the ballotting on the part of the Senate. Whereupon a message was received from the House of Commons, stating that Messrs. Pearson and Bynum attend the Senate as superintendents of the ballotting on their part.

Mr. Love presented the following communication from the Secretary of State, to wit:

To the Honorable the General Assembly of North Carolina.

GENTLEMEN,—An act of the last General Assembly, amongst other duties, directs the S-
secretary of State to have divided into sixty-four parts the public documents in the Governor's Office, the Library and elsewhere, and to transmit to each county in the State their respective parcels, by such conveyances as might be deemed expedient. An attempt was made to comply with the requisitions of said act. No appropriation being made to defray the expenses for transmitting the documents (which are voluminos) to the different counties, I was unable to effect the object of the Legislature. It, therefore, remains for the present General Assembly, should they deem it expedient, to make provision for carrying into effect the object of the act.

Very respectfully, your obedient servant,

W.M. HILL.

Nov. 20th, 1829.

And the communication being read, on motion of Mr. Love, ordered that the said communication be referred to the joint select committee on the Library.

Received from the House of Commons a message, stating that they concur in the resolutions of the Senate, adopted on the 23d instant, proposing to refer the several subjects therein embraced to a joint select committee, and stating that they have appointed Messrs. Gaston, Hill of Wilmington, Nash, Graham and Swain to form said committee on the part of that House.

On motion of Mr. Cowper,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so altering the law relating to deceased insolvent debtors, so as to cause an equal distribution of all their effects among their creditors in proportion to their respective claims; and that they report by bill or otherwise.

On motion of Mr. Williams of Franklin, ordered that a message be sent to the House of Commons, proposing to ballot immediately for a Major General of the 4th division. Whereupon a message was received from the House of Commons, stating that they agree to the proposition of the Senate, and that Messrs. Swain and Smith of Craven attend the Senate as superintendents of the balloting on the part of that House. Messrs. Williams of Martin and Smith were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

The engrossed bill to provide for the payment of jurors in the counties of Rowan and Wake, and for other purposes, being read the third time, Mr. Sneed moved to amend the said bill by inserting the word "Granville" in the fifth line of the first section; and Mr. Underwood moved further to amend the said bill by inserting the word "Sampson" in the fifth line of the first section, and to make the provisions and title of the bill correspond thereto. Whereupon, on motion of Mr. Askew, ordered that the bill be laid upon the table.

Mr. Beasly presented the following resolution, to wit:

Resolved, That the Public Treasurer be instructed to call upon the Cashiers of the different banks of this State for a statement, setting forth the amount of money due their respective banks and branches, by the directors and stockholders of each institution; likewise the amount due by individuals, who are not interested in said institutions; and make a report of the facts to the present General Assembly.

And the resolution being read, Mr. Sneed moved that the further considerations thereof be postponed until to morrow; which was agreed to.

On motion of Mr. Franklin, the Senate proceeded to consider the message received from the House of Commons on the 23d instant, proposing that the report of the commissioners appointed under a resolution of the last General Assembly, on the claim of the State against the United States, and the old standing accounts on the books in the Comptroller's office, be referred to a select joint committee, and be printed, one copy for each member of the Legislature; and the question being taken on concurring with the
proposition from the House of Commons, it was decided in the affirmative. Messrs. Davidson, Welborn, Love, Matthews and Hinton of Beaufort, were appointed to form the committee on the part of the Senate, and the House of Commons were informed thereof by message.

A message was sent to the House of Commons, stating that Messrs. Mitchell, Mosely and Moore are appointed a committee on the part of the Senate on the Public Library, in pursuance of the joint rules of the two houses.

On motion of Mr. Miller, the Senate proceeded to consider the bill to amend an act, passed A. D. 1828, entitled an act to alter the time and places of holding the elections in Greene county; which being read the second time, Mr. Miller moved an amendment, to wit: at the end of the second section insert the following: "And under the same rules and regulations as prescribed by the said act;" which amendment was agreed to; and the bill, as amended, read the second and third times and passed, and ordered to be engrossed.

Mr. Montgomery, of Hertford, from the committee appointed to conduct the balloting for Solicitor of the 6th judicial circuit, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred. Whereupon, on motion of Mr. Montgomery, of Hertford, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for Solicitor of the 6th judicial circuit.

On motion of Mr. Miller, ordered that a message be sent to the House of Commons, proposing to ballot immediately for a Senator in the Congress of the United States, as heretofore agreed upon, and stating that Messrs. Burns and Miller attend the House of Commons as superintendents of the balloting on the part of the Senate.

A message was received from the House of Commons, stating that they agree to the proposition of the Senate to ballot again immediately for Solicitor of the 6th judicial circuit, and naming Messrs. Pearson and Bynum as a committee to conduct the balloting on the part of that House. Whereupon Messrs. Sherard and Williams of Franklin were appointed to conduct the balloting on the part of the Senate.

Received also a message from the House of Commons, stating that they agree to the proposition of the Senate to ballot immediately for a Senator in the Congress of the United States, and naming Messrs. Campbell and Borden as superintendents of the balloting on the part of that House.

Mr. Allen presented the following resolutions, to wit:

Resolved, That the Solicitor of the 6th judicial district of the State of North Carolina be, and he is hereby required to institute an immediate prosecution against Samuel Chunn, of Buncombe county, President of the Buncombe Turnpike Company, for fraudulently becoming a contractor to said company.

Resolved further, That the Public Treasurer be, and he is hereby required to institute in the Superior Court of Law of Buncombe an immediate suit in his own name, in behalf of the State, against Samuel Chunn, of the county of Buncombe, for the sum of five thousand dollars, or more, fraudulently obtained by said Samuel Chunn, under pretence of the above-said contract.

And the resolutions having been read, on motion of Mr. Sneed, ordered that they be laid upon the table.

Mr. Williams, of Martin, from the committee appointed to conduct the balloting for a Major General of the 4th division, reported that Thomas G. Polk having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.
Mr. Sherard, from the committee appointed to conduct the balloting for
Solicitor of the 6th judicial circuit, reported that no person in nomination
had received a majority of votes; in which report the Senate concurred.
Whereupon on motion of Mr. Bell, ordered that a message be sent to the
House of Commons, proposing that another balloting take place immedi-
ately for Solicitor of the 6th judicial circuit.

Mr. Williams, of Martin, from the committee on Propositions and
Grievances, to whom was referred the petition of Robert Robertson, of
Mecklenburg, praying to be placed on the pension list of the State, made a
report thereon, accompanied by the following resolution, to wit:
Resolved, That the prayer of the petitioner be not allowed.

And the question being taken thereon, it was decided in the affirmative.

Mr. Williams, of Martin, from the same committee, to whom was re-
ferred the petition of Henry Houston, of Mecklenburg county, praying to
be placed on the pension list of the State, made a report thereon, accompa-
nied with the following resolution, to wit:
Resolved, That the prayer of the petitioner be allowed.

Mr. Davidson moved that the report and resolution be laid upon the table;
which was not agreed to; and the question recurring on the adoption of the
resolution, it passed in the affirmative.

Received from the House of Commons a message, stating that they agree
to the proposition of the Senate, that another balloting be had immediately
for Solicitor of the 6th judicial circuit, and naming Messrs. Bynum and
Pearson as superintendents of the balloting on the part of that House.—
Whereupon Messrs. Williams of Franklin and Sherard were appointed a
committee to conduct the ballot on the part of the Senate; and the House of
Commons were informed thereof by message.

Mr. Miller, from the committee appointed to conduct the balloting for a
Senator in Congress, reported that no person in nomination had received a
majority of votes; in which report the Senate concurred. Whereupon, on
motion of Mr. Ward, ordered that a message be sent to the House of Com-
mons, proposing that another balloting take place immediately for a Sena-
tor in Congress.

The bill directing the manner, &c. in which justices of the peace shall
heretofore be appointed, was read the second time, and resolved that the
same shall not pass.

Mr. Davidson presented the petition of Thomas Walker, of Mecklen-
burg county, praying payment for certain services performed by him during
the revolutionary war. Ordered that said petition be referred to the com-
nittee on Claims.

The bill to amend an act, passed A. D. 1824, entitled an act to establish
and regulate a turnpike road in the counties of Rutherford and Buncombe,
was read the second time and passed.

On motion of Mr. Miller, the Senate proceeded to consider the resolution
submitted by him on yesterday, proposing to call on the Public Treasurer for
information in regard to the best mode of investing the public funds; and
the resolution being read, it was resolved that the same shall not pass.

Received from the House of Commons a message, stating that they have
passed the engrossed resolution in favor of Absalom Williams, of the coun-
ty of Davidson; in which they ask the concurrence of the Senate. Where-
upon the said resolution was read the first time and passed.

The Senate then proceeded to consider the resolution reported by the
committee of Claims in favor of the representatives of the late Chief Justice Taylor; when, on motion of Mr. Caldwell, ordered that the said resolution lie upon the table.

Received from the House of Commons the certificate of allowance made by the County Court of Craven in favor of Thomas Ewell, Christopher Bexley and Capt. John Rhem, endorsed in that House, "read and ordered to be countersigned by the Speaker of the House of Commons."

Received also from the House of Commons the resignation of John Dargan, Colonel commandant of the second regiment of Montgomery county militia; the resignation of Malcolm Monroe, a justice of the peace for the county of Montgomery; and the resignation of Daniel Cress, a justice of the peace for the county of Cabarrus, endorsed in that House "read and accepted;" and which were severally read and accepted by the Senate.

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

SATURDAY NOVEMBER 28 1829.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill, entitled "a bill to amend an act, passed A. D. 1828, entitled 'an act to alter the time and places of holding the elections of Greene county;' in which they ask the concurrence of that House.

Mr. Williams, of Franklin, from the committee appointed to conduct the balloting for Solicitor of the 6th judicial circuit, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

On motion of Mr. Hinton, of Wake, ordered that William W. Boddie, the Senator from the county of Nash, have leave of absence from the services of the Senate for Monday next.

A message was sent to the House of Commons, stating that Messrs. Caldwell and Dick are appointed a committee on enrolled bills on the part of the Senate in pursuance of the joint rules.

Messrs. Sneed, Davis, Walton, Hinton of Wake, and Boddie were appointed to form the committee on the resolution submitted by Mr. Sneed on the 26th instant, relative to the clerk's office of the Senate.

Received from the House of Commons a message, proposing that another balloting be had immediately for Solicitor of the 6th judicial circuit; which proposition was agreed to, and Messrs. Williams of Franklin, and Moore, were appointed a committee to conduct the balloting on the part of the Senate; and the House of Commons were informed thereof by message.

On motion of Mr. Sneed, the Senate proceeded to consider the resolution submitted by Mr. Beasley on the 27th instant, instructing the Public Treasurer to call upon the Cashiers of the different banks for certain information in relation to the amount due by the directors and stockholders of the said banks, to each institution, also the amount due by individuals, who are not interested in the said institutions; and the said resolution having been read, Mr. Beasley moved to amend it by adding the following, at the end of the said resolution, to wit: "And he is hereby requested to demand from the said Cashiers a further statement exhibiting the true amount of notes secured by a pledge of stock, or other security by the said directors and stockholders." On motion of Mr. Hinton, of Wake, ordered that the said resolution, together with the amendment, be laid upon the table.

Received from the House of Commons a message, stating that Messrs,
Bynum and Pearson attend the Senate as superintendents of the balloting for Solicitor of the 6th judicial circuit on the part of that House.

On motion of Mr. Miller, ordered that a message be sent to the House of Commons, proposing to ballot again immediately for a Senator in Congress.

Mr. Martin, from the committee on Claims, to whom was referred that part of the Governor's message which relates to Miss Udney M. Blakely, together with a bill concerning the same, made a report thereon, accompanied by the following resolution, to wit:

Resolved. That it is inexpedient to continue the annual appropriation made for the education and support of Miss Udney M. Blakely, and that the same be discontinued.

The report and resolution having been read, Mr. Meares moved that they be laid upon the table; which was agreed to.

Mr. Cowper presented a bill to compel the Clerk of the County Court of Pleas and Quarter Sessions of Gates to keep the whole of the records, books, papers, &c. belonging to his office, in the office in Gates court house; which was read the first time and passed.

Mr. Sherard presented the petition of sundry citizens of the counties of Wayne, Edgecomb, Nash and Johnston, praying the erection of a new county out of a part of the said counties of Wayne, Edgecomb, Nash and Johnston. On motion of Mr. Sherard, ordered that the said petition be laid upon the table. Mr. Sherard also gave notice that he should move an amendment to the bill, proposing to erect out of a part of the counties of Burke and Buncombe a separate and distinct county, so as to provide for the erection of a new county out of the aforesaid counties of Wayne, Edgecomb, Nash and Johnston, in compliance with the prayer of the petitioners.

Mr. Leonard presented a bill to make compensation to the jurors of the county of Brunswick; which was read the first time and passed.

Mr. Welch presented a bill to authorise James M'Kee, sheriff of Haywood county, to collect certain taxes therein mentioned; which was read the first time and passed.

Received from the House of Commons a message, stating that they agree to the proposition of the Senate to ballot again immediately for a Senator in Congress, and naming Messrs. Campbell and Long as superintendents of the balloting on the part of that House. Whereupon Messrs. Miller and Burns were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

Mr. Williams, of Martin, from the committee appointed to conduct the balloting for Solicitor of the 6th judicial circuit, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

A message was received from the House of Commons, proposing that another balloting be had immediately for Solicitor of the 6th judicial circuit, and stating that the name of James Graham is withdrawn from the nomination; which proposition was agreed to by the Senate, and Messrs. Williams of Martin, and Moore were appointed a committee to superintend the balloting on the part of the Senate, and the House of Commons were informed thereof by message. Whereupon a message was received, stating that Messrs. Bynum and Pearson attend the Senate as superintendents of the balloting on the part of the House of Commons.
The bill to amend an act, passed A. D. 1824, entitled "an act to establish and regulate a turnpike road in the counties of Rutherford and Buncombe," was read the third time and passed, and ordered to be engrossed.

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 legitimate Alexander Cheshire, of the town of Edenton, and county of Chowan; a bill for the better regulation of the town of Smithville, in Brunswick county; a bill concerning the elections in the county of Carteret; a bill to repeal an act of 1803, chapter 36th, entitled an act to amend an act of Assembly now in force for the better regulation of the town of Morganton; a bill to appoint a committee of Finance for the county of Simpson; a bill appointing trustees for the Union Academy in the county of Duplin; and a bill to alter the names of Ezekiel Harrison Wall and Elizabeth Ann Tabitha Wall, of Columbus county; which bills were severally read the first time and passed, with the exception of the last named bill, which was, on motion of Mr. Wellborn, ordered to lie on the table.

Mr. Williams, of Martin, from the committee appointed to conduct the balloting for Solicitor of the 6th judicial circuit, reported that William J. Alexander, having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

The bill to amend an act, entitled an act for the relief of certain purchasers of the Cherokee lands, passed in the year 1825; and the bill to compel the Clerk of the County Court of Pleas and Quarter Sessions of Gates county to keep the whole of the records, books, papers, &c. belonging to his office, in the office at Gates court house, were read the second time and passed.

Received from the House of Commons a message, stating that they have passed the engrossed bill for altering the time for appointing overseers of roads in the county of Richmond, with an amendment, to wit: after the word county in the 12th line and first section, add the words "shall be transacted at the said April Court," in which amendment the Senate concurred, and the House of Commons were informed thereof by message.

Mr. Burns, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred. Whereupon, on motion of Mr. Ward, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for a Senator in Congress.

The engrossed resolution in favor of Absalom Williams, of the county of Davidson, was read the second time and passed.

Received from the House of Commons a message, agreeing to ballot again immediately for a Senator in Congress, and stating that the name of Archibald D. Murphy is withdrawn from the nominations; and stating further that Messrs. Campbell and Long attend the Senate.
as superintendents of the balloting. Whereupon Messrs. Miller and Burns were appointed a committee to conduct the balloting on the part of the Senate.

Mr. Cowper presented the resignation of Hillory Willey, a justice of the peace for the county of Gates; which was read and accepted, and sent to the House of Commons.

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

MONDAY, NOVEMBER 30, 1824.

A message was sent to the House of Commons, stating that the Senate had passed the engrossed bill, entitled a bill to amend an act, passed A. D 1824, entitled an act to establish and regulate a turnpike road in the counties of Rutherford and Buncombe;" in which they ask the concurrence of that House.

Mr. M'Daniel presented the resignation of Mr. Hardy Perry, a justice of the peace for the county of Jones; Mr. Wilson presented the resignation of D. Bryan, a justice of the peace for the county of Edgecomb; and Mr. Dickinson presented the resignation of Wilkes Brooks, a justice of the peace for the county of Pitt; which were severally read and accepted, and sent to the House of Commons.

Mr. Miller, from the committee appointed to conduct the balloting for Senator in Congress, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred. Whereupon, on motion of Mr. Burgin, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for a Senator in Congress; and, on motion of Mr. Williams of Martin, the name of Samuel P. Carson was withdrawn from the nomination.

Mr. Marshall presented a bill relative to the Wadesborough Academy in Anson county; which was read the first time and passed.

Received from the House of Commons a message, stating that they agree to ballot again immediately for a Senator in Congress of the United States, and informing that Messrs. Polk and Gary attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Davidson and Ward were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

Mr. Wilson, from the Board of Commissioners appointed in virtue of an act of the General Assembly for the representation of the stock of this State in all general meetings of the several Banks in this State, made a detailed report, accompanied by sundry documents; which being read, on motion of Mr. Sneed, ordered that a message be sent to the House of Commons, proposing that the said report, together with the accompanying documents, be referred to a joint select committee on the banks and circulating medium of the State.

The engrossed resolution in favor of Absalom Williams, of the county of Davidson, was read the third time and passed, and ordered to be enrolled.
On motion of Mr. Martin, the Senate proceeded to consider the resolution relative to the banks, submitted by Mr. Beasley on the 27th instant. Whereupon Mr. Beasley moved to withdraw the amendment proposed by him to the said resolution on the 28th instant; which was agreed to. Mr. Beasley further moved to amend the said resolution, by striking out the whole thereof, except the word "resolved," and insert in lieu thereof the following, to wit: "that the Public Treasurer be instructed to call upon the Cashiers of the different banks of this State, their branches and agencies, for a statement setting forth the amount of money due their respective banks and branches by the directors and stockholders of each institution; likewise the amount due by individuals of this State who are not interested in said institutions; and that he is hereby required to call upon the Cashiers of each bank, for a further statement, exhibiting the true amount of notes that are now due to said banks as stock notes or stand secured by pledge of stock, and report the facts to the present General Assembly;" and the question being taken on agreeing to the said amendment, it was decided in the affirmative; and the resolution as amended was adopted and ordered to be engrossed.

Mr. Davidson, from the committee appointed to conduct the ballotting for a Senator in Congress, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

On motion of Mr. Sneed, the Senate proceeded to consider the resolution concerning Samuel Chann, of the county of Buncombe, submitted by Mr. Allen on the 27th instant; and the resolution having been read, Mr. Sneed moved to amend the same, by striking out the whole thereof, except the word "resolved," and to insert the following, to wit: "that the committee on Internal Improvement inquire into the circumstances connected with letting out and undertaking the contracts of the Buncombe turnpike road, and whether the said contracts were taken by persons duly authorised by the law of the State to take the same, and whether there was fraud on the part of the directors or of the undertakers; and that said committee report by bill or otherwise such measures as they shall think just and proper;" and the question being taken on the adoption of the said amendment, it was decided in the affirmative.

On motion of Mr. Martin, ordered that the bill to establish a Bank on behalf of, and for the benefit of the State, be committed to a committee of the whole House, and that it be made the order of the day for Tuesday next.

On motion of Mr. Matthews, the Senate proceeded to consider the report of the committee on Claims relative to the salary of the late Chief Justice Taylor. Whereupon, on motion of Mr. Mitchell, ordered that the said report, together with the resolution accompanying the same, be recommitted to the committee on Claims.

Mr. Allen presented the petition of sundry persons of the county of
Buncombe, praying an appropriation to open a road in said county. 
Ordered, that the said petition be referred to the committee on Internal
Improvements.

On motion of Mr. Bell, ordered that a message be sent to the House
of Commons, proposing that another balloting take place immediately
for a Senator in Congress.

The bill to amend an act, entitled "an act for the relief of certain
purchasers of the Cherokee lands," passed in the year 1825; and the
bill to compel the clerk of the County Court of Pleas and Quarter
Sessions of Gates county to keep the whole of the records, books,
papers, &c. belonging to his office, in the office at Gates court house,
were read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, accompanied by
a message from the Governor, communicating the annual report of the
Board of Internal Improvement, and proposing that the said report
should be printed, one copy for each member of the Legislature; which
proposition was agreed to by the Senate, and the House of Commons
informed thereof by message.

The bill to make compensation to the jurors of the county of Brunswic-
and the bill relative to the Wadesborough Academy, in Anson
county, were read the second and third times and passed, and ordered
to be engrossed.

Received from the House of Commons a message, stating that they
agree to ballot again immediately for a Senator in Congress, and in-
forming that Messrs. Hatch and Buie attend the Senate as superin-
tendents of the balloting on the part of that House. Whereupon Messrs.
Davidson and Ward were appointed a committee to conduct the bal-
loting on the part of the Senate, and the House of Commons were
informed thereof by message.

The engrossed bill concerning the elections in Carteret county, was
read the second time; and, on motion of Mr. Sherard, ordered that a
message be sent to the House of Commons, proposing to refer the said
bill to a joint select committee, consisting of the members composing
the 4th congressional district.

The following engrossed bills, to wit: A bill for the better regulation
of the town of Smithville, in Brunswick county; a bill appointing trus-
ttees for Union Academy, in the county of Duplin; a bill to repeal an
act of 1805, chapter 36th, entitled "an act to amend an act of Assem-
bly now in force for the better regulation of the town of Morgantown;"
and a bill to appoint a committee of Finance for the county of Samp-
son, were severally read the second and third times and passed, and
ordered to be enrolled.

Received from the House of Commons a message, stating that they
have passed the following engrossed bills, in which they ask the con-
currence of the Senate, to wit: A bill to allow compensation to the
jurors of the county of Burke; a bill respecting jurors in the county of
Hyde; a bill for the better regulation of the courts of the county of
Beaufort; also a resolution in favour of Archibald S. Brown; which bills and resolution were severally read the first time and passed.

Received also a message from the House of Commons, stating that they have passed the following engrossed resolutions, in which they ask the concurrence of the Senate, to wit: A resolution in favor of James Riley, of Davidson county; and a resolution requesting the Governor to deliver to the Public Treasurer his check on the Cashier of the State Bank of North Carolina, for the sum of $2,113 90, now in deposite in said bank to the credit of the Governor of the State; which resolutions were read and adopted by the Senate, and ordered to be enrolled.

Mr. Burgin presented a bill to repeal an act, passed A. D. 1823, entitled "an act to appoint commissioners on a part of the road leading from Morganton to Avery's turnpike road, in Burke county; which was read the first time and passed.

The engrossed bill to alter the names of Ezekiel Harrison Wall and Elizabeth Ann Tabitha Wall, of Columbus county, was taken up on motion of Mr. Dick, and read the first time and passed.

The Senate then proceeded to consider the engrossed bill to provide for the payment of jurors in the counties of Rowan and Wake, and for other purposes. Whereupon Mr. Askew moved to amend the said bill by inserting the word "Bertie" and Mr. Moore moved further to amend the said bill by inserting the word "Stokes" in the fifth line of the first section; which amendments were 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 to the amendments.

The engrossed bill to legitimate Alexander Cheshire, of the town of Edenton, and county of Chowan, was read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons the resignations of E. Everitt, a justice of the peace for the county of Beaufort, and of William H. Bryson, a justice of the peace for the county of Macon, endorsed in the House "read and accepted," and which were read and accepted by the Senate.

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

Tuesday, December 1, 1829.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to make compensation to the jurors of the county of Brunswick; a bill relative to the Wadesborough Academy, in Anson county; a bill to amend an act, entitled an act for the relief of certain purchasers of the Cherokee lands in the year 1825; and a bill to compel the clerk of the County Court of Pleas and Quarter Sessions of Gates county to keep the whole of the records, books, &c. belonging to his office in the office at Gates Court House; also a resolution concerning the Banks; in which they ask the concurrence of the House of Commons.
Mr. Ward, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

Received from the House of Commons a message, proposing that another balloting be had immediately for a Senator in Congress; which proposition was agreed to, and Messrs. Sneed and Hinton of Wake were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

On motion of Mr. Wellborn,

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of appropriating a sum of money to aid the inhabitants living on the main road leading from Whitescour to Trap Hill; and from thence to the main State road leading from Jonesville, in Surry county, to the lead mines in Wythe county, in Virginia; and from thence to the salt works and the quarry of plaster parish in Washington county, Virginia; with leave to report by bill or otherwise.

Mr. Wilson presented a bill to repeal so much of an act, passed in the year 1810, as prevents any person from working screeves and nets in Tar river, above the mouth of Fishing creek; which was read the first time and passed.

On motion of Mr. Matthews,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of amending the laws relative to deeds in trust and mortgages, as to give them more publicity; and that they report by bill or otherwise.

Received from the House of Commons a message, stating that Messrs. Newland and Branch attend the Senate as superintendents of the balloting for Senator on the part of that House.

The engrossed resolution in favor of Archibald S. Brown, was read the second time and passed.

On motion of Mr. Caldwell, the Senate entered on the orders of the day, and resolved itself into a committee of the whole House, Mr. Marshall in the Chair, to take into consideration the bill to erect out of a part of the counties of Burke and Buncombe a separate and distinct county; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Marshall reported that the committee had had the said bill under consideration, and had instructed him to report the same without amendment, and recommend that it be passed into a law; and the question being taken on concurring with the report of the committee of the whole, it was decided in the negative—ayes 28, noes 50.

The ayes and noes being demanded by Mr. Martin.


The question then recurring on the passage of the bill at its second reading, Mr. Sherard moved to amend it by adding the following as an additional section, to wit: "And be it further enacted, that all that part of the counties of Wayne, Edgecomb, Nash and Johnston,
tained in the following boundaries, to wit: beginning in the Greene and Wayne line, on the north side of Manhuntey swamp; thence the said Greene and Wayne line across Cotentnea creek; thence with the said Greene and Edgecomb line to the Pitt line, at or near Eleanor Evans; thence a direct line to the Pender place; thence a direct line to Tar river at James Veveret's; thence up said river to the Franklin county line; thence with the said Franklin line to Moccasin creek; thence down said creek to Lee's mile; thence a direct line to where the Raleigh road crosses the Mulatto branch; thence a direct line to Faulk's bridge, across Little river; thence down said river to the mouth of Furnace branch; thence a direct line to Watkins's old mill, across the Great Swamp; thence a direct line to the head of the Marsh branch, a north prong of Manhuntey swamp; thence down said branch to the mouth where it empties into Manhuntey swamp; thence down said swamp to the beginning; be, and the same is hereby erected into a separate and distinct county, by the name of Spaight, with all the rights, privileges and immunities of other counties in this State; and the said amendment having been read, on motion of Mr. Sherard, ordered that the bill, together with the amendment, be recommitted to the select committee who reported the bill.

Mr. Mosely presented the resignation of Geo. Whitfield, a justice of the peace for the county of Lenoir; which was read and accepted, and sent to the House of Commons.

Mr. Sneed, from the committee appointed to conduct the balloting for Senator in Congress, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

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

Wednesday, December 2, 1829.

On motion of Mr. Sherard, ordered that the petition of sundry inhabitants of the counties of Wayne, Edgecomb, Nash and Johnston, praying the creation of a new county, be referred to the select committee on that subject.

On motion of Mr. Martin, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for a Senator in Congress.

Mr. Hoke presented a bill concerning the liability of certain hands in the town of Lincolnton to work on roads; which was read the first time and passed.

On motion of Mr. Love,

Resolved, That the Secretary of State be, and he is hereby authorised to correct an error in a certificate of survey of a tract of land, sold by the commissioners appointed to sell the land lately acquired by treaty from the Cherokee Indians to George Rish for 100 acres and 23 poles, so as to make the same in section No. 74, and District No. 13, instead of section No. 74, and District No. 74, and that when so corrected, he issue a grant thereon, on the Treasurer's receipts, for the full amounts of such purchase being filed with said certificate of survey.

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 more effectually to prevent obstructions of fish up Rocky river, joining Anson county, to the Mecklenburg line; and a bill
amendatory of the law respecting the crime of bigamy; which bills were severally read the first time and passed.

Received from the House of Commons a message, stating that they agree to ballot again immediately for a Senator in Congress, and informing that Messrs. Stedman and Lilly attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Caldwell and Montgomery of Hertford were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

Mr. Love presented a bill to amend the 10th section of an act, passed in the year 1819, entitled "an act prescribing the mode of surveying and selling the lands lately acquired by treaty from the Cherokee Indians;" which was read the first time and passed.

Mr. Dick presented a bill to amend an act, passed in the year 1824, entitled "an act for the better regulation of the town of Greensborough, in Guilford county;" which was read the first time and passed.

Mr. Mosely presented a bill to annex a part of the county of Jones to the county of Lenoir; which was read the first time and passed. Ordered that the said bill and the petition accompanying it, be referred to the committee on Propositions and Grievances.

On motion of Mr. Cowper,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending the law relative to the stay of executions on judgments taken before justices of the peace, so as to exonerate securities to original notes, whenever such executions shall be stayed against the will and consent of the security, and that they report by bill or otherwise.

Mr. Allen presented a bill concerning the Buncombe Turnpike Company; which was read the first time and passed.

Mr. Davidson presented the petition of Hugh M'Cain, of Mecklenburg county, praying the Legislature to allow him the sum of $250, in lieu of that amount of paper currency paid to him in consideration of services performed by him during the revolutionary war. Ordered that the said petition be referred to the committee on Claims.

Mr. Dick presented the petition of Martha W. Patrick, of Greensborough, in Guilford county, praying that an act may be passed securing to her such property as she may hereafter acquire. Ordered that the said petition be referred to the committee on Propositions and Grievances.

Mr. Davidson presented a bill to legitimize Nathan Oliver, of Washington county; which was read the first time and passed.

Mr. Montgomery of Hertford, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

Received from the House of Commons a message, proposing that another balloting be had immediately for a Senator in Congress; which proposition was agreed to, and Messrs. Caldwell and Montgomery of Hertford were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message. Whereupon a message was received, stating that Messrs. Rhodes and Nicholson of Richmond are appointed a committee to conduct the balloting on the part of the House of Commons.

The engrossed resolution in favour of Archibald S. Brown, was read the third time and passed, and ordered to be enrolled.
The following engrossed bills, to wit: A bill respecting jurors in the county of Hyde; a bill for the better regulation of the courts of the county of Beaufort; a bill to allow compensation to jurors for the county of Burke; and a bill to alter the names of Ezekiel Harrison Wall and Elizabeth Ann Tabitha Wall, of Columbus county, were severally read the second time and passed.

The bill to repeal an act, passed A. D. 1828, entitled "an act to appoint commissioners on a part of the road leading from Morganton to Avery's turnpike road in Burke county;" and the bill to repeal so much of an act, passed in the year 1810, as prevents any person from working seines or nets in Tar river above the mouth of Fishing creek, were read the second time and passed.

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

Whereas it is an object of great importance to the commerce of this State that the waters of Neuse river should be connected with those of Beaufort harbor by a ship canal:

Resolved, That a joint select committee be appointed to take into consideration the most effectual means for making such canal, and to inquire into the propriety of requiring the aid of the General Government thereto.

Resolved, That said committee have leave to report by bill or otherwise.

And the question being taken on agreeing to the said resolutions, it was determined in the affirmative. Ordered that Messrs. Burns, Hinton of Beaufort, Moye and Meares, form the committee on the part of the Senate, and the House of Commons were informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Borden, Gaston, Smith of Craven, Hellen and Swain, form the committee on the part of that House.

A message was also received from the House of Commons, stating that they concur in the proposition of the Senate, to refer a bill concerning the elections in Carteret county, to a joint committee, consisting of the members from the 4th Congressional district.

Received also a message from the House of Commons, stating that they agree to the proposition of the Senate to refer the report of commissioners appointed in virtue of an act of the General Assembly for the representation of the stock of the State, &c. in all general meetings of the stockholders of the several banks in this State to the joint select committee on so much of the Governor's message as relates to the banks and circulating medium of the State.

On motion of Mr. Wellborn, the Senate entered on the orders of the day, and resolved itself into a committee of the whole house, Mr. Davidson in the chair, to take into consideration the bill to vest the right of electing sheriffs of the several counties within this State in the free white men thereof; and, after some time spent therein, the Speaker resumed the chair, and Mr. Davidson reported that the committee of the whole had had the said bill under consideration, and made some progress therein, and, not having time to go through the same, had directed him to ask leave to sit again. The question was then taken, Shall the committee have leave to sit again? and it was determined in the affirmative. Ordered that the committee of the whole house have leave to sit again, on the said bill, on Friday next.

Mr. Montgomery, of Hertford, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomina-
tion had received a majority of the votes; in which report the Senate con-
curred.

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

THURSDAY, DECEMBER 3, 1829.

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

Mr. Williams, of Martin, presented a bill concerning the County Courts of Martin county; which was read the first time and passed.

On motion of Mr. Matthews, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for a Senator in Congress.

On motion of Mr. Welch, the bill to authorise James M'Kee, Sheriff of Haywood county, to collect certain taxes therein mentioned, was read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons a message, agreeing to ballot again for a Senator in Congress, and stating that Messrs. Sasser and Calloway attend the Senate as superintendents of the ballotting on the part of that House. Whereupon Messrs. Hinton of Wake and Matthews were appointed a committee to conduct the ballotting on the part of the Senate; and the House of Commons were informed thereof by message.

The bill concerning the Buncombe Turnpike Company; and the bill to legitimate Nathan Oliver, of Washington county, were read the second and third times and passed, and ordered to be engrossed.

The engrossed bill more effectually to prevent obstructions to the passage of fish up Rocky river, joining Anson county, from the mouth to the Mecklenburg line, was read the second time. Mr. Marshall moved to amend the said bill by striking out the word "Mecklenburg," in the eleventh and last lines of the first section, and insert in lieu thereof the word "Cabarrus," and to make the title of the bill correspond thereto; which amendments were agreed to, and the bill, as amended, was passed the second time, and subsequently passed the third time; and a message was sent to the House of Commons, asking their concurrence in the amendments.

The bill to amend the 10th section of an act, passed in the year 1819, entitled an act prescribing the mode of surveying and selling the lands lately acquired by treaty with the Cherokee Indians, was read the second time and passed.

The bill concerning the liability of certain hands in the town of Lincoln-
ton to work on roads, was read the second and third times and passed, and ordered to be engrossed.

The bill to amend an act, passed in the year 1824, entitled an act for the better regulation of the town of Greensborough, in Guilford county, was read the second and third times and passed, and ordered to be engrossed.

The engrossed bill to alter the names of Ezekiel Harrison Wall and Elizabeth Ann Tabitha Wall, of Columbus county, was read the third time and passed, and ordered to be enrolled.

The engrossed bill respecting jurors in the county of Hyde, was read the third time; and, on motion of Mr. Dickinson, ordered to lie on the table; and the engrossed bill for the better regulation of the courts of the county of Beaufort, was read the third time, and, on motion of Mr. Hinton, of Beaufort, ordered that the said bill be laid upon the table.
The bill to repeal so much of an act, passed in the year 1810, as prevents any person from working seines and nets in Tar river above the mouth of Fishing Creek; and the bill to repeal an act, passed A. D. 1828, entitled an act to appoint commissioners on a part of the road leading from Morgan-ton to Avery's turnpike road, in Burke county, were read the third time and passed, and ordered to be engrossed.

