At a General Assembly, begun and held in the City of Raleigh, on the 21st day of November, in the year of our Lord 1842, and in the 67th year of the Independence of the United States of America, being the day 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, viz:

From the 1st District, Pasquotank and Perquimons—John H. Jacocks.

2d do Camden and Currituck—Caleb Etheridge.
3d do Gates and Chowan—Whitmel Stallings.
6th do Hertford—Godwin C. Moore.
7th do Bertie—James S. Mitchell.
8th do Martin—Jesse Cooper.
9th do Halifax—Andrew Joyner.
10th do Nash—Samuel L. Arrington.
11th do Wake—James B. Shepard.
12th do Franklin—William P. Williams.
13th do Johnston—James Tomlinson.
14th do Warren—Weldon N. Edwards.
15th do Edgecomb—Louis D. Wilson.
16th do Wayne—John Exum.
17th do Greene and Lenoir—E. G. Speight.
18th do Pitt—Alfred Moye.
19th do Beaufort and Hyde—Wilson B. Hodges.
20th do Carteret and Jones—James W. Howard.
21st do Craven—Thomas J. Pasteur.
22d do Chatham—William Albright.
23d do Granville—Elijah Hester.
24th do Person—John W. Williams.
A quorum consisting of a majority of the whole number of members being present, on motion of Mr. Wm. P. Williams, Louis D. Wilson, the Senator from the county of Edgecombe, was nominated for Speaker.

The Senate then voted as follows, to wit:

FOR MR. WILSON,

MESSRS. Arrington, Allison, (of O.)
      Boykin,
      Boyd,
      Brown,
      Cooper,
      Dobson,
      Edwards,
      Etheridge,
      Exum,
      Hester,
      Larkins,
      Melvin,
      Mitchell,

MESSRS. Moore,
      Pasteur,
      Ray,
      Reid,
      Rogers,
      Shepard,
      Speight,
      Stafford,
      Stallings,
      Swinson,
      Tomlinson,
      Walker,
      Wm. P. Williams,
      Jno. W. Williams.—28.
Mr. Wilson voting for Mr. Edwards, and Mr. Joyner for Mr. Dockery.

Mr. Wilson having received a majority of the whole number of votes given, was declared duly elected; whereupon Mr. Joyner conducted him to the chair, and he made his acknowledgments to the Senate in a neat and an appropriate address.

On motion of Mr. Morehead, Thomas G. Stone, of Franklin, was nominated for principal Clerk. The Senate then proceeded to vote, as follows:

FOR MR. STONE,
Thomas G. Stone having received the whole number of votes given, was duly elected.

Whereupon, on motion of Mr. Shepard, the Senate proceeded to the election of Clerk Assistant, and nominated for that appointment William Stringer, of Raleigh. On motion of Mr. Albright, H. W. Miller was added to the nomination. The Senate then voted as follows:

FOR MR. STRINGER,

Messrs. Speaker,
Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Cooper,
Dobson,
Edwards,
Etheridge,
Exum,
Hester,
Larkins,
Melvin,

FOR MR. MILLER,

Messrs. Albright,
Allison, (of I.)
Burgin,
Cathey,
Dockery,
Elliott,
Howard,
Hodges,
Jacocks,
Jones,

Walker,
Jno. W. Williams,
Wm. P. Williams,
Worth.—48.

Messrs. Mitchell,
Pasteur,
Ray,
Reid,
Rogers,
Shepard,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Jno. W. Williams,
Wm. P. Williams.—28.

Messrs. Joyner,
Moore,
Morehead,
Moye,
Myers,
Pharr,
Ribelin,
Spruill,
Thomss,
Worth.—20.

Mr. Stringer having received a majority of the votes given, was duly elected.

On motion of Mr. Wm. P. Williams, Mr. John Ziegenfuss was nominated for principal Door-Keeper; on motion
of Mr. Dockery, Jehu Crews; on motion of Mr. Cooper, John U. Vogler; and, on motion of Mr. Elliott, Orin A. Burgess were added to the nomination.

The Senate then voted as follows:

FOR MR. ZIEGENFUSS,

MESSRS. Speaker,
Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Cooper,
Dobson,
Edwards,
Etheridge,
Exum,
Hester,
Larkins,
Melvin,
Mitchell,
MESSRS. Moore,
Pasteur,
Ray,
Reid,
Rogers,
Shepard,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Jno. W. Williams,
Wm. P. Williams.—29.

FOR MR. CREWS,

MESSRS. Albright,
Allison, (of I.)
Cathey,
Dockery,
Howard,
Hodges,
Jacocks,
Jones,
MESSRS. Joyner,
Morehead,
Moye,
Myers,
Pharr,
Ribelin,
Spruill,
Thomas.—16.

FOR MR. Vogler,

Mr. Burgin.

FOR MR. Burgess,

Messrs. Elliot and Worth.

Mr. Ziegenfuss having received a majority of the votes given, was duly elected.
On motion of Mr. Hester, John Davis of Granville was
nominated as assistant Door-Keeper, and, on motion of Mr. Albright, Green Hill was added to the nomination.

The Senate then voted as follows:

<table>
<thead>
<tr>
<th>FOR MR DAVIS</th>
<th>FOR MR. HILL</th>
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<td>Messrs. Arrington,</td>
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<td>Melvin,</td>
<td>Wm. P. Williams.—17.</td>
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<td>Boykin,</td>
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Messrs. Speaker, |
Messrs. Joyner, |
Albright, |
Mitchell, |
Allison, (of I.) |
Moore, |
Boyd, |
Morehead, |
Burgin, |
Moye, |
Cadley, |
Myers, |
Dobson, |
Pasteur, |
Dockery, |
Pharr, |
Edwards, |
Ribelin, |
Elliott, |
Rogers, |
Etheridge, |
Spruill, |
Howard, |
Stafford, |
Hodges, |
Jno. W. Williams, |
Jacocks, |
Worth.—30. |
Jones, |

Mr. Reid voting for Mr. Nixon.

Mr. Green Hill having received a majority of the votes given, was duly elected.

On motion of Mr. Reid, ordered that a message be sent to the House of Commons, informing that House of the due organization of the Senate, by the appointment of Louis D. Wilson as Speaker; Thomas G. Stone as principal Clerk; William Stringer, Clerk Assistant, and John Ziegenfuss and Green Hill, Door-Keepers.

On motion of Mr. Wm. P. Williams,
Ordered, That the rules of order of the last session be adopted for the government of the Senate, until otherwise ordered.

On motion of Mr. Hester, the Senate adjourned until tomorrow morning ten o'clock.

Tuesday, November 22, 1842.

The Speaker presented to the Senate the resignation of John B. Pollock, Senator elect for the county of Onslow; which was read and accepted.

Whereupon, on motion of Mr. Pasteur,

Ordered, That a writ of election be issued to the Sheriff of Onslow county, commanding him to hold an election on Thursday, the first day of December next, to supply the place occasioned by the resignation of John B. Pollock.