The engrossed bill to allow compensation to jurors for the county of Burke, was read the third time and passed, and ordered to be enrolled.

On motion of Mr. Martin, the Senate proceeded to consider the resolution reported by the committee of Claims on the 29th ultimo, concerning Miss Udney M. Blakely; and the resolution, as follows, to wit: "Resolved, that it is inexpedient to continue the annual appropriation made for the education and support of Miss Udney M. Blakely," being read, it was adopted and ordered to be engrossed.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of Richard T. Brumley, of the county of Lincoln, praying permission to erect a gate, together with a bill to carry the prayer of the petitioner into effect, made a report thereon, recommending the passage of the said bill into a law. Whereupon the said bill was read the second time and passed.

On motion of Mr. Wellborn,
Resolved, That the joint select committee on Internal Improvements be requested to take into consideration the expediency of making an appropriation for opening, reviewing and laying out and altering the road leading from the town of Fayetteville, in this State, to the town of Wilkesborough, by the way of Moore Court House; and from thence to Huntersville; then by Hamptonville to the said town of Wilkesborough; with leave to report by bill or otherwise.

Mr. Hinton, of Wake, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Received from the House of Commons a message, proposing that another balloting be had immediately for a Senator in Congress; which proposition was agreed to, and Messrs. Matthews and Dick were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

On motion of Mr. Sneed,
Resolved, That the committee on the Judiciary inquire into the expediency of so amending the laws of this State, as to preclude the County Courts from receiving any justice of the peace as a security to any constable on his official bond; and that said committee report by bill or otherwise.

On motion of Mr. Allison,
Resolved, That the Judiciary committee be instructed to inquire into the expediency of so altering or amending the law as to make the act of killing, or otherwise injuring or abusing horses, cattle or hogs, by persons whose cleared land is not inclosed by a good and lawful fence during crop time, an indictable offence; and that they report by bill or otherwise.

On motion of Mr. Wellborn, the Senate proceeded to consider the resolution submitted by Mr. Askew, on the 19th ultimo, relative to stenographers; and the resolution as follows, to wit: "Resolved, that the Speaker of this House assign a suitable place in the Senate Hall for one or more stenographers," being read, it was agreed to.

Received from the House of Commons a message, stating that Messrs. Banner and Wilson, of Perquimons, attend the Senate as superintendents of the balloting for a Senator in Congress on the part of that House.

On motion of Mr. Martin, the Senate entered on the orders of the day,
and resolved itself into a committee of the whole House, Mr. Sneed in the Chair, to take into consideration the bill to establish a Bank on behalf of, and for the benefit of the State; and, after some time spent therein, the Speaker resumed the Chair, and Mr. Sneed reported that the committee of the Whole had had the said bill under consideration, and made some progress therein, and not having time to go through the same, had directed him to ask leave to sit again. The question was then taken, shall the committee have leave to sit again on the said bill? and it was determined in the affirmative.

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

FRIDAY, DECEMBER 4, 1829.

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 so much of an act, passed A. D. 1818, as prevents any person from working seine and nets in Tar river above the mouth of Fishing creek; a bill to repeal an act, passed A. D. 1828, entitled an act to appoint commissioners on a part of the road leading from Morganton to Avery's Turnpike road, in Burke county; a bill to legitimate Nathan Olive, of the county of Washington; a bill concerning the liability of certain hands in the town of Lincolnton to work on roads; a bill to amend an act, passed in the year 1824, entitled an act for the better regulation of the town of Greensborough, in Guilford county; a bill to authorise the sheriff of Haywood county to collect certain taxes therein mentioned; a bill concerning the Buncombe turnpike company; also the engrossed resolution concerning Miss Udney M. Blakely; in which they ask the concurrence of that House.

Mr. Matthews, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Received from the House of Commons a message, proposing that another balloting be had immediately for a Senator in Congress; which proposition was agreed to, and Messrs. Smith and Mosely were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

Mr. Sherard, from the committee to whom was referred the engrossed bill concerning the elections in the county of Carteret, reported the same with an amendment; which was agreed to, and the bill, as amended, was read the second and third times and passed, and a message was sent to the House of Commons asking their concurrence in the amendment.

Mr. Martin, from the committee on Claims, to whom was referred the petition of Hugh McCain, of Mecklenburg county, made a report thereon, recommending that the petition be rejected; in which report the Senate concurred.

Mr. Etheredge presented a bill concerning the summoning of jurors; which was read the first time and passed.

Mr. Burney presented a bill granting jurisdiction to the respective County Courts within this State to alter the name of individuals on application; which was read the first time and passed.

Received from the House of Commons a message, stating that Messrs. Bateman and Jones of Warren attend the Senate as superintendents of the balloting for a Senator in Congress.
Received also a message from the House of Commons, stating that they have passed the engrossed bill for the protection of the bridge erected across Scuppernong river at Columbia, in Tyrrell county, with an amendment, to wit: strike out “one hundred” and insert “fifty” in the fourth line of the second section; which amendment was agreed to by the Senate, and the House of Commons were informed thereof by message.

A message was also received from the House of Commons, stating that they have passed the engrossed bill to provide for the compensation of the jurors of the counties of Beaufort, Onslow, Hertford and Duplin, with the following amendments, to wit: strike out “Hertford” where it occurs in the bill, and insert “Anson, Hyde and Columbus;” secondly, add the proviso marked C, at the end of the second section, and add to the bill the proviso marked A, and the additional section marked B; in which they ask the concurrence of the Senate, and the question being taken on the first amendment, to wit: to strike out “Hertford,” it was decided in the affirmative. Whereupon, on motion of Mr. Hinton, of Beaufort, the bill, together with the amendments, was ordered to lie on the table.

The bill concerning the County Court of Martin county, was read the second and third times and passed, and ordered to be engrossed.

The engrossed bill to authorise the Court of Pleas and Quarter Sessions for the county of Caswell to enlarge the court house square in said county, and for other purses, was read the second and third times and passed, and ordered to be enrolled.

The bill to authorise Richard T. Brumly, of the county of Lincoln, to erect a gate on his own land, was read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to authorise Matthew M. Hughes, of the county of Surry, to erect a dam across Fisher’s river; a bill fixing the true construction of the terms liquidated accounts, contained in the act passed in the year 1820, entitled “an act to extend jurisdiction of justices of the peace;” a bill to amend an act, passed A. D. 1824, entitled “an act to authorise the opening a road in the counties of Camden and Pasquotank, and the putting a float bridge across Pasquotank river;” a bill authorising the clerk of the Court of Pleas and Quarter Sessions of the county of Jones to make entries of lands when directed by the court of said county when there is no legal entry taker in said county; a bill to incorporate the Vance Circulating Library Society of Asheville; a bill to revive and continue in force an act, passed in the year 1827, entitled “an act to authorise Thomas Brown, of the county of Haywood, now Macon, to erect two gates on the public road leading from Franklin down Tennessee river;” and a bill concerning the compensation made to clerks and sheriffs, so far as regards the county of Chatham; in which they ask the concurrence of the Senate.—Whereupon the said bills were severally read the first time and passed.

Mr. Mosely, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

On motion of Mr. Dick, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for a Senator in Congress.

Received from the House of Commons a message, stating that they have
passed the engrossed bill to authorise the justices of the peace of Fredell county to purchase a tract of land, and erect thereon such buildings as may be suitable for the comfortable accommodation of the poor of the county, with an amendment: strike out the words "five miles," in the second section, and insert the words "ten miles," in which they ask the concurrence of the Senate; which said amendment was agreed to by the Senate, and the House of Commons informed thereof by message.

Received from the House of Commons a message, stating their concurrence in the amendments made by the Senate to the engrossed bill to provide for the payment of jurors in the counties of Rowan and Wake, except that part which extends the provisions of the bill to the county of Stokes. Whereupon, on motion of Mr. Moore, ordered that the said bill be laid upon the table.

A message was also received from the House of Commons, stating that they agree to ballot again immediately for a Senator in Congress, and informing that the name of Montfort Stokes is withdrawn, and that of Charles Fisher added to the nomination; and stating further, that Messrs. Williams and Martin attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Smith and Mosely were appointed a committee to conduct the balloting on the part of 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 amend an act, passed A. D. 1828, entitled "an act to allow compensation to jurors of the original panel, in the county of Buncombe," with an amendment: strike out the last word in the bill, "repealed," and insert the words "continued in force," in which they ask the concurrence of the Senate. Whereupon Mr. Allen moved that the bill, together with the amendment, be laid upon the table; which was agreed to.

On motion of Mr. Montgomery of Orange, the Senate entered upon the orders of the day; and, on motion of Mr. Wilson, resolved itself into a committee of the whole House. Mr. Davidson in the chair, to take into consideration the bill to vest the right of electing Sheriffs in the several counties within this State, in the free white men thereof; and, after some time spent therein, the Speaker resumed the chair, and Mr. Davidson reported that the committee of the whole had had the said bill under consideration, and had made some progress therein, and not having had time to go through the same, had instructed him to ask leave to sit again. And the question being taken, Shall the committee have leave to sit again on said bill? it was determined in the affirmative.

On motion of Mr. Martin, ordered that the bill to establish a bank on behalf of, and for the benefit of the State, be made the order of the day for Monday next.

Mr. Mosely, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

And the Senate adjourned until to-morrow morning, 10 o'clock.
Saturday December 5, 1829.

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 county courts of Martin county; and a bill to authorise Richard F. Brumley, of the county of Lincoln, to erect a gate on his land; in which they ask the concurrence of that House.

Mr. Riddick presented the following resolution, to wit:

Resolved, That the Public Treasurer be, and he is hereby requested, to remit the forfeiture of four hundred dollars, incurred by Isaiah Rogerson, Sheriff of Perquimans county, for not making his last annual settlement in the time prescribed by law.

Which was read the first time and passed; and, on motion of Mr. Riddick, ordered that the said resolution be referred to the committee of Propositions and Grievances.

Received from the House of Commons a message, proposing that another balloting be had immediately for a Senator in Congress; which proposition was agreed to, and Messrs. Crump and Brower were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message. Whereupon a message was received, stating that Messrs. Stanly and Mendenhall attend the Senate as superintendents of the balloting on the part of the House of Commons.

Mr. Matthews, from the committee on so much of the Governor's message as relates to the salary of the late Chief Justice Taylor, made a report thereon, accompanied by the following resolution, to wit:

Resolved, That the Public Treasurer be, and he is hereby requested to pay to the assignee or legal representatives of the late Chief Justice Taylor, the sum of $886 99; and that the same be allowed him in his public settlement.

Which was read the first time and passed.

Mr. Davidson presented the petition of Jonas Clark, of Mecklenburg county, a revolutionary soldier, praying to be placed on the pension list of the State. Ordered that the said petition be referred to the committee on Propositions and Grievances.

The following engrossed bills, to wit: The bill to authorise Matthew M. Hughes, in the county of Surry, to erect a dam across Fisher's river; the bill authorising the clerk of the Court of Pleas and Quarter Sessions of the county of Jones, to make entries of lands when directed by the court of said county, when there is no legal entry-taker in said county; and the bill concerning the compensation made to clerks and sheriffs, so far as regards the county of Chatham, were severally read the second and third times and passed, and ordered to be enrolled.

The engrossed bill to incorporate the Vance Circulating Library Society of Ashville, was read the second time. Mr. Allen moved to amend the bill, by inserting after the word "county," in the second line of the second section, the words "a majority of the acting justices being present;" which was agreed to; and the bill as amended, was read the second and third times and passed, and a message was sent to the House of Commons, asking their concurrence in the amendment.
The engrossed bill to revive and continue in force an act, passed in the year 1827, entitled "an act to authorise Thomas Brown, of the county of Haywood, (now Macon,) to erect two gates on the public road leading from Franklin down Tennessee river," was read the second and third times and passed, and ordered to be enrolled.

The bill to amend the 10th section of an act, passed in the year 1819, entitled "an act prescribing the mode of surveying and selling the lands lately acquired by treaty from the Cherokee Indians," was read the third time and passed, and ordered to be engrossed.

The engrossed bill to amend an act passed A. D. 1824, entitled "an act to authorise the opening a road in the counties of Camden and Pasquotank, and the putting a float bridge across Pasquotank river," was read the second time. Mr. Bell moved to amend the bill, by inserting after the word "of," in the seventh line of the second section, the following amendment, to wit: "ten pounds, to be recovered by warrant before a justice of the peace, one half to the use of the person suing for the same, and the other half to the county wardens, and shall be further liable for all damages said bridge may sustain;" which was agreed to, and the bill as amended, was read the second and third times and passed, and a message was sent to the House of Commons, asking their concurrence in the amendment.

Received from the House of Commons a message, stating that they concur in the amendment made by the Senate in the engrossed bill more effectually to prevent obstructions to the passage of fish up Rocky river, joining Anson county to the Mecklenburg line. Whereupon the said bill was ordered to be enrolled.

The engrossed bill fixing the true construction of the terms "liquidated accounts," contained in the act, passed in the year 1820, entitled "an act to extend the jurisdiction of justices of the peace," was read the second time and passed.

Mr. Horton of Wake presented the petition of Ransom Hinton, clerk of the Superior Court of Wake county, praying the Legislature to allow him certain costs, accrued in the prosecution of sundry suits in behalf of the State, in Wake Superior Court. Ordered that the said petition be referred to the committee of Claims.

Mr. Brower, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Received from the House of Commons a message, proposing that another balloting be had immediately for a Senator in Congress; and the question being taken on concurring in the said message, it was determined in the negative.

The engrossed bill amendatory of the law respecting the crime of bigamy, was taken up, and, on motion of Mr. Spaight, ordered that the further consideration thereof be postponed till Monday next.

The engrossed bill to amend an act, passed A. D. 1828, entitled an act to allow compensation to jurors of the original panel in the county of Buncombe, was taken up, and the amendment proposed by the House of Commons therein, to wit: strike out "repealed," the last word, and insert "con-
continued in force," was agreed to, and the House of Commons informed thereof by message.

Received from the House of Commons a message, proposing that the Exhibits of the State Bank of North Carolina and Cape Fear, accompanying the Treasurer's communication, be printed, one copy for each member of the Legislature; which proposition was agreed to, and the House of Commons were informed thereof by message.

On motion of Mr. Caldwell, the Senate resolved itself into a committee of the whole House. Mr. Davidson in the chair, to take into consideration the bill to vest the right of electing sheriffs in the several counties within this State in the free white men thereof; and, after some time spent therein, the Speaker resumed the chair, and Mr. Davidson reported that the committee of the whole had had the said bill under consideration, and had made several amendments therein, and had instructed him to report the bill as amended to the House, with a recommendation that it be passed into a law. Whereupon the several amendments, as reported, were agreed to by the House. The question was then taken on concurring in the report of the committee of the whole, and was decided in the affirmative—ayes 33 noes 27. The ayes and noes being demanded by Mr. Mitchill, are as follows:


Received from the House of Commons the following resignations, to wit: the resignation of Luke Hendricks, of the county of Wilkes; the resignation of James Leith, of the county of Hyde; the resignation of Richard Wooten, of the county of Columbus; and the resignation of John Cook, of the county of Rowan. justices of the peace for their respective counties, endorsed in that House "read and accepted;" and which were severally read and accepted by the Senate.

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

MONDAY, DECEMBER 7, 1829.

A message was sent to the House of Commons stating that the Senate have passed the engrossed bill entitled "a bill to amend the 10th section of an act, passed in the year 1819, entitled 'an act prescribing the mode of surveying and selling the lands lately acquired by treaty from the Cherokee Indians;' in which they ask the concurrence of that House.

On motion of Mr. Montgomery, of Orange, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for a Senator in Congress.

Mr. Wilson presented the petition of sundry persons, praying the passage of a law prohibiting any person from working seines or skimming with nets so as to obstruct the passage of fish up Great Contentnea creek, between the hours of 12 o'clock on Saturday, and 12 o'clock on Monday, in each week. Mr. Wilson also presented a bill to carry the prayer of the petitioners into effect; which was read the first time and passed.

Mr. Allen presented a bill concerning failure of duty in sheriffs; which was read the first time and passed.
Mr. Askew presented a bill directing the removal of certain papers from the office of the Treasurer to that of the Secretary of State; which was read the first time and passed.

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

Resolved. That the Public Treasurer refund to Presley C. Person, sheriff of Franklin county, the sum of four hundred dollars, being a forfeiture incurred by him in failing to settle his accounts within the time prescribed by law.

Which was read the first time and passed. Ordered that the said resolution be referred to the committee on Propositions and Grievances.

Mr. Snead presented a bill concerning the Oxford Academy; which was read the first time and passed.

Received from the House of Commons a message, agreeing to ballot again immediately for a Senator in Congress, and stating that Messrs. Hatch and Nicholson, of Richmond, attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Miller and Snead were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

Mr. Hinton, of Beaufort, presented the petition of sundry citizens of Beaufort county, praying an appropriation to assist them in making a canal and road in said county. Mr. Hinton, of Beaufort, also presented a bill to carry the prayer of the petitioners into effect; which was read the first time and passed. Ordered that the said bill, together with the petition accompanying the same, be referred to the committee on Internal Improvement.

Mr. McFarland presented a bill to appoint a committee of Finance for the county of Richmond; which was read the first time and passed.

Mr. Williams, of Franklin, presented a bill to establish a poor house in the county of Franklin; which was read the first time and passed.

Mr. Hinton, of Beaufort, presented the petition of sundry citizens of the county of Beaufort, praying an appropriation towards removing the obstructions in Pungo river. Mr. Hinton, of Beaufort, also presented a bill to carry the prayer of the said petitioners into effect; which was read the first time and passed. Ordered that the said bill, together with the petition accompanying the same, be referred to the committee on Internal Improvement.

On motion of Mr. Hinton, of Wake, ordered that a message be sent to the House of Commons, proposing to raise a joint select committee on Public Buildings.

On motion of Mr. Montgomery, of Orange, the Senate proceeded to consider the bill to vest the right of electing sheriffs in the several counties in this State in the free white men thereof; and the bill being read the second time, on motion of Mr. Caldwell, ordered that the said bill be referred to a select committee. Whereupon Messrs. Caldwell, Montgomery of Orange, Allen, Dick and Sherard were appointed to form said committee.

Mr. Snead, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomination had received a majority of votes; in which report the Senate concurred. On motion of Mr. McFarland, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for a Senator in Congress.

Mr. McEntire presented a bill to provide for the permanent establishment of a public library from Lincolnton to Rutherfordton; which was read the first time and passed.

Received from the House of Commons a message, stating that they con-
cur in the amendment made by the Senate in the engrossed bill concerning the elections in the county of Carteret. Ordered that the said bill be enrolled.

The engrossed bill fixing the true construction of the terms liquidated accounts, contained in the act, passed in the year 1820 entitled an act to extend the jurisdiction of justices of the peace; and the engrossed bill for the better regulation of the Courts of the county of Beaufort, were read the third time and passed, and ordered to be enrolled.

The resolution directing the payment of a certain sum to the assignees and legal representatives of Chief Justice Taylor, was read the second time and passed.

The bill granting jurisdiction to the respective County Courts within this State to alter the name of individuals on application, was read the second time, and, on motion of Mr. Burney, 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 authorise the Governor to grant certain lands to the Baptist congregation at Franklin, in the county of Macon; a bill for the relief of debtors, for debts contracted from the first day of May, 1823; and a resolution in favor of the late Chief Justice Taylor; in which they ask the concurrence of the Senate. Whereupon the said bills were read the first time and passed. And the resolution being read, on motion of Mr. Sneed, ordered that it be laid upon the table.

On motion of Mr. Moore, ordered that a message be sent to the House of Commons, stating that the Senate adhere to the several amendments made by them, in the engrossed bill to provide for the payment of jurors in the counties of Rowan and Wake, and for other purposes.

The bill to establish a bank on behalf of, and for the benefit of the State, was taken up; and, on motion of Mr. Martin, ordered that the said bill be made the order of the day for to-morrow.

Mr. Caldwell gave notice, that, on Friday next, he should move to take up the resolution submitted by him on the 24th of November, relative to the powers of the Congress of the United States to carry on a system of internal improvements; and that he should move an amendment thereto. And the Senate then adjourned until to-morrow, 10 o'clock.

TUESDAY, DECEMBER 8, 1829.

On motion of Mr. Marshall.

Resolved, That the committee on the Judiciary be instructed to inquire into the practicability of so amending the law relative to plain bonds or promissory notes, as to compel the defendant or defendants, whenever they plead the general issue, to do the same on oath; and that they report by bill or otherwise.

Mr. Wellborn presented a bill fixing the fees of the clerks of the County and Superior Courts and sheriffs' fees; which was read the first time and passed, and, on motion of Mr. Caldwell, ordered that the said bill be referred to the committee on the Judiciary.

Received from the House of Commons a message, stating that they agree to ballot this morning for a Senator in Congress, and informing that the names of John R. Donnell and Charles Fisher are withdrawn, and that of Bedford Brown added to the nomination; and stating further, that Messrs. Folk and Rhode attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Ramsey and Davenport were
appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

Mr Caldwell, from the committee on Internal Improvement, to whom was referred a resolution instructing them to inquire into the expediency of altering the law as regards the entry of vacant lands, made a report thereon, recommending the rejection of the said resolution. Whereupon, on motion of Mr. Spaight, ordered, that the said report and resolution lie on the table.

Mr. Caldwell, from the same committee, to whom was referred the resolution in relation to Samuel Chunn, of the county of Buncombe, made a report thereon, recommending the rejection of the said resolution. Whereupon, on motion of Mr. Allen, ordered that the said report, together with the resolution, be laid upon the table.

The bill granting jurisdiction to the respective County Courts within this State to alter the name of individuals on application, was read the second time. Mr. Miller moved to amend the said bill by inserting the words "by petition" after the word application in the seventh line of the first section; which was agreed to, and the bill as amended, was read the second time and passed.

Mr. Ramsey, from the committee appointed to conduct the balloting for a Senator in Congress, reported that Bedford Brown having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of Jones Clark, of Mecklenburg county, made a report thereon, accompanied by the following resolution, to wit:

Resolved, That the prayer of the petitioner be rejected.

Whereupon, on motion of Mr. Davidson, ordered that the said report, together with the resolution, be laid upon the table.

Received from the House of Commons a message, stating that they concur in the amendment made by the Senate to the engrossed bill to incorporate the Vance Circulating Library Society of Ashville. Ordered that the said bill be enrolled.

Mr. Allen presented a bill to provide for the passage of fish in the county of Buncombe, up the Laurel creek; which was read the first time and passed.

The bill concerning the summoning of jurors, was taken up, and, on motion of Mr. Etheredge, ordered that the said bill be referred to a select committee. Messrs. Etheredge, Pool, Marshall, Wellborn and Montgomery, of Orange, were appointed to form said committee.

Received from the House of Commons a message, stating that they concur in the amendment made by the Senate to the engrossed bill to amend an act, passed A. D. 1824, entitled an act to authorize the opening a road in the counties of Camden and Pasquotank, and the putting a float bridge across Pasquotank river. Ordered that the said bill be enrolled.

Mr. M'Diarmid presented the petition of sundry citizens of the counties of Cumberland, Wake, Chatham and Moore, praying the erection of a new county, to be called Jackson, out of a part of each of the aforesaid counties. Mr. M'Diarmid also presented a bill to carry the prayer of the said petitioners into effect; which was read the first time and passed. Ordered that the said bill, together with the petition accompanying the same, be referred to the committee on Propositions and Grievances.
Received from the House of Commons a message, proposing that the two Houses, on to-morrow, ballot for a Governor of the State for one year, and stating that the name of John Owen is in nomination for the appointment; which proposition was agreed to by the Senate, and the House of Commons informed thereof by message.

Mr. Allen, from the select committee to whom was recommitted the bill to erect out of a part of the counties of Burke and Buncombe a separate and distinct county, together with the amendment proposed thereto, made a report thereon; which was read, and, on motion of Mr. Sherard, ordered that the said report, together with the bill accompanying the same, be laid upon the table.

The following bills, to wit: A bill to prevent any person or persons from working seines or nets in Great Contentnea creek, from Hadley's mills to where the said creek empties into the Neuse river, from 12 o'clock on Saturday to 12 o'clock on Monday in every week, from the first day of January to the first day of April in each and every year; a bill to provide for the passage of fish in the county of Buncombe, up the Laurel river; a bill concerning the Oxford Academy; a bill to establish a poor house in the county of Franklin; and a bill to appoint a committee of Finance for the county of Richmond, were severally read the second and third time and passed, and ordered to be engrossed.

The resolution directing the payment of a certain sum to the assignees and legal representatives of Chief Justice Taylor, was read the second and third times and passed, and ordered to be engrossed.

The engrossed bill for the relief of debtors for debts contracted before the first day of May, 1823, was read the second time, and resolved that the same shall not pass.

The bill directing the removal of certain papers from the office of Treasurer to that of Secretary of State, was read the second time and passed.

The bill to establish a Bank on behalf of, and for the benefit of the State, was, on motion of Mr. Martin, ordered to be made the order of the day for to-morrow.

The message from the House of Commons of the 21st November, proposing to refer the several subjects therein mentioned and embraced in the Governor's message to joint select committees, was, on motion of Mr. Spaight, taken up and agreed to; and the following persons were appointed to form said joint select committees on the part of the Senate, to wit:

On so much of the Governor's message as relates to the Public Documents on the subject of Slavery, and the Constitutional power of the Congress of the United States to appropriate money in aid of the Colonization Society, Messrs. Davidson, Hinton, Riddick, Harris and Crump.

On so much of said message as relates to State rights and the Tariff acts, and the Constitutional power of Congress to impose a tariff of duties, Messrs. Davidson, Spaight, Wellborn, Moseley and Welch.

On so much of said message as relates to the right of Congress to adopt a system of Internal Improvements, and to appropriate money to purposes of Internal Improvement, Messrs. Caldwell, Moseley, Franklin, Meares and Wilson.

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

WEDNESDAY, DECEMBER 9, 1829.

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 county court of Pleas and Quarter Sessions of the county of Franklin to appoint warden[s] of the poor, and to build a Poor and Work House, and for other purposes; a bill to provide for the passage of fish in the county of Buncombe, up the Laurel creek; a bill concerning the Oxford Academy; a bill to appoint a committee of Finance for the county of Richmond; and a resolution directing the payment of a certain sum to the assignees and legal representatives of Chief Justice Taylor; in which they ask the concurrence of the House of Commons.

Bedford Brown Esq. Speaker of the Senate, in consequence of his election as a Senator in Congress of the United States, resigned his appointment as Speaker and as a member of the Senate from the county of Caswell; which was accepted; and Mr. Brown made his acknowledgments to the Senate, and retired from the chair. Whereupon Mr. Matthews moved that the Senate do now proceed to the election of Speaker, and nominated for the appointment Charles L. Hinton, the Senator from the county of Wake. On motion of Mr. Montgomery of Hertford, the name of David F. Caldwell, the Senator from the county of Rowan, was added to the nomination; and, on motion of Mr. Spaight the name of Stephen Miller, the Senator from the county of Duplin, was also added to the nomination An election by ballot thereupon took place; and Messrs. Ramsey and Dick being appointed assignees to conduct it. Mr. Dick, from the committee appointed to conduct the balloting for Speaker, reported that David F. Caldwell, having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred. Whereupon Mr. Caldwell was conducted to the Speaker's Chair, by Mr. Montgomery of Hertford; from which he made his acknowledgments to the Senate in an appropriate address.

On motion of Mr. Martin, ordered that a writ of election issue to the Sheriff of Caswell county, commanding him to hold an election at the several places now prescribed by law in said county, on Friday, the 18th instant, for the purpose of electing some person qualified to fill the vacancy in the Senate, occasioned by the resignation of Bedford Brown.

On motion of Mr. Wilson, ordered that a message be sent to the House of Commons, informing that House of the resignation of Bedford Brown, and the appointment of David F. Caldwell, Speaker of the Senate.

On motion of Mr. Leonard, a message was sent to the House of Commons stating that Messrs. Williams of Franklin, and Davenport, attend that House as superintendents of the balloting on the part of the Senate for a Governor of the State for the ensuing year, as heretofore agreed upon.

Mr. Love presented the petition of Joseph Chambers, and others, of the county of Haywood, praying an alteration in an act of Assembly, passed in the year 1827, entitled "an act to amend an act, passed in the year 1824, entitled an act, giving the assent of North Carolina to certain acts of the General Assembly of Tennessee, relative to the Smoky Mountain turnpike road." Mr. Love also presented a bill to carry the prayer of the said petitioners into effect; which was read the first time and passed. Ordered, that the said bill, together with the petition accompanying the same, be referred to the committee on Internal Improvement.

Received from the House of Commons a message, proposing that the present Legislature adjourn sine die on the 26th instant, (December.) On motion of Mr. Martin, ordered that the said message lie upon the table.
A motion was made by Mr. Dickinson to reconsider the vote taken yesterday, on the third reading of the bill to prevent any person or persons from working seines, skimming with nets, or of setting nets in Great Compton creek, from Hadley's mills to where the said creek empties into Neuse river, from 12 o'clock on Saturday, to 12 o'clock on Monday, in every week, from the first day of January to the first day of April, in each and every year; and on the question, Will the Senate reconsider said vote? it was determined in the affirmative. Whereupon, on motion of Mr. Dickinson, ordered that the said bill lie upon the table.

Received from the House of Commons a message, proposing that a joint select committee be appointed, consisting of the members of Lincoln, Burke and Buncombe, whose duty it shall be to inquire into the expediency of turnpiking such parts of the road leading from Lincolnton to Ashville, via Morganton, as cannot be kept up by the public; and that they report by bill or otherwise; which proposition was agreed to by the Senate, and the House of Commons were informed thereof by message.

Mr. Williams of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of Martha W. Patrick, of Guilford county, made a report thereon. Mr. Williams of Martin also reported a bill to secure to Martha W. Patrick such property as she may hereafter acquire; which was read the first time and passed, and, on motion of Mr. Meares, ordered to lie upon the table.

Received from the House of Commons a message, stating that Messrs. Gary and Hill of Wilmington attend the Senate as superintendents of the balloting for a Governor of the State.

Mr. Crump presented a bill to amend the third section of an act, passed in the year A. D. 1810, relative to the passage of fish up the Pee Dee and Yadkin rivers; which was read the first time and passed.

Mr. Williams, of Franklin, from the committee appointed to conduct the balloting for Governor of the State, reported that John Owen, having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

Mr. M'Diarmuid presented the petition of James Seawell, of Fayetteville, praying the Legislature to refund to him a certain sum of money, paid by him into the Treasury of the State, as security of Dillon Jordan, an auctioneer for the town of Fayetteville. Ordered that the said petition, together with the accompanying document, be referred to the committee on Claims.

On motion of Mr. Meares,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of amending the act of 1828, chap. 44, entitled "An act in addition to the acts respecting divorce and alimony."

Mr. Moore presented the petition of Field Officers of the first regiment of Stokes county militia, praying the passage of a law to authorize them to move the muster ground of said regiment. Mr. Moore also presented a bill to carry the prayer of the petitioners into effect; which was read the first time and passed.

Mr. Williams, of Martin, from the committee of Propositions and Grievances, to whom was referred the resolution in favor of Presly C. Person, sheriff of Franklin county, made a report thereon, accompanied by the following resolution, to wit:

Resolved, That the said Presly C. Person be released from the penalty so incurred, and that he be permitted to settle his accounts for the taxes of 1828, as of the first day
of October, 1829; and that he be allowed his commissions and mileage; and that the Public Treasurer pay whatever sum may be due him on the settlement hereby directed to be made.

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 prevent frauds in deeds of trust and mortgages; in which they ask the concurrence of the Senate. Whereupon the said bill was read the first time and passed, and, on motion of Mr. Spaight, was ordered to be referred to the committee on the Judiciary.

Received from the House of Commons a message, proposing that the two Houses appoint a joint select committee, to wait upon his Excellency John Owen, the Governor elect, and inquire of him at what time it will be convenient for him to attend the Assembly, and take the oaths of qualification prescribed by law; and stating that Messrs. Gary and Hill of Wilmington form the committee on the part of that House; which proposition was agreed to by the Senate, and Messrs. Davidson and Moseley were appointed to form said committee on the part of the Senate, and the House of Commons were informed thereof by message.

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

THURSDAY, DECEMBER 10, 1829.

Benjamin Sanderson, the Senator from the county of Hyde, appeared, produced his credentials, was qualified before the House, and took his seat.

Mr. Davidson, from the committee appointed to wait upon the Governor, to inform him of his election, and to inquire at what time it would be convenient for him to attend the Legislature, and take the oaths prescribed by law, reported that they were authorised to state, that the Governor elect would attend the Commons' Hall, for that purpose, at 12 o'clock on this day.

Mr. Meares, from the committee on the Judiciary, to whom was referred the bill to authorise and direct the Supreme Court to be holden in the several places therein directed, reported the same without amendment; and the bill being read the second time, on motion of Mr. Meares, ordered that the said bill be committed to a committee of the whole House, and that it be the order of the day for Tuesday next.

Mr. Meares, from the same committee, to whom was referred the bill making provision in certain cases for the widows of intestates, reported the same without amendment, and recommended that the said bill be rejected. Whereupon, on motion of Mr. Hinton, of Beaufort, ordered that the said bill, together with the report, be laid upon the table.

Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of amending the laws relative to deeds of trust and mortgages, reported that a bill having been introduced in the House of Commons on the same subject, renders it unnecessary for this committee to act upon the subject; which report was concurred in, and the committee were discharged from the further consideration of the subject.

Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of modifying the punishment affixed by law to the crime of bigamy, reported that all necessity for acting upon the subject has been removed by a bill having passed the House of Commons relative to the matter, which is now before the Sen-
ate; in which report the Senate concurred, and the committee were discharg-

ged from the further consideration of the subject.

Mr. Hinton, of Wake, presented a resolution in favor of Ezekiel Ellis, Assistant Door-keeper of the Senate; which was read the first time and passed.

Mr. Love presented the petition of Andrew Welch and William Thom-

as, of the county of Macon, praying the passage of an act to authorise them to erect gates on their own land in said county. Mr. Love also pre-
sented a bill to carry the prayer of the said petitioners into effect; which was read the first time and passed. Ordered that the said bill, together with the petition accompanying the same, be referred to the committee on Propositions and Grievances.

Mr. Wilson presented the petition of Isabella Staton, of the county of Edgecomb, praying to be released from the payment of a fine imposed by the Superior Court of said county upon her deceased husband, Reading Staton. Ordered that the said petition be referred to the committee on the Judiciary.

Mr. Dick presented a bill to authorise the Clerk and Master in Equity to take depositions; which was read the first time and passed, and, on motion of Mr. Meares, ordered that the said bill be referred to the committee on the Judiciary.

Mr. Mitchell presented a bill to regulate the entries of lands in certain cases; which was read the first time and passed.

Mr Allen presented a bill for the relief of James D. Justice, of the coun-
ty of Buncombe; which was read the first time and passed.

Mr. Wilson presented the report of the commissioners appointed to re-
present the State in all general meetings of the stockholders of the several Banks in this State; which was read, and, on motion of Mr. Wilson, or-
dered that the said report be sent to the House of Commons, with a propo-
sition that it be referred to the joint select committee on the Banks and circulating medium, and that it be printed, one copy for each member of the Legislature.

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 Legisla-
ture convened in the Commons Hall, where 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 John Owen, by Charles L. Hinton, Esq. a justice of the peace for the county of Wake. Whereupon the Senate returned to their Chamber for the purpose of legislation.

Mr. Dick, from the select committee to whom was referred the bill to vest the right of electing sheriffs in the several counties within this State in the free white men thereof, reported the same with sundry amendments; which were agreed to, and the bill being read the second time, Mr. Meares moved further to amend the said bill by striking out the word two in the third line of the third section, and inserting the word four; which amend-
ment was not agreed to. Mr. Meares moved further to amend the said bill by adding the following as an additional section, to wit: “And be it further enacted, that no sheriffs who shall be elected in manner prescribed by this act, shall again be eligible for the term of two years after the expiration of
the term for which he shall have been elected, nor shall it be competent for him to act in the capacity of deputy sheriff for the same term; which amendment was not agreed to. Mr. Montgomery, of Hertford, moved further to amend the said bill by inserting the following, after the word annually in the twelfth line of the fourth section, to wit: "a majority of the acting justices of the county being present at the renewal thereof," which amendment was agreed to. Mr. Allison moved further to amend the said bill by inserting the following, after the word election in the sixth line of the fifth section, to wit: "and shall be possessed of a freehold of at least one hundred acres of land in fee simple;" which amendment was agreed to. Mr. M'Farland moved further to amend the said bill by striking out the words "five or more" in the fifth line of the ninth section, and inserting the words "a majority of the acting;" which amendment was not agreed to. Mr. M'Diarmid moved further to amend the bill by adding the following as an additional section, to wit: "And be it further enacted, that no person shall be eligible to the appointment of sheriff more than four years, in six successive years;" which amendment was not agreed to. Mr. Dick moved to amend the said bill by adding the following as additional sections, to wit: "Be it further enacted, that the clerks of the several county courts in this State shall record the names of the justices who may be present at the taking of the several bonds from the sheriff elect on the minute docket; and it shall be his further duty to endorse on the back of the said several bonds, the names of those justices who concurred in receiving said bonds. And be it further enacted, that if the sureties of the sheriff to the several bonds required, shall be held and deemed insufficient at the time of their execution and delivery, the justices who concurred in receiving said bonds shall be held and deemed the proper sureties of the sheriff, and shall be sued as such;" which amendment was not agreed to. Mr. M'Diarmid moved further to amend the said bill by adding the following as additional sections, to wit: "Be it further enacted, that each and every person shall vote "viva voce," naming the person for whom he votes, and it shall be the duty of the clerks holding the election to record the names of the persons who voted, and for whom they have voted. Be it further enacted, that on the person declared to be elected sheriff failing to give good and sufficient securities, then and in that case, all those persons whose names were recorded by the clerks as having voted for him shall be held and deemed his securities, and shall be liable in law for all deficiencies that may arise on his bond, that the securities to the bond are unable to pay;" which amendment was not agreed to. The question then recurred on the passage of the bill the second time, as amended, and it was determined in the affirmative—yeas 32, nays 26 The ayes and noes being demanded by Mr. Brower, are as follows, to wit:


On motion of Mr. Hinton of Wake, ordered that Edward Ward, the Senator from the county of Onslow, have leave of absence from, and including this day, to include Saturday next.

And the Senate adjourned until to-morrow morning, 10 o'clock.
Friday, December 11, 1829.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to authorise the Board of Internal Improvement to contract for the opening and improving Currituck inlet; a bill to amend an act, passed in the year 1827, prescribing upon what evidence the Public Treasurer shall receive the purchase money for vacant and unappropriated land; a bill to provide for a division of negroes and other chattel property held in common; also a resolution in favor of Stephen Pearson, of Wake county; in which they ask the concurrence of the Senate; which bills and resolutions were severally read the first time and passed.

Mr. Mitchell moved to suspend the eleventh rule of the Senate, which requires all bills of a public nature, when ready for a second hearing, to be noted to have been read at least one day previous, so far as regards the bill to amend an act, passed in the year 1827, prescribing upon what evidence the Public Treasurer shall receive the purchase money for vacant and unappropriated lands; which motion was agreed to; and the said bill was thereupon read the second and third times and passed, and ordered to be enrolled.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred a resolution concerning Isaiah Rogerson, made a report thereon, accompanied by the following resolution, to wit:

Resolved, That Isaiah Rogerson, Sheriff of Perquimons county, be released from the penalty of four hundred dollars, and that he be permitted to settle his tax account due for the year 1828, allowing said Rogerson his commissions and mileage if the same manner, as though he had made settlement on the first of October, 1829; and if upon the settlement so made, it shall appear that the said Rogerson has paid more than by law he is bound to pay, that the Public Treasurer pay the same; and the same shall be allowed him in the settlement of his public accounts.

Which was read the first time and passed.

Mr. Meares, from the committee on the Judiciary, to whom was referred the resolution to inquire into the expediency of distributing additional copies of the acts of the General Assembly, made a report thereon, recommending the rejection of the said resolution, and asking to be discharged from the further consideration of the subject. Whereupon, on motion of Mr. Davidson, ordered that the said report, together with the resolution, be laid upon the table.

Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of consolidating and amending the road laws, made a report thereon, recommending the rejection of said resolution; in which report the Senate concurred, and the committee were discharged from the further consideration of the subject.

Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of amending the law, so as to enable the creditors to collect their debts out of the property of intestate persons, where no administration has been granted, made a report thereon, recommending the rejection of said resolution; in which report the Senate concurred, and the committee were discharged from the further consideration of the subject.
Mr. Meares, from the same committee, to whom was referred the engrossed bill to prevent frauds in deeds of trust and mortgages, reported the same without amendment, and recommended that the said bill be passed into a law; in which report the Senate concurred.

The bill to provide for the permanent establishment of a public road from Lincolnton to Rutherfordton, was read the second time. Mr. McEntire moved to amend the said bill, by inserting the following after the word "commissions," in the eighth line of the first section, to wit: "And that the said courts shall elect persons entirely disinterested in the location of said road, and unconnected with any individual living on, or adjacent to said road before mentioned;" which amendment was agreed to, and the bill, as amended, passed the second time.

On motion of Mr. Allen, the Senate proceeded to consider the bill to erect out of a part of the counties of Burke and Buncombe a separate and distinct county; and the bill being read the second time, Mr. Allen moved to amend the same, by striking out all of the said bill after the word "district," in the thirty-first line of the first section, and inserting the following, to wit: "A district by the name and style of Yancy, in which courts shall be held for the more convenient administration of justice," and to make the title of the bill correspond thereto; which amendment was agreed to, and the bill, as amended, was read the second time and passed.

Mr. Miller, from the joint select committee, to whom was referred so much of the Governor's message as relates to the purchase of slaves by the State, for purposes of internal improvement, made a report thereon, accompanied by the following resolution, to wit:

Resolved, That the committee be discharged from the further consideration of the subject submitted to them.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. M'Diarmid, ordered that a message be sent to the House of Commons, proposing that the two Houses ballot on Tuesday next for a brigadier general of the 4th brigade; and stating that the name of Henry W. Ayer is in nomination for the appointment.

Mr. Ramsey presented a bill to repeal part of an act, passed at the last session, chap. 74, entitled "an act to compel the clerks of the County and Superior Courts, and register of the county of Chatham to keep their offices at Pittsborough, in said county, and for other purposes;" which was read the first time and passed.

Mr. Spaight presented the resignation of Daniel Boon, brigadier general of the 12th brigade, in the 6th division of North Carolina militia; which was read and accepted, and sent to the House of Commons.

On motion of Mr. Spaight, ordered that a message be sent to the House of Commons, proposing that the two Houses ballot on Tuesday next for a brigadier general of the 12th brigade and 6th division; and stating that the name of Nathan B. Whitfield is in nomination for the appointment.

The Senate entered on the orders of the day, and, on motion of Mr. Martin, resolved itself into a committee of the whole House, Mr. Sneed in the chair, to take into consideration the bill to establish a bank on behalf of, and for the benefit of the State; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr Sneed reported that the committee of the whole had had the said bill under consideration, and not having time to go through the same, had instructed him to report that they had made some
progress therein, and to ask leave to sit again. And the question being taken, Shall the committee have leave to sit again on the said bill? it was determined in the affirmative.

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

Saturday, December 12, 1829.

Mr. Pool presented a bill to authorise the forming a Fire Engine Company in the town of Elizabeth City; which was read the first time and passed.

Mr. M'Entire presented the petition of sundry citizens of the county of Rutherford, praying the passage of an act to alter the manner of holding the Courts of Pleas and Quarter Sessions in said county. Ordered that the said petition be referred to a select committee of three members. Messrs M'Entire, Allen and Wellborn were appointed to form said committee.

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

On motion of Mr. Williams, of Martin, ordered that Gabriel Sherard, the Senator from the county of Wayne, have leave of absence from and including this day, until Monday next.

On motion of Mr. Hoke,

Resolved, That the committee on Finance be instructed to inquire into the expediency of imposing a tax on gold mines, or the proceeds thereof, for the purpose of revenue; and that they report by bill or otherwise.

On motion of Mr. Hinton of Wake, ordered that a message be sent to the House of Commons, proposing to ballot on Monday next for Councillors of State for the ensuing year.

Mr. Meares, from the committee on the Judiciary, to whom was referred the resolution directing them to inquire into the expediency of passing a law to authorise three justices of the peace to try free negroes and mulattoes for all offences, reported that such a provision of the law would be unconstitutional, and ask to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee were discharged accordingly.

Mr. Sanderson presented a bill to authorise Henry S. Spencer, sheriff of Hyde county, to collect arrearages of taxes; which was read the first time and passed, and ordered to be referred to the committee on Propositions and Grievances.

Mr. Miller presented a bill to increase the tax on gates authorised to be erected across public roads; which was read the first time and passed.

Received from the House of Commons a message, proposing that the report of the Adjutant General of the State, and condition of the militia accompanying the same, be printed, one copy for each member of the Legislature; which proposition was agreed to, and the House of Commons informed thereof by message.

Received from the House of Commons a message, proposing that sundry petitions accompanying the same, from sundry citizens of the county of Bertie in relation to the fisheries on Salmon creek, be referred to a joint select committee; and stating that Messrs. Mebane, Cooper, Chesson, Chamblee and Hayley formed said committee on the part of that House; which proposition was agreed to, and Messrs. Askew, Montgomery of H. Williams of M. Walton and Dickinson were appointed to form said committee.
on the part of the Senate, and the House of Commons were informed thereof by message.

On motion of Mr. Montgomery, of Hertford,

Resolved, That the committee of Internal Improvement be instructed to inquire into the expediency of making an appropriation for the purpose of constructing a road from Ashe court house to the bank of plaster of Paris, in Virginia.

Received from the House of Commons a message, stating that they recede from their amendment made in the engrossed bill to provide for the payment of jurors in the counties of Rowan and Wake, and for other purposes. Ordered that the said bill be enrolled.

Mr. Matthews 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.

On motion of Mr. Franklin,

Resolved, That the committee on Internal Improvement be instructed to inquire into the expediency of making an appropriation for the purpose of clearing out and improving the road from Rockford, in Surry county, to Jefferson, in Ashe county; and that they report by bill or otherwise.

Mr. Bell presented a bill to repeal a part of the second section of an act, entitled an act to revise the militia laws of this State relative to the infantry, passed A. D. 1806; which was read the first time and passed.

Mr. Hinton, of Beaufort, presented a bill to amend an act, passed at the last session, chap. 8, entitled an act to amend the law with respect to the collection of debts from the estates of deceased persons, and the law in relation to the levying of executions issued by justices of the peace; which was read the first time, and, on motion of Mr. Meares, ordered that the bill be printed, one copy for each member of the Legislature; and, on motion of Mr. Spaight, ordered that the said bill be referred to the committee on the Judiciary.

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

Resolved, That the Public Treasurer pay Alexander Nicholson, of Richmond county, the sum of six dollars and fifty cents, it being the amount overpaid by him as purchase money for vacant land in said county of Richmond.

Which was read the first time and passed, and, on motion of Mr. M'Farland, ordered to be referred, together with the accompanying documents, to the committee on Claims.

Mr. Etheredge, from the select committee, to whom was referred the bill concerning the summoning of jurors, reported the same without amendment. Whereupon the said bill was read the second time and passed.

Received from the House of Commons a message, stating that they agree to the proposition of the Senate, that the report of the commissioners appointed to represent the State in all general meetings of the stockholders of the several Banks in this State, be printed; and that it be referred to the select joint committee on so much of the Governor's message as relates to the Banks and circulating medium.

On motion of Mr. Wellborn,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of making the Journals of the General Assembly competent evidence in the trial of a person for acting as a magistrate after resignation, to prove the fact of resignation.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to repeal an act, passed 1828, appointing commissioners on the road from Watauga, in Ashe county, to the head of John's river, in Burke county; and a bill to incorporate Beth- mont Academy, in the county of Orange; in which they ask the concurrence
of the Senate; and the said bills were thereupon read the first time and passed.

The engrossed bill respecting jurors in the county of Hyde, was taken up, on motion of Mr. Dickinson, and read the third time and passed, and ordered to be enrolled.

On motion of Mr. Davidson, the Senate proceeded to consider the report of the Judiciary committee on the resolution directing them to inquire into the expediency of distributing additional copies of the acts of Assembly; and the report having been read, Mr. Davidson moved to recommit the same to the committee on the Judiciary, with instructions to report a bill to carry the object of the resolution into effect; which was not agreed to; and the question recurring on agreeing to the report of the committee, it was decided in the affirmative.

On motion of Mr. Dickinson, the bill to prevent any person or persons from working seines or nets in Great Contentnea creek, from Hadley's mills to where the said creek empties into Neuse river, from 12 o'clock on Saturday to 12 o'clock on Monday, in every week, from the first day of January to the first day of April, in each and every year, was taken up; and the said bill being read the third time, it was resolved that the same shall not pass.

The engrossed resolution in favor of the late J. L. Taylor, was taken up on motion of Mr. Sneed, and read the second time and passed.

The following bills, to wit: The bill to amend the third section of an act, passed in the year A. D. 1810, relative to the passage of fish up Pee Dee and Yadkin rivers; the bill to repeal part of an act, passed at the last session, chap. 74, entitled an act to compel the clerks of the County and Superior Courts, and register of the county of Chatham, to keep their respective offices at Pittsborough, in said county, and for other purposes; the bill respecting the first regiment of militia of Stokes county; and the bill for the relief of James D. Justice, of the county of Buncombe, were severally read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. Dick, the engrossed bill amendatory of the law respecting the crime of bigamy, was taken up and read the second time; and the question being taken on the passage of the bill the second time, it was determined in the negative—aye 28, noes 29. The ayes and noes being demanded by Mr. M'Farland are as follows to wit:


A message was sent to the House of Commons, stating that Mr. Meares is appointed on the part of the Senate, on the joint select committee on enrolled bills, in the room and stand of Mr. Caldwell, appointed Speaker.

Mr. M'Entire presented the resignations of William M. Gold and Lemuel Moore, justices of the peace for the county of Rutherford. Mr. Allison presented the resignation of Thomas M. Sharpe, major of the 2d regiment of Iredell county militia; and Mr. Welch presented the resignation of Thomas B. Love, as lieutenant colonel of the Macon county militia; which were severally read and accepted, and sent to the House of Commons.

Received from the House of Commons the resignation of Lewis Turner.
colonel commandant of the Warren county militia, endorsed in that House "read and accepted;" and which was read and accepted by the Senate.

A motion was made by Mr. Hoke, to reconsider the vote taken to day on the second reading of the engrossed bill amendatory of the law respecting the crime of bigamy; and on the question, Will the Senate reconsider the said vote? it was decided in the affirmative.

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

MONDAY, DECEMBER 14, 1829.

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 first regiment of militia of Stokes county; a bill to repeal part of an act, passed at the last session, chapter 74, entitled an act to compel the clerks of the County and Superior Courts, and register of the county of Chatham, to keep their respective offices at Pittsburgh, in said county, and for other purposes; a bill to amend the third section of an act, passed in the year A. D. 1810, relative to the passage of fish up the Pee Dee and Yadkin rivers; and a bill for the relief of James D. Justice, of the county of Buncombe; in which they ask the concurrence of that House.

Mr. Pool presented a bill to authorise the setting of guns in the night-time, in the desert in the counties of Pasquotank and Perquimons; which was read the first time and passed.

Mr. Sneed, from the committee on Finance, whose duty it is made by law to examine the report of the Public Treasurer, the statement of the Comptroller, and, in general, into the state and condition of the finances of the State, and of the departments connected therewith, made a detailed report thereon, accompanied by the following resolution, to wit:

Resolved, That William Robards, Public Treasurer, be allowed the sum of $19,971 65, the amount of Treasury notes which have been burnt by the committee of Finance, in pursuance of a resolution of the present Legislature; and that the Comptroller credit the Treasurer for the same in the settlement of his public accounts.

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

Mr. Meares, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of amending the acts of 1784 and 1789, so as to regulate the sale (by heirs of devises) of deceased debtors' real estate, made a report thereon. Mr. Meares also reported a bill making void certain conveyances therein mentioned; which was read the first time and passed.

Mr. Meares, from the same committee, to whom was referred the bill to authorise the clerks and Masters in Equity to take depositions, reported the same without amendment, and recommended that it be passed into a law. Whereupon the said bill was read the second time and passed.

Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of amending the act of 1828, chap. 44, made a report thereon. Mr. Meares also reported a bill, giving femes covert the right of suing and being sued; which was read the first time and passed.
Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of amending the laws for the protection of stock, made a report thereon. Mr. Meares also reported a bill more effectually to prevent injury to stock; which was read the first time and passed.

Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of amending the law, so as to make an equal distribution of the estates of deceased insolvent debtors, reported that such an alteration of the law would be mischievous and inexpedient, and asked to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee were discharged accordingly.

Mr. Love presented the certificate of allowance of the clerk of the Superior Court of Hall county, Georgia, in favor of Jesse Halsey, a pensioner of this State; which was read and ordered to be countersigned by the Speaker of the Senate, and sent to the House of Commons.

Mr. Wilson presented a bill to regulate banks and incorporated companies within this State; which was read the first time and passed, and, on motion of Mr. Wilson, ordered to be referred to the committee on the banks and circulating medium.

Mr. M'Entire presented a bill concerning the fees of the Standard-keeper of the county of Rutherford; 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 concerning the elections in the counties of Davidson and Mecklenburg; a bill concerning the county courts of the county of Iredell; a bill to alter the times of holding the elections in the county of Columbus; a bill to incorporate the Philodemic Association, in the county of Halifax; a bill to incorporate the Lake Drummond and Orapeake Canal Company; and a bill further to amend an act, passed in the year 1818, entitled an act to authorise the Court of Pleas and Quarter Sessions of Craven and Cumberland counties to appoint special justices of the peace, and making compensation to such justices for certain purposes; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

Mr. Johnson presented a bill for the relief of debtors, whose real estate may hereafter be sold by execution; which was read the first time and passed, and, on motion of Mr. M'Farland, ordered to be referred to the committee on the Judiciary.

On motion of Mr. Hinton, of Beaufort, ordered that a message be sent to the House of Commons, proposing to ballot on to-morrow for a brigadier general of the 12th brigade and 8th division, and stating that the name of Richard F. Bonner is in nomination for the appointment.

Received from the House of Commons a message of Saturday last, stating that they agree to the proposition of the Senate to ballot on Monday next for Councillors of State.
Received also from the House of Commons a message, stating that they agree to ballot on Tuesday next for Brigadier Generals of the 4th and 12th brigades of the militia of the State; and informing that the names of William Hancock and John Sellers for the 4th, and that of Edmund B. Hatch for the 12th brigades, are added to the nomination.

Received also from the House of Commons a message, proposing that the two Houses ballot immediately for Secretary of State, Public Treasurer and Comptroller, stating that William Hill is in nomination for the first, William Robards for the second, and James Grant for the third office; which proposition was agreed to, and Messrs M'Neil and Melchior were appointed superintendents of the balloting on the part of the Senate, and the House of Commons were informed thereof by message. Whereupon a message was received stating that Messrs. Green and Webb attend the Senate as superintendents of the balloting on the part of the House of Commons.

Received also from the House of Commons a message, proposing to ballot on Wednesday next for a Public Printer of the State, and informing that Lawrence & Lemay are in nomination for the appointment; which proposition was agreed to, and the House of Commons were informed thereof by message.

Received from the House of Commons the resignation of Francis Daval, a justice of the peace for the county of Jones, endorsed in that House "read and accepted;" and which was read and accepted by the Senate.

On motion of Mr. Davidson, the Senate entered on the orders of the day, and resolved itself into a committee of the whole house, Mr. Sneed in the chair, to take into consideration the bill to establish a bank on behalf of, and for the benefit of the State; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sneed reported that the committee of the whole had had the said bill under consideration, and made some progress therein, and not having time to go through the same, had directed him to ask leave to sit again. The question was then taken shall the committee have leave to sit again, and it was determined in the affirmative.

Mr. M'Neil from the committee appointed to conduct the balloting for Secretary of State, Treasurer and Comptroller, reported that William Hill is duly elected Secretary of State, William Robards Treasurer, and James Grant Comptroller; in which report the Senate concurred.

On motion of Mr. Etheridge.

Resolved, That the Judiciary committee be instructed to inquire into the expediency of providing by law for a more durable authentication of division of estates than is now required by law; and that they report by bill or otherwise.

Mr. Weare presented the following resolution, to wit:

Resolved, That the Senate will meet at 3 o'clock, P. M. each day after this day, for the despatch of private bills only.

And the resolution being read, Mr. Wellborn moved to lay it upon the table, which was agreed to.

On motion of Mr. Montgomery, of Orange, ordered that the bill to vest the right of electing sheriffs in the several counties within this State in the free white men thereof, be made the order of the day for to-morrow.

The bill authorising a fire engine Company in the town of Elizabeth City, was read the second and third times and passed, and ordered to be engrossed.

The bill directing the removal of certain papers from the office of Treasurer of Secretary of State, was read the third time and passed, and ordered to be engrossed.

And the Senate adjourned until to-morrow morning, 10 o'clock.
TUESDAY, DECEMBER 15, 1829.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to authorize the forming a fire engine company in the town of Elizabeth City; and a bill directing the removal of certain papers from the office of the Treasurer to that of the Secretary of State; in which they ask the concurrence of the House of Commons.

Received from the House of Commons the certificate of allowance of the County Court of Cumberland county in favor of Isabella Campbell, a pensioner of the State, endorsed in that house "read and ordered to be countersigned by the Speaker, and sent to the Senate;" which was read and ordered to be countersigned by the Speaker of the Senate.

Mr. Boddie presented the following resolution, to wit:

Resolved, That the Public Treasurer pay to Benjamin Blount, late sheriff of Nash county, fifteen dollars and sixty cents, for insolvent for the year 1827, and that he be allowed in the same in the settlement of his public accounts.

Which was read, and, on motion of Mr. Boddie, ordered that the said resolution, together with the accompanying documents, be referred to the committee on Claims.

Mr. Davidson presented the resignation of Robert Kirkpatrick, major of cavalry in the 11th brigade of the 4th division of the militia of this State; which was read and accepted, and sent to the House of Commons.

Mr. Davidson presented the certificate of allowance of the County Court of Mecklenburg, in favor of Martha Thompson, the widow of John Thompson, a revolutionary soldier; which was read and ordered to be countersigned by the Speaker of the Senate, and sent to the House of Commons.

On motion of Mr. Montgomery, of Orange, the Senate entered on the orders of the day, and proceeded to consider the bill to vest the right of electing sheriffs in the several counties within this State in the free white men thereof; and the bill being read the third time, the question on the passage thereof was determined in the affirmative—ayes 32, noes 28.

The ayes and noes being demanded by Mr. Wellborn, are as follows, to wit:


Whereupon the said bill was ordered to be engrossed.

Mr. Martin, from the committee on Claims, to whom was referred the resolution in favor of Alexander Nicholson, made a report thereon, recommending the adoption of the said resolution. Whereupon the resolution was read the second time and passed.

On motion of Mr. Dick, the Senate proceeded to consider the engrossed bill amendatory of the law respecting the crime of Bigamy; and the bill being read the second time, Mr. Hoke moved to amend the bill by inserting the following after the word "whipping," in the twenty-eighth line of the first section, to wit: "and to be branded on the left cheek with the letter B." Mr. M'Farland moved to amend
the amendment by inserting after the word "branded," the words "so as to make a lasting impression;" which was not agreed to. The question then recurred on the adoption of the first amendment, and it was determined in the affirmative. Mr. Dick moved further to amend the bill by inserting after the word "clergy," in the twenty-third line of the first section, the words "for the first offence;" which amendment was agreed to. Mr. Meares moved further to amend the bill by striking out the word obtained, in the twenty-second line of the first section, and inserting the words "be entitled to;" which amendment was agreed to. Mr. Meares moved further to amend the bill by striking out the whole thereof, after the word "whipping," in the twenty-eighth line of the first section; which amendment was agreed to; and the bill, as amended, being read the second time, the question on the passage thereof was determined in the affirmative—yeas 44, nays 17. The ayes and noes being demanded by Mr. Hoke, are as follows, to wit:


Mr. Meares, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the necessity of altering and amending the law regarding securities for the stay of executions on judgments obtained before justices of the peace, made a report thereon, accompanied by a bill to amend the law relative to securities for the stay of executions on judgments given by justices of the peace; which was read the first time and passed, and, on motion of Mr. Cowper, ordered to lie on the table.

Received from the House of Commons a message, stating that Messrs. Cox and Moye attend the Senate as superintendents on their part of the balloting for a Brigadier General of the 12th brigade, as heretofore agreed on; and stating further that the name of Gabriel Sherard is added to the nomination. Whereupon Messrs. Moye and Askew were appointed a committee to superintend the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

Mr. Martin, from the committee on Claims, to whom was referred the petition of Ransom Hinton, of Wake county, made a report thereon, accompanied by the following resolution, to wit:

Resolved, That the Public Treasurer pay to Ransom Hinton, clerk of Wake Superior Court, twenty-three dollars and seventy seven cents and a half; and that he be allowed the same in the settlement of his public accounts.

On motion of Mr. M'Diarmid, a message was sent to the House of Commons, stating that Messrs. Smith and M'Diarmid attend that House as superintendents on the part of the Senate of the balloting
for Brigadier General of the 4th brigade, as heretofore agreed on. Whereupon a message was received from the House of Commons, stating that Messrs. P. Murphey and Edmonston attend the Senate as superintendents of the ballotting on their part.

On motion of Mr. Montgomery, of Hertford,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of making provision by law for the estates of intestates, whenever letters of administration shall not have been taken out within 12 months from the death of such intestate.

On motion of Mr. Smith, ordered that a message be sent to the House of Commons, proposing to ballot on to-morrow for colonel commandant, lieutenant colonel and major of cavalry of the 16th brigade and third division; and stating that the name of Samuel Mitchell is in nomination for colonel commandant, that of James W. Jones for lieutenant colonel, and William Malone for major.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to amend an act, passed in 1828, entitled an act appointing commissioners to alter the plan of the town of Ashborough, in the county of Randolph, and for the better regulation of the police of said town; a bill to attach capt. Alexander’s company of the county of Iredell to the first regiment of Iredell militia; a bill to restore to credit Wm. B. Murchie, of Lenoir county; and a bill concerning the State road in the county of Macon; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed, and the last mentioned bill, on motion of Mr. Love, was ordered to lie upon the table.

Received also from the House of Commons a message, stating that they have passed the following engrossed resolution, to wit:

Resolved, That the Public Treasurer is authorised to receive in payment any of the notes of the Banks of South Carolina and Georgia, which shall be considered solvent and specie paying Banks at the time such payment shall be offered, on the notes now due from the purchasers of the Cherokee lands.

In which they ask the concurrence of the Senate; and the said resolution having been read, it was resolved that the same shall not pass — yeas 23, nays 37. The ayes and noes being demanded by Mr. Meares, are as follows, to wit:


The engrossed bill to amend an act, passed in 1828, entitled an act appointing commissioners to alter the plan of the town of Ashborough, in the county of Randolph, and for the better regulation of the police of said town, was read the second time and passed.

Mr. Askew, from the committee appointed to conduct the ballotting for brigadier general of the 12th brigade, reported that no person in
nomination has received a majority of votes; in which report the Senate concurred.

Mr. Burns presented a bill to prevent disfiguring the walls of the State House; which was read the first time and passed.

On motion of Mr. Love,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of providing for the establishment of a Superior Court of Law and Court of Equity for the county of Macon, or either by altering the times of holding some of the courts of the 6th judicial circuit, or dividing the same; and that they report by bill or otherwise.

Mr. M'Diarmid, from the committee appointed to conduct the ballotting for brigadier general of the 4th brigade, reported that Henry W. Ayer received a majority of the whole number of votes, and is duly elected; in which report the Senate concurred.

The bill to provide for the permanent establishment of a public road from Lincolnton to Rutherfordton, was read the third time and ordered to be engrossed.

The engrossed bill to restore to credit William B. Murchie, of Lenoir county, was read the the second and third times and passed, and ordered to be enrolled.

Mr. M'Diarmid presented the petition of sundry citizens of the county of Cumberland, praying the passage of an act to restore to credit John Taylor, of said county. Ordered that the said petition be referred to the committee on Propositions and Grievances.

The following bills, to wit: The bill concerning the Standard-keeper of the county of Rutherford; the bill to authorize the setting of guns in the night time in the desert, in the counties of Pasquotank and Perquimans; and the bill to secure to Martha W. Patrick such property as she may hereafter acquire, were severally read the second and third times and passed, and ordered to be engrossed.

Mr. Wilson presented the resignation of Lunsford R. Cherry, as major of the 2d battalion of the 2d regiment of Edgecomb county militia; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons, the resignation of William Davidson, a justice of the peace for the county of Mecklenburg, endorsed in that house, "read and accepted;" and which was read and accepted by the Senate.

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

WEDNESDAY, DECEMBER 16, 1829.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to authorize the setting of guns in the night time in the desert in the counties of Pasquotank and Perquimans; a bill concerning the fees of the standard keeper of the county of Rutherford; and a bill to vest the right of electing sheriffs in the several counties within this State in the free white men thereof; in which they ask the concurrence of that House.

On motion of Mr. Wellborn.

Resolved, That the committee of Finance be instructed to inquire into the expediency of so amending the revenue laws of this State, in a particular manner, in relation to large entries of land, say from thirty thousand to two hundred thousand acres, on which grants have issued to
citizens of other States, and where, for the space of thirty years, said land has never been

given in, nor sold for the taxes agreeable to law, these dormant titles have slept ever since the
year 1795. Said committee is authorised to report by bill or otherwise.

The engrossed bill to incorporate the Lake Drummond and Orapeake Can-

nal Company, was read the second time and passed.

Received from the House of Commons a message, proposing to ballot im-
mediately for a brigadier general of the sixth brigade and third division of
the militia, and stating that George Hoover, of Randolph county, is in nomi-
nation for the appointment; which proposition was agreed to, and Messrs.
Harris and Burgin were appointed a committee to conduct the balloting on
the part of the Senate, and the House of Commons were informed thereof
by message:

Mr. Meares, from the committee on the Judiciary, to whom was referred
the resolution instructing them to inquire into the expediency of providing
by law for the establishment of a Superior Court of Law and Equity in the
county of Macon, made a report thereon, asking to be discharged from the
further consideration of the subject; in which report the Senate concurred,
and the committee were discharged accordingly.

Mr. Sanders presented the following resolution, to wit:

Resolved, That the joint select committee on Internal Improvement be instructed to in-
quire into the expediency of instructing our Senators and Representa-
tives in Congress to use their influence to obtain from the General Government a sum sufficient to make the river Neuse navigable from the town of Newburn to Lockhart's Falls, in Johnston county; and that they report by bill or otherwise.

And the resolution having been read, on motion of Mr. Spaight, ordered
that it lie upon the table.

Mr. Meares, from the committee on the Judiciary, to whom was referred
the resolution instructing them to inquire into the expediency of passing a
law to make the Journals of the General Assembly competent evidence on
the trial of defendants on indictments in certain cases, reported that such a
law would conflict with the Constitution of the State, and ask to be dis-
charged from the further consideration of the subject; in which report the
Senate concurred, and the committee were discharged accordingly.

Mr. Meares, from the same committee, to whom was referred the bill fixing
the fees of the clerks of the County and Superior Courts and sheriffs' fees,
reported the same without amendment, and, on motion of Mr. Meares, or-
dered that the said bill be committed to a committee of the whole house,
and that it be made the order of the day for to morrow; and, on motion of
Mr. Matthews, ordered that it be printed, one copy for each member of the
Legislature.

Mr. Martin, from the committee on Claims, to whom was referred the re-
solution in favor of Ben. H. Blount, late sheriff of Nash county, reported the
same without amendment, and recommended its adoption. Whereupon the
said resolution was read the first time and passed.

Mr. Mitchell presented the following resolution, to wit:

Resolved, That the Public Treasurer be, and he is hereby authorised and directed to pay

to James Calloway, agent of David Graybeal, the sum of fifteen dollars, on account of that
sum having been paid a second time and by mistake for the entries of land, and the Treasurer
be allowed the same in the settlement of his public accounts.

And the resolution having been read, on motion of Mr. Mitchell, ordered
that it be referred to the committee on Claims.

Mr. Brower presented the petition of sundry citizens of Randolph coun-
ty, praying the passage of a law to prevent ob-tructions to the run of Big and
Little Polecat creeks in said county. Mr. Brower also presented a bill to
carry the prayer of the said petitioners into effect; which was read the first time and passed.

Mr. Mosely presented a bill to authorize Nathan G. Blount to erect a spiral wheel on Neuse river; which was read the first time and passed.

On motion of Mr. M'Entire, ordered that a message be sent to the House of Commons, proposing to ballot on to-day for major of cavalry in the 16th brigade, and stating that Thomas Dews is in nomination for the appointment.

Mr. Saunderson presented a bill to compensate the board of wardens for the county of Hyde for their services in the management of the poor in said county; which was read the first time and passed.

A motion was made by Mr. Wellborn to reconsider the vote taken on the adoption of the resolution instructing the committee on Finance to inquire into the expediency of amending the revenue laws in certain cases; and on the question, will the Senate reconsider the said vote? it was determined in the affirmative. Whereupon Mr. Wellborn moved to amend the said resolution by striking out the words "the committee of Finance," and inserting the words "a select committee on the part of this House;" which amendment was agreed to. Ordered that Messrs. Wellborn, Love, Welch, M'Entire and Meares form the said committee.

Received from the House of Commons a message, stating that Messrs. Smith of Chatham and Wiseman attend the Senate as superintendents of the balloting on the part of that House for brigadier general of the 6th brigade.

Mr. Miller presented the petition of James Moore, of Duplin county, a revolutionary soldier, praying the Legislature to make him compensation for the loss of his land warrant. Ordered that the said petition, with the accompanying documents, be referred to the committee on Propositions and Grievances.

Mr. Martin presented the following resolution, to wit:

Resolved, That no public or private bill shall be introduced to this Legislature from and after Monday, 21st instantaent, except such as may be reported by the committees already organized.

And the resolution having been read, on motion of Mr. Spaight, ordered that it be postponed indefinitely.

On motion of Mr. Mosely, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for brigadier general of the 12th brigade of the 6th division.