Mr. Wm. P. Williams presented the following resolution, to wit:

Resolved, That the Speaker assign one or more seats for the use of Stenographers, to note the debates of the Senate.

Which was read and adopted.

Received from the House of Commons a message, stating that they have organized by the election of Calvin Graves of Caswell, Speaker; Louis H. Marsteller, Principal Clerk; Perrin Busbee, Clerk Assistant; James Page and Thomas Anderson, Door-keepers; and are now ready for the despatch of business.

Received from the House of Commons a message, proposing to go immediately into an election for three Engrossing Clerks; and stating that Messrs. Hays, Graves, West, McClelland, Rumley, Cochran, Lancaster, Tate, Jones, Coleman, Thomas, Gray, Drake, Hoover, Hoyt, Miller and Hancock are in nomination; which was read and agreed to. Whereupon a message was sent to the House of Commons, stating that the Senate concur in their proposition to vote immediately for three Engrossing Clerks; and further stating, that John R. Buie is added to the nomination; and that Messrs. Reid and Jacocks form our committee to superintend said election.
Received from the House of Commons a message, informing the Senate that Messrs. J. P. Caldwell and Biggs compose the committee on their part to superintend the election of three Engrossing Clerks. The Senate then voted as follows:

**FOR MR. COCHRAN,**

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<th>Messrs. Speaker,</th>
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<td>Tomlinson.—22.</td>
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**FOR MR. JONES,**

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<th>Messrs. Arrington,</th>
<th>Messrs. Speight,</th>
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<td>Edwards</td>
<td>Jno. W. Williams,</td>
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<td>Wm: P. Williams.—7</td>
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**FOR MR. HOYT,**

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<th>Messrs. Morehead,</th>
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<td>Jacocks</td>
<td>Spruill,</td>
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<td>Worth.—13.</td>
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**FOR MR. HOOVER,**

Messrs. Elliott, Thomas, and Worth.—3.

**FOR MR. COLEMAN,**

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<th>Messrs. Allison, (of I.)</th>
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<td>Cathey</td>
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<td>Dockery</td>
<td>Pharr,—8.</td>
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</table>
FOR MR. GRAY,


FOR MR. HANCOCK,

Mr. Allison, (of O.)

FOR MR. RUMLEY,

Messrs. Speaker, Boykin, Cathey, Cooper, Etheridge, Exum, Howard, Hodges, Jacocks, Larkins, Melvin,

Messrs. Moore, Moye, Pasteur, Ray, Reid, Rogers, Shepard, Spruill, Speight, Swinson—21.

FOR MR. MILLER,

Messrs. Albright, Allison, (of I.) Burgin, Dockery, Elliott, Howard,

Messrs. Jones, Joyner, Myers; Pharr, Ribelin, Thomas.—12.

FOR MR. BUIE,

Messrs. Dockery and Joyner—2.

FOR MR. HAYS,

Messrs. Shepard, Stallings, and Tomlinson.—3.

FOR MR. TATE,

Mr. Burgin.—1.

FOR MR. LANCASTER,

Mr. Wm. P. Williams.
FOR MR. GRAVES,

Messrs. Speaker, Arrington, Boyd, Brown, Edwards,


FOR MR. DRAKE,

Messrs. Albright, Elliott, Morehead, Myers,

Messrs. Ribelin, Thomas, Worth.—7.

FOR MR. THOMAS,

Messrs. Arrington, Boykin, Brown, Cooper, Dobson, Exum, Hester,


FOR MR. McCLELLAN,

Messrs. Allison, (of I.) Brown, Dobson, Etheridge,

Messrs. Pasteur, Ray, Stafford, Walker.—8.

FOR MR. WEST,

Messrs. Cooper, Hodges, Jacocks, Mitchell,

Messrs. Moore, Shepard, Spruill.—7.

The Speaker presented to the Senate a communication from the Secretary of State, relative to the public printing; which was read and ordered to be transmitted to the House of Commons.

Received from the House of Commons a message, proposing to raise a Joint Select Committee, consisting of two members on the part of each House, to wait upon his Ex-
eellency, the Governor, and inform him of the organization of the two Houses, and their readiness to receive any communication he may think proper to make; which was read and concurred in.

Whereupon, on motion of Mr. Dockery, a message was sent to the House of Commons, agreeing to their proposition to appoint a Joint Select Committee of two on the part of each House to wait upon his Excellency, the Governor, and that Messrs. Dockery and Moore, constitute our branch of the committee.

Received from the House of Commons a message, informing the Senate, that Messrs. Avery and T. S. Ashe form their committee to wait upon his Excellency the Governor.

Mr. Dockery, from the Joint Select Committee on the part of the Senate to wait upon his Excellency the Governor, reported, they received for answer, that he would make a communication to the Legislature on to-morrow at 12 o'clock.

Mr. Morehead presented the following resolution:

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Committee, consisting of two members on the part of each House, to prepare Joint Rules of Order, for the government of the two Houses during the present session.

Which was read and adopted.

Received from the House of Commons a message, concurring in the proposition of the Senate to raise a Joint Select Committee consisting of two members from each House, to prepare Joint Rules for the government of the two Houses during the present session; and stating that Messrs. J. P. Caldwell and Walker form the committee on their part. Whereupon, the Speaker announced to the Senate, that Messrs. Morehead and Arrington compose the committee on our part, and the House of Commons was informed thereof by message.

Mr. Morehead presented the following resolution:

Resolved, That a Committee of five members be appointed, to prepare and report Rules of Order, for the government of the Senate during the present session.
Which was read and adopted.

Whereupon, the Speaker announced that Messrs. Edwards, Joyner, Brown, Spruill and Shepard, constitute said committee.

Mr. Reid, from the Joint Select Committee on the part of the Senate, to superintend the election of three Engrossing Clerks, reported, that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

Received from the House of Commons a message, proposing to go immediately into an election for three Engrossing Clerks, and stating that Messrs. L. Walker and Young form their committee to superintend the election; which was read and agreed to.

The Speaker then announced that Messrs. Spruill and Pasteur form the committee on our part to superintend the election of three Engrossing Clerks—and the House of Commons was informed thereof by message.

The Senate then voted as follows:

FOR MR. COCHRAN,

Messrs. Speaker,  
Allison, (of O.)  
Boykin,  
Boyd,  
Cooper,  
Dobson,  
Edwards,  
Exum,  
Etheridge,  
Hester,  
Larkins,

Messrs. Melvin,  
Mitchell,  
Moore,  
Pasteur,  
Reid,  
Rogers,  
Speight,  
Stafford,  
Stallings,  
Swinson,  
Walker—22.

FOR MR. RUMLEY,

Messrs. Speaker,  
Boykin,  
Cathey,  
Cooper,  
Edwards,  
Etheridge,  
Exum,  
Hester,

Messrs. Mitchell,  
Moore,  
Moye,  
Pasteur,  
Ray,  
Reid,  
Rogers,  
Shepard,
Howard, Spruill,
Hodges, Speight,
Jacocks, Stafford,
Larkins, Swinson,
Melvin, Tomlinson—26.

FOR MR. MILLER,

Messrs. Albright, Messrs. Moore,
Allison, (of I.) Myers,
Burgin, Pharr,
Dockery, Ribelin,
Elliott, Rogers,
Howard, Tomlinson,
Jones, Thomas—15.
Joyner,

FOR MR. DRAKE,

Messrs. Albright, Messrs. Ribelin,
Elliott, Thomas,
Morehead, Worth—7.
Myers,

FOR MR. HOYT,

Messrs. Albright, Messrs. Moye,
Burgin, Myers,
Cathey, Pasteur,
Howard, Pharr,
Hodges, Ribelin,
Jacocks, Spruill,
Jones, Thomas,
Joyner, Worth—17.
Morehead,

FOR MR. GRAVES,

Messrs. Speaker, Messrs. Brown,
Arrington, Jno. W. Williams—5.
Boyd,

FOR MR. COLEMAN,

Messrs. Allison, (of I.) Messrs. Joyner,
Burgin, Morehead,
Cathey, Moye,
Dockery, Pharr—9.
Jones, 

FOR MR. THOMAS,

Messrs. Arrington, Messrs. Larkins,
Boykin, Mitchell,
Boyd, Ray,
Brown, Speight,
Cooper, Stafford,
Dobson, Stallings,
Edwards, Tomlinson,
Exum, Walker,
Hester, Wm. P. Williams—18.

FOR MR. WEST,


FOR MR. HOOVER,


FOR MR. JONES,

Messrs. Arrington, Jno. W. Williams, and Wm. P. Williams—3.

FOR MR. McCLELLAND.

Messrs. Allison, (of I.) Messrs. Ray,
Brown, Reid,
Dobson, Stafford,
Etheridge, Swinson,
Melvin, Walker—10.

FOR MR. BUIE,

Mr. Dockery.

FOR MR. HAYS,

Mr. Shepard.

FOR MR. LANCASTER,

Mr. Wm. P. Williams.
FOR MR. GRAY,
Mr. Allison, (of O.)

FOR MR. HANCOCK,
Mr. Allison, (of I.)

On motion of Mr. Edwards, the Senate adjourned until to-morrow morning ten o'clock.

WEDNESDAY, NOVEMBER 23, 1842.

Mr. Spruill, from the Joint Select Committee on the part of the Senate, to superintend the election of three Engrossing Clerks, reported that no person in nomination had received a majority of the votes given, and there was no election; in which report the Senate concurred.

Mr. Reid presented the pension certificates of the County Court Clerk of Cumberland county, in favor of Isabella Campbell and Martha Spears; which were read, and ordered to be countersigned by the Speaker, and transmitted to the House of Commons.

Received from the House of Commons the pension certificate of the County Court Clerk of Iredell county, in favor of Ann Patterson; which was read and ordered to be countersigned by the Speaker.

Received from the House of Commons a message, proposing to go immediately into an election of three Engrossing Clerks; which was read and agreed to.

The Speaker announced to the Senate that Messrs. W. P. Williams and Jones form our branch of the committee to superintend the election of three Engrossing Clerks; and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating that Messrs. Cardwell and Wilson form their committee to superintend the election of three Engrossing Clerks.

The Senate then voted as follows:
FOR MR. COCHRAN,

Messrs. Speaker,
Arrington,
Allison, (of O.)
Boykin,
Boyd,
Cooper,
Dobson,
Edwards,
Etheridge,
Exum,
Hester,
Larkins,
Melvin,
Mitchell,

Messrs. Moore,
Pasteur,
Ray,
Reid,
Rogers,
Shepard,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Wm. P. Williams—27.

FOR MR. RUMLEY,

Messrs. Speaker,
Boykin,
Brown,
Cooper,
Dockery,
Edwards,
Etheridge,
Exum,
Hester,
Howard,
Jacocks,
Jones,
Larkins,

Messrs. Melvin,
Mitchell,
Moore,
Myers,
Pasteur,
Reid,
Rogers,
Shepard,
Speight,
Swinson,
Tomlinson,
Wm. P. Williams,

FOR MR. McCLELLAND,

Messrs. Allison, (of I.)
Brown,
Dobson,
Elliott,
Etheridge,
Ray,

Messrs. Reid,
Ribelin,
Stafford,
Stallings,
Walker,
Worth.—12.

FOR MR. TATE,

Mr. Burgin.
<table>
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<th>Name</th>
<th>Messrs.</th>
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<td>Albright—21</td>
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Mr. Edwards, from the committee appointed to prepare permanent Rules of Order and Decorum for the government of the Senate during its present session, reported the Rules of Order and Decorum of the last session, without amendment; which were read and adopted, and are as follows, to wit:

1. When the Speaker takes the Chair, each member shall take his seat; and on the appearance of a quorum, the Journal of the preceding day shall be read.

2. After the reading of the Journal, the Senate shall proceed to business, in the following order, to wit: 1st, the receiving petitions, memorials, pension certificates, and papers addressed either to the General Assembly or to the Senate; 2d, the reports of standing committees; 3d, the reports of select committees; 4th, resolutions; 5th, bills; 6th, bills, resolutions, petitions, memorials, messages, pension certificates, and other papers on the table; then the orders of the day; but motions and messages to elect officers shall always be in order.

3. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat, and respectfully address himself to the Speaker, and shall confine himself to the question under debate, and avoid personality. And when two or more members happen to rise at once, the Speaker shall name the one who is first to speak. No member shall speak oftener than twice on the same question, without leave of the House. And when any member is speaking, he shall not be interrupted by any person, either, by speaking, or by standing, or passing between him and the Chair.

4. All bills and resolutions of a public nature introduced, shall pass, as a matter of course, the first reading.
5. If any Member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may call him to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide on the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the House.

6. When a motion is made and seconded, no other motion shall be received, unless it be to amend the main question, to postpone it to a day certain, to postpone it indefinitely, to commit it, to let it lie on the table, or to adjourn.

7. Questions may be stated by the Speaker sitting, but shall be put standing. Questions shall be distinctly put in this form: "Senators, as many as are of opinion that (as the case may be) say Aye:" and after the affirmative voice is expressed—"As many as are of a contrary opinion, say No." If the Speaker doubt as to the voice of the majority, or a division be called for, the Speaker shall call on those in the affirmative of the question to rise from their seats, and afterwards those in the negative. If the Speaker still doubt, or a count be required, the Speaker shall name two members, one from each side, to tell the number in the affirmative; which being reported, he shall then name two others, one from each side, to tell those in the negative; which being also reported, he shall state the division to the House, and announce its decision. No member, who was without the bar of the Senate when any question was put from the Chair, shall enter his Yea or Nay without leave, unless he shall have been absent on some committee; and that the row of pillars shall be the bar of the Senate.