Mr. Burgin, from the committee appointed to conduct the balloting for brigadier general of the 6th brigade, reported that George Hoover having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

Received from the House of Commons a message, stating that they agree to ballot on this day for brigadier general of the 13th brigade, and informing that the name of Peter O. Picot is added to the nomination; and stating further, that Messrs. Williams and Little attend the Senate as superintendents of the balloting on their part. Whereupon Messrs. Moore and Marshall were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.
The message from the House of Commons of the 8th instant, proposing that the present Legislature adjourn sine die on the 26th December, (instant,) was taken up on motion of Mr. Martin; and having been read, on motion of Mr. Wellborn, ordered that it be laid upon the table.

The engrossed resolution in favor of Stephen Pearson, of Wake county, was read the second time and passed.

Received from the House of Commons a message, proposing that a joint select committee be raised, and instructed to examine the existing laws regulating the Treasury Department, and report whether any, and if any, what change or modification be necessary, and whether the compensation allowed to the Public Treasurer and the provision for clerk hire be sufficient; and that they report by bill or otherwise; which proposition was agreed to. Ordered that Messrs. Sneed, Brower, Dick, Melchior and Spaight form the committee on the part of the Senate, and the House of Commons were informed thereof by message.

Received from the House of Commons the resignation of Reading Anderson, colonel commandant of the first Anson regiment of North Carolina militia; and the resignation of Wyatt Moye, lieutenant colonel of the 27th regiment of North Carolina militia for the county of Greene, endorsed in that House "read and accepted;" and which were read and accepted by the Senate.

On motion of Mr. Wellborn, the Senate entered on the orders of the day, and resolved itself into a committee of the whole House, Mr. Sneed in the Chair, to take into consideration the bill to establish a Bank on behalf of, and for the benefit of the State; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Sneed reported that the committee of the whole had had the said bill under consideration, and had made some progress therein, and not having time to go through the same, had instructed him to ask leave to sit again; and the question being taken, shall the committee have leave to sit again on the said bill? it was determined in the affirmative.

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

Thursday, December 17, 1829.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to secure to Martha W. Patrick such property as she may hereafter acquire; and a bill for the permanent establishment of a public road from Lincolnton to Rutherfordton; in which they ask the concurrence of that House.

Mr. Mitchell, from the committee on Internal Improvement, to whom was referred the resolution instructing them to inquire into the expediency of making an appropriation for the improvement of the road from Rockford, in Surry county, to Jefferson, in Ashe county, made a report thereon, recommending the rejection of said resolution; in which report the Senate concurred, and the committee were discharged from the further consideration of the subject.

Mr. Mitchell, from the same committee, to whom was referred the petition of sundry inhabitants in Buncombe county, praying an appropriation to
open a road in said county, made a report thereon, recommending the rejection of the prayer of the said petitioners; in which report the Senate concurred. On motion of Mr. Allen, ordered that the petitioners have leave to withdraw their papers.

Mr. Mitchell, from the same committee, to whom was referred the bill providing for the repair of certain roads therein mentioned, reported the same without amendment, and recommended that the said bill be rejected; in which report the Senate concurred.

Mr. Mitchell, from the same committee, to whom was referred the bill to amend an act, passed in the year 1827, chapter 25, entitled an act to amend an act, passed in the year 1824, entitled an act giving the assent of North Carolina to certain acts of the General Assembly of Tennessee relative to the Smoky Mountain turnpike road, reported the same without amendment, and recommended that the said bill be rejected; in which report the Senate concurred.

Mr. Moore, from the committee appointed to conduct the balloting for brigadier general of the 13th brigade and 8th division, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

On motion of Mr. Hinton, of Beaufort, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for brigadier general of the 13th brigade and 8th division.

A motion was made by Mr. Love to reconsider the vote taken on yesterday relative to the reference of the resolution presented by Mr. Wellborn; and on the question, will the Senate reconsider the said vote? it was determined in the affirmative; and, on motion of Mr. Love, ordered that a message be sent to the House of Commons, proposing to refer the said resolution to a select joint committee of both Houses, instead of a select committee of this House.

Mr. Hinton, of Wake, presented a communication from James Grant, Comptroller of the Treasury, relative to the settlement of the sheriff's of the county of Macon for the present year. Ordered that the said communication be referred to a select committee. Messrs. Hinton of Wake, Hinton of Beaufort, Davenport, Burns and Etheridge were appointed to form said committee.

Mr. Pool presented a bill to amend an act, passed A. D. 1817, entitled an act to prevent persons from obstructing the passage of fish up Newbegun creek, in the county of Pasquotank; which was read the first time and passed.

Received from the House of Commons a message, agreeing to ballot for a brigadier general of the 13th brigade, and stating that Messrs. Cox and Rhodes attend the Senate as superintendents of the balloting on their part. Whereupon Messrs. Crump and Bell were appointed to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

The bill to amend the law relative to the securities for the stay of executions on judgments given by justices of the peace, was read the second time. Mr. Cowper moved to amend the bill by inserting the following as an additional section at the end of the first section, to wit: "And be it further enacted, that it shall be the duty of the constable or other officer, in whose hands the execution may be, to make the money out of the principal to the
bill, bond, note, or contract; and on his or her failure, the security for the
stay of execution shall next be liable to pay the money so due; and the or-
iginal security or securities to the bill, bond, note, or contract shall not be
liable only on failure of the principal and the security for the stay of exec-
ution;" which amendment was agreed to, and the bill, as amended, was
read the second time and passed.

Mr. Sneed, from the committee on finance, to whom was referred the re-
solution instructing them to inquire into the expediency of imposing a tax
on gold mines, or the proceeds thereof, for the purpose of revenue, made a
report thereon, recommending the rejection of the said resolution, and asking
to be discharged from the further consideration of the subject; in which re-
port the Senate concurred, and the committee were discharged accordingly.

Mr. Williams, of Martin, from the committee on Propositions and Griev-
ances, to whom was referred the petition of sundry citizens of the counties
of Cumberland, Moore, Wake and Chatham, praying the erection of a new
county out of part of those counties, together with a bill to carry the prayer
of the said petitioners into effect, made a report thereon, and the resolution
therein contained as follows, to wit: "Resolved, that the prayer of the pe-
titioners be not allowed, and the accompanying bill be rejected," was con-
curred in by the Senate.

Mr. Williams, of Martin, from the same committee, to whom was refer-
red the bill to authorise Andrew Welch and William Thomas to erect gates,
reported the same without amendment, and recommended that it be passed
into a law. Whereupon the said bill was read the second time and passed.

The engrossed bill concerning the elections in the counties of Davidson
and Mecklenburg, was read the second time. Mr. Davidson moved to
amend the bill by adding the following proviso at the end of the third section,
to wit: "Provided, that the polls of the court house in the county of Meck-
lenburg shall be kept open until sun down;" which amendment was agreed
to; and the bill, as amended, was read the second time and passed.

On motion of Mr. Sneed,

Resolved, That the committee of Finance be instructed to inquire into the nature and
extent of the duties imposed upon the Comptroller since the session of 1827, and as-
certain whether the proper discharge of those duties requires the aid of a clerk or not;
and that said committee report by bill or otherwise.

On motion of Mr. M'Farland, ordered that the committee on Education
be discharged from the further consideration of the bill for the education of the
poor children of the State of North Carolina; and the said bill was or-
dered to be referred to a select committee, consisting of Messrs. M'Farland,
Franklin, Ramsey, Boddie and Ward.

Mr. Wellborn presented a bill to restore Joshua Pennell, of Wilkes county,
to credit; which was read the first time and passed, and, on motion of Mr.
Montgomery of Orange, ordered that the said bill be referred to the com-
mittee on Propositions and Grievances.

Mr. Bell, from the committee appointed to conduct the balloting for
brigadier general of the 13th brigade and 6th division, reported that no per-
son in nomination had received a majority of the votes; in which report the
Senate concurred.

Mr. M'Entire, from the committee appointed to conduct the balloting for
major of cavalry of the 10th brigade, reported that Thomas Dews, having
received a majority of the whole number of votes, is duly elected; in which
report the Senate concurred.
Received from the House of Commons a message, stating that they agree to ballot for cavalry officers in the 16th brigade and third division, as proposed by the Senate.

Mr. Hinton, of Beaufort, presented a bill declaring certain offices incompatible with the office of justice of the peace; which was read the first time and passed.

The engrossed bill to incorporate Bethmont Academy, in the county of Orange, was read the second and third times and passed, and ordered to be enrolled.

The bill making void certain conveyances therein mentioned; and the engrossed bill to authorize the board for Internal Improvement to contract for the re-opening and improving Currituck Inlet, were read the second time and passed.

The engrossed resolution in favor of the late J. L. Taylor, was read the third time and passed, and ordered to be enrolled.

Received from the House of Commons a message, proposing that the report of James Mebane, superintendent of the public works on the Cape Fear river for the present year, and accompanied by a message from the Governor, be printed, one copy for each member of the Legislature; which proposition was agreed to, and the House of Commons were informed thereof by message.

On motion of Mr. McFarland, ordered that a message be sent to the House of Commons, stating that the Senate do not concur in the amendment made by the House of Commons to the engrossed bill to appoint a committee of Finance for the county of Richmond.

On motion of Mr. Bell, ordered that a message be sent to the House of Commons, proposing to ballot again immediately for brigadier general of the 12th brigade.

The resolution submitted by Mr. Meares, on the 14th instant, relative to evening sessions of the Senate, was taken up, read and adopted.

Mr. Moore presented the resignation of Abraham Vanhoy, lieutenant colonel of the second regiment of Stokes county militia; and Mr. Williams, of Martin, presented the resignation of James Burney, lieutenant colonel of the militia of Columbus county; which were read and accepted, and sent to the House of Commons.

On motion of Mr. Montgomery of Orange, the Senate entered on the orders of the day, and resolved itself into a committee of the Whole House, Mr. Sneed in the chair, to take into consideration the bill to establish a bank on behalf of, and for the benefit of the State; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sneed reported that the committee of the Whole had had the said bill under consideration, and not having time to go through the same, had instructed him to ask leave to sit again; and on the question, shall the committee have leave to sit again? it was determined in the affirmative.

And the Senate adjourned until this afternoon, 3 o'clock.

Thursday Evening, 3 o'clock, December 17, 1859.

Received from the House of Commons a message, stating that they have
passed the following engrossed bills, to wit: A bill to authorise John V. Summer, late sheriff of Gates county, to collect the arrears of taxes due him in said county for the year 1827; a bill to alter the times of holding elections in the 6th Congressional district; a bill to extend the provisions of an act, passed A. D 1826, entitled an act to appoint commissioners to build a new court-house in the county of Surry, and for other purposes; a bill appointing commissioners to run out and mark the dividing line between the counties of Anson and Mecklenburg; and a bill to repeal an act, passed at the session of 1828, entitled an act to authorise the courts of the counties of Ashe and Wilkes to keep in repair a road by Jefferson, by the imposition of tolls on said road; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

Mr. Allen presented a bill to remove the elections for members of the General Assembly and representatives to Congress, from the Warm Springs, in the county of Buncombe, to the house of col. Alfred Hunter, on the French Broad river; which was read the first time, and resolved that the same shall not pass.

The bill to prevent the falling of timber in, or obstructing the run of Big and Little Polecat creeks, in Randolph county; and the bill to compensate the board of Wardens for the county of Hyde, for their services in the management of the poor in said county, were read the second and third times and passed, and ordered to be engrossed.

The following engrossed bills, to wit: The bill further to amend an act, passed in the year 1818, entitled an act to authorise the courts of Pleas and Quarter Sessions of Craven and Cumberland counties to appoint special justices of the peace, and making compensation to such justices for certain purposes; the bill to incorporate the Philodemic Association, in the county of Halifax; and the bill to attach captain Alexander's company, of the county of Iredell, to the first regiment of Iredell militia, were severally read the second and third times and passed, and ordered to be enrolled.

The engrossed bill to alter the times of holding the elections in the county of Columbus, was read the second time, and, on motion of Mr. Ward, ordered that the said bill be referred to the members of the Senate from the counties composing the 5th Congressional district.

The engrossed bill concerning the county courts of the county of Iredell, was read the second time, and resolved that the same shall not pass.

The bill to amend an act, passed A. D. 1817, entitled an act to prevent persons from obstructing the passage of fish up Newbrogun creek, in the county of Pasquotank, was read the second time and passed.

Received from the House of Commons the certificate of allowance of the county court of Mecklenburg in favor of Martha Thompson, endorsed in that House "read and ordered to be countersigned by the Speaker of the House of Commons."

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

FRIDAY, DECEMBER 18, 1829.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to prevent the falling of timber in, or obstructing the runs of Big and Little Polecat creeks.
in Randolph county; and a bill to compensate the board of Wardens for the county of Hyde, for their services in the management of the poor in said county; in which they ask the concurrence of that House.

Mr. Meares, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of providing by law for a more durable authentication of divisions of real estates, made a report thereon, recommending the rejection of the said resolution, and asking to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee were discharged accordingly.

Mr. Meares, from the same committee, to whom was referred the bill for the relief of debtors, whose real estate may hereafter be sold by execution, reported the same without amendment, and recommended that it be rejected; in which report the Senate concurred; and the said bill being read the second time, it was resolved that the same shall not pass.

Received from the House of Commons a message, stating that Messrs. Chesson and Smallwood attend the Senate as superintendents of the ballotting on the part of that House for brigadier general of the 15th brigade. Whereupon Messrs. Underwood and Welch were appointed a committee to conduct the ballotting on the part of the Senate, and the House of Commons were informed thereof by message.

The bill to authorise Nathan G. Blount to erect a spiral wheel in Neuse river, was read the second time. Mr. Sanders moved to amend the bill by inserting the following after the word "river" in the eighth line of the first section, to wit: "to be located at the junction of the high and low lands next below where said Blount resides;" which amendment was agreed to. Mr. Sanders moved further to amend the said bill, by inserting the following as a proviso at the end of the bill, to wit: "Provided always, and be it further enacted, that after the expiration of ten years, it shall be lawful for the General Assembly to repeal this act, and vacate the grant hereby made, if, in their judgment, the same should be productive of any public inconvenience;" which amendment was agreed to, and the bill, as amended, was read the second time and passed.

Mr. Williams, of M, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Jones county, praying that a certain section of said county be attached to the county of Lenoir, together with a bill to annex a part of the county of Jones to the county of Lenoir, made a report thereon, and the resolution therein contained, as follows, to wit:

Resolved, That the prayer of the petitioners be not allowed, and the accompanying bill be rejected,

Was concurred in by the Senate.

Mr. Williams, of Martin, from the same committee, to whom was referred the bill to authorise Henry S. Spencer, sheriff of Hyde county, to collect arrearages of taxes, reported the same without amendment, and recommended that the same be passed into a law. Whereupon the said bill was read the second time and passed.

Received from the House of Commons a message, proposing to ballot again immediately for brigadier general of the 12th brigade; which proposition was agreed to, and Messrs Montgomery, of Hertford, and Ramsey, were appointed a committee to conduct the ballotting on the part of the Senate, and the House of Commons were informed thereof by message. Where-
upon a message was received, stating that Messrs. Moye and Chamlee attend the Senate as superintendents of the balloting on the part of the House of Commons.

Mr. M'Entire, from the select committee to whom was referred the petition of sundry citizens of the county of Rutherford, praying a new organization of the Court of Pleas and Quarter Sessions of said county, made a report thereon, accompanied by a bill to provide for the better organization of the county courts of Rutherford; which was read the first time and passed.

On motion of Mr. Davidson, the report of the committee on Propositions and Grievances on the petition of Jonas Clark of Mecklenburg county, and the resolution therein reported, being read, Mr. Davidson moved to amend the resolution by striking out the whole thereof except the word "Resolved," and inserting the following: "that the Public Treasurer be, and he is hereby instructed to pay annually to Jonas Clark, of Mecklenburg county, a soldier in the militia of the revolution, the sum of fifty dollars, as a pensioner of the State, for which the Treasurer shall be allowed in the settlement of his public accounts;" which amendment was not agreed to. The question then recurred on the adoption of the said resolution reported by the committee, and it was decided in the affirmative.

Mr. Davis presented the certificate of allowance of the County Court of Warren county in favor of Elizabeth Harris, a pensioner of the State; which was read and ordered to be countersigned by the Speaker of the Senate, and sent to the House of Commons.

On motion of Mr. Meares, ordered that John M. Dick, the Senator from the county of Guilford, have leave of absence from and after this day, till Monday next.

Mr. Hinton, of Beaufort, presented a bill for the better regulation of the town of Washington; which was read the first time and passed.

Mr. Underwood, from the committee appointed to conduct the balloting for brigadier general of the 13th brigade, reported that Peter O. Picot having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

A message was sent to the House of Commons, stating that Messrs. Williams of Martin, Matthews and Mitchell are appointed to form the joint select committee on Public Buildings on the part of the Senate.

On motion of Mr. Martin, the Senate entered on the orders of the day, and resolved itself into a committee of the whole House, Mr. Sneed in the Chair, to take into consideration the bill to establish a Bank on behalf of, and for the benefit of the State; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Sneed reported that the committee of the whole had had the said bill under consideration, and made some progress therein, and not having sufficient time to go through the same, had instructed him to ask leave to sit again; and on the question, shall the committee have leave to sit again on the said bill? it was determined in the affirmative.

Mr. Montgomery, of Hertford, from the committee appointed to conduct the balloting for brigadier general of the 12th brigade, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

On motion of Mr. Williams, of Franklin, ordered that Otway Burns, the Senator from the county of Carteret, have leave of absence from and after to-morrow, for the remainder of the session.

And the Senate adjourned until to-morrow morning, 10 o'clock.
Saturday, December 19, 1829.

Received from the House of Commons a message, agreeing to ballot again immediately for a brigadier general of the 12th brigade, and stating that Messrs. Cox and Hayley attend the Senate as superintendents of the balloting on their part; and stating further, that the name of colonel Hatch is withdrawn. Whereupon Messrs. Etheridge and Hoke were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

Mr. Pool presented a bill for the better government of the town of Elizabeth City, in the county of Pasquotank, and for other purposes; which was read the first time and passed.

Received from the House of Commons a message, stating that Messrs. Stedman and Hough attend the Senate as superintendents of the balloting for a Public Printer for the ensuing year, heretofore agreed on. Whereupon Messrs. Barney and Leonard were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

A message was also received from the House of Commons, agreeing to ballot for Councillors of State for the ensuing year, and stating that Messrs. Gary and N. G. Smith attend the Senate as superintendents of the balloting on the part of that House, and informing that the names of James Rainey, Daniel M. Forney, John M'Alister, Gideon Alston, Nathan B. Whitfield, George W. Jeffreys, Alexander Gray, Thomas Kenan, Archibald M'Bryde and Alfred Jones are in nomination for the appointment. Whereupon a message was sent to the House of Commons, stating that the name of Joseph B. Outlaw is added to the nomination, and that Messrs. Matthews and Beasley attend that House as superintendents of the balloting on the part of the Senate.

Mr. Leonard, from the committee appointed to conduct the balloting for a Public Printer, reported that Lawrence & Lemay, having received a majority of the whole number of votes, are duly elected; in which report the Senate concurred.

Mr. Hoke, from the committee appointed to conduct the balloting for brigadier general of the 12th brigade, reported that Nathan B. Whitfield, having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

Mr. Sneed, from the committee of Finance, to whom was referred the resolution authorising the Treasurer to obtain loans from the State Bank on the deposit of Treasury notes, in case of a deficiency in the revenue for the next fiscal year, reported that it is inexpedient to make the provision suggested in said resolution, and ask to be discharged from its further consideration; in which report the Senate concurred, and the committee were discharged accordingly.

Mr. Sheridan presented a bill for the better regulation of the Court of Pleas and Quarter Sessions for the county of Wayne; which was read the first time and passed.

Mr. Dickinson presented a bill to authorise James S. Clarke, late sheriff of Pitt, to collect certain arrearages of taxes; which was read the first time and passed.

Mr. Martin, from the committee on Claims, to whom was referred the petition of James Seawell, of the county of Cumberland, made a report
thereon, recommending that the prayer of the petitioner be rejected, and that he have leave to withdraw his petition and the accompanying documents; in which report the Senate concurred.

On motion of Mr. Smith, ordered that a message be sent to the House of Commons, stating that Messrs. Sherard and Smith attend that House as superintendents of the ballotting for cavalry officers of the 16th brigade on the part of the Senate. Whereupon a message was received from the House of Commons, stating that Messrs. Webb and Taylor attend the Senate as superintendents of the ballotting on the part of that House.

Mr. Williams, of F. presented a bill to authorise Presley C. Person, late sheriff of Franklin county, to collect certain arrearages of taxes; which was read the first time and passed.

On motion of Mr. Speight, ordered that a message be sent to the House of Commons, proposing to ballot immediately for a brigadier general of the second brigade of the first division, and stating that colonel John J. Pasteur is in nomination for the appointment.

The engrossed bill to incorporate the Lake Drummond and Orapeake Canal Company, was read the third time 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 concerning commissioners, &c. of public works; and a bill concerning the places where company musters shall be held; in which they ask the concurrence of the Senate. Whereupon the said bills were read the first time and passed.

Mr. Williams, of Franklin, presented a bill concerning the appointment of commissioners for the county of Franklin and town of Louisburg; which was read the first time and passed.

The bill to authorise Nathan G. Blount to erect a spiral wheel on Neuse river, was read the third time and passed, and ordered to be engrossed.

Mr. Sherard, from the committee appointed to conduct the ballotting for cavalry officers of the 16th brigade, reported that Samuel Mitchell is duly elected colonel commandant, James W. Jones, lieutenant colonel, and William Malone, major of said brigade; in which report the Senate concurred.

The engrossed resolution in favor of Stephen Pearson, of Wake, was read the third time and passed, and ordered to be enrolled.

Mr. Beasley, from the committee appointed to conduct the ballotting for Councillors of State, reported that George W. Jeffreys, Gideon Alston, Thomas Kenan, Alexander Gray, Archibald M'Bryde and Daniel M. Forney are duly elected, and that no other person in nomination had received a majority of votes; in which report the Senate concurred.

The bill concerning the summoning of jurors, was read the third time and passed, and ordered to be enrolled.

The engrossed bill to authorise the Board for Internal Improvements to contract for the re-opening and improving Currituck inlet, was read the third time and passed, and ordered to be enrolled.

Mr. Hinton, of Wake, presented the following resolution, to wit:

Resolved, That the Treasurer be directed to pay to Merritt Hutchins thirteen dollars, for carrying a writ of election to the sheriff of Caswell county during the present session, a distance of sixty-five miles, and he be allowed the same in the settlement of his public accounts.

Which was read the first time and passed.
The bill granting jurisdiction to the respective County Courts within this State to alter the name of individuals on application, was read the third time and passed, and ordered to be engrossed.

The engrossed bill to provide for a division of negroes and other chattel property held in common; and the resolution in favor of Ransom Hinton, were read the second time and passed.

Received from the House of Commons a message, stating that they have passed the engrossed resolution in favor of John Lowrie; in which they ask the concurrence of the Senate. Whereupon the said resolution was read and adopted, and ordered to be enrolled.

The bill making void certain conveyances therein mentioned, was read the third time and passed, and ordered to be engrossed.

Mr. M'Daniel presented the resignation of Simons Harrison, a justice of the peace for the county of Jones; which was read and accepted and sent to the House of Commons.

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

MONDAY, DECEMBER 21, 1829.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill making void certain conveyances therein mentioned; a bill granting jurisdiction to the respective County Courts within this State to alter the name of individuals on application; and a bill concerning the summoning of jurors; in which they ask the concurrence of the House of Commons.

Mr. Dickinson presented a bill to regulate the fisheries of Tar and Pamplico rivers; which was read the first time and passed.

Mr. Montgomery, of Hertford, from the committee to whom was referred so much of the Governor's message as relates to the opening of a communication from Albemarle sound to the ocean, made a report thereon, accompanied by a memorial, addressed to the Congress of the United States, and the following resolution, to wit:

Resolved, That our Senators and Representatives in Congress, be, and they are hereby requested to use their best endeavours to procure such appropriations as may be necessary to open an inlet from Albemarle sound to the ocean, at or near Naggs Head.

And the memorial and resolution having been read, on motion of Mr. Montgomery, of Hertford, ordered that they be laid upon the table, and be printed, one copy for each member of the Legislature.

Mr. Meares, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of amending the laws so as to preclude justices of the peace becoming security for constables, reported that such an amendment of the law would be unnecessary and inexpedient, and ask to be discharged from the further consideration of the subject. Mr. Sneed moved to lay the report and resolution upon the table; which was not agreed to. The question then recurred on concurring with the report of the committee, and it was determined in the affirmative, and the committee were discharged accordingly.
Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the practicability of compelling defendants in suits on bonds and promissory notes, to verify the plea of the general issue by affidavit, reported that such a provision of the law is unnecessary and inexpedient, and ask to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee were discharged accordingly.

Mr. Smith presented a bill to amend an act, passed last session, entitled an act to establish separate elections in the county of Person; which was read the first time and passed.

Received from the House of Commons a message, agreeing to ballot immediately for a brigadier general of the 2d brigade, and stating that the name of Nathan Fuller is added to the nomination; and informing that Messrs. Hellen and Patrick attend the Senate as superintendents of the balloting on their part. Whereupon Messrs. Walton and Johnson were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

The engrossed bill amendatory of the law respecting the crime of bigamy, was taken up and read the third time. Mr. Hinton, of Wake, moved to amend the bill by adding the following after the letter B, at the end of the bill, to wit: "or to inflict one or more of these punishments, at the discretion of the court." Mr. Montgomery, of Orange, moved to amend the amendment by adding the following at the end thereof, to wit: "the branding of females always excepted, which shall not be inflicted on them in any case whatever;" which amendment was agreed to. The question then recurring on agreeing with the original amendment as amended, it was determined in the negative. Mr. Dick moved to amend the bill by adding the following as a proviso at the end of the bill, to wit: "Provided nevertheless, if any female shall be convicted of the crime of bigamy, it shall be discretionary with the court to inflict all or any of the aforesaid punishments, branding excepted;" 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 amendment.

Mr. Walton, from the committee appointed to conduct the balloting for a brigadier general of the 2d brigade, reported that John J. Pasteur, having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

James Rainey, the Senator from the county of Caswell, elected in the room and stead of Bedford Brown, appeared, produced his credentials, was qualified, and took his seat.

On motion of Mr. Martin, the Senate entered on the orders of the day, and resolved itself into a committee of the whole House, Mr. Sneed in the Chair, to take into consideration the bill to establish a Bank on behalf of, and for the benefit of the State; and, after some
time spent therein, Mr. Speaker resumed the Chair, and Mr. Sneed reported that the committee of the whole had had the said bill under consideration, and had made sundry amendments thereto, and had instructed him to report the same with the amendments to the House. — Whereupon, on motion of Mr. Spaight, ordered that the said bill, together with the amendments, be laid upon the table.

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

TUESDAY, DECEMBER 22, 1829.

On motion of Mr. Cooper, ordered that a message be sent to the House of Commons, proposing to ballot immediately for a Councillor of State yet to be elected.

Mr. Moore, from the select committee to whom was referred much of the Governor's message as relates to a Map of the State, made a report thereon, stating that it is inexpedient to engage in that undertaking, and ask to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee were discharged accordingly.

Mr. Davidson presented a bill concerning the Catawba Navigation Company; which was read the first time and passed. Ordered that the said bill be referred to the committee on Internal Improvement.

On motion of Mr. Burgin.

Resolved, That the committee on Internal Improvement be instructed to inquire into the expediency of appropriating the sum of fifteen hundred dollars for the purpose of improving the road leading from James M'Dowell's, at the Pleasant Gardens, in Burke county, through the Turkey Cove, to Noah Burchfield's, on the top of the Blue Ridge.

Mr. Mitchell, from the committee on Internal Improvement, to whom was referred the resolution to inquire into the expediency of appropriating a sum of money for the improvement of the road from Wilksborough, by the way of Trap Hill, to the road leading to the lead mines in Virginia, reported that it is inexpedient to make any appropriation to that object, and ask to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee were discharged accordingly.

Mr. Mitchell, from the same committee, to whom was referred the bill to give assistance towards removing the obstructions in Pungo river, reported the same without amendment, and recommended that the said bill be rejected. Whereupon, on motion of Mr. Hinton, of Beaufort, ordered that the said bill, together with the report, be laid upon the table.

Mr. Mitchell, from the same committee, to whom was referred the bill to give assistance towards making a canal and road in Beaufort county, reported the same without amendment, and recommended that it be rejected. Whereupon the said bill was read the second time, and resolved that the same shall not pass.

Received from the House of Commons a message, accompanied by the following resolution, in which they ask the concurrence of the Senate, to wit:

Resolved, That a message be sent to the Senate, proposing to raise a joint select
committee, to inquire into the responsibility of the several securities to the bonds given by the late John Haywood, former Treasurer of this State; who they are, and how far liable they are for the defalcations of the aforesaid John Haywood; and report to this House by bill or otherwise.

Which proposition was agreed to, and Messrs. Mearns, Dick, Mosely, Marshall and Ward, were appointed the committee on the part of the Senate, and the House of Commons were informed thereof by message.

A message was also received from the House of Commons, proposing that a select joint committee be raised, consisting of three members of the House of Commons and two of the Senate, to inquire into the progress of business before the two Houses, and ascertain how far it may be practicable to close the session within the present month, and that they report by bill or otherwise; which proposition was agreed to, and Messrs. Spaight and Hinton, of Wake, were appointed to form the committee on the part of 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 amendatory of the laws relative to pilotage at Occacock Inlet; in which they ask the concurrence of the Senate. Whereupon the said bill was read the first time, and resolved that the same shall not pass.

A message was also received from the House of Commons, agreeing to ballot again immediately for a Councillor of State, and stating that the names of James Rainey and John M'Alister are withdrawn; and informing further, that Messrs. Pearson and Barringer attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Askew and Cowper were appointed to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

The engrossed bill to provide for the compensation of the jurors of the county of Beaufort, Onslow, Bertford and Duplin, was taken up, on motion of Mr. Hinton, of Beaufort, and the amendments made thereto by the House of Commons, not heretofore agreed to, were 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 empowering the county court of Onslow to authorise Solomon E. Grant to erect a gate across the main road at Onslow Court House; in which they ask the concurrence of the Senate. Whereupon the said bill was read the first, second and third times and passed, and ordered to be enrolled.

Mr. Askew, from the committee appointed to conduct the balloting for a Councillor of State, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Received from the House of Commons a message, accompanied by a communication from the Public Treasurer, transmitting certain exhibits from the State Bank of North Carolina, at Raleigh, and of the
agency of the Bank of Newbern, at Raleigh, with a proposition that
they be referred to the select joint committee on the banks, and that
they be printed, one copy for each member of the Legislature; which
proposition was agreed to.

Mr. Mosely presented a bill to authorise Joseph Loftin, late sheriff
of Lenoir county, to collect arrearages of taxes; which was read the
first time and passed.

On motion of Mr. Johnson,
Resolv'd. That the committee on the Judiciary be instructed to inquire into the ex-
pedience of providing by law for the compensation of witnesses, who may be sum-
mmoned to give evidence before justices of the peace out of court; and that they report
by bill or otherwise.

M. M'Diarmid presented a bill authorising Alexander Murchison,
William Murchison and Duncan Murchison, to erect a bridge across
Lower Little river, in Cumberland county; which was read the first
time and passed.

On motion of Mr. Mosely, ordered that a message be sent to the
House of Commons, proposing that another balloting be had imme-
diately for a Councillor of State, yet to be elected, and stating that the
name of Nathan B. Whitfield is withdrawn from the nomination.

On motion of Mr. Ward, ordered that the adjutant general's report
be referred to the committee on the Militia and Public Arms.

A motion was made by Mr. Sneed to reconsider the vote taken on to-
day relative to the proposition of the House of Commons to refer the
communication from the Public Treasurer, transmitting certain exhi-
bits of the State Bank and Bank of Newbern, to the joint select com-
mittee on the banks; and on the question will the Senate reconsider
the said vote? it was determined in the affirmative. Whereupon, on
motion of Mr. Sneed, ordered that the message from the House of
Commons, together with the Treasurer's communication and accompa-
nying papers, be laid upon the table.

Mr. Montgomery, of Orange, presented the following resolution, to
wit:

Whereas it is probable that an application will be made during the present session
of Congress for an extension of the charter of the Bank of the United States, based upon
principles identical with, or similar to those involved in the present organization:

Be it therefore resolved by the General Assembly of the State of North Carolina, That
our senators in Congress be instructed, and our Representatives requested, to resist
all proposals for the extension of the charter of the existing Bank of the United States,
or the establishment of any other predicated upon individual capital.

And the resolution having been read, on motion of Mr. Montgomery,
of Orange, ordered that it be laid upon the table.

The bill to increase the tax on gates authorised to be erected across
public roads, was read the second time, and, on motion of Mr. Allen,
ordered that the said bill be postponed indefinitely.

Received from the House of Commons the resignation of Peyton
High, a justice of the peace for the county of Wake, and of Harbert
H. Harris, a justice of the peace for the county of Franklin, endorsed
in that house "read and accepted;" and which were read and accepted
by the Senate.
The Senate resumed the consideration of the bill to establish a bank on behalf of, and for the benefit of the State; and the several amendments reported by the committee of the whole being read, were concurred in by the Senate, except the following proviso, at the end of the seventeenth section, to wit: "Provided, nothing herein contained shall divest the Legislature of the power to appoint the President and Directors of the several branches of said bank, or of apportioning the capital thereof;" which was not agreed to. Mr. Martin moved to amend the bill by inserting the following after the word "and," in the thirteenth line of the 17th section, to wit: "the President and Directors of the mother bank shall have power;" which amendment was agreed to. Mr. Williams, of Martin, moved further to amend the bill by adding the following as an additional section, to wit: "And be it further enacted, that no member of the Legislature, who votes for or against the establishment of this bank, shall hold any appointment in said bank, nor shall they be entitled to any accommodation or loan from said bank;" which amendment was not agreed to—yeas 5, nays 51.

The ayes and noes on said amendment being demanded by Mr. Williams of Franklin, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Meares, Spaight, Smith, Williams of F. Williams of M.


Mr. Mitchell moved further to amend the bill by inserting the following after the word "advance," in the ninth line of the 14th section, to wit: "but the notes of said bank shall be loaned to no person whatsoever, unless he shall make oath that the sum to be borrowed is designed for his own use, and for the purpose of the agricultural or manufactured productions of this State;" which amendment was not agreed to. Mr. Wilson moved further to amend the bill by striking out the words "after the passing of this act," in the first and second line of the first section; which amendment was agreed to. Mr. M'Farland moved further to amend the bill by inserting the word "Cashier", immediately after the word "President," where it occurs in the 23d section; which amendment was agreed to; and the bill was thereupon read the second time as amended, and passed—yeas 35, nays 24. The ayes and noes being demanded by Mr. Dickinson, are as follows, to wit:


And then the Senate adjourned until to-morrow morning, 10 o'clock.
WEDNESDAY DECEMBER 23, 1829.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to authorise Nathan G. Blount to erect a spiral wheel on Neuse river; in which they ask the concurrence of that House.

On motion of Mr. M'Neil,

Resolved, That the committee on so much of the Governor's message as relates to a Penitentiary and Lunatic Asylum, be directed to inquire into the propriety of establishing in this State an Asylum for the education of the deaf and dumb; and that they have leave to report by bill or otherwise.