8. When any member shall make a motion which is not of course, he shall reduce the same to writing, if required.

9. In all cases of election by the House, the Speaker shall vote; and when on a division, there shall be an equal number of votes, the Speaker shall decide the question. In no other case shall he vote, unless his vote, if given to the minority, will make the division equal; and when an equal division is produced by the Speaker's vote, the question shall be lost.

10. No member shall depart the service of the House without leave, or receive pay as a member for the time he is absent.
11. Petitions, memorials, and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place; a brief statement of the contents thereof shall verbally be made by the introducer; and the petition, memorial, or other paper, shall not be read, unless so ordered by the House.

12. Resolutions for the appropriation of public money, and all resolutions of a public nature, as well as all bills, shall be read the first time for information; and, upon this reading, shall not be subject to amendment; but may be amended on the second and third reading. And the Clerk shall keep a calendar of all such resolutions and bills, with the orders taken on them, for the inspection of the members of the Senate.

13. All bills of a public nature, when ready for the second reading, shall be noted to be read at least one day previous thereto; and then shall first be read for information, and afterwards, paragraph by paragraph, and held open for amendment.

14. After a bill has been once rejected, postponed indefinitely, or to a day beyond the session, another of like provisions shall not be introduced during the same session.

15. When a question has been once decided, it shall not be in order for any member in the majority to move for the reconsideration thereof on the same or succeeding day, if the bill, resolution, or paper, upon which the question has been taken, be in possession of the Senate.

16. The Speaker shall examine and correct the Journal before it is read; he shall have the general directions of the Hall; he shall designate the members who shall compose all committees, except when otherwise ordered; and the select committees of this House shall consist of five members.

17. There shall be appointed by the Speaker, the following committees, viz: a committee of propositions and grievances; a committee of privileges and elections; a committee of claims; a committee on the judiciary; a committee on Internal Improvement; and a committee on Education and the Literary Fund, consisting of seven members each.

18. When the House resolves itself into a Committee of the Whole, the Speaker shall leave the Chair, and appoint a Chairman; and when upon any other occasion, the Speaker wishes to leave the Chair, he shall appoint a Speaker pro temp.

19. When any petition, memorial, or other paper ad-
dressed to the House, shall have been referred either to one of the standing or select committees, they shall, in their report on the petition, memorial, or other paper, make a statement in writing of the facts embraced in the case so referred.

20. In case of any disturbance or disorderly conduct in the gallery or lobby, the Speaker, or Chairman of the Committee of the Whole House, shall have power to have the same cleared.

21. No person, except members of the House of Commons, Officers and Clerks of the two Houses of the General Assembly, Judges of the Supreme and Superior Courts, Officers of the State resident at the seat of government, members of Congress, persons particularly invited by the Speaker, and such gentlemen as have been members of either House of the Legislature, shall be admitted within the hall of the Senate.

22. Any member dissatisfied with the decision of the Speaker on any question of order, may appeal to the House.

23. When the House adjourns, the members shall keep their seats till the Speaker leaves the chair.

24. On motion of adjournment, the question shall be decided without debate.

25. The rules for the government of the Senate shall not be amended or altered, without giving at least one day's notice of such amendment or alteration, except by the consent of two-thirds of the members present.

Mr. Morehead presented the following resolutions, to wit:

Resolved, That a committee of two be appointed to ascertain, and report the amount of public taxes, paid into the Treasury of the State, in the years 1838-39-40-41-42, by each county in the State; that said committee set forth in their report, the aggregate amount of public taxes paid by each county into the Public Treasury for the five years aforesaid, also the average amount paid by each.

Resolved, That they further report the federal population of each county, as ascertained, according to the Census taken under the act of Congress passed in the year 1839, entitled "an act, to provide for taking the sixth Census," or enumeration of the inhabitants of the United States.

Which was read, and, on his motion, laid on the table.

Mr. William P. Williams, from the Joint Select Committee on the part of the Senate to superintend the election of
three Engrossing Clerks, reported, that Robert Cochran, having received a majority of the votes given, was duly elected, and that no other person had received a majority; in which report the Senate concurred.

On motion of Mr. Spruill, the Senate adjourned until tomorrow morning ten o'clock.

Thursday, November 24, 1842.

Mr. Pasteur presented the pension certificate of the County Court Clerk of Craven County, in favor of John Rhem; Mr. Walker that of the County Court Clerk of Mecklenburg County, in favor of Martha Thompson; which were read, and ordered to be countersigned by the Speaker, and transmitted to the House of Commons.

Received from the House of Commons a message, proposing to go immediately into an election of two engrossing Clerks, and stating that the names of Messrs. Coleman and Lancaster are withdrawn from the nomination; which was read and agreed to, and the House of Commons was informed thereof by message.

The Speaker announced to the Senate, that Messrs. Walker and Moye form our branch of the committee to superintend the election of two Engrossing Clerks; and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating that Messrs. Jefferson and Scales form their branch of the committee to superintend the election of two Engrossing Clerks.

The Senate then voted as follows:

FOR MR. RUMLEY,

Messrs. Speaker, Allison, (of O.) Boykin, Brown, Cooper, Edwards, Etheridge,  
Messrs. Melvin, Mitchell, Moore, Moye, Pasteur, Rogers, Shepard,
Exum, Spruill,
Hester, Speight,
Howard, Swinson,
Hodges, Tomlinson,
Jacocks, Jno. W. Williams,
Larkins, Reid—26.

FOR MR. THOMAS,

Messrs. Speaker, Messrs. Larkins,
Allison, (of O.) Melvin,
Arrington, Mitchell,
Boykin, Rogers,
Boyd, Speight,
Cooper, Stafford,
Dobson, Stallings,
Edwards, Swinson,
Etheridge, Tomlinson,
Exum, Walker,
Hester, Wm. P. Williams—22.

FOR MR. MILLER,

Messrs. Albright, Messrs. Morchhead,
Allison, (of I.) Moore,
Burgin, Myers,
Cathey, Pharr,
Dockery, Ray,
Elliot, Ribelin,
Jones, Thomas,
Joyner, Worth—16.

FOR MR. HOYT,

Messrs. Albright, Messrs. Jones,
Burgin, Joyner,
Cathey, Miller,
Dockery, Moye,
Howard, Pasteur,
Hodges, Pharr,

FOR MR. McCLELLAND,

Messrs. Arrington, Messrs. Stafford,
Allison, (of I.) Stallings,
Received from the House of Commons a message, therein transmitting the message of his Excellency Governor Morehead, with accompanying documents, and proposing to print one copy for each member of the General Assembly; which was read and agreed to.

Received from the House of Commons a message, proposing to raise a Joint Select Committee, to be composed of five members from each House on Military Affairs; which was read and agreed to.

Received from the House of Commons a message, stating that Messrs. J. H. Hawkins, J. P. Caldwell, Geo. Bower, J. McLean and J. Scales form their branch of the Committee on Military Affairs. Whereupon the Speaker announced to the Senate, that Messrs. Allison (of O.) Wm. P. Williams, Dockery, Reid and Jacocks, form our branch of the Committee on Military Affairs; and the House of Commons was informed thereof by message.

Mr. Walker, from the Joint Select Committee on the part of the Senate to superintend the election for two Engrossing Clerks, reported, that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

Mr. Morehead, from the Joint Select Committee appointed to prepare and report joint rules for the government of the two Houses during the present session, reported the rules of the last session of the Legislature, without amendment; which were read and adopted.

Received from the House of Commons a message, proposing to print one copy for each member of the General Assembly, of the Constitution of the United States, and of this State, of the rules of the Senate, the House of Com-
mons, and joint rules of both Houses; which was read and agreed to.

On motion of Mr. Morehead, the resolution presented by him on yesterday, relative to the amount of taxes paid into the Public Treasury, was taken up and read—He then moved to strike out all the resolution after the word "resolved," and insert the following, to wit:

That the Comptroller report to this House a tabular statement of the public taxes paid into the Treasury of the State, by the citizens thereof, for the years 1838-39-40-41-42. That he set forth in such report the aggregate amount of public taxes paid into the Public Treasury in the five years aforesaid; also the average amount paid by each county in this State.

Which was read and adopted.

Received from the House of Commons a message, proposing to go immediately into an election of two Engrossing Clerks, yet to be elected, and that the name of Mr. Graves is withdrawn from the nomination; which was read and agreed to.

The Speaker announced to the Senate, that Messrs. Rogers and Elliott form our branch of the committee to superintend the election of two Engrossing Clerks; and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating that Messrs. Patterson and Pope constitute their branch of the committee to superintend the election of two Engrossing Clerks.

The Senate then voted as follows:

FOR MR. RUMLEY,

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FOR MR. THOMAS,

MESSRS. Speaker,
Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Cooper,
Dobson,
Edwards,
Etheridge,
Exum,
Hester,
Larkins,

MESSRS. Melvin,
Mitchell,
Moore,
Reid,
Rogers,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Jno. W. Williams,
Wm P Williams—26.

FOR MR. McCLELLAND,

MESSRS. Arrington,
Allison, (of I.)
Boyd,
Dobson,
Elliott,
Ray,

MESSRS. Ribelin,
Shepard,
Stallings,
Walker,
Worth,
Wm. P. Williams.—12.

FOR MR. MILLER,

MESSRS. Albright,
Allison, (of I.)
Burgin,
Cathey,
Dockery,
Elliott,
Jacocks,
Jones,
Joyner,

MESSRS. Miller,
Morehead,
Moye,
Myers,
Pharr,
Ray,
Ribelin,
Thomas,
Worth.—18.

FOR MR. HOYT,

MESSRS. Albright,
Burgin,
Cathey,
Dockery,
Howard,
Hodges,
Jacocks,
Jones,
Joyner,

MESSRS. Miller,
Morehead,
Moye,
Myers,
Pasteur,
Pharr,
Spruill,
Thomas.—17.
Mr. Elliott, from the Joint Select Committee on the part of the Senate to superintend the election of two Engrossing Clerks, reported that James J. Thomas, having received a majority of the votes given, was duly elected, and that no other person had received a majority; in which report the Senate concurred.

Received from the House of Commons a message, proposing to go immediately into an election of one Engrossing Clerk, yet to be elected; which was read and agreed to.

The Speaker announced to the Senate, that Messrs. Dobson and Hodges form our branch of the committee to superintend the election of one Engrossing Clerk; and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating that Messrs. Fitts and Brandon constitute their branch of the committee.

The Senate proceeded to vote as follows:

**FOR MR. RUMLEY,**


**FOR MR. MILLER,**

Mr. Morehead presented the following resolutions:

Resolved, That the Secretary of State report to the Senate a statement of the aggregate population, and the federal population of this State, as ascertained under an act of Congress, passed in the year 1839, entitled an act to provide for taking the sixth census, or enumeration of the inhabitants of the United States.

Resolved further, That the Secretary of State set forth in his report a tabular statement of the aggregate population, also of the federal population of each county in this State.

Which were read and adopted.

Mr. Morehead presented the following resolution:

Resolved, That the Clerk of this House procure to be printed a copy for each member of the General Assembly, the act of Congress passed in the year 1842, and approved the 25th of June, 1843, entitled an act for the apportionment of Representatives among the several States, according to the sixth census.

Which was read and adopted.

On motion of Mr. Thomas, the Senate adjourned until to-morrow morning ten o'clock.

FRIDAY, NOVEMBER 25, 1842.

The Speaker announced to the Senate the following committees, to wit:
ON PROPOSITIONS AND GRIEVANCES,

Messrs. Moore, Messrs. Cooper,
Myers, Jno. W. Williams,
Melvin, Howard,
Cathey,

ON PRIVILEGES AND ELECTIONS,

Messrs. Pasteur, Messrs. Ray,
Thomas, Pharr,
Boykin, Speight,
Worth,

ON CLAIMS,

Messrs. Reid, Messrs. Tomlinson,
Ribelin, Miller,
Etheridge, Mitchell,
Burgin,

ON THE JUDICIARY,

Messrs. Edwards, Messrs. Shepard,
Morehead, Jones,
Reid, Arrington,
Elliott,

ON INTERNAL IMPROVEMENT,

Messrs. Wm. P. Williams, Messrs. Larkins,
Joyner, Dockery,
Allison, (of O.) Stafford,
Jacocks,

ON EDUCATION AND THE LITERARY FUND,

Messrs. Brown, Messrs. Rogers,
Joyner, Allison, (of I.)
Bord, Exum,
Hodges,

JOINT COMMITTEE ON FINANCE,

Messrs. Arrington, Messrs. Hester,
Spruill, Albright,
Stallings, Dobson,
Moye, Walker,
The Speaker presented to the Senate the resignation of Hugh McQueen, as Attorney General; which was read and accepted, and ordered to be transmitted to the House of Commons.

Mr. Dobson, from the Joint Select Committee on the part of the Senate to superintend the election of one engrossing Clerk, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

Mr. Pasteur presented a bill, entitled a bill to alter the time of holding one of the terms of the Supreme Court; which was read the first time and passed.

Mr. Reid presented a bill, entitled a bill to amend an act of the Revised Statutes, chapter 102, entitled an act to provide for the collection and management of a revenue for this State; which was read the first time and passed, and, on his motion, was referred to the Committee of Finance.

Mr. Rogers presented the following resolution:

Resolved, That the Committee on Finance, be instructed to inquire into the expediency of amending the revenue laws of this State, so as to insure the collection of taxes the same year the list is received.

Which was read and adopted.

Received from the House of Commons the resignation of Hugh McQueen, as Attorney General; which was read and accepted.

Mr. Arrington presented the resignations of Frederick Battle and Barney Pearson, justices of the peace for the county of Nash; which were read and accepted, and sent to the House of Commons.