Mr. Love presented the petition of Benj. S. Brittain, of Macon county, praying the Legislature to remunerate him for the loss of a tract of land by him purchased from the State, and for costs, trouble, &c. incurred by him in defending the title to the same. Ordered that the said petition, together with the accompanying documents, be referred to a select committee. Messrs. Love, Allen, Miller, M'Neil and M'Diarmid were appointed to form said committee.

Mr. Meares presented a bill to divorce John Sloan from Elizabeth Sloan; which was read the first time and passed; and on motion of Mr. Meares, ordered that the said bill, together with the accompanying papers, be referred to a select committee of three persons. Messrs. Meares, Hoke and Melchior were appointed to form said committee.

Received from the House of Commons a message, proposing that another balloting be had immediately for a Councillor of State; which proposition was agreed to, and Messrs. Mosely and Hinton of Wake were appointed a committee to conduct the balloting on the part of the Senate. Whereupon a message was received, stating that Messrs. Clark and Cox attend the Senate as superintendents of the balloting on their part.

A motion was made by Mr. Moore to reconsider the vote taken on yesterday on the bill amatory of the laws relative to pilotage at Occarock Inlet; and on the question, will the Senate reconsider the said vote? it was determined in the affirmative.

Mr. Montgomery, of Orange, presented the resignation of James Graham, colonel commandant, and Eli M'Daniel, lieutenant colonel, of the third Orange regiment of North Carolina militia; which were read and accepted, and sent to the House of Commons.

Mr. Burney presented the resignation of John Gore, a justice of the peace for the county of Columbus; which was read and accepted, and sent to the House of Commons.

Mr. Dick presented a bill to provide for the collection of debts in certain cases; which was read the first time and passed.

Mr. Hinton, of Wake, from the committee appointed to conduct the balloting for Councillor of State, reported that Joseph B. Outlaw, having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

On motion of Mr. Matthews, ordered that W. W. Boddie, the Senator from the county of Nash, have leave of absence for to-morrow,
The resolution in favor of Presley C. Person, was read the second time and passed.

The bill to provide for the better organization of the county courts of Rutherford; and the bill concerning the appointment of commissioners for the county of Franklin and town of Louisburg, were read the second and third times and passed, and ordered to be engrossed.

The bill to authorise Presley C. Person, late sheriff of Franklin county, to collect certain arrearages of taxes, was read the second time; and, on motion of Mr. Martin, ordered that the said bill be indefinitely postponed.

The bill for the better regulation of the town of Washington, was read the second time. Mr. Hinton, of Beaufort, moved to amend the bill by inserting the words "above twenty-one years" immediately after the word: "town," in the third section; which amendment was agreed to, and the bill, as amended, was read the second time and passed.

On motion of Mr. Hinton, of Wake,
Resolved, That the committee on Public Buildings be instructed to report to this House, if any, and what repairs are necessary to the Capitol.

Mr. Davenport presented a bill to authorise Charles Phelps, late sheriff of Washington county, to collect arrears of taxes; which was read the first time and passed.

Received from the House of Commons a message, stating that they have passed the engrossed resolution requesting the Governor to loan such instruments as may be necessary to survey and level New Hope creek; and the engrossed resolution directing the Governor to transmit to the Executive of Virginia the act of Assembly to incorporate the Lake Drummond and Orapeake Canal Company; in which they ask the concurrence of the Senate.—Whereupon the said resolutions were read and adopted, and ordered to be enrolled.

The bill to establish a Bank on behalf of, and for the benefit of the State, was read the third time. Mr. Wilson moved to amend the bill by striking out the whole thereof except the words "a bill." and inserting the following, to wit: "Whereas the charters of the several Banks in this State, to wit: the Bank of Newbern, the Bank of Cape Fear, and the State Bank of North Carolina, will expire on the first of January, 1835, in which the State is largely interested; and whereas it is deemed inexpedient to recharter the said Banks, or to establish any other Bank upon individual capital; it therefore becomes necessary to make provision for the profitable investment of the stocks owned by the State in said corporations, and the surplus fund of the State; and whereas it is deemed expedient and beneficial, both to the interest of the State and the citizens, to be owned exclusively by the State, for the purpose of affording a uniform circulating medium, defraying the expenses of the government, and to promote the agricultural and commercial interest thereof:

"Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that a Bank shall be, and is hereby established on behalf of the State, by the name and style of 'The Bank of the State of North Carolina;' and all the stocks belonging to the State of every description whatsoever, whether of shares in the State Bank of North Carolina, shares in the Cape Fear and Newbern Banks, or other incorporated companies, the fund set apart for internal improvements, the literary fund, and all bonds and notes due to the State, and the proceeds of all vacant and unappropriated lands belonging to the same, shall consti-
tute and form the capital stock of said Bank, and shall be vested in a president and directors, to be appointed as the Legislature may direct.

"And be it further enacted, that the principal Bank hereby established, shall be located in the city of Raleigh; and the president and directors shall have power under the authority, and by the directions of this Legislature, to establish branches of said Bank in such places as they may think proper.

"And be it further enacted by the authority aforesaid, that it shall and may be lawful for any succeeding General Assembly to repeal, amend or modify any law which may hereafter be passed for the government of said corporation.

"And be it further enacted, that the bank hereby incorporated, shall not be organized, or go into operation until after the first day of June, 1831."

Which amendment was not agreed to.

Mr. M'Farland moved to amend the bill by inserting the words "of the Public Treasurer," after the word "drafts," in the seventh line of the thirteenth section; which amendment was agreed to. Mr. Hinton, of Beaufort, moved further to amend the bill, by inserting the following at the end of the 24th section, to wit: "unless such debtor shall render reasons satisfactory to the president and directors of such bank, that his failure to renew on the proper day was accidentally, and not intentionally;" which amendment was not agreed to. Mr. Hinton, of B. moved further to amend the bill, by inserting the following after the word "duties," in the 16th line of the 17th section, to wit: "Provided the salaries shall not, in any case, be greater than may be allowed by the Legislature to the officers of the Principal Bank;" which amendment was agreed to. Mr. M'Farland moved further to amend the bill, by striking out the word "shall," in the second line of the 14th section, and inserting the word "may;" which amendment was agreed to; and the bill, as amended, was read the third time and passed, and ordered to be engrossed—yeas 33, nays 25. The ayes and noes being demanded by Mr. Meares, are as follows, to wit:


The engrossed bill amendatory of the laws relative to pilotage at Oceacock Inlet, was read the second time, and, on motion of Mr. Meares, ordered that the said bill be indefinitely postponed.

Received from the House of Commons a message, stating that they concur in the several amendments made by the Senate to the engrossed bill amendatory of the law respecting the crime of bigamy. Whereupon the said bill was ordered to be enrolled.

On motion of Mr. Harris, ordered that James Riley have leave to withdraw the papers accompanying his petition, relative to his claim to certain lands in the county of Davidson.

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

Thursday, December 24, 1829.

A message was sent to the House of Commons, stating that the Senate-
have passed the following engrossed bills, to wit: A bill to provide for the better organization of the county courts of Rutherford county; a bill concerning the appointment of Commissioners for the county of Franklin and town of Louisburg; and a bill to establish a bank on behalf of, and for the benefit of the State; in which they ask the concurrence of the House of Commons.

Mr. Hinton, of Wake, from the select committee to whom was referred the communication from the Comptroller, in relation to the settlement of the sheriff of the county of Macon, made a report thereon, accompanied by the following resolutions, to wit:

Resolved, That the Comptroller be directed to suspend the settlement of the sheriff of Macon, for taxes due on peddlars', merchants' and tavern licenses, due for 1829, until 1830.

Resolved further, as the opinion of this Legislature, that the said sheriff is not in justice entitled to mileage and per diem allowance for 1829.

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

On motion of Mr. Wellborn,

Resolved, That the committee on Internal Improvement be instructed to inquire into the expediency of so disposing of the unexpended balance of the appropriation made by the last General Assembly for opening and improving the navigation of Cape Fear river below Wilmington, inasmuch as the United States have appropriated twenty thousand dollars for the same object; and the said committee is further instructed to inquire into the expediency of appropriating said balance, for the purpose of making a road from Fayetteville to Campbellton, in this State, with leave to report by bill or otherwise.

Mr. Meares, from the committee on the Judiciary, to whom was referred the bill to amend an act, passed at the last session, chapter 8th, entitled an act to amend the law with respect to the collection of debts from the estates of deceased persons, &c. made a report thereon, stating that in the opinion of the committee, it is inexpedient to make any alteration in the said law, and recommend the rejection of the said bill. Whereupon Mr. Sneed moved that the said report and bill be laid upon the table; which was not agreed to; and the bill being read the second time, the question on the passage thereof was decided in the negative—yeas 21, nays 34. The ayes and noes being demanded by Mr. Hinton, of Beaufort, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Barnes, Beasley, Burney, Cowper, Davenport, Davis, Dickinson, Etheridge, Harris, Hinton of B. M'Neil, M'Diarmid, Melchor, Montgomery of H. Pool, Reidick, Sanderson, Walton, Ward, Wellborn, Williams of M.


Mr. Love presented a bill to divide the regiment of militia in Macon county; which was read the first time and passed.

Mr. M'Farland, from the select committee, to whom was referred the bill for the education of the poor children of the State of North Carolina, reported the same without amendment. Whereupon, on motion of Mr. Meares, ordered that the said bill, together with the report, be laid upon the table.

The resolution in favor of Presly C. Person was read the third time and passed, and ordered to be engrossed.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of James Moore, of Duplin
 county, made a report thereon, accompanied by the following resolution, to wit:

Resolved, That the prayer of the petitioner be not allowed.

Mr. Miller moved that the report and resolution be laid upon the table; which was not agreed to. Mr. Miller moved to amend the resolution, by striking out the whole thereof, except the word "Resolved," and inserting the following, "that the Secretary of State be, and he is hereby authorised and directed to issue to James Moore, of Duplin county, a warrant for four hundred and twelve acres of land, it being the balance of six hundred and forty acres, which the said James Moore is entitled to for military services rendered in the revolutionary war;" which amendment was not agreed to. The question then recurring on the adoption of the resolution reported by the committee, it was determined in the affirmative.

On motion of Mr. Miller, ordered that James Moore have leave to withdraw his petition and the accompanying papers.

The engrossed bill to authorise the Governor to grant certain lands to the Baptist Congregation at Franklin, in the county of Macon, was read the second time and passed.

Mr. Welch presented a bill to amend an act, passed A. D. 1828, concerning the county of Macon; which was read the first time and passed. The bill to repeal a part of the second section of an act, entitled an act to revise the militia laws of this State relative to the infantry, passed A. D. 1806, was read the second time, and, on motion of Mr. Dick, ordered that the said bill be indefinitely postponed—yeas 30, nays 24. The ayes and noes being demanded by Mr. Brower, are as follows, to wit:


Those who voted in the negative, are Messrs. Askew, Beasley, Bell, Brower, Burney, Cowper, Davenport, Davis, Etheridge, Harris, Hoke, Johnson, M'Diarmid, M'Farland, M'Neil, Marshall, Martin, Matthews, Moore, Moye, Rainey, Ramsey, Underwood, Wellborn.

The engrossed bill concerning the places where company musters shall be held, was read the second time and passed.

Mr. Hinton, of Beaufort, presented the petition of sundry citizens of the county of Beaufort, praying the passage of an act to regulate the fisheries on Blount's creek, in said county. Mr. Hinton, of Beaufort, also presented a bill to carry the prayer of the petitioners into effect; which was read the first time and passed.

Mr. Mosely presented the petition of sundry citizens of Lenoir county, praying the passage of a law more effectually to provide for the apprehension of runaway slaves. Ordered that the said petition be referred to the committee on the Judiciary.

Mr. M'Diarmid presented the following resolution and preamble, to wit:

Whereas it appears from the Comptroller's settlement with John Black, sheriff of Cumberland county, that two thousand two hundred and eighty dollars and eighty five cents, was the amount of taxes for which he ought to have accounted: And whereas it appears that he has paid into the Treasury, on the 10th of October, 1829, the sum of two thousand two hundred and ninety nine dollars and twenty-three cents, a sum greater than he ought to have paid:

Be it therefore resolved, That on the said John Black's accounting for the amount of taxes, on unlisted property, billiard table, &c. as by law he is bound to do, and as by the Comptroller's settlement with him, it appears he has done, that the penalty incur-
red for failing to settle on the first day of October, be remitted; and that the Public Treasurer be authorised and directed to refund to him the surplus money that he has paid into the Treasury, allowing him his mileages, commissions and insolvents, in the same manner as if he had settled at the time prescribed by law; and that the Public Treasurer be allowed the same in the settlement of his accounts.

And the resolution having been read, on motion of Mr. M'Diarmid, ordered that it be referred to the committee on Propositions and Grievances, together with the accompanying document.

On motion of Mr. Dick, ordered that Abraham Brower, the Senator from the county of Randolph, have leave of absence for Saturday next; and, on motion of Mr. Wellborn, ordered that Wyatt Moye, the Senator from the county of Greene, have leave of absence for Saturday next.

On motion of Mr. Mearcs, ordered that the report of the select committee, on the bill to provide for the education of the poor children of the State of North Carolina, be printed, one copy for each member of the Legislature.

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 vesting in the Superior and County Courts jurisdiction of applications for the legitimation of bastard children; a bill to authorise Thomas L. Cowan, of the county of Rowan, to erect certain gates therein mentioned; a bill to prevent the falling of timber in, or obstructing the run of Rocky river, in a portion of the county of Chatham; a bill to authorise the securities of Wm. Gregory, late sheriff of Pasquotank county, to collect arrears of taxes for the year therein mentioned; a bill to authorise the Court of Pleas and Quarter Sessions of the county of Currituck to provide for the erection of public buildings, and for other purposes; a bill to compel the trustees of Moore, Chatham and Robeson counties to pay the jurors in preference to other claims; and a bill supplementary to an act for improving the navigation of Black or South river, so far as it is the dividing line between the counties of Sampson and Cumberland. Whereupon the said bills were severally read the first time and passed.

The engrossed bill to authorise Thomas L. Cowan, of the county of Rowan, to erect certain gates therein mentioned, was read the second time, and, on motion of Mr. Spaight, ordered that the said bill be laid upon the table.

The engrossed bill to authorise the securities of William Gregory, late sheriff of Pasquotank county, to collect arrears of taxes for the year therein mentioned, was read the second time. Mr. Martin moved to amend the bill, by striking out all thereof after the word "county," in the twenty-first line; which amendment was agreed to; and, on motion of Mr. Wellborn, ordered that the bill lie upon the table.

The engrossed bill to prevent the falling of timber in, or obstructing the run of Rocky river, in a portion of the county of Chatham; the bill to authorise the Court of Pleas and Quarter Sessions of the county of Currituck to provide for the erection of public buildings, and for
other purposes; the bill to compel the trustees of Moore, Chowan and Robeson counties, to pay the jurors in preference to other claims; and the bill supplementary to an act for improving the navigation of Black or South river, so far as it is the dividing line between the counties of Sampson and Cumberland, were severally read the second and third times and passed, and ordered to be enrolled.

The bill for the better regulation of the Court of Pleas and Quarter Sessions for the county of Wayne, was read the second and third times and passed, and ordered to be engrossed.

The bill to authorise Andrew Welch and William Thomas to erect gates; and the bill to amend an act, passed A. D. 1817, entitled an act to prevent persons from obstructing the passage of fish up Newbegun creek, in the county of Pasquotank, were read the third time and passed, and ordered to be engrossed.

The engrossed bill to alter the times of holding elections in the sixth Congressional district, was read the second time and passed.

The bill to authorise Henry S. Spencer, sheriff of the county of Hyde, to collect arrearages of taxes, was read the third time, and, on motion of Mr. Saunderson, ordered to lie on the table.

The engrossed bill to amend an act, passed in 1828, entitled an act appointing commissioners to alter the plan of the town of Ashborough, in the county of Randolph, and for the better regulation of the police of said town, was read the third time and passed, and ordered to be enrolled.

And the engrossed bill concerning the elections in the counties of Davidson and Mecklenburg, was read the third time, and, on motion of Mr. Meares, ordered to lie on the table.

The bill to amend an act, passed last session, entitled an act to establish separate elections in the county of Person, was read the second and third times and passed, and ordered to be engrossed.

The bill concerning fishing in the waters of Blount's creek, was read the second time, and, on motion of Mr. Spaight, ordered that the said bill be referred to the committee on Propositions and Grievances.

The bill to authorise Charles Phelps, late sheriff of Washington county, to collect arrears of taxes, was read the second time, and resolved that the same shall not pass—yeas 6, nays 47. The ayes and nays being demanded by Mr. Martin, are as follows, to wit:


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

Saturday, December 26, 1829.

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 last session, entitled an act to establish separate elections in the county of Person; a bill to authorise Andrew Welch and William Thomas, of the county of Macon, to erect certain gates therein mentioned; a bill for the better regulation of the Court of Pleas and Quarter Sessions for the county of Wayne; a bill to amend an act, passed A. D. 1817, entitled an act to prevent persons from obstructing the run of fish up Newbegun creek, in the county of Pasquotank; and also the engrossed resolution concerning the settlement of the sheriff of Macon; in which they ask the concurrence of that House.

Mr. M'Farland presented the petition of Elijah Thomas, and others, of the county of Richmond, praying to be incorporated into a company, for the purpose of rearing sheep and growing wool. Mr. M'Farland also presented a bill to carry into effect the prayer of the petitioners; which was read the first time and passed. Ordered that the said bill, together with the memorial accompanying the same, be referred to the committee on the Judiciary.

Mr. Davidson presented a bill to authorise the Treasurer to issue Treasury Notes; which was read the first time and passed.

Mr. Martin, from the committee on Claims, to whom was referred the resolution in favor of David Graybeal, reported the same with an amendment, viz: strike out the word "fifteen," in the fourth line of the resolution, and insert "ten;" which amendment was agreed to; and the resolution was thereupon read the first time and passed.

Mr. Hinton, of Beaufort, presented a bill concerning the Washington toll bridge; which was read the first time and passed.

On motion of Mr. Allen, the Senate proceeded to consider the bill to erect out of a part of the counties of Burke and Buncombe, a separate and distinct "district;" and the bill being read the third time, Mr. Allen moved to amend it by striking out the word "district," and inserting the word "county." Mr. Dickinson moved that the bill be laid upon the table; which was not agreed to. The question then recurring on the amendment proposed by Mr. Allen, it was determined in the affirmative; and, on motion of Mr. Miller, ordered that the consideration of the said bill be postponed until Monday next.

Received from the House of Commons a message, stating that they have passed the engrossed bill directing the removal of certain papers from the office of the Treasurer to that of Secretary of State, with amendments, to wit: After the words or figures "1828," in the 17th line of the first section, insert the words "entitled an act concerning the lands formerly occupied by the Tuscarora tribe of Indians, lying in Bertie county, on the north side of the Roanoke river;" and after the last word in the act, add the words, "and agreeably to the provisions of the before recited act;" in which they ask the concurrence of the Senate. Whereupon the said amendments were read and agreed to, and the House of Commons were informed thereof by message.

Mr. Wellborn presented the resignation of Larkin Shepherd, a justice of the peace for the county of Wilkes; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons a message, accompanied by a communication from the Public Treasurer, transmitting statements of the
Branches of the State Bank at Wilmington and Fayetteville, and the Branch of the Cape Fear Bank at the former place, with a proposition that they be referred to the committee on the Banks, and be printed, one copy for each member of the Legislature. The said communications having been read, on motion of Mr. Sneed, ordered that they be laid upon the table.

A message was also received from the House of Commons, stating that they have rejected the engrossed bill granting jurisdiction to the respective county courts within this State to alter the name of individuals on application.

On motion of Mr. Wellborn, the Senate entered on the orders of the day, and resolved itself into a committee of the whole House, Mr. Hinton, of Wake, in the chair, to take into consideration the resolution submitted by Mr. Caldwell on the 24th of November last, in relation to the powers of Congress to make improvements of national concern; and after some time spent therein, Mr. Speaker resumed the chair and Mr. Hinton, of Wake, reported that the committee of the whole had had the said resolution under consideration, and not having time to go through the same, had instructed him to report that they had made some progress therein, and ask leave to sit again; and on the question, Shall the committee have leave to sit again on the said resolution? it was determined in the affirmative.

On motion of Mr. Meares, the Senate resolved itself into a committee of the whole House, Mr. Wilson in the chair, to take into consideration the bill fixing the fees of clerks of the County and Superior Courts, and sheriffs' fees; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wilson reported that the committee of the whole had had the said bill under consideration, and had made some progress therein, and not having time to go through the same, had instructed him to ask leave to sit again; and on the question, Shall the committee have leave to sit again on said bill? it was determined in the affirmative.

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

Monday, December 28, 1829.

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

Mr. Wellborn presented a bill to prevent protracted and vexatious litigation, by enlarging the jurisdiction of justices of the peace out of Court; which was read the first time and passed; and, on motion of Mr. Wellborn, ordered that the said bill be printed, one copy for each member of the Legislature.

Mr. Hinton, of Beaufort, presented a bill ceding to the United States jurisdiction over certain lands as sites for light houses; which was read the first time and passed.

Mr. Sneed, from the committee on Finance, to whom was referred the report of the Public Treasurer, for the purchase of the lands lately acquired from the Cherokee Indians, and for the purchase of reversionary interest of the State in the lands formerly owned by the Tuscarora Indians, made a report thereon, accompanied by a bill concerning the bonds in the office of the Public Treasurer for the purchase of the Cherokee and Tuscarora lands; which was read the first time and passed.

Mr. Meares, from the committee on the Judiciary, to whom was referred
the petition of Isabella Staton, made a report thereon, accompanied by a bill vesting certain powers in the Court of Pleas and Quarter Sessions for Edgecombe county; which was read the first time and passed.

Mr. Meares, from the same committee, to whom was referred the petition of sundry inhabitants of Lenoir county, made a report thereon, accompanied by a bill more effectually to prevent the depredations of runaway slaves, and to encourage their apprehension in the county of Lenoir; which was read the first time and passed.

The bill to authorise Joseph Loftin, late sheriff of Lenoir county, to collect arrearages of taxes, was read the second time, and, on motion of Mr. Martin, ordered that the said bill be indefinitely postponed.

The bill for the better regulation of the town of Washington, was read the third time and passed, and ordered to be engrossed.

Mr. Hinton, of Wake, presented a bill to alter the times of holding the Superior Court of Law and Equity in the third Judicial circuit; which was read the first time and passed.

Mr. Allen presented a bill for the encouragement of Newton Academy, in the county of Buncombe; which was read the first time and passed.

Mr. Martin, from the committee on Claims, to whom was referred the petition of Thomas Walker, of Mecklenburg county, made a report thereon, accompanied by the following resolution, to wit:

Resolved, That the Public Treasurer be, and he is hereby authorised to pay to Wm. Davidson, Esq. Senator from the county of Mecklenburg, one hundred and twenty dollars, for the especial use and benefit of Thomas Walker, a revolutionary soldier of said county, and that the same be allowed in the settlement of his accounts.

Which was read the first time and passed.

Mr. Ward, from the committee on so much of the Governor's message as relates to the militia and public arms, made a report thereon, accompanied by a bill concerning the distribution of the public arms to certain police authorities therein specified, and in case of invasion or insurrection, and for other purposes; which was read the first time and passed.

Mr. Sneed, from the joint select committee on the Penitentiary and Lunatic Asylum, to whom was referred the papers and documents communicaed by the Governor to the General Assembly at the last session in relation to a Lunatic Asylum, made a report thereon, accompanied by a bill to establish a fund for the erection and support of a Lunatic Asylum; and a bill to ascertain the number of manicures, lunatics and persons non compos mentis, within the State; which was read the first time and passed.

Mr. Cowper presented the following resolution, to wit:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the law as to extend the time now allowed for the collection of arrearages of taxes.

Which was read, and resolved that the same shall not pass.

On motion of Mr. Dick, the Senate entered on the orders of the day, and resolved itself into a committee of the whole House. Mr. Wilson in the chair, to take into consideration the bill fixing the fees of the clerks of the County and Superior Courts, and sheriffs' fees; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wilson reported that the committee of the whole had had the said bill under consideration, and having made some progress therein, and not having sufficient time to go through the same, had instructed him to ask leave to sit again; and on the question, shall the committee have leave to sit again on the said bill? it was determined in the affirmative.
Mr. Mitchell, from the committee on Internal Improvement, to whom was referred the bill concerning the Catawba Navigation Company, reported the same with sundry amendments; which were read and agreed to by the Senate, and the bill, as amended, was read the second time and passed.

Mr. Hinton, of Wake, announced the death of Reuben Sanders, Esquire, Senator from the county of Johnston, who died this morning. Whereupon, on motion of Mr. Hinton, of Wake, Resolved, That the members of this Legislature wear crape on their left arm for the space of 30 days, as a testimony of respect to the memory of Reuben Sanders, Esq. deceased, late Senator from Johnston county.

Ordered that the said resolution be engrossed and sent to the House of Commons for concurrence.

On motion of Mr. Spaight, Resolved, That the Senate do now adjourn.

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

TUESDAY, DECEMBER 29, 1829.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill for the better regulation of the town of Washington; in which they ask the concurrence of that House.

Mr. Pool presented the certificate of allowance of the County Court of Chowan county in favor of Eleanor Trulove, a pensioner of the State; which was read and ordered to be countersigned by the Speaker of the Senate, and sent to the House of Commons.

Mr. Rainey presented a bill requiring Registers and Clerks of the Superior and County Courts, and Clerks and Masters in Equity, to keep their offices at the court houses; which was read the first time, and resolved that the same shall not pass.

Mr. Underwood presented the resignation of Alfred Kornegay, lieutenant colonel of the Sampson county militia; which was read and accepted and sent to the House of Commons.

On motion of Mr. Davidson, ordered that a message be sent to the House of Commons, proposing to ballot immediately for colonel commandant and major of cavalry of the 11th brigade and 4th division, and stating that the name of Wm. C. Meares is in nomination for colonel commandant, and that of James Dunn for major.

Received from the House of Commons a message, stating that they have passed the engrossed bill to vest the right of electing sheriffs in the several counties of this State in the free white men thereof, with sundry amendments, to wit: at the end of the 2nd section, add the following: "And be it further enacted, that in case of the failure of the persons appointed to hold said elections, or either of them, it shall be competent for a justice of the peace and two freeholders to supply the vacancy;" after the word "law" in the sixth line of the fourth section, add the words "and take the oath heretofore prescribed by law for the qualification of sheriffs;" after the word "annually" in the twenty-fourth line of the said section, add the following: "and to produce the receipts from the Public Treasurer, county trustee and wardens of the poor, for the time being in full of all monies by him collected, or which ought to have been by him collected for the use of the State and county, and for which he shall have become accountable;" and after the word "bonds" in the last line of said section but one, add the words "or exhibit the aforesaid receipts;" in the third
line of the seventh section, between the superior and county, strike out the word "and" and insert the word "or," and further, in the said section strike out the word "that" at the beginning of the fifth line; in the eighth line of the eighth section, after the word "now?" add the word "are;" and to the tenth and last section, add the following proviso: "Provided always, that nothing herein contained shall be so construed as to repeal the law, or any part of the law which renders the magistrates liable for neglect to take sufficient bonds or sureties of a sheriff or coroner;" in which they ask the concurrence of the Senate. Whereupon the said several amendments were read and concurred in by the Senate, and the House of Commons were informed thereof by message.

Mr. M'Darmid presented a bill securing the collection of fines and assessment from sheriffs in this State; which was read the first time, and resolved that the same shall not pass.

Mr. Sneed, from the committee on Finance, to whom was referred the report of the Public Treasurer in relation to a judgment obtained against certain devisees of the late John Haywood, Esq. at the instance of the State on scire facias, in Wake County Court against them, by which certain lands have been condemned in the hands of the devisees, made a report thereon, accompanied by a bill to provide for the collection of a judgment obtained by the State against the devisees of the late John Haywood; which was read the first time and passed.

On motion of Mr. Martin, ordered that a message be sent to the House of Commons, proposing to raise a joint select committee, consisting of five members of each House, to meet this day at 3 o'clock in the Conference Hall, to ascertain the true construction of the first section of the Joint Rules of both Houses so far as regards the application of the term "perfect" in that section. Ordered that Messrs. Martin, Meares, Dick, Davidson and Mosely form the said committee on the part of the Senate.

Mr. Hinton, of Wake, presented the petition of Joseph Ross and Thomas G. Scott, late auctioneers for the city of Raleigh, praying to have certain monies refunded to them, which they state were improperly and through mistake paid into the Public Treasury. Ordered that the said petition, with the accompanying documents, be referred to the committee on Propositions and Grievances.

Received from the House of Commons a message, agreeing to ballot immediately for cavalry officers of the 11th brigade, and stating that Messrs. M'Lear and Kendall attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. M'Entire and M'Daniel were appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

Received from the House of Commons a message, stating that Messrs. Swain, Bynum, Gary, Wyche and Carson form the select joint committee on the part of that House to join the committee appointed by the Senate, in the Conference Hall at three o'clock, to ascertain the true construction of the first section of the Joint Rules of both Houses, so far as regards the application of the term "perfect."

On motion of Mr. Dick, the Senate entered on the orders of the day, and resolved itself into a committee of the whole House, Mr. Wilson in the chair, to take into consideration the bill fixing the fees of the clerks of the County and Superior Courts, and sheriffs' fees; and, after some time spent
Mr. Dick moved that the Senate do now adjourn until this evening at half past 6 o'clock; which was not agreed to—yeas 23, nays 36. The ayes and nays being demanded by Mr. Wilson, are as follows, to wit:


On motion of Mr. Matthews, the Senate proceeded to consider the bill to direct out of a part of the counties of Burke and Buncombe a separate and distinct county; and, on motion of Mr. Bell, ordered that the said bill be postponed indefinitely—yeas 32, nays 28. The ayes and nays being demanded by Mr. Bell are as follows, to wit:


Mr. M'Daniel, from the committee appointed to conduct the balloting for cavalry officers of the 11th brigade, reported that Wm. C. Meares is duly elected colonel commandant, and James Dunn major; in which report the Senate concurred.

The Senate then adjourned until this afternoon, 4 o'clock.

TUESDAY EVENING, 4 o'clock, December 29 1829.

The bill to authorise Henry S. Spencer, sheriff of the county of Hyde, to collect arrearages of taxes, was read the third time, and resolved that the same shall not pass.

The resolution in favor of Isaiah Rogerson, sheriff of Perquimons county, was read the second time and passed.

Mr. Spaight, from the select joint committee, appointed to inquire into the progress of business before the two Houses, and ascertain how far it may be practicable to close the session within this month, reported that it would be impossible for the General Assembly to act upon all the business before it and adjourn within the present month, and ask to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee were discharged accordingly.

A motion was made by Mr. Wellborn to reconsider the vote taken on to-day on the bill securing the collection of fines and amerce-ments from sheriffs in this State; and on the question, Will the Senate reconsider the said vote? it was determined in the affirmative. Where-upon the said bill was read the first time and passed.
The engrossed bill to authorise John V. Stanner, late sheriff of Gates county, to collect the arrears of taxes due him in said county, for the year 1827, was read the second time; and, on motion of Mr. Rainey, ordered that the said bill be indefinitely postponed.

The following engrossed bills, to wit: The bill to repeal an act, passed at the session of 1828, entitled an act to authorise the county courts of the counties of Ashe and Wilkes to keep in repair a road by Jefferson, by the imposition of tolls on said road; the bill to extend the provisions of an act, passed A. D. 1826, entitled an act to appoint commissioners to build a new court-house in the county of Surry, and for other purposes; and the bill appointing commissioners to run out and mark the dividing line between the counties of Anson and Mecklenburg, were severally read the second and third times and passed, and ordered to be enrolled.

The following bills, to wit: The bill authorising Alexander Murchison, William Murchison and Duncan Murchison to erect a bridge across Lower Little river, in Cumberland county; the bill for the better government of the town of Elizabeth City, in the county of Pasquotank, and for other purposes; the bill vesting certain powers in the Court of Pleas and Quarter Sessions for Edgecombe county; and the bill concerning the Washington toll bridge, were severally read the second and third times and passed, and ordered to be engrossed.

The engrossed bill concerning the elections in the counties of Davidson and Mecklenburg, was read the third time. Mr. Meares moved to amend the bill by extending the provisions of the bill to the county of New Hanover; which amendment was agreed to. Mr. Meares moved further to amend the bill, by inserting the words "and town of Wilmington," after the word "Mecklenburg," in the proviso of said bill; 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 amendment.

The bill to regulate the fisheries of Tar and Pamlico rivers, was read the second time and passed, and, on motion of Mr. Hinton, of B. ordered to lie on the table.

The bill to authorise James L. Clark, late sheriff of Pitt, to collect certain arrearages of taxes, was read the second time, and, on motion of Mr. Dickinson, ordered that the said bill be indefinitely postponed.

Received from the House of Commons a message, stating that they have rejected the engrossed bill to provide for the better organization of the county courts of Rutherford; and also the engrossed bill to repeal part of an act, passed at the last session, chapter 74, entitled an act to compel the clerks of the County and Superior Courts, and register of the county of Chatham, to keep their respective offices at Pittsborough, in said county, and for other purposes.

The resolution in favor of Ransom Hinton, was read the third time and passed, and ordered to be engrossed.

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

Received also from the House of Commons a message, stating that they have passed the engrossed resolution, directing that the statement of balances of the different debts due to and from the State, which accompanied the report of the commissioners appointed by resolution of the last General Assembly, be placed on file in the Comptroller's office, &c.; in which they ask the concurrence of the Senate. Whereupon the said resolution was read and ordered to be engrossed.

Received from the House of Commons a message, stating that they recede from their amendment made in the engrossed bill to appoint a committee of Finance for the county of Richmond, and prescribing the sum the clerk of the county court and sheriff shall receive for their extra services.

The bill more effectually to prevent the depredations of runaway slaves, and to encourage their apprehension in the county of Lenoir, was read the second time. Mr. Sherard moved to amend the bill, by adding after the word "Lenoir," the word "Wayne." Mr. Spaight moved further to amend the bill by adding the word "Craven." Mr. Ward moved further to amend the bill by adding the word "Onslow." Mr. Meares moved further to amend the bill by adding the words "New Hanover." Mr. Davenport moved further to amend the bill by adding the word "Washington." Mr. Allen moved further to amend the bill by adding the word "Buncombe." Mr. M'Daniel moved further to amend the bill by adding the word "Jones." Mr. Dickinson moved further to amend the bill by adding the word "Pitt." Mr. Hinton, of B. moved further to amend the bill by adding the word "Beaufort." Mr. Cowper moved further to amend the bill by adding the word "Gates." Mr. Montgomery, of H. moved further to amend the bill by adding the word "Hertford;" and Mr. Moye moved further to amend the bill by adding the word "Greene," which several amendments were agreed to; and the bill, as amended, was read the second time and passed.

Received from the House of Commons two messages, accompanied by communications from the Public Treasurer, transmitting certain exhibits and statements from sundry of the Banks in this State, and proposing that the same be printed, one copy for each member of the Legislature; and the said communications being read, on motion of Mr. Speed, ordered that they, together with the accompanying documents, be laid upon the table.

Received also from the House of Commons a message, accompanied by a communication from the Governor, transmitting the report of the Treasurer of the Board of Trustees of the University, and proposing that the same be printed, one copy for each member of the Legislature; which proposition was agreed to, and the House of Commons were informed thereof by message.
Received also from the House of Commons a message, stating that they have rejected the recommendation of James Dozier, as colonel commandant of the Brunswick county militia.