Mr. Burgin presented the resignation of Thomas Curtis, justice of the peace for the county of Burke; Mr. Larkins, the resignations of Wm. H. Vann and John Moore, justices of the peace for the county of New Hanover; and Mr. Boykin, the resignation of Fleet R. Patterson, justice of the peace for the county of Sampson; which were severally read and accepted, and sent to the House of Commons.
Mr. Walker presented the resignation of J. B. Kear, as a justice of the peace for the county of Mecklenburg; which was read and accepted, and sent to the House of Commons.

Mr. Allison (of L.) presented the following resolution:

Resolved, That the Public Treasurer be authorized to pay to Joseph M. Bogle, late Sheriff of Iredell County, two hundred dollars, being the amount of a fine incurred by said Sheriff, under the seventy-first section of the Revised Statutes, chapter 102, in failing to deliver to the Comptroller a copy of the list of taxes received from merchants, retailers, &c., and that the same be allowed him in the settlement of his public accounts.

Which was read the first time and passed, and, on motion of Mr. Edwards, was referred to the Committee on Claims.

The Speaker presented to the Senate a communication from the Comptroller, therein transmitting a tabular statement of the public taxes, paid into the Treasury of the State by the citizens thereof, for the years 1838-39-40-41 and 42; which was read, and, on motion of Mr. Spruill, ordered that one copy of the same be printed for each member of this Legislature.

Received from the House of Commons a message, proposing to go into an election of one Engrossing Clerk, yet to be elected; which was read and agreed to.

The Speaker announced to the Senate, that Messrs. Albright and Cooper form our branch of the committee to superintend the election of one Engrossing Clerk, and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating that Messrs. Dewey and Ehthinghause form their branch of the committee to superintend the election of one Engrossing Clerk.

The Senate then voted as follows:

FOR MR. RUMLEY,

MESSRS. Speaker, MESSRS. Moore,
Arrington, Pasteur,
Boykin, Reid,
Brown, Rogers,
Cooper, Shepard,
Edwards, Speight,
Exum, Stallings,
Hester, Swinson,  
Howard, Tomlinson,  
Hodges, Walker,  
Larkins, Jno. W. Williams,  
Melvin, Wm. P. Williams,  

FOR MR. MILLER,

Messrs. Albright, Messrs. Miller,  
Burgin, Morehead,  
Cathey, Myers,  
Dockery, Pharr,  
Elliott, Ribelin,  
Jacocks, Spruill,  
Jones, Thomas,'  
Joyner, Worth.—16.

FOR MR. HOYT,

Mr. Moye.

FOR MR. McCLELLAND,

Messrs.'Allison, (of O.) Messrs. Dobson,  
Allison, (of L.) Ray,  
Boyd, Stafford,  

On motion of Mr. Wm. P. Williams,

Ordered, That a message be sent to the House of Commons, proposing to vote on Monday next for Secretary of State, and that Wm. Hill is in nomination for the appointment.

Mr. Edwards presented the following resolution:

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of one member in each House from each judicial district, to whom be referred the apportionment of the House of Commons and the arrangement of the Senatorial districts.

Which was read.

Mr. Moye moved to amend the resolution by striking out the word Judicial, and insert in lieu thereof the word Con-
gressional; which was not agreed to. The resolution was then adopted.

Mr. Joyner presented a bill, entitled a bill to revive and continue in force an act, passed in the year 1839, entitled an act to incorporate the Weldon Rail Road Company, and to amend the same; which was read the first time and passed, and, on his motion, was referred to the Committee on Internal Improvement.

Mr. Cooper, from the Joint Select Committee on the part of the Senate to superintend the election of one Engrossing Clerk, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

Mr. Dockery presented the following resolution:

Resolved, That so much of the Governor's Message as relates to Internal Improvements, be referred to the Committee on Internal Improvement.

Which was read and adopted.

Mr. Reid presented the following resolution:

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of thirteen on the part of the Senate, and thirteen on the part of the House of Commons, to whom shall be referred the subject of apportioning the State into nine Congressional districts, and that they report by bill or otherwise.

Which was read and adopted.

Received from the House of Commons a message, proposing to go immediately into an election of one Engrossing Clerk; which was read and agreed to. Whereupon, on motion of Mr. Moye, the name of Gould Hoyt is withdrawn from the nomination; and the House of Commons was informed thereof by message.

The Speaker announced to the Senate, that Messrs. Thomas and Swinson form our branch of the committee to superintend the election of one Engrossing Clerk, and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating that Messrs. Cad. Jones, Jr., and Brummell constitute their branch of the committee to superintend the election of one Engrossing Clerk; and further stating that the name of Mr.
McClelland is withdrawn from the nomination; and that they will commence voting on return of the messenger.

The Senate then voted as follows:

**FOR MR. RUMLEY,**

Messrs. Speaker, Arrington, Allison, (of O.) Boykin, Brown, Boyd, Cooper, Dobson, Edwards, Etheridge, Exum, Hester, Howard, Hodges, Larkins,


**FOR MR. MILLER,**

Messrs. Albright, Allison, (of I.) Burgin, Cathey, Dockery, Elliott, Jacocks, Jones, Joyner,

Messrs. Miller, Morehead, Moye, Myers, Pharr, Ribelin, Spruill, Thomas, Worth.—18.

Mr. Thomas, from the Joint Select Committee on the part of the Senate to superintend the election of one Engrossing Clerk, reported that James Rumley, having received a majority of the votes given, was duly elected; in which report the Senate concurred.

Received from the House of Commons a message, concurring in the proposition of the Senate of going into an election of Secretary of State on Monday next.

Received from the House of Commons a message, proposing to go immediately into an election of Officers of Cavalry attached to the eleventh brigade of North Carolina Militia—and that Wm. H. Neal is in nomination for Col.
Commandant, John W. Potts for Lieutenant Colonel, and Joseph W. Scott for Major; which was read and agreed to.

The Speaker announced to the Senate, that Messrs. Pharr and Exum form our branch of the committee to superintend the election of Cavalry Officers attached to the 11th Brigade of North Carolina Militia.

Received from the House of Commons a message, stating that Messrs. Gee and J. Barnes form their branch of the committee to superintend the election of Cavalry Officers attached to the 11th Brigade of North Carolina Militia.

The Senate then voted as follows:

FOR MR. NEAL,

Messrs. Speaker,
   Albright,
   Arrington,
   Allison, (of O.)
   Allison, (of I.)
   Boykin,
   Boyd,
   Brown,
   Burgin,
   Cathey,
   Cooper,
   Dobson,
   Dockery,
   Edwards,
   Elliott,
   Etheridge,
   Exum,
   Hodges,
   Jacocks,
   Jones,
   Joyner,
   Larkins,
   Messrs. Melvin,
   Mitchell,
   Miller,
   Moore,
   Morehead,
   Moye,
   Myers,
   Pasteur,
   Pharr,
   Ray,
   Reid,
   Ribelin,
   Rogers,
   Spruill,
   Speight,
   Stallings,
   Swinson,
   Tomlinson,
   Walker,
   Jno. W. Williams,
   Wm. P. Williams,
   Worth.—44.

FOR MR. POTTS,

Messrs. Speaker,
   Albright,
   Allison, (of O.)
   Allison, (of I.)
   Boykin,
   Boyd,
   Brown,
Mr. Exum, from the Joint Select Committee to superintend the election of Cavalry Officers, attached to the 11th Brigade of North Carolina Militia, reported that Messrs. Wm. H. Neal, Jno. W. Potts, and Jos. W. Scott, each having received a majority of the votes given, were duly elected; in which report the Senate concurred.

On motion of Mr. Morehead, the Senate adjourned until to-morrow morning ten o'clock.
Saturday, November 26, 1842.

Mr. W. P. Williams presented the following resolution:

Resolved, That a message be sent to the House of Commons, proposing to raise the following Joint Select Committees:—On so much of the Governor's Message as relates to laying off the State into Senatorial districts:—On so much as relates to the apportionment of the House of Commons.—On so much as relates to laying off the State into Electoral districts:—On so much as relates to a Lunatic Asylum:—On so much as relates to Banks:—On so much as relates to a Penitentiary.

Which was read, and, on his motion, ordered to lie on the table.

Mr. Arrington presented the following resolution, to wit:

Resolved, That all that part of the Governor's Message which relates to the administration of justice, be referred to the Committee on the Judiciary:—All that part which relates to education and the Literary Fund, be referred to the Committee on Education and the Literary Fund:—All that part which relates to the Finances, be referred to the Committee on Finance.

Which was read and adopted.

Mr. Reid presented the resignation of Daniel McLeod, a justice of the peace for the county of Cumberland; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons a message, proposing to refer to a Joint Select Committee, that portion of the Governor's message which relates to Internal Improvement and the Literary Board; also to a Joint Select Committee, that portion which relates to the erection of a Penitentiary; which was read, and, on motion of Mr. Joyner, ordered to lie on the table.

Received from the House of Commons a message, therein transmitting the report of Charles L. Hinton, Public Treasurer, and proposing to print the same, which was read and agreed to.

The Senate took up the bill, entitled a bill to alter the time of holding one of the terms of the Supreme Court: which was read the second time and passed. Mr. Pasteur then moved that the rule of the Senate be suspended, so as to read the bill the third time; which was agreed to. The
Mr. Spruill presented a bill, entitled a bill to exempt Marines from the payment of public taxes; which was read the first time and passed, and, on motion of Mr. Morehead, was referred to the Committee on the Judiciary.

Mr. Ray presented the resignation of Michael Reinhardt and Daniel Loretz, justices of the peace for the county of Lincoln; which were read and accepted, and sent to the House of Commons.

Mr. Ray presented a bill, entitled a bill to exempt Marines from the payment of public taxes; which was read the first time and passed, and, on motion of Mr. Reid, was referred to the Committee of Propositions and Grievances.

Mr. Worth presented a bill, entitled a bill to change the location of the Court-House of the county of Montgomery, and for other purposes; which was read the first time and passed, and, on motion of Mr. Jones, was referred to the Committee of Propositions and Grievances.

Received from the House of Commons a message, proposing to go into an election, on Monday next, at 1 o'clock, for a Solicitor of the Fifth Judicial Circuit, and stating that Robert Strange is in nomination for the appointment; which was read and agreed to, and the House of Commons was informed thereof by message.

On motion of Mr. Dobson, a committee was raised on private bills. Those who constitute said committee, are as follows, to wit: Messrs. Dobson, Cathey, Swinson, Howard, and Tomlinson.

Received from the House of Commons a message, proposing to go immediately into an election of a Colonel Commandant of the 19th Brigade of North Carolina Militia, and stating that Reuben Deaver is in nomination for the appointment; which was read and agreed to.

The Speaker announced to the Senate, that Messrs. Boykin and Allison; (of I. ) constitute our branch of the committee to superintend the election of Colonel Commandant of Cavalry attached to the 19th Brigade of North Carolina Militia, and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating that Messrs Hawkins and Francis form their branch of the committee to superintend the election of Colonel Comman-
dant attached to the 19th Brigade of the North Carolina Militia, and that they will commence voting on return of their messenger.

The Senate then voted as follows:

FOR MR. DEAVER.

Messrs. Speaker, Messrs. Miller,
Albright, Moore,
Arrington, Morehead,
Allison, (of I.) Moye,
Boykin, Myers,
Boyd, Pasteur,
Burgin, Pharr,
Cathey, Ray,
Cooper, Reid,
Dobson, Ribelin,
Dockery, Rogers,
Edwards, Speight,
Etheridge, Stafford,
Elliott, Stallings,
Exum, Swinson,
Hester, Tomlinson,
Jacocks, Thomas,
Jones, Walker,
Joyner, Wm P Williams,
Larkins, Jno. W. Williams,
Melvin, Worth—43.

Mr. Allison (of I.) from the Joint Select Committee of the Senate to superintend the election of Col. Commandant, attached to the 19th Brigade of North Carolina Militia, reported that Reuben Deaver, having received a majority of the votes given, was duly elected; in which report the Senate concurred.

On motion of Mr. Edwards, the Senate adjourned until Monday morning ten o'clock.
Mr. Shepard presented the pension certificate of the County Court Clerk of Johnston county, in favor of Jacob Peacock; which was read, and ordered to be countersigned by the Speaker, and sent to the House of Commons.

Mr. Rogers presented the following preamble and resolution:

Whereas, the contracted state of the currency of this State, the heavy indebtedness of the people, and the unproductiveness of our soil the present year, all conspire to render it necessary and expedient that this Legislature should adopt some measure of relief.

Resolved, therefore, That the Committee on the Judiciary be instructed to report to the Senate a bill to stay the collection of debts under execution, to establish a valuation law, or some other measure, which will, in the opinion of said Committee, afford the most instant and permanent relief to the citizens of this State.

Which was read and adopted.

Mr. Miller presented the following preamble and resolution:

Whereas, Charles Blanton, Sheriff of Cleveland County, did, in his settlement made at the Treasurer's Office, 22 Sept. 1841, account for three hundred and fifty-one thousand dollars value of land, and eleven hundred and twenty-one polls; and whereas, from a corrected return made by the Clerk, he should have paid the taxes on three hundred and forty-one thousand two hundred and twenty dollars value of land, and eleven hundred and eleven polls, making a difference in favor of said Blanton of eight dollars and forty-nine cents:

Resolved, therefore, That the Public Treasurer pay to the said Charles Blanton, Sheriff of Cleveland County, the sum of eight dollars and forty-nine cents, out of any monies in the Treasury, not otherwise appropriated.

Which was read the first time and passed.

Mr. Elliott presented the resignations of Zehedee Rush and Jonathan Redding, justices of the peace for the county of Randolph; Mr. Spruill the resignation of Ashby Norman, a justice of the peace for the county of Washington; and Mr. Mitchell, that of Lodowick Jinkins, of Bertie county; which were severally read and accepted, and sent to the House of Commons.

Mr. Reid, from the Committee on Claims, to whom was
referred a resolution in favor of Joseph M. Bogle, late sheriff of Iredell county, reported the same to the Senate without amendment; which was read the second time and passed.