A message was also received from the House of Commons, stating that they have passed the engrossed bill to authorize the forming a fire engine company in the town of Elizabeth City, with amendments, to wit: Strike out "forty," the last word of the first section, and insert "twenty;" and also in the fifth line of the 6th section, after the word duty strike out the remainder of the section; in which they ask the concurrence of the Senate; and the said amendments having been read, it was resolved that the Senate do not concur therewith, and the House of Commons were informed thereof by message.

Received from the House of Commons the resignation of O. W. B. Cox, as major of the 25th regiment of militia for the county of Jones, endorsed in that House, "read and accepted;" and which was read and accepted by the Senate.

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

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

WEDNESDAY, DECEMBER 30 1829.

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 Washington toll bridge; a bill authorising Alexander, William and Duncan Marchison to erect a bridge across Lower Little river, in Cumberland county; and a bill vesting certain powers in the Court of Pleas and Quarter Sessions for Edgecomb county; also the engrossed resolution in favor of Ransom Hinton; in which they ask the concurrence of that House.

Mr. Montgomery, of Orange, presented the resignations of Joseph Allison, as lieutenant colonel of the 2nd regiment, and of Jeremiah Holt, as major of the 3d regiment of Orange county militia; which were read and accepted, and sent to the House of Commons.

On motion of Mr. Meares, the Senate resolved itself into a committee of the whole House, Mr. Miller in the chair, to take into consideration the bill to authorize and direct the Supreme Court to be held in the several places therein mentioned; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Miller reported that the committee of the whole had had the said bill under consideration, and had made an amendment therein, and had instructed him to report the same to the House. Whereupon the said amendment was read and agreed to, and the bill, as amended, was read the second time. Mr. Burgin moved to amend the bill by striking out the word "Statesville" in the first section, and inserting the word "Morganton;" which amendment was not agreed to. Mr. Allison moved fur-
ther to amend the bill by striking out the word "third" in the 7th line, and inserting the word "fourth;" and further to amend the bill in the eighth line, by striking out the word "third" and inserting the word "second;" which amendments were agreed to. Mr. Allison moved further to amend the bill by striking out the word "third;" in the third line of the second section, and inserting the word "second;" and further to amend the bill by striking out the word "first;" and inserting the word "fourth;" which amendments were agreed to. Mr. Allison moved further to amend the bill by striking out all of the first and second sections, after the word, "which," and inserting the following, to wit: "and that the winter sessions shall be held for the term of three weeks, and the summer sessions for the term of four weeks, in each and every year, should the business require it;" which amendment was agreed to, and the bill, as amended, was read the second time and passed.

Mr. Meares, from the committee on the Judiciary, to whom was referred the memorial and bill to incorporate the Richmond Wool Growing Company, made a report thereon, stating that it would be inexpedient to pass the said bill, and therefore recommend its rejection. Whereupon the said bill was read the second time, and resolved that the same shall not pass.

Mr. Meares, from the same committee, to whom was referred the bill to divorce John Sloan from his wife Elizabeth, reported the same without amendment, and recommended that the same be passed into a law. Whereupon the said bill was read the second time and passed.

On motion of Mr. M'Diarmid, ordered that Jacob Leonard, the Senator from the county of Brunswick, have leave of absence from and after this day for the remainder of the session.

James J. McKay, the Senator from the county of Bladen, appeared, produced his credentials, was qualified and took his seat.

Mr. Rainey presented a bill to compel the Register and Clerk and Master in Equity in the county of Caswell, to keep their offices at the court house in said county; which was read the first, second and third times and passed, and ordered to be engrossed.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Cumberland county in favor of John Taylor, made a report thereon, and the resolution therein contained, as follows, to wit:

Resolved, That the prayer of the petitioners be allowed,

Was concurred in by the Senate.

Mr. Williams, of Martin, from the same committee, to whom was referred the resolution in favor of John Black, sheriff of Cumberland county, reported the same without amendment, and recommended its passage. Whereupon the said resolution was read the second time and passed.

Mr. Meares presented a bill to alter the mode of compensation to Members of the Senate and House of Commons; which was read the
First time and passed—yeas 44, nays 11. The ayes and noes being demanded by Mr. Meares, are as follows, to wit:


Those who voted in the negative, are Messrs. Allen, Allison, Bell, Burney, Davidson, Hinton of B. McKay, Montgomery of H. Saunders, Spaight, Sherard.

The engrossed bill to authorize the Governor to grant certain lands to the Baptist congregation at Franklin in the county of Marion, was read the third time and passed, and ordered to be enrolled.

Received from the House of Commons a message of the 26th instant, stating that a bill has been transmitted to that House from the Senate, entitled "a bill to establish a Bank on behalf of, and for the benefit of the State," in which they ask the concurrence of that House; and stating further, that on the inspection of the bill, it appears that the said bill has not been "perfected," for that in it several blanks are not filled; and the House of Commons, believing that the bill had been prematurely transmitted, do respectfully return it to the Senate, in order that it may be there "perfected," and finally acted on, before the concurrence of that House is required. And the message having been read, on motion of Mr. Wilson, it was ordered to lie on the table.

Mr. Allen presented the following resolution, to wit:

Resolved, as the sense of this House, that blanks in a bill, not affecting its principles, do not render it imperfect within the spirit and meaning of the first joint rule for the government of the two Houses.

Which was read and adopted—yeas 44, noes 13. The ayes and noes being demanded by Mr. Underwood, are as follows, to wit:


Those who voted in the negative, are Messrs. Allison, Burney, Davidson, Dick, Franklin, Hinton of Wake, Love, M'Entire, Meares, Melchor, Montgomery of H. Moye, Sneed.

On motion of Mr. Allen, ordered that a message be sent to the House of Commons, stating that it is the opinion of this Senate, that blanks in a bill do not render it imperfect within the spirit and meaning of the first joint rule for the government of the two Houses. For this reason, the Senate beg leave respectfully to return to the House of Commons "the bill to establish a Bank on behalf of, and for the benefit of the State."

And the Senate then adjourned until this afternoon, 4 o'clock.

WEDNESDAY EVENING. 4 o'clock. DECEMBER 30, 1829.

Mr. Matthews presented the following resolution, to wit:

Resolved, That the joint select committee on so much of the Governor's message as relates to the claim of this state against the United States, to whom was referred the report of the commissioners appointed by resolution at the last session of the General Assembly, to examine in all the old standing accounts on the Comptroller's books, be, and they are hereby instructed to inquire what compensation the said commissioners are entitled to for that service, and that the committee report by bill or resolution.

And the said resolution having been read, on motion of Mr. Davidson, ordered that it lie on the table.
The engrossed bill to repeal an act, passed in 1828, appointing commissioners on the road from Wantanga, in Ashe county, to the head of John's river, in Burke county, was read the second time. Mr. Mitchell moved to amend the bill by striking out all thereof, except the enacting clause, and inserting the following, to wit: "As soon as the Commissioners, appointed by an act, passed 1828, chap. 56, shall adjudge that the overseers appointed by them for opening the road from the head of John's river, in Burke county, to the widow Shaft's, in Ashe county, have performed their duty in completing the said road, it shall be the duty of the said commissioners to report that fact to the county courts of Burke and Ashe counties.

"And be it further enacted, that the county courts of the said counties shall provide for keeping the parts of the said road that lie within their respective counties, in repair, by the appointment of overseers, and designating the hands to work the same.

"And be it further enacted, that the laws now in force concerning the roads of Ashe and Burke, shall be in force in relation to the aforesaid road;" and to amend the caption so as to correspond therewith; which amendments were agreed to; and the bill, as amended, was read the second and third times and passed; and a message was sent to the House of Commons, asking their concurrence in the amendments.

The engrossed bill to alter the times of holding the elections in the 6th Congressional district, was read the third time. Mr. Davis moved to amend the bill, by striking out the words "Friday before the first Monday in August," and inserting the words the "second Thursday in August," which amendment was not agreed to. Mr. Sneed moved further to amend the bill, by striking out the words "in each and every year," at the end of the bill; which amendment was agreed to. Mr. Davis moved that the bill be indefinitely postponed; which was not 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 amendment.

The resolution in favor of Isaiah Rogerson, sheriff of Perquimans county, was read the third time and passed, and ordered to be engrossed.

The bill to divide the regiment of militia in Macon county, was read the second and third times and passed, and ordered to be engrossed.

The bill to amend an act, passed A. D. 1828, concerning the county of Macon, was read the second time and passed, and, on motion of Mr. Love, ordered to lie on the table.

The bill more effectually to prevent the depredations of runaway slaves, and to encourage their apprehension in the counties therein mentioned, was read the third time. Mr. Dickinson moved to amend the bill by striking out the word "fifteen," in the fifth line of the second section, and inserting the word "twenty;" which amendment was agreed to. Mr. Miller moved further to amend the bill, by striking out the words "weapon of defence," in the ninth line of the second sec-
tion, and inserting the words "fire arms;" which amendment was not agreed to. Mr. Montgomery, of H., moved further to amend the bill by striking out the word "Hartford;" and Mr. Cowper moved further to amend the bill, by striking out the word "Gates;" which amendments were agreed to; and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

The bill to prevent disfiguring the walls of the State House, was read the second time and passed.

Received from the House of Commons a message, stating that they concur in the amendments made by the Senate to the engrossed bill to prevent the falling of timber in, or obstructing the run of Rocky river, in a portion of the county of Chatham. Ordered that the said bill be enrolled.

Received from the House of Commons a message, stating that they have rejected the recommendation of the Senate of Frederick Pentress, as a justice of the peace for Guilford county.

A message was also received from the House of Commons, stating that they have passed the engrossed bill to provide for the permanent establishment of a public road from Lincoln to Rutherfordton, with an amendment, to wit: In the eighth line of the first section, strike out the word "next," and insert "1830;" in which they ask the concurrence of the Senate. Whereupon the said amendments were agreed to, 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 authorise Andrew Welch and William Thomas, of the county of Macon, to erect certain gates there-mentioned, with an amendment, to wit: After the word "river," in the twelfth line, add in words "which gates, when erected, shall be under the same rules and regulations, and be subject to the same tax as other gates across public roads in this State?" in which they ask the concurrence of the Senate. Whereupon the said amendment was read and agreed to, and the House of Commons were informed thereof by message.

Received also 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 exempt certain persons in the county of Hyde from serving as jurors of the original panel; a bill to establish a poor-house in the county of Nash, and for other purposes; a bill to authorise the county court of Duplin to purchase certain lands; a bill concerning a troop of cavalry in Burke, Wilkes and Iredell; a bill concerning the cross canal, leading from the great Dismal Swamp canal, near the head of the woods in Camden county, to the White Oak Spring Marsh, in Gates county; a bill to repeal part of an act, passed in the year 1819, chap. 45, entitled an act to amend the laws now in force respecting the town of Edenton; a bill to amend an act, passed A. D. 1827, providing for the incorporation of the town of Lexington, in the county of Davidson; a bill concerning the working
on roads in the county of Lincoln; a bill to repeal an act, passed A. D. 1822—23, entitled an act concerning the appointment of cooperers in the town of Wilmington, and for other purposes; a bill to extend the provisions of an act, passed A. D. 1828, entitled an act supplemental to an act to erect that part of Haywood, commonly called the Cherokee purchase, into a separate and distinct county; a bill concerning the Buncombe turnpike road; a bill to incorporate the Salisbury Vigilant Fire Company; a bill to amend an act, passed in the year 1825, entitled an act to prevent the falling of timber in, or obstructing the run of Brown creek, in Anson county; a bill to amend the second section of an act, passed in the year 1815, chapter 893, relative to the cleansing of lots in the town of Edenton; a bill to incorporate Lincoln Academy, in Beaufort county; a bill to authorise the Courts of Pleas and Quarter Sessions of New Hanover to appoint a committee of Finance; a bill for the purpose of preventing a nuisance in the town of Tarboro; and a bill concerning the payment of jurors in the county of Martin. Whereupon the said bills were severally read the first time and passed, except the last mentioned bill; which was, on motion of Mr. Sneed, ordered to lie on the table.

The following engrossed bills, to wit: The bill to authorise the County Court of Duplin to purchase certain lands; the bill to authorise the Courts of Pleas and Quarter Sessions of New Hanover to appoint a committee of Finance; and the bill for the purpose of preventing a nuisance in the town of Tarboro, were severally read the second time and passed, and the last mentioned bill, was, on motion of Mr. Matthews, ordered to lie on the table.

The following engrossed bills, to wit: The bill to exempt certain persons in the county of Hyde from serving as jurors of the original panel; the bill to establish a poor house in Nash county, and for other purposes; the bill to repeal part of an act, passed in the year 1819, chapter 45, entitled an act to amend the laws now in force respecting the town of Edenton; the bill to extend the provisions of an act, passed A. D. 1828, entitled an act supplemental to an act to erect that part of Haywood, commonly called the Cherokee purchase, into a separate and distinct county; the bill to incorporate the Salisbury Vigilant Fire Company; the bill to amend an act, passed in the year 1825, entitled an act to prevent the falling of timber in, and obstructing the run of Brown creek, in Anson county; the bill to amend the second section of an act, passed in the year 1815, chapter 893, relative to the cleansing of lots, &c. in the town of Edenton; and the bill to incorporate Lincoln Academy, in Beaufort county, were severally read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons the resignation of Marsden Campbell, a member of the Board of Internal Improvements, endorsed in that House, "read and accepted;" and which was read and accepted by the Senate.

And the Senate then adjourned till to-morrow morning, 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 to divide the regiment of militia in Macon county; a bill to compel the Register and Clerk and Master in Equity in the county of Caswell to keep their offices at the court house of said county; and a bill for the better government of the town of Elizabeth City, in the county of Pasquotank, and for other purposes; also the engrossed resolution in favor of Isaiah Rogerson, sheriff of Perquimans county; in which they ask the concurrence of the House of Commons.

Received from the House of Commons a message, proposing to ballot immediately for a lieutenant colonel of cavalry attached to the 11th brigade, and stating that William Greer and Robt. J. Kirkpatrick are in nomination for the appointment; which proposition was agreed to, and Messrs. Williams, of Martin, and Dickinson were appointed to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Barringer and E. Alexander are appointed a committee to conduct the balloting on their part.

On motion of Mr. Montgomery, of Hertford, ordered that a message be sent to the House of Commons, proposing to ballot immediately for a Board of Internal Improvements for the ensuing year.

Received from the House of Commons a message, stating that they have passed the engrossed bill to amend and improve the Dickory Nut Gap road; in which they ask the concurrence of the Senate. Whereupon the said bill was read the first time and passed.

The resolution in favor of Alexander Nicholson, was read the third time and passed, and ordered to be engrossed.

On motion of Mr. Allison, the Senate proceeded to consider the bill to authorise and direct the Supreme Court to be helden in the several places therein directed; and the bill being read the third time, Mr. Marshall moved to strike the word "Statesville" in the first section, and insert the word "Salisbury;" which was not agreed to. Mr. Hoke moved further to amend the bill by striking out the word "Statesville," and insert "Lincolntown," which amendment was not agreed to. Mr. McKay moved further to amend the bill by inserting the word "Bladen" in the second section; which amendment was agreed to. Mr. Montgomery, of Orange, moved further to amend the bill by inserting the words "or more," after the word "weeks" in the first and second sections; which amendment was not agreed to; and the question then recurring on the passage of the bill the third time, as amended, it was determined in the affirmative—ayes 37, nays 22. The ayes and nays being demanded by Mr. Matthews, are as follows, to wit:

Those who voted in the affirmative, are Messrs Allen Allison, Bucic, Crump, Davidson, Dick, Dickinson, Eddoeedge, Franklin, Hare, Houston, Hoke, Johnson, Law, McCurry, McKay, McDannid, M'Darmid, M'Entire, M'Farland, M'Niel, Marshall, Martin, Miller,
The bill to alter the times of holding the superior Court of Law and Equity in the third judicial circuit, was read the second time, and, on motion of Mr. Williams of M., ordered that a message be sent to the House of Commons, proposing to refer the said bill to a joint select committee, consisting of the members of the third judicial circuit.

The bill to amend an act, passed A. D. 1833, concerning the county of Macon, was read the third time. Mr. Love moved to amend the bill, by adding the following proviso at the end thereof, to wit: "Provided, that not more than twelve jurors shall be summoned from the county of Macon," which amendment was agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, agreeing to ballot immediately for a Board of Internal Improvement, and stating that the names of Joseph Dozier, James Morgan, Cadwalader James and David L. Swain are in nomination for the appointment; and informing that Messrs. O'Brien and Joseph A. Hall attend the Senate to conduct the ballotting on their part. Whereon, on motion of Mr. Matthews, the name of Andrew Jayne was added to the nomination, and a message was sent to the House of Commons, informing them thereof, and stating that Messrs. Mitchell and Mosely attend that House to conduct the ballotting on the part of the Senate.

The resolution in favor of John Black, sheriff of Cumberland county, was read the third time and passed, and ordered to be engrossed.

The bill more effectually to prevent injury to stock, was read the second time, and, on motion of Mr. Hoke, ordered that the said bill be postponed indefinitely.

The resolution in favor of David Graybeal was read the second time and passed.

The bill to provide for the collection of debts in certain cases, was read the second time. Mr. Dick moved to amend the bill by inserting the words "executed after the first day of May next," after the word "note" in the 13th line of the first section; which amendment was agreed to. Mr. Dick moved further to amend the bill by inserting the same words after the word "note" in the 24th line, in the same section; which amendment was agreed to. Mr. Dick moved further to amend the bill by inserting the words "with sufficient security," after the word "bond" in the thirty second line of the same section; which amendment was agreed to, and the bill, as amended, being read the second time, on motion of Mr. Meares, it was ordered to be postponed indefinitely—ayes 97, nays 0. The ayes and nays being equal, the Speaker voted with the ayes, and decided the question in the affirmative. The ayes and nays being demanded by Mr. Montgomery, of Orange, are as follows, to wit:


Mr. Mitchell, from the committee appointed to conduct the balloting for a Board of Internal Improvement, reported that Cadwalader Jones and David L. Swain, having received a majority of votes, are duly elected, and that no other person in nomination had a majority of votes, in which report the Senate concurred.

Mr. Williams of M., from the committee appointed to conduct the balloting for a lieutenant colonel of cavalry of the 11th brigade, reported that William Green, having received a majority of the whole number of votes, is duly elected, in which report the Senate concurred.

Mr. Dickinson moved to reconsider the vote taken on to-day on the indefinite postponement of the bill more effectually to prevent injury to stock; and on the question, will the Senate reconsider the said vote? it was determined in the affirmative.

The bill fixing the fees of the County and Superior Court Clerk, and sheriff's fees was read the third time. Mr. Dick moved to amend the bill by inserting the following words: "...and shall not tax an attorney's fees" at the end of the third section; which amendment was agreed to. Mr. M'Kay moved further to amend the bill by inserting the following words in the sixth section, to wit: "for serving copy of declaration 10 cents;" which amendment was agreed to. Mr. M'Kay moved further to amend the bill in the same section, by inserting the following, to wit: "...and if further trouble by moving of goods be taxed by the court;" which amendment was agreed to. Mr. Boddie moved further to amend the bill by adding the following proviso at the end of the fifth section, to wit: "provided further, that the provisions of this section shall not extend to the county of Nash;" which amendment was agreed to. Mr. Meares moved further to amend the bill by inserting the following words after the word "subpoena" in the sixth section, to wit: "served on each person named therein;" which amendment was agreed to. Mr. Sneed moved further to amend the bill by inserting the following words in the first section, to wit: "...for issuing venue on justice' judgment levied on land affirmed in court, and recording the papers as required by law, seventy-five cents;" which amendment was not agreed to. Mr. Sneed moved further to amend the bill by striking out the word "twenty" in the nineteenth line of the sixth section, and insert the word "cent" which amendment was agreed to. Mr. Dickinson moved further to amend the bill by adding the following words at the end of the seventh section, to wit: "...nor any other fees than those allowed by law to consubles for similar services;" which amendment was agreed to. Mr. Hinton, of Wake, moved further to amend the bill by striking out the words "two cents per mile for said guard" in the sixth section; which amendment was not agreed to. Mr. Meares moved further to amend the bill by inserting the following words in the sixth section, to wit: "...seizing any slave or any animal seized by virtue of any legal process, such sum as may be fixed by the County Court in each county in the States;"
which amendment was agreed to. Mr. M'Kay moved further to amend the bill by inserting the following words in the sixth section, to wit: "for summoning commissioners to divide real estate and for qualifying them, thirty cents each, to be paid in equal portions by the claimants;" which amendment was agreed to. Mr. Sneed moved further to amend the bill by inserting the following words in the sixth section, to wit: "the fees for keeping criminals in jail per day, to be allowed by each County Court as now directed by law;" which amendment was agreed to. Mr. Hinton, of Beaufort, moved further to amend the bill by inserting the following words after the word "pay" in the sixth line of the 5th section, to wit: "the following taxes, to wit: one dollar upon each and every case in the Superior Court, and fifty cents upon each and every case in the County Court;" which amendment was not agreed to. Mr. Hinton, of Beaufort, moved further to amend the bill by adding the following as an additional section, to wit: "And be it further enacted, that nothing herein contained shall be construed as to prevent the several County Courts of this State from making just and reasonable allowances to their sheriffs and clerks for performing what has been heretofore called extra services, and it is hereby made the duty of said courts to make such allowances to the clerks aforesaid." Mr. Meares moved to amend the amendment by striking out all thereof after the word "services" and inserting the following words: "as now authorised by law;" which amendment was agreed to. The question then recurring on the adoption of the original amendment, as amended, it was determined in the affirmative. Mr. Wellborn moved further to amend the bill by adding the following proviso, at the end thereof, to wit: "Provided nevertheless, that the provisions of this act shall not affect any private act, passed for any county in this State, in relation to the fees of clerks and sheriffs;" which amendment was agreed to. Mr. Dickinson moved further to amend the bill by inserting the words "in judicial proceedings." after the word "record" in the first section; which amendment was not agreed to Mr. Montgomery, of Orange, moved further to amend the bill by striking out the word "twenty" after the word "record" in the first section, and insert the word "ten;" and further, to strike out the word "ten" after the word "and;" in the same section, and insert the word "five;" which amendment was agreed to. Mr. Dickinson moved further to amend the bill by striking out the words "the same as Clerk and Master in Equity" in the first section; and inserting the words "such sum as the court may allow;" which amendment was agreed to; and the bill being read the third time as amended, Mr. Dickinson moved that the bill be indefinitely postponed; which was not agreed to—yeas 7, nays 43. The ayes and nays being demanded by Mr. Sherard. are as follows, to wit:


The question then recurring on the passage of the bill the third time, it was determined in the affirmative, and it was ordered to be engrossed.

And the Senate then adjourned until 5 o'clock, this afternoon.
THURSDAY EVENING, 5 o'clock.

The engrossed bill concerning the Buncombe Turnpike Road, was read the second time. Mr. Allen moved to amend the bill by adding the following words at the end thereof, to wit: "east of the mouth of Ivey creek;" which amendment was agreed to, and the bill, as amended, was read the second and third times and passed, and a message was sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill to repeal an act, passed A.D 1828-'29, entitled an act concerning the appointment of coopers in the town of Wilmington, and for other purposes, was read the second and third times and passed, and ordered to be enrolled.

The engrossed bill concerning the working on roads in the county of Lincoln; and the engrossed bill concerning a troop of cavalry in Burke. Wilkes and Iredell, were read the second time and ordered to be postponed indefinitely.

Received from the House of Commons a message, stating that they concurred in the amendments made in the Senate in the engrossed bill concerning the elections in the counties of Davidson and Mecklenburg. Whereupon the said bill was ordered to be enrolled.

The bill to authorise the Courts of Pleas and Quarter Sessions of New Hanover to appoint a committee of finance, was read the third time. Mr. Ward moved to amend the bill by extending its provisions to the county of Onslow; which amendment was agreed to. Mr. Meares moved further to amend the bill by inserting in the first section, after the word "thirty," the words "or at any subsequent court;" and further to amend the bill by striking out the words "and at the rate of one dollar for every thirty miles travelling to and from the place appointed for the attendance of said committee;" and further to amend the bill in the 12th line of the second section by inserting after the word "June," the words "in New Hanover, and May in Onslow;" and further to amend the bill in the 8th section by striking out the words "send for persons and papers," and inserting the words "issue subpoenas and subpoenas duces tecum;" and further to amend the bill by striking out the word "notified," and inserting the word "summoned;" and in the ninth section, after the word "aforesaid" insert the words "or their securities;" and also in the 10th section, strike out the word "once;" and insert the words "one year;" which several amendments were 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.

On motion of Mr. Ward, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for a member of the Board of Internal Improvement, and stating that the name of Thomas Cox is added to the nomination.

Received from the House of Commons a message, stating that they have passed the engrossed bill for the relief of James D. Justice, of the county of Buncombe, with an amendment, to wit: after the word "Treasurer," in the fifth line, add the words "within twelve months," which amendment was agreed to by the Senate, and the House of Commons were informed thereof by message.

Received from the House of Commons a message, agreeing to ballot immediately for a member of the Board of Internal Improvement, and stating
that Messrs. Graham and Blake attend the Senate to conduct the balloting on the part of that House. Whereupon Messrs. Marshall and Bell appointed a committee to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

Mr. Mitchell, from the committee on Internal Improvements, to whom was referred the resolution instructing them to inquire into the expediency of making an appropriation to construct a rail road from Fayetteville to Campbellton, made a report thereon accompanied by a bill making an appropriation for a rail road from Campbellton to Fayetteville; which was read the first time and passed.

Mr. Bell from the committee appointed to conduct the balloting for a member of the Board of Internal Improvement, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

Received from the House of Commons the certificate of allowance of the County Court of Chowan in favor of Eleanor Trulove endorsed in that House "read and ordered to be countersigned by the Speaker of the House of Commons."

Received also from the House of Commons a message, stating that they have passed the following engrossed bills and resolutions, to wit: a bill to enable the Public Treasurer to employ the service of additional clerks; a bill amending the laws now in force for the suppression of counterfeiting; a bill to exempt the members of the several fire companies in this State from mustering, and for other purposes; a bill to amend an act passed in the year 1828, entitled an act concerning the poor of Moore county; a bill to authorize the appointment of commissioners to run and mark the dividing line between the counties of Haywood and Buncombe; a bill to authorize the Court of Pleas and Quarter Sessions of Burke county to appoint commissioners to view and lay off a turnpike road from the Lincoln line to James Loving's, passing through the Laurel Gap of the South Mountains, and for other purposes; a bill to repeal part of an act, passed in 1828, entitled an act for improving the navigation of creeks and rivers in the county of Sampson, and of Black river, so far as it is the dividing line between the counties of Sampson and Cumberland; also the engrossed resolution for the Secretary of State; and the engrossed resolution in favor of Edward Ward, of Ossow county; in which they ask the concurrence of the Senate. Whereupon the said Bills were severally read the first time and passed, except the two last mentioned bills which were ordered to be postponed indefinitely; and the resolutions were read and adopted and ordered to be enrolled.

The engrossed bill to amend an act, passed in the year 1828, entitled an act concerning the poor of Moore county; and the engrossed bill to authorize the appointment of commissioners to run and mark the dividing line between the counties of Haywood and Buncombe were read the second and third times and passed, and ordered to be enrolled.

The engrossed bill to exempt the members of the several fire companies in this State from mustering, and for other purposes, was read the second time. Mr. Ward moved to amend the bill by inserting, after the word "regiment," in the 6th line of the second section, the words "by the 15th day of October," which amendment was agreed to. Mr. Montgomery, of Orange, moved further to amend the bill by inserting in the 5th line of the
first section, after the word "companies" the words "so long as they shall continue members of said companies;" which amendment was agreed to, and the bill, as amended, was read the second time and passed.

Received from the House of Commons a message, stating that they concur in the amendments made by the Senate in the engrossed bill to alter the times of holding elections in the 6th Congressional district. Whereupon the said bill was ordered to be enrolled.

A message was also received from the House of Commons, stating that they agree to refer the bill to alter the times of holding the Superior Courts of Law and Equity in the 5th judicial circuit to the members from the counties composing said circuit.

Received also from the House of Commons a message, stating that they have passed the engrossed resolution requesting our Representatives, and instructing our Senators in Congress to call the attention of Congress to the necessity and propriety of amending the laws of the United States in regard to the crime of counterfeiting the notes of the Bank of the United States, so as to embrace the several objects contemplated in said resolution; in which they ask the concurrence of the Senate. Whereupon the said resolution was read and adopted, and ordered to be enrolled.

Received also from the House of Commons a message from the Governor, transmitting a report and resolutions from the State of Vermont on the subject of amendments of the Constitution of the United States, the Tariff, the right of Congress to make appropriations for Internal Improvements, and for aiding the American Colonization Society; and the report and resolutions having been read, on motion of Mr. Spaight, ordered that they be laid upon the table.

Received from the House of Commons the resignation of John D. Toomer, as one of the Judges of the Supreme Court endorsed in that house "read and accepted;" and which was read and accepted by the Senate.

A message was also received from the House of Commons, stating that a bill had been transmitted from the Senate to this House, entitled a bill for the better government of the town of Elizabeth City, in the county of Pasquotank, and for other purposes; in which the concurrence of that House is asked; and stating further, that, on inspection, it appears the said bill has not been perfected; for that in it a blank is not filled up. The House of Commons believing that the bill has been prematurely transmitted do respectfully return it to the Senate, in order that it may be there perfected and finally acted on before the concurrence of that House is required; and the message having been read, on motion of Mr. Meares, it was ordered to lie on the table.

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

FRIDAY, JANUARY 1 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: a bill more effectually to prevent depredations of runaway slaves, and to encourage their apprehension in the counties of Lenoir, Wayne, Craven, Onslow, New Hanover, Washington, Buncombe, Jones, Pitt, Beaufort and Greene; a bill to authorize and direct the Supreme Court to be holden at the several places therein directed; a bill to amend an act, passed A. D. 1828, entitled an act supplemental to an act erecting the county of Macon; also the engrossed
resolution in favor of Alexander Nicholson; and the engrossed resolution in favor of John Black, sheriff of Cumberland; in which they ask the concurrence of that House.

The resolution directing the joint select committee on the claims of the State against the United States to inquire what compensation the commissioners who investigated those claims are entitled to, was taken up on motion of Mr. Davidson, read and adopted, and ordered to be engrossed.

The resolution requesting our Senators and Representatives in Congress to use their endeavours to procure an appropriation to open an inlet from the Albemarle Sound to the Ocean at or near Nag's Head, together with the memorial addressed to the Congress of the United States on that subject, were taken up, on motion of Mr. Montgomery, of Herkford, and being read, were, on motion of Mr. McKay, ordered to be referred to the committee of the Whole House, to which is committed the resolution in regard to the powers of the General Government to make appropriations for purposes of Internal Improvement.

A motion was made by Mr. Franklin to reconsider the vote taken on yesterday on the indefinite postponement of the engrossed bill to authorise the Court of Pleas and Quarter Sessions of Burke county to appoint commissioners to view and lay off a road from the Lincoln line to James Loving's, passing through the Laurel Gap of the South Mountains, and for other purposes; and on the question will the Senate reconsider the said vote? it was determined in the affirmative and the bill was read the first time and passed.

The bill to divorce John Sloan from Elizabeth Sloan, was read the third time and passed, and ordered to be engrossed.

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

Mr. Speaker.—The House of Commons cannot but regret that a difference of opinion should exist between the two Houses on the construction of the first Joint Rules of Order, and in its application to the bill, which has been a second time transmitted by the Senate, entitled "a bill to establish a Bank on behalf of, and for the benefit of the State," while this House will always take pleasure in yielding to every expression of opinion on the part of the Senate the most respectful consideration; yet, as one of the parties of the compact by which the Joint Rules were formed, it cannot forgo its claim to an equal share in the privilege of expounding them. Upon a deliberate re-examination, this House adheres to the opinion which it has heretofore expressed. By the first of the Joint Rules, it is agreed "that each house shall perfect and finally act on all bills before they shall be communicated to the other for concurrence." The House of Commons cannot regard a bill as perfected, which contains enactments that the president of a corporation thereby created shall be allowed an annual compensation of dollars, the cashier dollars and each director dollars, for their respective services. The House of Commons is therefore compelled again to return the bill to the Senate, and to declare explicitly, but respectfully, its determination not to act on the bill in its present unfinished state.

And the said message having been read, on motion of Mr. Martin, it was ordered, together with the accompanying document, to lie on the table.

A motion was made by Mr. Davidson to suspend the 12th rule of the Senate, which requires that when a question has been once decided, it shall be in order for any member of the majority to move for a reconsideration thereof on the same or succeeding day, for the purpose of reconsidering the vote taken on the third reading of the bill to establish a bank on behalf of, and for the benefit of the State; and on the question will the Senate for that purpose suspend the said 12th rule? it was determined in the affirmative—yeas 40, nays 19. The ayes and noes being demanded by Mr. Williams, of F. are as follows, to wit:

Those who voted in the negative, are Messrs. Askew, Barnes, Boddie, Davis, Dick, M'Daniel, McIntire, Meares, Mitchell, Montgomery of H. Mosely, Moe, Rainey, Saunderson, Spaight, Smith, Ward, Williams of F. Williams of M.

Mr. Davidson then moved to reconsider the bill to establish a Bank on behalf of, and for the benefit of the State; which motion was agreed to; and the bill being read the third time, Mr. Davidson moved to amend the bill by striking out from the commencement of the 20th section to the word "services," inclusive, in the 5th line of the said section, and inserting in lieu thereof, the following, to wit: "The president, cashiers and directors shall be allowed an adequate compensation for their services, to be fixed by the next General Assembly," which amendment was agreed to. The question then recurring on the passage of the bill the third time, as amended, it was determined in the affirmative—ayes 34, noes 22. The ayes and noes being demanded by Mr. Meares, are as follows, to wit:


Those who voted in the negative, are Messrs. Barnes, Boddie, Davis, Dickinson, Franklin, Hinton of W., M'Diarmid, McIntire, Meares, McElroy, Mitchell, Montgomery of H. Mosely, Moe, Rainey, Saunderson, Spaight, Sneed, Smith, Ward, Williams of F. Williams of M.

The Senate then adjourned until half past 3 o'clock, this afternoon.

Friday Evening, half past 3 o'clock. January 1, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill fixing the fees of the clerks of the County and Superior Courts and sheriffs' fees; in which they ask the concurrence of that House.

Mr. Rainey presented a bill requiring the register of the county of Caswell to keep his books at the court house, or within one mile thereof; which was read the 1st and second times and passed; and being read the third time, Mr. Sneed moved to amend the bill by striking out the words "and fined at the discretion of the court;" which amendment was agreed to; and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

Mr. Williams of Martin, from the joint select committee on the Public Buildings, made a report thereon, accompanied by a bill to provide for the repairs of the State House and Arsenal, which was read the first time and passed.

The resolution in favor of David Graybea was read the third time and passed, and ordered to be engrossed.

The resolution in favor of Merritt Hutchins; the resolution in favor of Ezekiel Ellis; and the resolution in favor of Benjamin H. Blount, were severally read the second and third times and passed, and ordered to be engrossed.

The resolution in favor of Thomas Walker, of Mecklenburg county, was read the second time; and it was ordered that the same shall not pass.

The resolution instructing our Senators, and requesting our Representa-
tives in Congress, to use their endeavors to procure the repeal of the tax on salt, was read and adopted, and ordered to be engrossed.

The resolution instructing our Senators, and requesting our Representatives in Congress, to use their endeavors to procure the extinguishment of all the Indian claims to lands in this State, was read, and, on motion of Mr. Meares, ordered that the said resolution be postponed until the first day of June next.

Mr. Boddie presented the resignation of Duncan York, a justice of the peace for the county of Nash; which was read and accepted, and ordered to be sent to the House of Commons.

The bill to ascertain the number of maniacs, lunatics and persons non compos mentis within this State, was read the second time. Mr. Sneed moved to amend the bill by extending its provisions so as to embrace the deaf and dumb persons within this State; which amendment was agreed to, and the bill, as amended, was, on motion of Mr. Bell, ordered to be postponed until the 1st day of June next.

On motion of Mr. Bell, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for a member of the Board of Internal Improvement.

Received from the House of Commons a message, stating that they have postponed indefinitely the engrossed bill vesting certain powers in the Court of Pleas and Quarter Sessions for Edgecombe county.

The bill concerning the distribution of the public arms to certain police authorities herein specified, and in case of insurrection or invasion, and for other purposes, was read the second time. Mr. McKay moved to amend the bill by striking out the word "assurances," in the ninth line of the second section, and inserting the words "bond with sufficient security;" which amendment was not agreed to; and the bill, as amended, was read the second time and passed.

Received from the House of Commons a message, stating that they have passed the engrossed resolution in favor of Presley C. Person, with several amendments, to wit: strike out the word "said," in the second line, and after the words "Presley (_. Person" in said line, insert the words "late sheriff of Franklin county;" strike out the word "so" in the third line, and insert after the word "incurred" the words "by his failing to settle with the Public Treasurer by the 1st of October," in which they ask the concurrence of the Senate. Whereupon the said several amendments were read and agreed to by the Senate, and the House of Commons were informed thereof by message.

The engrossed bill concerning commissioners, &c. of Public Works, was read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons a message, agreeing to ballot immediately for a member of the Board of Internal Improvement, and stating that Messrs. Graham and Blair attend the Senate to superintend the balloting on the part of that House. Whereupon Messrs. Montgomery of Orange and Dickinson were appointed to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

The bill to prevent protracted and vexatious litigation by enlarging the jurisdiction of justices of the peace out of court, was read the second time, and, on motion of Mr. Barnes, ordered to be postponed indefinitely.
On motion of Mr. Meares,

Resolved, That a message be sent to the House of Commons, proposing so to alter the 7th section of the Joint Rules for both Houses as to require the joint committee appointed to examine enrolled bills to consist of eight members from the House of Commons and four members from the Senate, instead of the numbers now prescribed by said Joint Rules.

The bill giving tenes covert the right of suing and being sued, 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 time and passed.

On motion of Mr. Pool, the Senate proceeded to consider the message received from the House of Commons on yesterday, returning to the Senate a bill for the better government of the town of Elizabeth City, in the county of Pasquotank, and for other purposes.

Mr. Meares moved to postpone the further consideration of the said message until the 1st day of June next; which was not agreed to; and, on motion of Mr. Pool, ordered that a message be sent to the House of Commons, stating that it is the opinion of the Senate that the blank in said bill does not render it imperfect within the spirit and meaning of the 1st Joint Rule for the government of the two Houses, and for that reason the Senate beg leave respectfully to return the said bill to the House of Commons.

On motion of Mr. Martin, ordered that the bill to establish a Bank on behalf of, and for the benefit of the State, be returned to the House of Commons, accompanied by the following message, to wit:

Mr. Speaker,—Although the Senate strictly adhere to their opinion as expressed in their message to the House of Commons of the date of the 31st December, 1829, on the application of the term "perfect," as used in the Joint Rules of Order; yet, rather than that a bill of primary importance to the State (having occupied much of the time of the Senate) should be lost from a difference of opinion on the construction of said rule by a co-ordinate branch of the Legislature, they have rescinded the 12th Rule for the government of this House, so far as relates to the "bill establishing a Bank on behalf of, and for the benefit of the State," have taken the said bill again under consideration, amended the same, and herewith transmit it for the concurrence of the House of Commons.

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

Saturday, January 2, 1830.

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 Sloan from Elizabeth Sloan; a bill requiring the Register of the county of Caswell to keep his office at the court-house in said county, or within one mile thereof; and also the following engrossed resolutions, to wit: A resolution in favor of Meritt Hutchins; a resolution in favor of Ezekiel Ellis; a resolution in favor of David Graybeal; a resolution in favor of Benjamin H. Blount; a resolution instructing our Senators, and requesting our Representatives in Congress, to use their endeavors to procure a repeal of the salt tax; and a resolution for the select joint committee on the claims of the State against the United States; in which they ask the concurrence of the House of Commons.

Received from the House of Commons a message, proposing to ballot im-
mediatey for artillery officers, and stating that the following persons are in nomination, to wit: Samuel T. Hawley, as colonel commandant; Jesse Birdsall, as lieutenant colonel; and William Brown, as major; which proposition was agreed to. and Messrs. M'Neill and Burney were appointed to conduct the balloting on the part of the Senate.

On motion of Mr. Montgomery, of Hertford,

Resolved, That the clerk of the Senate be instructed to include in the certificate of allowance to Collin W. Barnes, Senator from Northampton, such number of days as he was necessarily detained from the service of the Senate by sickness.

Mr. Meares presented the following resolution:

Resolved, That the sum of $15 50 cents be allowed to Gabriel Holmes, jun. sheriff of New Hanover county, for settling his public accounts for the taxes of 1828, and the further sum of $2 50 cents for comparing the poll of the 5th Congressional district, to fill the vacancy occasioned by the death of the Hon. Gabriel Holmes, and that the Treasurer pay the same.

Which was read the first time and passed.

Received from the House of Commons a message, stating that Messrs. Bateman and Arrington attend the Senate as superintendents of the balloting for artillery officers, on the part of that House.

The bill to enable the Treasurer to employ the service of additional clerks, was read the second time. Mr. Meares moved to amend the bill by adding the following as an additional section, to wit: "Be it further enacted, that the Comptroller of this State, in addition to the sum heretofore allowed him, be allowed an additional sum not exceeding the sum of $300, to employ a clerk in his office, to be paid out of the Treasury, in quarterly payments, on warrants to be drawn by the Governor of the State." Mr. Askew moved to amend the amendment by striking out the words "three hundred," and inserting "two hundred and fifty," which amendment was not agreed to. The question then recurring on the adoption of the original amendment, it was decided in the affirmative; and the bill, as amended, being read the second time, it was resolved that the same shall not pass—yeas 29, noes 30. The ayes and noes being demanded by Mr. Moye, are as follows. to wit:

Those who voted in the affirmative, are Messrs Allen, Askew, Barnes, Beasley, Burney, Dick, Dickinson, Franklin, Hinton of W. Hinton or B. Johnson, Love, M'Daniel, M'Deardmid, M Farland, Martin, Matthews, Meares, Melchor, Miller, Mitchell, Montgomery of H. Mimsley, Haimey, Sauderson, Spaight, Sneel, Williams of F. Williams of M.


Mr. Montgomery of Orange, from the committee appointed to conduct the balloting for a Board of Internal Improvement, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

On motion of Mr. Montgomery, of Hertford, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for a member of the Board of Internal Improvement.

Mr. Brower presented a bill amendatory of the several acts heretofore passed, appointing commissioners for the town of Ashborough, in Randolph county, and for the better regulation of the police thereof; which was read the first, second and third times, and ordered to be engrossed.

Mr. M'Neill, from the committee appointed to conduct the balloting for artillery officers, reported that Samuel F. Hawley is duly elected colonel commandant; Jesse Birdsall, lieutenant colonel, and William Brown, major; in which report the Senate concurred.
Mr. Askew presented the following resolution, to wit:

Resolved, That this Legislature adjourn on Thursday, the 7th day of January, 1830, sine die.

And the resolution having been read, on motion of Mr. M'Kay, it was ordered to lie on the table.

Mr. M'Kay presented the following preamble and resolution, to wit:

Whereas the practice which prevails in all or most of the Superior Courts of this State, of doing no business, or very little, on the first day of their terms, though parties and their witnesses are in attendance, the latter according to the process of the courts, tends to produce great delay and expense in the administration of justice.

Therefore

Resolved, That the committee on the Judiciary be, and they are hereby instructed to inquire into the expediency of requiring said courts to proceed regularly to business, on some one of their dockets, on the first day of their term; or if that provision be deemed inexpedient, that said committee then inquire into the propriety of not requiring witnesses to attend until the second day of said terms, and to be paid accordingly.

Resolved further, That said committee be, and they are hereby instructed to inquire into the expediency of requiring the several Courts of Pleas and Quarter Sessions to designate some one or more days, in their terms, on which county and other business, not requiring the intervention of a jury, shall be done; and that the jurors and witnesses be summoned to attend on the next succeeding day, and to be paid accordingly.

On motion of Mr. Montgomery, of Hertford, the Senate resolved itself into a committee of the whole House, Mr. Hinton, of Wake, in the chair, to take into consideration the resolution in relation to the powers of Congress to make improvements of national concern; also the resolution concerning the opening of an outlet from the Albemarle Sound to the ocean; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hinton, of Wake, reported that the committee of the whole had had the said resolution under consideration, and had made some progress therein; and not having sufficient time to go through the same, had instructed him to ask leave to sit again; and on the question, Shall the committee have leave to sit again? it was determined in the affirmative.

On motion of Mr. Montgomery, of Hertford, ordered that Collin W. Barnes, the Senator from the county of Northampton, have leave of absence from and after Monday next, for the remainder of the session.

And the Senate then adjourned until this afternoon, half after 4 o'clock.

Saturday Evening, half past 4 o'clock.

Received from the House of Commons a message, agreeing to ballot immediately for a member of the Board of Internal Improvement, and stating that Messrs. M'Millan and Little attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Moye and Melchor were appointed to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

A motion was made by Mr. Meares to reconsider the vote taken on yesterday, on the rejection of the resolution in favor of Thomas Walker, of Mecklenburg county; and on the question, Will the Senate reconsider the said vote? it was determined in the affirmative; and the resolution was read the second and third times and passed, and ordered to be engrossed.

The engrossed bill to authorise Thomas L. Cowan, of the county of Rowan, to erect certain gates therein mentioned, was read the second and third times and passed, and ordered to be enrolled.

Mr. Hinton, of Wake, presented the following resolution, to wit:
Resolved, That the Public Treasurer be directed to pay to William Thompson the sum of twenty dollars and eighty cents, for crape furnished this Legislature the present session, and that he be allowed the same in the settlement of his public accounts.

Which was read the first time and passed.

On motion of Mr. Hinton, of Wake, ordered that a message be sent to the House of Commons proposing that the joint select committee, to which was referred the bill to alter the time of holding the Superior Court of Law and Equity in the third Judicial circuit, be discharged from the further consideration of the subject.

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 third time. Mr. M'Kay moved to amend the bill by striking out the words "two years," in the 16th line, and inserting the words "ten months;" which amendment was not agreed to; and the bill was read the third time and passed, and ordered to be engrossed.

Mr. Melchor, from the committee appointed to conduct the balloting for a member of the Board of Internal Improvement, reported that James Morgan, having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

Mr. M'Kay presented the following preamble and resolution, to wit:

Whereas by an act, passed in the year 1815, concerning the navigation of the Cape Fear river, it is provided that the rights, privileges and franchises of the Deep and Haw River Navigation Company shall extend from the sources of the several rivers and creeks running into the Cape Fear river, to the mouth of said river: And whereas it is alleged that no improvements have been made on said rivers and creeks, running into the Cape Fear, or probably can be made, as the funds of the Company are wholly inadequate to that object: Therefore

Resolved, That the committee on Internal Improvement be, and they are hereby instructed to inquire into the expediency of directing the Board of Internal Improvement to procure from said Company a deed of surrender of all rights, privileges and franchises, in and to said lateral rivers and creeks.

Which was read and adopted.

The bill giving femes covert the right of suing and being sued, was read the third time and passed, and ordered to be engrossed.

The engrossed bill to provide for a division of negroes and other chattel property held in common, was read the third time and passed, and ordered to be enrolled.

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

Monday, January 4, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to extend the time of registering grants and mesne conveyances, powers of attorney, bills of sales and deeds of gift; a bill giving femes covert the right of suing and being sued; and a bill amendatory of the several acts heretofore passed, appointing commissioners for the town of Ashborough, in Randolph county, and for the better regulation of the police thereof; in which they ask the concurrence of the House of Commons.

Received from the House of Commons a message, stating that they have passed the engrossed bill to amend an act, entitled an act for the relief of certain purchasers of the Cherokee lands, passed in the year 1825 with an amendment, to wit: strike out the whole of the said bill and insert the bill marked A; and the said amendment being read, Mr. Love moved to a-
mend the amendment by inserting the following words after the word "purchase" in the fifth line of the second section, to wit: "or the injuries they may have sustained in consequence of such suits, and the delays and perplexities arising therefrom;" which amendment was agreed to; and the question recurring on the amendment proposed by the House of Commons, it was determined in the affirmative, and the House of Commons were informed thereof by message.

The bill to regulate the fisheries of Tar and Pamlico rivers, was read the third time and passed, and ordered to be engrossed.

The engrossed bill to amend and improve the Hickory Nut Gap road, was read the second and third times and passed, and ordered to be enrolled.

A motion was made by Mr Davidson to reconsider the vote taken on Saturday last, on the rejection of the engrossed bill to enable the Public Treasurer to employ the service of additional clerks, and on the question will the Senate reconsider the said vote? it was determined in the affirmative—yeas 30, nays 27. The ayes and noes being demanded by Mr M'Cay, are as follows, to wit:


The bill being read the second time, on motion of Mr. Montgomery, of Orange, it was ordered that the said bill be indefinitely postponed—yeas 30, nays 28. The ayes and noes being demanded by Mr. Montgomery, of O. are as follows, to wit:


The engrossed bill concerning the cross canal leading from the Great Dismal Swamp canal near the head of the woods, in Camden county, to the White Oak Spring marsh, in Gates county, was read the second time. Mr. Bell moved to amend the bill by striking out the word "seventh" in the eleventh line of the second section, and inserting the word "ten;" which amendment was agreed to, and the bill, as amended, was read the second and third times and passed, and a message was sent to the House of Commons, asking their concurrence in the amendment.

The bill to alter the mode of compensation to members of the Senate and House of Commons, being read the second time, Mr. Meares moved to amend the bill by striking out the words "one hundred and twenty-six dollars," and inserting the following, to wit: "three dollars per day for every day he shall attend the Senate or House of Commons; provided nevertheless, that no member of the Senate or House of Commons shall be entitled to receive more than the sum of one hundred and twenty-six dollars for his attendance in the Senate or House of Commons during any one session."
Mr. Allen moved that the bill, together with the amendment, be postponed indefinitely; which was not agreed to—yeas 21, nays 34. The ayes and noes being demanded by Mr. Allen, are as follows, to wit:


The question then recurring on the adoption of the amendment, proposed by Mr. Meares, it was determined in the affirmative—yeas 46, nays 7. The ayes and noes being demanded by Mr. Meares, are as follows, to wit:


Those who voted in the negative, are Messrs. Allen, Bell, Burney, Davenport, Harris, Hinton of B. Saunders.

Mr. Sherard moved farther to amend the bill by adding the following, as an additional section, to wit: "And be it further enacted, that no lawyer in either branch of the Legislature shall be permitted to speak longer than ten minutes upon any one subject, under a forfeiture of his yearly wages; any law to the contrary notwithstanding." Mr. Matthews moved to amend the amendment by striking out the word "ten" and inserting the word "fifteen;" which amendment was not agreed to. Mr. Pool moved further to amend the amendment by striking out the word "lawyer" and inserting "gentleman;" which amendment was agreed to, and the question recurring on the adoption of the amendment, as amended, it was decided in the negative—yeas 14, nays 40. The ayes and noes being demanded by Mr. Sherard, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Allen, Bell, Brower, Burney, Davenport, Harris, Hinton of B. M'Diarmid, Matthews, Montgomery of H. Montgomery of O. Pool, Ramsey, Sherard.


Mr. Meares moved farther to amend the bill by striking out the following words in the 6th and 7th lines of the second section, to wit: "one hundred and sixty eight dollars," and inserting the following, viz "four dollars per day, for every day he shall attend the Senate or House of Commons; provided nevertheless, that neither the Speaker of the Senate nor House of Commons shall be entitled to receive more than the sum of one hundred and sixty eight dollars for attendance in the Senate or House of Commons during one session;" which amendment was agreed to—yeas 47, nays 7. The ayes and noes being demanded by Mr. Meares, are as follows, to wit:

Mr. Allen in said further to amend the bill, by striking out the words "one hundred and twenty-six dollars," in the first and second sections, and inserting in lieu thereof the words "ninety dollars," which amendment was not agreed to—yeas 9, nays 47. The ayes and noes being demanded by Mr. Allen, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Allen, Bell, Davenport, Harris, Hinton of B. Hoke, Sherard.

Those who voted in the negative, are Messrs. Allen, Bell, Davenport, Harris, Hinton of B. Hoke, Sherard.

Mr. Montgomery, of Orange, moved further to amend the bill by adding the following as an additional section, to wit: "And be it further enacted, that the salaries of the Supreme Court Judges shall be two thousand dollars per annum, payable in two semi-annual instalments of one thousand dollars each," which amendment was not agreed to—yeas 14, nays 40. The ayes and noes being demanded by Mr. Montgomery, of Orange, are as follows, to wit:


Mr. Wilson moved to amend the bill by adding the following as an additional section, to wit: "And be it further enacted, that the provisions of this act shall extend to the present General Assembly," which amendment was not agreed to—yeas 24, nays 33. The ayes and noes being demanded by Mr. Meares, are as follows, to wit:


The question then recurring on the passage of the bill the second time, as amended, it was determined in the affirmative—yeas 36, nays 22. The ayes and noes being demanded by Mr. Meares, are as follows, to wit:


Mr. Meares, from the committee on the Judiciary, to whom was referred
the resolution instructing them to inquire into the expediency of allowing
pav to witnesses, summoned to attend trials before justices of the peace,
made a report thereon, stating that such a measure would be inexpedient,
and asking to be discharged from the further consideration of the subject;
in which report the Senate concurred, and the committee were discharged
accordingly.

On motion of Mr. Meares,
Resolved, That a message be sent to the House of Commons, proposing so to alter the 7th
Joint Rule of both Houses, that it shall not be necessary that more than one member of the
committee from the Senate and two from the House of Commons, should compare the en-
crolled bills with the engrossed bills, and make report thereon.

And the Senate then adjourned until half after 3 o'clock this afternoon.

MONDAY EVENING, half past 3 o'clock, January 4, 1830.

Mr. Williams, of Martin, from the committee on Propositions and Griev-
ances, to whom was referred the bill to restore Joshua Pennell, of Wilkes
county, to credit, reported the same without amendment and recommended
that it be passed into a law. Whereupon the said bill was read the second
and third times and passed, and ordered to be engrossed.

Mr. Williams, of Franklin, presented the resignation of Elijah B. Perry,
a justice of the peace for the county of Franklin; which was read and accepted,
and sent to the House of Commons.

Mr. Williams, of Martin, from the committee on Propositions and Griev-
ances, to whom was referred the bill concerning fishing in the waters
of Blount's creek, reported the same with an amendment, to wit: "strike
out the following words, in the tenth and eleventh lines, to wit: "mid-
night of the days of Friday and Sunday," and insert the following: "the
hours of 12 o'clock on Monday, A. M. until 12 o'clock on Monday, A. M.;"
which amendment was agreed to; and the bill, as amended, was read the
second and third times and passed, and ordered to be engrossed.

The bill to provide for the collection of a judgment obtained by the State
against the devisees of the late John Haywood, was read the second time and
passed.

Received from the House of Commons a message, stating that they have
postponed indefinitely the engrossed bill for the better government of the
town of Elizabeth City, in the county of Pasquotank.

The resolution relative to adjournment was taken up, on motion of Mr.
Askew and read. Mr M'Kay moved that the said resolution be postponed
indefinitely; which was not agreed to—yeas 19, nays 37. The ayes and
noes being demanded by Mr. Boddie, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Allen, Burney, Davenport, Hinton of W.
Hoke, Johnson, Love, M'Kay, M'Diarmid, M'Neil, Martin, Montgomery of O. Mosely,
Raney, Spaight, Sherard, Sneed, Wellborn, Williams of F.

Those who voted in the negative, are Messrs. Allison, Askew, Beasly, Bell, Boddie,
Brower, Burgin, Cowper, Crump, Davidson, Davis, Dick, Dickinson, Etheredge, Franklin,
Harvis, M'Daniel, M'Entire, M'Farland, Marshall, Matthews, Meares, Melchor, Miller,
Mitchell, Montgomery of H. Moore, Moyo, Pool, Ramsey, Smith, Underwood, Walton,
Ward, Welch, Williams of J. Wilson.

On motion of Mr. Wellborn, ordered that the said resolution be laid upon
the table.

The engrossed bill to exempt the members of the several fire companies in
this State from mustering and for other purposes, was read the third time.
Mr. Meares moved to amend the bill, by inserting after the word "Company," in the fifth line of the first section, the following words, to wit:
"except the fire company of the town of Lincolnton," which amendment was not agreed to. Mr. Ward moved further to amend the bill, by inserting after the word "October," in the second section, the following words: "under the penalties now in force on captains of militia companies, on failure of making returns;" which amendment was agreed to. Mr. Hoke moved that the bill be indefinitely postponed; which was not 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 amendment.

Received from the House of Commons a message, stating that they have passed the engrossed bill concerning the Washington toll bridge, with an amendment, to wit: at the end of the bill, add the following proviso: "Provided that nothing herein contained shall prevent the commissioners of the town of Washington from levying and collecting a tax, not exceeding that heretofore authorised by law, upon every foot of the width of the House aforesaid, if the said commissioners shall believe that the public is not fully compensated for the use of that part of the dock and street granted as above, by the additional public convenience and advantage of having the constant residence of said keeper at the bridge; and they are hereby empowered to levy and collect the same, if they think proper;" in which they ask the concurrence of the Senate; and the question being taken thereon, it was determined in the affirmative, and the House of Commons were informed thereof by message.

The engrossed bill to amend an act, passed A.D. 1827, providing for the incorporation of the town of Lexington, in the county of Davidson, was read the second time. Mr. Harris moved to amend the bill by striking out the word "twenty," in the eleventh line of the first section, and inserting the word "thirty;" which amendment was agreed to; and the bill, as amended, was read the second and third times and passed, and a message was sent to the House of Commons, asking their concurrence in the amendment.

The bill to authorise the Clerks and Masters in Equity to take depositions, was read the third time. Mr. M'Farland moved to amend the bill by striking out the word "twenty," in the third line of the sixth section, and inserting the word "ten;" which amendment was agreed to; and, on motion of Mr. Meares, ordered that the said bill be postponed indefinitely.

The bill securing the collection of fines and amercements from sheriffs in this State, was read the second time and passed.

The bill to prevent disfiguring the walls of the State House, was read the third time. Mr. Allison moved to amend the bill by striking out the second section; which was not agreed to. Mr. Meares moved further to amend the bill by striking out the word "ten," in the ninth line of the first section, and inserting the word "five;" which amendment was agreed to; and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

The bill concerning the bonds in the office of the Public Treasurer for the purchase of the Cherokee and Tuscarora lands, was read the second time and passed.

The bill ceding to the United States jurisdiction over certain lands, as sites for light houses, was read the second and third times and passed, and ordered to be engrossed.
The bill concerning the Catawba Navigation Company, was read the third time and passed, and ordered to be engrossed.

The engrossed bill concerning the places where company musters shall be held, was read the third time and passed, and ordered to be enrolled; and the engrossed bill vesting in the Superior and County Courts jurisdiction of application for the legitimation of bastard children, was read the second and third times and passed, and ordered to be enrolled.

The bill to provide for the repairs of the State House and Arsenal, was read the second time. Mr. Wellborn moved to amend the bill by striking out the words "fifteen hundred," and inserting the words "one thousand," which amendment was agreed to; and the bill, as amended, was read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons a message, agreeing to the proposition of the Senate, that the select joint committee, to whom was referred the bill to alter the time of holding the Superior Courts of Law and Equity in the third judicial circuit, be discharged from the further consideration of the subject.

The engrossed bill concerning the University of North Carolina, was read the second time, and, on motion of Mr. Spaight, ordered that the said bill be indefinitely postponed.

Received from the House of Commons a message, stating that they agree to the proposition of the Senate, that the seventh section of the joint rules of order be so altered as to require the committee appointed to examine enrolled bills, to consist of eight members of the House of Commons and four from the Senate, instead of the number now required by said rule; and stating further, that they have accordingly appointed Messrs. Pearson, M'Millan, Stanly and Long, as an addition to the committee on their part.

Received also from the House of Commons a message, stating that they recede from their first proposed amendment to the engrossed bill to authorize the forming a Fire Engine Company, in the town of Elizabeth City, and adhere to the second. Whereupon the Senate receded from their disagreement to the said second amendment, and the House of Commons were informed thereof by message.

Received from the House of Commons the resignation of Davis Durrett, as colonel commandant of the 2d regiment of Surry county militia; also the resignations of James Hamlin, of the county of Buncombe, and of Thomas Cox of the county of Washington, justices of the peace for their respective counties, endorsed in that House, "read and accepted;" and which were read and accepted by the Senate.

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

TUESDAY, JANUARY 5, 1830.

A message was sent to the House of Commons, stating that they have passed the following engrossed bills, to wit: A bill to prevent disfiguring the walls of the State House; a bill to amend the charter of the Catawba Navigation Company; a bill to provide for the repairs of the State House and Arsenal; a bill concerning fishing in the waters of Blount's creek; a bill to regulate the fisheries of Tar and Pamlico river; a bill to restore Joshua Pennell, of Wilkes county, to credit; and a bill ceding to the United States jurisdiction over certain lands, as sites for light-houses; in which they ask the concurrence of the House of Commons.
On motion of Mr. Riddick, ordered that William W. Boddie, the Senator from the county of Nash, have leave of absence from and after this day for the remainder of the session.

Mr. Hinton, of Beaufort, presented the resignation of Richard Baynor, as colonel commandant of the militia of Beaufort county; which was read and accepted, and sent to the House of Commons.

A message was sent to the House of Commons, stating that Messrs. Spaight and Mitchell are appointed additional members on the part of the Senate, on the joint select committee on enrolled bills, in pursuance of the alteration of the seventh joint rule.

The engrossed bill amendatory of the laws now in force for the suppression of counterfeiting, was read the second time and passed.

The engrossed bill to prevent frauds in deeds of trust and mortgages, was read the second time. Mr. M'Farland moved to amend the bill by striking out the following words in the eleventh and twelfth lines of the first section, to wit: "but from the registration of such deed of trust or mortgage," and insert the following words: "unless such deed or mortgage be registered in five days after the date thereof, in said county;" which amendment was not agreed to; and the bill was subsequently read the second time and passed.

Mr. Meares, from the committee on the Judiciary, to whom was referred certain resolutions regarding the courts of this State, making certain general rules for regulating the arrangement of business, made a report thereon, accompanied by a bill to authorize courts of justice to regulate the business therein; which was read the first time and passed.

On motion of Mr. Meares, ordered that the committee on the Judiciary be discharged from the consideration of any further business during this session.

The bill more effectually to prevent injury to stock, was read the second time. Mr. Pool moved to amend the bill, by inserting the word "mule," after the word "horse," in the fifth line of the first section; which amendment was agreed to. Mr. Hoke moved further to amend the bill by striking out the words "shall be fined or imprisoned;" which amendment was not agreed to. Mr. Dickinson moved further to amend the bill by inserting the following words after the word "be," in the ninth line of the first section, to wit: "liable to a fine not exceeding twenty dollars, for the first offence; and for every subsequent offence, to fine or imprisonment, or both, at the discretion of the court;" which amendment was not agreed to; and the bill was subsequently read the second time and passed—yeas 32, nays 23. The ayes and nays being demanded by Mr. Hoke, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Allison, Brower, Burgin, Burney, Cowper, Crump, Davidson, Davis, Dick, Dickinson, Etheredge, Harris, Johnson, M'Kay, M'Entire, M'Farland, M'Neil, Martin, Meares, Miller, Mitchell, Montgomery of H. Moore, Mosely, Pool, Riddick, Sherard, Sneed, Underwood, Wellborn, Welch, Williams of M.


Mr. Mitchell, from the committee on Internal Improvement, to whom was referred the resolution instructing them to inquire into the expediency of directing the Board of Internal Improvement to propose to the Cape Fear Navigation Company, the release of their franchises and privileges to such streams as remain unimproved by them, made a report thereon, accompanied by the following resolution, to wit:
Resolved, That the Board of Internal Improvement be instructed to procure, if possible, from the Cape Fear Navigation Company a lease to the State of all their privileges under their charter, in such tributary streams of the Cape Fear river as remain unimproved by them.

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

On motion of Mr. Dick, the Senate resolved itself into a committee of the whole House, Mr. Hinton, of Wake, in the chair, to take into consideration the resolution relative to the powers of Congress to make improvements of national concern; and the resolution concerning the opening of an outlet from the Albemarle Sound to the ocean; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hinton reported that the committee of the whole had had the said bill under consideration and made some progress therein, and not having sufficient time to go through the same, had instructed him to ask leave to sit again; and on the question shall the committee have leave to sit again? it was determined in the affirmative.

The resolution in favor of Gabriel Holmes, sheriff of New Hanover county; and the resolution in favor of Wm. Thompson, were read the second and third times and passed, and ordered to be engrossed.

The bill to regulate the entries of lands in certain cases, was read the second time and passed.

The bill concerning the failure of duties in sheriffs, was read the second time, and, on motion of Mr. Davidson, ordered that the said bill be postponed indefinitely.

And the Senate then adjourned until this afternoon, 3 o'clock.

Tuesday Afternoon, 3 o'clock.

Mr. Mitchell presented the resignation of Jacob Miller, a justice of the peace for the county of Rowan; which was read and accepted, and sent to the House of Commons.

The engrossed bill to authorize the securities of William Gregory, late sheriff of Pasquotank county, to collect arrears of taxes for the year therein mentioned, was read the third time, and resolved that the same shall not pass.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of Joseph Ross and Thomas G. Scott, of the city of Raleigh, made a report thereon, accompanied by the following preamble and resolution, to wit:

Whereas, Joseph Ross and Thomas G. Scott were appointed auctioneers for the city of Raleigh for the years 1825 and 1827, and that the said Ross & Scott paid the sum of (§33 33) thirty three dollars fifty three cents, into the Public Treasury of the State, more than they were bound to do by law.

Resolved, therefore, That the Public Treasurer refund unto the said Ross & Scott the sum of 33 dollars and 53 cents, which sum was improperly paid into the Treasury.

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 enable the Banks of Newbern and Cape Fear to wind up gradually, and fix a uniform rate of collection; a bill to enable the State Bank to wind up gradually, and to fix a uniform rate of collection; a bill to prescribe the manner in which the sheriffs shall give bonds; and a bill concerning the wardens of the poor in Gates county; in which they ask the concurrence of the Senate. Whereupon the first mentioned bill was read the first time and passed, and, go
The engrossed bill to enable the State Bank to wind up gradually and fix a uniform rate of collection, was read the first time and passed—yeas 34, nays 19. The ayes and noes being demanded by Mr. Beasly, are as follows, to wit:


On motion of Mr. M'Kay, ordered that the said bill be printed, one copy for each member of the Senate.

The engrossed bill to prescribe the manner in which the sheriffs shall give bonds, was read the first time and passed; and the engrossed bill concerning the wardens of the poor in Gates county, was read the first, second and third times and passed, and ordered to be enrolled.

Mr. Hinton, of Wake, presented a bill to establish Woodville Academy, in the county of Wake, and incorporate the trustees thereof; which was read the first, second and third times and passed, and ordered to be engrossed.

Received from the House of Commons a message, stating that they have rejected the engrossed bill to authorise and direct the Supreme Court to be holden in the several places therein directed; and stating further that they have postponed indefinitely the engrossed bill more effectually to prevent deprivations of runaway slaves, and to encourage their apprehension in the counties of Lenoir, Wayne, Craven, Onslow, New Hanover, Washington, Buncombe, Jones, Pitt, Beaufort and Greene.

Received from the House of Commons the resignation of Richard Bayley, as colonel commandant of the regiment of Beaufort county, endorsed in that House, "read and accepted," and which was read and accepted by the Senate.

On motion of Mr. Williams, of Martin, ordered that James Allen, the Senator from the county of Buncombe, have leave of absence from and after to-morrow for the remainder of the session.

The engrossed bill to authorise the Court of Pleas and Quarter Sessions of Burke county to appoint commissioners to view and lay off a road from the Lincoln line to James Loving's, passing through the Laurel Gap of the South mountains, and for other purposes, was read the second time. Mr. Burgin moved to amend the bill by striking out the word "fifty" and insert "37½" in the third section; and further to amend the bill by striking out the word "fifty" and inserting the words "thirty-seven and a half" in the same section; and also in the same section, strike out "twenty-five" and insert "twenty." Mr. Burgin moved further to amend the bill by striking out the words "James Loving's," wherever they occur, and insert the words "Jacob Mull's mills." Mr. Allen moved further to amend the bill by adding the following, as an additional section, to wit: "And be it further enacted, that it shall be the duty of the County Court to appoint two commissioners to view the said road at least four times in each and every
year; and when the said road shall be out of repair, they shall return the
said owners of the road to the grand jury of the Superior Court." Mr.
Allison moved further to amend the bill by striking out the word "four-
teen" in the second section, and inserting "sixteen." Mr. Meares moved
further to amend the bill by inserting after the word "years" in the
eleventh line of the second section, the following words, to wit: "not ex-
ceeding twenty years;" which several amendments were agreed to. Mr.
Hoke moved further to amend the bill by adding the following, as an addi-
tional section, to wit: "Be it further enacted, that in no case whatsoever
shall the corporation hereby created be allowed the privilege to collect toll
from any of the citizens of this State, except those who reside in the county
of Burke;" which amendment was not agreed to, and the bill, as amended,
was read the second and third times and passed—yea 40, nay 13. The
ayes and noes being demanded by Mr. Hoke, are as follows: to wit:
Those who voted in the affirmative, are Messrs. Allen, Allison, Brower, Burgin, Bur-
ney, Cowper, Davis, Dick, Dickinson, Etheredge, Franklin, Harris, Hinton of E.
Johnson, M'Daniel, M'Kay, M'Diarmid, M'Entire, M'Farland, M'Neill, Marshall, Mar-
tin, Meares, Miller, Mitchell, Montgomery of O'Moore, Mosely, Ramsey, Riddick,
Saunders, Spaight, Sneed, Smith, Ward, Wellborn, Welch, Williams of F. Williams
of M. Wilson.
Those who voted in the negative, are Messrs Askew, Beasley, Bell, Crump, Hoke,
And a message was sent to the House of Commons, asking their con-
currence in the amendment.
Mr. Meares presented the following resolution, to wit:
Resolved, That the eleventh Rule of the Senate be suspended after this day.
Which was read, and resolved that the same shall not pass.
On motion of Mr. M'Diarmid, ordered that he have leave to withdraw from
the files of the Senate the petition and documents of sundry citizens of the
counties of Cumberland, Moore, Chatham and Wake, in relation to the
erection of a new county.
Received from the House of Commons a message, stating that they have
passed the following engrossed bills, to wit: A bill for the improvement
of the road from the Old Fort, in Burke county, to Ashville, in Buncombe
county; a bill to amend an act, entitled an act to alter the time of holding
the Superior Courts of Mecklenburg and Cabarrus counties; a bill for the
better regulation of the town of Murfreesborough; a bill to amend the militia
laws in this State, so far as respects the uniform companies of light infan-
try, riflemen, grenadiers and artillery; a bill concerning the sale of certain
lands in the town of Halifax; and a bill to amend an act, passed in the year
1826, entitled an act concerning the entry of land in this State; also the
following engrossed resolutions, to wit: Resolution for Public Treasurer;
resolution for Secretary of State; resolution for Roanoke Navigation Com-
pany; resolution about Governor's garden; and a resolution in favor of
Librarian; in which they ask the concurrence of the Senate. Whereupon
the said bills were severally read the first time and passed; and the follow-
ing resolutions, to wit: The resolution for Public Treasurer; the resolution
in favor of Librarian; the resolution for Roanoke Navigation Company;
and the resolution about the Governor's garden, were severally read the
first time and passed. The resolution for the Secretary of State, was read the
first time, and, on motion of Mr. Williams, of Franklin, ordered that the
said resolution be postponed indefinitely.
The following engrossed bills, to wit: The bill for the better regulation of the town of Murfreesborough; the bill to amend an act, entitled an act to alter the time of holding the Superior Courts of Mecklenburg and Cabarrus counties; and the bill concerning the sale of certain lands in the town of Halifax, were severally read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons a message, accompanied by a communication from the Public Treasurer, transmitting the exhibit of the State Bank of North Carolina at Edenton, and proposing that the same be printed, one copy for each member of the Legislature. Whereupon, on motion of Mr. Martin, the several statements heretofore received from the House of Commons of the situation of the several Banks in this State, were taken up, and the proposition to print the same, together with that now received, was agreed to, and the House of Commons were informed thereof by message.

Received from the House of Commons a message, stating that they concurred in the amendment made by the Senate in the engrossed bill to amend an act, entitled an act for the relief of certain purchasers of the Cherokee lands, passed in the year 1823.

The bill to regulate the entries of lands in certain cases, was read the third time and passed, and ordered to be engrossed.

The bill to amend the law relative to securities for the stay of executions on judgments given by justices of the peace, was read the third time. Mr. Sneed moved to strike out the whole thereof except the words "a bill," which was agreed to. Mr. Sneed then offered in lieu thereof a substitute, which was read and accepted by the Senate, and the bill, as amended, was subsequently read the third time and passed, and ordered to be engrossed.

The bill more effectually to prevent injury to stock, was read the third time. Mr. Dickinson moved further to amend the bill by striking out the following words, after the word "be" in the 9th line of the first section, to wit: "fined or imprisoned at the discretion of the court," and inserting in lieu thereof the following, to wit: "liable to a fine not exceeding $50 for the first offence, and for every subsequent offence to fine or imprisonment, or both, at the discretion of the court; provided nevertheless, that if any defendant shall fail to pay the fine imposed for the first offence, he may be imprisoned for the first offence;" which amendment was agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed—yeas 28, noes 12. The ayes and noes being demanded by Mr. Hoke, are as follows to wit:

Those who voted in the affirmative, are Messrs. Allison, Bell, Cowper, Crump, Davidson, Davis, Dickinson, Etheredge, Franklin, Harris, Johnson, M'Entire, M'Farland, Martin, Matthews, Meares, Montgomery of H. Montgomery of O. Moore. Mosely, Joyce, Pool, Sherard, Sneed, Underwood, Welborn, Welch, Williams of N.


Received from the House of Commons a message, stating that they agree to the proposition of the Senate to alter the seventh joint rule for the government of the two Houses.

The bill to provide for the collection of a judgment obtained by the State against the devisees of the late John Haywood, was read the third time and passed, and ordered to be engrossed.

The engrossed bill, amendatory of the laws now in force for the suppre
sion of counterfeiting, was read the third time and passed, and ordered to be enrolled.

The bill to alter the times of holding the Superior Court of Law and Equity, in the third Judicial circuit, was read the second time; and, on motion of Mr. Williams, of Martin, ordered that the said bill be postponed indefinitely.

Received from the House of Commons the resignation of Willis Johnson, as lieutenant colonel of the 37th regiment of North Carolina militia, endorsed in that House "read and accepted;" and which was read and accepted by the Senate.

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

Wednesday, January 6, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to provide for the collection of a judgment obtained by the State against the devisees of the late John Haywood; a bill more effectually to prevent injury to stock; a bill to establish Woodville Academy, in the county of Wake, and to incorporate the trustees thereof; a bill to regulate the entries of lands in certain cases; and a bill for the relief of securities in certain cases; also the following engrossed resolutions: A resolution in favor of William Thompson; a resolution in favor of Gabriel Holmes, sheriff of New Hanover county; a resolution for the committee on Internal Improvement; and a resolution for the Board of Internal Improvement; in which they ask the concurrence of the House of Commons.

Received from the House of Commons a message, proposing that the two Houses adjourn sine die on Friday next, and that the clerks of both Houses make up the estimates to that time inclusive; which proposition was agreed to, and the House of Commons were informed thereof by message.

Received also from the House of Commons a message, stating that they do not concur in the amendment made by the Senate in the engrossed bill concerning the cross canal leading from the Great Dismal Swamp canal, near the head of the woods in Camden county, to the White Oak Spring Marsh in Gates county. Whereupon, on motion of Mr. Bell, the Senate receded from their said proposed amendment, and the House of Commons were informed thereof by message. Ordered that said bill be enrolled.

The bill to authorize the Public Treasurer to issue Treasury Notes, was read the second time. Mr. Davidson moved to amend the bill by filling the blank, in the first section, with the words "one hundred thousand;" which amendment was agreed to; and the bill, as amended, was read the third time. Mr. Sherard moved further to amend the bill by striking out the words "one hundred thousand," and inserting the words "two hundred thousand;" which amendment was not agreed to. Mr. Davidson moved further to amend the bill, by adding the following as an additional section, to wit: "Be it further enacted, that the Public Treasurer shall be allowed an adequate compensation for issuing said Treasury Notes;" which amendment was agreed to; and the bill, as amended, was read the third time and passed, and ordered to be engrossed—yeas 58, nays 18. The ayes and noes being demanded by Mr. Bell, are as follows:

Those who voted in the affirmative are Messrs. Allison, Beasley, Brower, Burgin, Burney, Cowper, Crump, Davenport, Davidson, Dickinson, Etheridge, Franklin, Harris, Hinton of B. Hoke, Johnson, Love, M'Daniel, M'Entire, M'Farland, M'Neil, Marshall,


The engrossed bill to prevent frauds in deeds of trust and mortgages, was read the third time. Mr. Dickinson moved to amend the bill by adding the following proviso, at the end of the first section, to wit: "Provided that no bona fide deed of trust or mortgage shall be made void hereby, if the same shall be presented for probate, and delivered to the register of the county or at his office, within twenty days after its date." Mr. Allison moved to amend the amendment by striking out the word "twenty" and inserting the word "five;" which was not agreed to, and the question recurring on the original amendment, it was determined in the negative. Mr. Williams, of Franklin, moved further to amend the bill by adding the following, as an additional section, to wit: "And be it further enacted, that all deeds in trust or mortgages shall hereafter embrace all the creditors equally, according to the amount of each debt;" which amendment was not agreed to. Mr. M'Farland moved further to amend the bill by adding the following, as an additional section, to wit: "And be it further enacted, that if any person or persons who shall wilfully give more than one deed of trust or mortgage for the same property, with the intention of defrauding the first deed, shall on conviction be guilty of a misdemeanor, and subject to fine and imprisonment;" which amendment was not agreed to; and the bill being read the third time, Mr. M'Farland moved that the said bill be indefinitely postponed; which was not agreed to—yeas 10, noes 40. The ayes and noes being demanded by Mr. M'Farland, are as follows, to wit:


The question then recurring on the passage of the bill the third time, it was determined in the affirmative, and it was ordered to be enrolled.

Mr. Sneed presented the following resolution, to wit:

Resolved. That the Public Treasurer pay to each of the Doorkeepers of the Senate the sum of twenty-five dollars, their usual extra allowance, and that they be compelled to pay out of the same the hands necessarily employed by them for bringing wood and water to the State House, during the present session of the General Assembly.

Which was read the first time and passed.

The bill securing the collection of fines and amercements from the sheriffs in this State, was read the third time. Mr. Sneed moved to amend the bill by inserting the words "hereafter to be given," after the word "bonds" in the fourth line of the bill; which amendment was agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

The engrossed bill to authorise the County Court of Duplin to purchase certain lands, was read the third time and passed, and ordered to be enrolled.

The bill concerning the bonds in the office of the Public Treasurer for
the purchase of the Cherokee and Tuscarora lands, was read the third time and passed, and ordered to be engrossed.

The bill to alter the mode of compensation to members of the Senate and House of Commons, was read the third time and passed, and ordered to be engrossed—yeas 38, nays 18. The ayes and nays being demanded by Mr. Meares. are as follows to wit:


Those who voted in the negative, are Messrs. Allison, Bell, Burney, Cowper, Davenport, Davidson, Harris, Hinton of W. Hoke, M'Kay, M'Diarmid, Martin, Matthews, Montgomery of H. Saunders, Spaight, Sherard, Wilson.

On motion of Mr. Montgomery, of Hertford, ordered that the committee of the whole House be discharged from the further consideration of the resolution, requesting our Senators and Representatives in Congress to use their endeavors to procure an appropriation for opening an outlet from Albemarle sound to the ocean; and the resolution being read, Mr. Mosely moved that it be indefinitely postponed; which was not agreed to—yeas 21, nays 29. The ayes and nays being demanded by Mr. Mosely, are as follows, to wit:


The question then recurring on the passage of the resolution, it was determined in the affirmative, and the resolution was ordered to be engrossed.

On motion of Mr. Sherard, the Senate took a recess from business until half past 2 o'clock.

**Wednesday Evening, half past 2 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 to authorise the issuing of Treasury Notes; and the engrossed resolution concerning the opening of an outlet from the Albemarle Sound to the ocean; in which they ask the concurrence of the House of Commons.

Mr. Wellborn presented the following resolution, to wit:

Resolved, That our Senators in Congress be instructed, and our Representatives be requested, to use their influence in obtaining for North Carolina her proportionate part of the public funds for Internal Improvement.

And the resolution being read, on motion of Mr. Mitchell, ordered that it be laid upon the table.

The engrossed bill concerning the State road in the county of Macon, was read the second time. Mr. Love moved to amend the bill by inserting the following words after the word "court," in the 13th line of the first section, to wit: "seven acting justices of the peace at least being present;" which amendment was agreed to; and the bill, as amended, was read the second and third times and passed, and a message was sent to the House of Commons, asking their concurrence in the amendment.

Received from the House of Commons a message, stating that they have
postponed indefinitely the following engrossed bills, to wit: The bill to regulate the fisheries in Tar and Pamlico rivers; the bill to restore Joshua Pеннell, of Wilkes county, to credit; and the bill to legitimate Nathan Otiver, of the county of Washington.

The engrossed bill to prescribe the manner in which the sheriffs shall give bonds, was read the second time, and, on motion of Mr. Wellborn, ordered that the said bill be postponed indefinitely.

Received from the House of Commons a message, stating that they have passed the following engrossed resolutions, to wit: A resolution for the survey of Trent and Black rivers; resolutions in relation to certain large "Western grants;" and a resolution in relation to a survey of Main Broad river; in which they ask the concurrence of the Senate. Whereupon the first resolution was read and adopted, and ordered to be enrolled. The resolution in relation to certain large "Western grants," was read the first time and passed; and the resolution in relation to a survey of Main Broad river, was, on motion of Mr. Wellborn, ordered to lie upon the table.

Received from the House of Commons a message, stating that they have passed the engrossed bill to amend an act, passed A. D. 1828, entitled an act to amend the law regulating the inspection of flour in the town of Fayettville; and also the engrossed resolution concerning the claim of North Carolina against the United States; in which they ask the concurrence of the Senate. Whereupon the said bill and resolution were read the first time and passed.

Received also from the House of Commons a message, stating that they have passed the engrossed resolution in favor of James Bryson; in which they ask the concurrence of the Senate. Whereupon the said resolution was read and adopted, and ordered to be enrolled.

Received from the House of Commons a message, stating that they concur in the several amendments made by the Senate in the engrossed bill to exempt the members of the several fire companies in this State from mustering, and for other purposes. Whereupon the said bill was ordered to be enrolled.

A message was also received from the House of Commons, stating that they have passed the engrossed bill to amend an act, passed A. D. 1828, entitled an act supplemental to an act erecting the county of Macon, with an amendment, to wit: strike out the whole of the second section, and insert the amendment marked A; in which they ask the concurrence of the Senate. Whereupon the said amendment was read and agreed to, and the House of Commons were informed thereof by message.

The resolution in favor of Ross & Scott, was read the second and third times and passed, and ordered to be engrossed.

The engrossed resolutions for the Librarian and Public Treasurer, were read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons a message, stating that they concur in the amendments made by the Senate to the engrossed bill to authorise the Courts of Pleas and Quarter Sessions of New Hanover to appoint a committee of Finance. Ordered that the said bill be enrolled.

On motion of Mr. Meares, ordered that the eleventh rule for the government of the Senate be suspended.

A message was received from the House of Commons, stating that they concur in the amendment made by the Senate to the engrossed bill concern-
The engrossed resolution concerning the Roanoke Navigation Company, was read the second time and passed, and being read the third time, on motion of Mr. Sneed ordered to lie on the table.

The engrossed resolution about the Governor’s Garden, was read the second time; and, on motion of Mr Sneed, ordered that the said resolution be indefinitely postponed.

Received from the House of Commons a message, stating that they have postponed indefinitely the engrossed bill to establish a Bank on behalf of, and for the benefit of the State.

The engrossed bill to amend an act, passed in the year 1826, entitled an act concerning the entry of lands in this State, was read the second time. Mr. M'Diarmid moved to amend the bill by striking out the words “two thousand,” in the 8th line, and insert the words “six hundred and forty.”

Mr. Dick moved that the bill be postponed indefinitely; which was not agreed to; and, on motion of Mr. Sneed, ordered that the said bill be laid upon the table.

Received from the House of Commons a message, accompanied by a document from the Comptroller’s office and the following resolution, to wit:

Resolved, That the document made out and submitted to this House by the Comptroller, exhibiting a detailed statement of each species of permanent general taxation, be sent to the Senate, with a proposition that two hundred copies be printed under the direction of the Comptroller, and deposited in the Public Library, and that he receive for this service such compensation as may be deemed adequate by the next General Assembly.

And the resolution having been read, on motion of Mr. Mosely, ordered to be postponed indefinitely.

The bill to authorize courts of justice to regulate the business therein, was read the second and third times and passed, and ordered to be engrossed.

The bill to establish a fund for the erection and support of a Lunatic Asylum, was read the second time, and, on motion of Mr. Wellborn, ordered to be postponed indefinitely.

Received from the House of Commons a message, stating that they concur in the proposed amendments made by the Senate in the engrossed bill to amend an act, passed A. D. 1827, providing for the better regulation of the town of Lexington, in the county of Davidson. Whereupon the said bill was ordered to be enrolled.

The engrossed bill to amend the militia laws of this State, so far as respects the uniform companies of light infantry, riflemen, grenadiers and artillery, was read the second and third times and passed, and ordered to be enrolled.

The engrossed bill to amend an act, passed A. D. 1828, entitled an act to amend the law regulating the inspection of flour in the town of Fayetteville, was read the second and third times and passed, and ordered to be enrolled.

The engrossed resolution concerning the claim of North Carolina against the United States, was read the second and third times and passed, and ordered to be enrolled.

The engrossed resolution in relation to certain large Western grants, was read the second and third times and passed, and ordered to be enrolled.
The resolution in favor of the Doorkeepers, was read the second and third times and passed, and ordered to be engrossed.

A motion was made by Mr. Miller to reconsider the vote taken on to-day on the indefinite postponement of the resolution in relation to the document for the Comptroller's office, and on the question, will the Senate reconsider said vote? it was determined in the affirmative; and, on motion of Mr. Spaight, ordered that said resolution be laid upon the table.

Mr. Sneed presented the following resolutions, to wit:

Resolved, That the document furnished by the Comptroller in pursuance of an order of the House of Commons, exhibiting the amount paid on each species of permanent taxation by the several counties of this State, from the year 1792 to 1828, inclusive, be filed in the office of the Comptroller.

Resolved further, That James Grant be allowed the sum of 75 dollars, for furnishing said document.

Which resolutions were read the first, second and third times and passed, and ordered to be engrossed.

On motion of Mr. Sneed, a message was sent to the House of Commons, stating that the Senate have reconsidered the vote on the indefinite postponement of the resolution proposing to print the aforesaid document, and asking their concurrence in the aforesaid resolutions.

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

Thursday, January 7, 1830.

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 courts of justice to regulate the business therein; a bill concerning the bonds in the office of the Public Treasurer for the purchase of the Cherokee and Tuscarora lands; a bill securing the collection of fines and amercements from the sheriffs in this State; and a bill to alter the mode of compensation to members of the Senate and House of Commons; also the following engrossed resolutions, to wit: A resolution in favor of the Doorkeepers; a resolution in favor of Ross & Scott; and a resolution concerning the Comptroller's abstract, and making compensation to him for the same; in which they ask the concurrence of the House of Commons.

Mr. Love, from the select committee, to whom was referred so much of the Governor's message as relates to the Cherokee lands, made a report thereon, stating that there exists no necessity for the committee to act upon the subject, inasmuch as a report has been made by a joint select committee to the House of Commons on the same subject; in which report the Senate concurred.

Mr. Sneed, from the committee on the Penitentiary and Lunatic Asylum, to whom was referred so much of the Governor's message as relates to two plans for an asylum presented by him, made a report thereon; and the resolutions therein contained, as follows, to wit:

Resolved, That the Governor be requested to return to the Governor of Virginia the plan of a Lunatic Asylum, forwarded to this State,

Was read and adopted, and ordered to be engrossed.

Mr. Hinton, of Wake, presented the following resolution, to wit:

Resolved, That the Public Treasurer pay to Matthew J. Coman $45 80 cents, it being for services rendered in carrying a writ of election to the sheriff of Hyde county. Which was read the first, second and third times and passed, and ordered to be engrossed.

The engrossed bill concerning the payment of jurors in Martin county,
was read the first time, and, on motion of Mr. Dick, ordered that the said bill be postponed indefinitely.

The bill concerning the distribution of the public arms to certain police authorities herein specified, and in case of invasion or insurrection, and for other purposes, was read the third time. Mr. Montgomery, of Orange, moved to amend the bill by adding the following as an additional section at the end of the second section, to wit: "Be it further enacted, that the adjutant general, as soon as convenient, shall collect all the public arms now loaned out, and deposite them in the public arsenals;" which amendment was not agreed to; and the bill was subsequently read the third time and passed, and ordered to be engrossed.

Mr. Miller, from the select joint committee to whom was referred so much of the Governor's message as relates to the division of the State into smaller judicial circuits, with the accompanying resolutions, made a report thereon, asking to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee were discharged accordingly.

The engrossed bill for the improvement of the road from the old fort in Burke county, to Ashville, in Buncombe county, was read the second time. Mr. M'Farland moved to amend the bill by adding the following as an additional section, to wit: "And be it further enacted, that said commissioners shall give bond, payable to the Governor, in double the amount loaned said commissioners, for refunding said sum, as is required by this act;" and, on motion of Mr. Love, ordered that the bill, together with the amendment, be laid on the table.

On motion of Mr. Sneed, the Senate resolved itself into a committee of the whole House, Mr. Spaight in the Chair, to take into consideration the bill to enable the State Bank to wind up gradually, and to fix a uniform rate of collection; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Spaight reported the said bill to the House without amendment; and the bill being read the second time, Mr. M'Kay moved to amend the bill by striking out the figures "1834," in the 5d line of the 2d section, and inserting "1831;" which was not agreed to—a yes 26, noes 31. The ayes and noes being demanded by Mr. Montgomery, of O. are as follows, to wit:


Mr. Meares moved further to amend the bill by inserting the following as an additional section at the end of the second section, to wit: "Be it further enacted, that after the first day of September, 1830, it shall not be lawful for the president and directors of said Bank, under any pretence whatever, to make any loans on what is called accommodation notes, or notes payable at longer periods than three equal instalments of ninety days each, except such note be offered in renewal of, or in payment, or substitution for some previous existing accommodation debt;' which amendment was agreed to.

Mr. Wilson moved further to amend the bill by adding the following proviso, at the end of the fourth section, to wit: "And provided further, that
the whole amount of debt due, or remaining unpaid to said Bank on the 31st day of December, 1834, shall not exceed one-half of the amount of debt now due.” Mr. Spaight moved to amend the amendment, by striking out the words “one-half,” and inserting the words “two-thirds;” which amendment was agreed to; and the amendment, as amended, was agreed to. Mr. Mitchell moved further to amend the bill by striking out the second section, and inserting the following, to wit: “that after the 31st day of December, 1831, it shall not be lawful for the president and directors of said Bank to make loans of a greater amount, in any one year, than ten per cent. of their capital stock;” which amendment was not agreed to. Mr. M’Kay moved further to amend the bill by adding the following as an additional section at the end of the third section, to wit: “And be it further enacted, that it shall not be lawful for the president and directors of said Bank after the 31st day of December, 1831, to emit any bills or notes of said Bank under the denomination of $5, or to re-issue any notes or bills under the denomination of $5, that may have been by said Bank previously issued;” which amendment was agreed to—yeas 42, nays 14. The ayes and noes being demanded by Mr. M’Kay, are as follows, to wit:


Mr. M’Kay moved further to amend the bill by inserting the following as an additional section, to wit: “Be it further enacted, the president, directors and other officers of said corporation shall not at any time hereafter, under any pretense whatever, directly or indirectly contract any other or further debt with the institution under their management, or with which they are connected;” which amendment was not agreed to—ayes 25, noes 81. The ayes and noes being demanded by Mr. M’Kay, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Beasley, Bell, Brower, Burgin, Cowper, Crump, Davenport, Etheridge, Harris, Hoke, Johnson, M’Kay, M’Farland, M’Neill, Marshall, Martin, Matthews, Montgomery of O. Moore, Pool, Ramsey, Riddick, Sherard, Walton, Williams of F.


Mr. Montgomery, of O. moved further to amend the bill by adding the following as an additional section at the end of the bill, to wit: “And be it further enacted, that this act shall not take effect until the rise of the next Legislature;” which amendment was not agreed to—ayes 17, noes 37. The ayes and noes being demanded by Mr. Montgomery, of O are as follows, to wit:


Those who voted in the negative, are Messrs. Allison, Beasley, Burgin, Burney, Crump, Davenport, Davidson, Davis, Dick, Etheridge, Franklin, Harris, Hinton of W. Hinton of B. Love, M’Daniel, M’Diarmid, M’Entire, M’Farland, Matthews, Meares,
Mr. Davidson moved further to amend the bill by striking out the following figures: "1830" in the 2d line of the 6th section, and insert the figures "1831;" which amendment was not agreed to. Mr. M'Kay moving further to amend the bill by adding the following at the end of the bill, to wit: "And whereas it may be the policy of some future Legislature to create a Bank of the State, or make some other investment of its funds; and it would, in such case, be advisable that the State should be enabled to receive of said Bank in good notes of individuals or other funds to the value of the stock which the State may own in said Bank, such stock to be exchanged at the rate at which the same shall have been valued, as is provided for in the fifth section of this bill; Therefore be it enacted, that the said Bank, when thereto required by law, shall transfer to the State, or its appointee, good debts or other funds, to an amount equal to the stock interest which the State has in it, such interest to be rated as is provided for by the said 5th section;—Which amendment was not agreed to—ayes 26, noes 29. The ayes and noes being demanded by Mr. M'Kay, are as follows, to wit:


Mr. Brower moved that the bill be indefinitely postponed; which was not agreed to—ayes 25, noes 31. The ayes and noes being demanded by Mr. Brower, are as follows, to wit:


The question then recurring on the passage of the bill as amended, the second time, it was determined in the affirmative—ayes 31, nays 25. The ayes and noes being demanded by Mr. M'Kay, are as follows, to wit:


The bill being then read the third time, Mr. M'Farland moved to amend the bill by adding the following as an additional section, to wit: "Be it further enacted, if said corporation shall hereafter make an assignment of their debts and effects, the stockholders of said corporation shall be individually liable, in their private capacity, for a proportionate part of all the debt due by said corporation, to be recovered before any tribunal hav-
ing jurisdiction of the same, and the assignee or assignees shall be com-
pelled to take all notes issued by said corporation, at par value, in
the payment of debts due said corporation;" which amendment was not
agreed to—ayes 21, noes 30. The ayes and noes being demanded by Mr.
M'Farland, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Beasley, Bell, Brower, Burgin, Cowper,
Franklin, Harris, Johnson, M'Diarmid, M'Farland, Marshall, Matthews, Montgomery
of H. Montgomery of O. Moore, Pool, Ramsey, Riddick, Sherard, Underwood, Walton,
Williams of F

Those who voted in the negative, are Messrs. Allison, Askew, Burney, Crump,
Davenport, Davidson, Davis, Dick, Etheredge, Hinton of W Hinton of B. Hoke, Love,
M'Daniel, M'Entire, Meares, Melchor, Miller, Mitchell, Mosely, M'oye, Rainey, Saun-
derson, Spaight, Sneed, Smith, Ward, Wellborn, Welch, Williams of F

Mr. Montgomery, of Orange, moved further to amend the bill by adding
the following proviso at the end, to wit: "Provided further, that nothing
therein contained shall be so construed as to prevent any future Legislature
from altering, modifying or amending this act, as they may deem expe-
dient;" which amendment was not 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 for the improvement of the road from the Old Fort,
in Burke county, to Ashville, in Buncombe county, was read the third
time. Mr. Meares moved to amend the bill by inserting the following
proviso at the end of the second section, to wit: "Provided nevertheless,
that the said commissioners shall not be entitled to receive the said sum
of two thousand dollars, until they give bond, with approved security, in
the sum of four thousand dollars to the Governor, to repay the same in four
years from the time the gate shall be erected, whether the tolls shall
have amounted to the said sum or not;" which amendment was agreed
to. Mr. Meares moved further to amend the bill by striking out the word
"three," in the fifth line of the sixth section, and inserting the word "four;"
which amendment was agreed to. Mr. Meares moved further to amend
the bill by adding the following as an additional section, to wit: "And
be it further enacted, that if at the end of four years from the erection
of the gate aforesaid, the tolls shall not amount to the sum of two thousand
dollars, the right to receive the same shall continue in said commissioners
until they shall receive the sum which may be by them advanced, with in-
terest on the same;" which amendment was agreed to. Mr. Montgome-
ry, of Orange, moved further to amend the bill, by inserting after the
words "two thousand dollars," the words "with interest;" which amend-
ment was not 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 enable the Banks of Newbern and Cape Fear to
wind up gradually, and to fix a uniform rate of collection, was read the
second time. Mr. Meares moved to amend the bill by inserting the fol-
lowing at the end of the second section, to wit: "Be it further enacted,
that after the first day of September, 1830, it shall not be lawful for the
president and directors of said Banks, under any pretense whatever, to
make any loans on what is called accommodation notes, or notes payable
at longer periods than three equal installments of ninety days each, except
such note be offered in renewal of, or in payment, or in substitution for
some previously existing accommodation debt;" which amendment was agreed to. Mr. Meares moved further to amend the bill, by inserting the following proviso at the end of the 4th section, to wit: "And provided further, that the whole amount of debt due and remaining unpaid to said Banks on the 31st day of December, 1834, shall not exceed two-thirds of the amount of debt now due;" which amendment was agreed to. Mr. Meares moved further to amend the bill, by adding the following as an additional section, to wit: "And be it further enacted, that it shall not be lawful for the president and directors of said Banks, after the 31st day of December, 1831, to emit any bills or notes of said Banks under the denomination of five dollars; to re-issue any notes under the denomination of five dollars that may have been by said Banks previously issued;" which amendment was agreed to. Mr. M’Kay moved further to amend the bill by striking out the figures "1834" and inserting in the third line of the second section, the figures "1830;" which amendment was not agreed to—ayes 23, noes 34. The ayes and noes being demanded by Mr. M’Kay, are as follows, to wit:


The question then recurring on the passage of the bill the second time, it was determined in the affirmative—ayes 33, noes 24. The ayes and noes being demanded by Mr. Montgomery, of Orange, are as follows, to wit:


The bill was then read the third time and passed, and a message was sent to the House of Commons, asking their concurrence in the amendments.

Received from the House of Commons a message, stating that they have passed the engrossed bill fixing the fees of the clerks of the County and Superior Courts and sheriffs’ fees, with sundry amendments; in which they ask the concurrence of the Senate. Whereupon the said several amendments were read and concurred in by the Senate, except those that provide that certain provisions of the said bill shall not extend to the counties of Nash and Craven; in which they do not concur, and the House of Commons were informed thereof by message.

The resolution for the Roanoke Navigation Company, was read the second time. Mr. Sneed moved to amend the resolution by adding the following proviso, to wit: "Provided that said last instalments shall not be paid until said company shall release all claim for interest for and on account of deferred payment of subscription on the part of this State;" which amendment
was agreed to, and a message was sent to the House of Commons, asking their concurrence in the amendment.

Received from the House of Commons a message, stating that they agree to the amendments made by the Senate to the engrossed bill for the improvement of the road from the Old Fort, in Burke county, to Asheville, in Buncombe county. Ordered that the said bill be enrolled.

Received also from the House of Commons messages, stating that they have postponed indefinitely the following engrossed bills, to wit: The bill to alter the mode of compensation to members of the Senate and House of Commons; the bill to authorise the issuing of Treasury Notes; the bill to authorise courts of justice to regulate the business therein; the bill concerning the summoning of jurors; the bill more effectually to prevent injury to stock; and also the certificate of allowance of the County Court of Hall county, Georgia, in favor of Jesse Halsey.

Received from the House of Commons a message, stating that they disagree to the amendments made by the Senate to the engrossed bill authorising the County Court of Burke to appoint commissioners to lay off a road from the Lincoln line to Jacob Mull's mill. Whereupon, on motion of Mr. Burgin, the Senate receded from the said amendments, and the bill was ordered to be enrolled, and the House of Commons were informed thereof by message.

Received from the House of Commons a message, stating that they agree in the amendment made by the Senate to the engrossed bill concerning the State road in the county of Macon. Whereupon the said bill was ordered to be enrolled.

Received from the House of Commons a message, stating that they have postponed indefinitely the engrossed bill concerning the distribution of the public arms to certain police authorities therein mentioned, and for other purposes.

On motion of Mr. Love, ordered that he have leave to withdraw from the files of the Senate the petition of Benjamin S. Britain, and the accompanying papers.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill for the application of all appropriations for the increase of the Public Library; a bill to authorise the justices of Moore county to compensate the clerk of the County Court and sheriff for their extra services; a bill to repeal an act, entitled an act to increase the fees of the register of the counties of New Hanover, Cumberland, Brunswick, Carteret and Craven, passed in the year 1817, so far as regards the county of Craven; and a bill to amend an act, passed in the year 1826, to appoint commissioners to superintend the building of a court house in the county of Surry, and for other purposes; in which they ask the concurrence of the Senate. Whereupon the two first mentioned bills were read the first time and ordered to be postponed indefinitely; and the two last mentioned bills 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 for the better regulation of the town of Wilmington; a bill to amend an act, passed at the last session, entitled an act to amend the law with respect to the collection of debts from the estates of deceased persons, and the law in relation to the levying
of executions issued by justices of the peace; and also the engrossed resolution in favor of Richard Roberts; and the engrossed resolution making compensation to the Treasurer, Comptroller and Secretary of State for certain services; in which they ask the concurrence of the Senate. Whereupon the first mentioned bill was read, and, on motion of Mr. Mitchell, ordered to lie upon the table; and the second mentioned bill being read, Mr. Meares moved to amend the bill by striking out all thereof after the caption except the two last sections, and make the title correspond thereto; which amendment was agreed to, and the bill, as amended, was read the first, second and third times and passed, and a message was sent to the House of Commons, asking their concurrence in the amendments; and the resolutions were read the first, second and third times, and ordered to be enrolled.

The engrossed bill to alter the times of holding the elections in the county of Columbus, was read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons a message, stating that they concur in the amendments made by the Senate to the engrossed bill to enable the Banks of Newbern and Cape Fear to wind up gradually, and fix a uniform rate of collection, with an amendment, to wit: in the amendment of the Senate marked B, strike out "1834" and insert "1832;" in which amendment they ask the concurrence of the Senate. Whereupon the said amendment was concurred in by the Senate, and the House of Commons were informed thereof by message, and the said bill was ordered to be enrolled.

Received from the House of Commons a message, stating that they agree to the several amendments made by the Senate to the engrossed bill to enable the State Bank to wind up gradually, and fix a uniform rate of collection, with an amendment, to wit: in the amendment of the Senate marked B, strike out "1831" and insert "1832;" in which they ask the concurrence of the Senate. Whereupon the said amendment was concurred in, and the House of Commons informed thereof by message, and the said bill was ordered to be enrolled.

Received from the House of Commons a message, stating that they have passed the engrossed bill to provide for the collection of a judgment obtained by the State against the devisees of the late John Haywood, with sundry amendments, in which they ask the concurrence of the Senate. Whereupon the said amendments were read and concurred in, and the House of Commons were informed thereof by message.

A message was also received from the House of Commons, stating that they have passed the engrossed bill to provide for the repairs of the State House and Arsenal, with amendment, to wit: in the first line of the second section, strike out the words "the sum of," and insert "a sum not exceeding," in which they ask the concurrence of the Senate. Whereupon the said amendment was concurred in, and the House of Commons were informed thereof by message.

Received from the House of Commons the resignation of James M'Batter, a justice of the peace for the county of Montgomery, endorsed in that House, "read and accepted," and which was read and accepted by the Senate.

And then the Senate adjourned until to-morrow morning, 7 o'clock.
Friday Morning, January 8, 1830.

Received from the House of Commons a message, stating that that they do not concur in the amendment made by the Senate to the resolution concerning the Roanoke Navigation Company. Whereupon, on motion of Mr. Sneed, ordered that the said message, together with the resolution, be laid upon the table.

Received from the House of Commons a message, stating that they concur in the amendment made by the Senate to the engrossed resolution, in relation to a survey of Main Broad river. Whereupon the said resolution was ordered to be enrolled.

Received from the House of Commons a message, stating that they concur in the amendment made by the Senate to the engrossed bill to amend an act, passed at the last session, entitled an act to amend the law with respect to the collection of debts from the estates of deceased persons, &c. Whereupon the said bill was 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 the House of Commons, stating that they are also ready to adjourn without day.

On motion of Mr. Sherard,

Resolved unanimously, That the thanks of the Senate be presented to the Honorable David F. Caldwell, Speaker thereof, for the able, impartial and dignified manner in which he has discharged the duties of the Chair.

Whereupon Mr. Speaker made an appropriate address to the Senate, and adjourned the same sine die.

D. F. CALDWELL, S. S.

By order.

SAML. F. PATTERSON,

Clerk of the Senate.