Mr. Elliot presented the following resolution:

Resolved, That the Joint Committee on the Library be instructed to inquire into the expediency of having printed a manuscript volume in the Governor's office, tabular indexes to colonial documents, relative to North Carolina, and that they report by bill or otherwise.

Which was read and adopted.

Received from the House of Commons the pension certificates of the County Court Clerk of Craven county, in favor of Thomas Ewell and Margaret Bexley; which were read, and ordered to be countersigned by the Speaker.

Received from the House of Commons a message, concurring in our proposition to raise a Joint Select Committee of one member from each House from each judicial circuit, to whom shall be referred the apportionment of the House of Commons and the arrangements of the Senatorial districts.

On motion of Mr. Wm. P. Williams, the resolutions presented by him on Saturday last, were taken up and amended by striking out the two first resolutions; the resolutions were then adopted as amended.

Mr. Walker presented a bill, entitled a bill to amend the second section of an act passed in 1835 and '36, entitled an act directing the time of holding the Court of Pleas and Quarter Sessions, in the county of Mecklenburg; which was read the first time and passed.

The Speaker announced to the Senate, that Messrs. Pasteur and Hodges form our branch of the Committee on Enrolled Bills the present week; and the House of Commons was informed thereof by message.

On motion of Mr. Joyner, the message from the House of Commons, proposing to refer to a Joint Select Committee that portion of the Governor's Message which relates to Internal Improvement and the Literary Board, and that portion which relates to the erection of a Penitentiary, was taken up and read and not agreed to.

On motion of Mr. Cooper,

Ordered, That a message be sent to the House of Com-
mons, proposing to go into an election of Solicitor for the second judicial circuit on to-morrow, and inform them that Henry S. Clark is in nomination for the appointment.

Mr. Dockery presented the following resolution:

Resolved, That the Committee on Internal Improvement be instructed to inquire into the expediency of appropriating the sum of three thousand dollars, out of the Internal Improvement fund, to be spent under the superintendence and direction of the Board of Internal Improvement, for the removal of obstructions in Lumber River, and for the survey of a canal, the shortest and most practicable route between Lumber River and the Cape Fear, at or near Lumberton, and that said Committee report by bill or otherwise.

Which was read and adopted.

Received from the House of Commons a message, agreeing to our proposition to raise a Joint Select Committee on the part of each House, to whom shall be referred the subject of apportioning the State into nine Congressional districts—and report by bill or otherwise, with the following amendment: "That said committee shall be composed of one member in each House from each of the present Congressional districts;" which was read, and, on motion of Mr. Wm. P. Williams, was ordered to lie on the table.

On motion of Mr. Wm. P. Williams,

Ordered, That a message be sent to the House of Commons, proposing to go into an election of Secretary of State; and stating that Marcellus J. Montgomery is added to the nomination for the appointment.

Received from the House of Commons a message, agreeing to our proposition to go immediately into an election for Secretary of State—and stating that Messrs. Avery and Mendenhall form their branch of the committee to superintend the election.

The Speaker announced to the Senate, that Messrs. Wm. P. Williams and Dobson form our branch of the committee to superintend the election of Secretary of State; and the House of Commons was informed thereof by message.

The Senate then voted as follows:

FOR MR. HILL,

Messrs. Speaker,
Messrs. Mitchell,
Albright,
Moore,
Allison, (of O.)  
Allison, (of I.)  
Boyd,  
Brown,  
Burgin,  
Cathey,  
Cooper,  
Dobson,  
Dockery,  
Edwards,  
Elliott,  
Etheridge,  
Exum,  
Hester,  
Howard,  
Hodges,  
Jacocks,  
Jones,  
Joyner,  
Miller,  
Larkins,  

Morchad,  
Moye,  
Myers,  
Pasteur,  
Pharr,  
Ray,  
Reid,  
Ribelin,  
Rogers,  
Shepard,  
Spruill,  
Speight,  
Stafford,  
Stallings,  
Swinson,  
Thomas,  
Walker,  
Jno. W. Williams,  
Wm. P. Williams,  
Worth—46.

FOR MR. MONTGOMERY,

Messrs. Arrington, Boykin, and Melvin—3.

Mr. Wm. P. Williams, from the Joint Select Committee on the part of the Senate to superintend the election of Secretary of State, reported that William Hill, having received a majority of the votes given, was duly elected; in which report the Senate concurred.

Received from the House of Commons a message, agreeing to our proposition to go into an election of Solicitor for the second judicial circuit on to-morrow: and informing the Senate that Wm. B. Redman is added to the nomination for the appointment.

Received from the House of Commons a message, agreeing to our proposition to refer so much of the Governor's Message as relates to the laying off the State into electoral districts—and so much as relates to a Lunatic Asylum—and so much as relates to a Penitentiary, to Joint Select Committees.

Received from the House of Commons a message, proposing to go immediately into an election of Solicitor for the 5th judicial circuit—and that Messrs. Walser and McRae
form their branch of the committee to superintend the election; which was read and agreed to. Whereupon the Speaker announced to the Senate, that Messrs. Albright and Worth form our branch of the committee to superintend said election; and the House of Commons was informed thereof by message—and that the Senate will commence voting on the return of the messenger.

The Senate then voted as follows:

FOR STRANGE,

Messrs. Speaker,
Albright,
Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Burgin,
Cathey,
Cooper,
Dobson,
Dockery,
Edwards,
Elliott,
Etheridge,
Exum,
Hester,
Howard,
Hodges,
Jacoeks,
Jones,
Joyner,
Larkins,

Messrs. Melvin,
Mitchell,
Miller,
Moore,
Morehead,
Moye,
Pasteur,
Pharr,
Ray,
Reid,
Ribelin,
Rogers,
Shepard,
Spruill,
Speight,
Stafford,
Stallings,
Swinson,
Thomas,
Walker,
Jno. W. Williams,
Wm. P. Williams,
Worth—45.

Mr. Allison, (of I.) voting for Mr. Reid.

Mr. Albright, from the Joint Select Committee on the part of the Senate to superintend the election of Solicitor of the 5th judicial circuit, reported that Robert Strange, having received a majority of the votes given, was duly elected; in which report the Senate concurred.

Received from the House of Commons a message, proposing to go into an election of Col. Commandant of the 15th Brigade of North Carolina Militia, at the hour of half
after one this day—and that Sam'l J. Neal is in nomination for the appointment; which was read, and, on motion of Mr. Reid, ordered to lie on the table.

Received from the House of Commons a message, proposing to go into an election of Col. Commandant of Cavalry attached to the 15th Brigade of North Carolina Militia, to day, at half past one o'clock—and that Sam'l J. Neal is in nomination for the appointment; which was read and agreed to.

The Speaker announced to the Senate, that Messrs. Miller and Pharr constitute our branch of the committee to superintend the election of Col. Commandant, attached to the 15th Brigade of North Carolina Militia; and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating that Messrs. Young and Shultz form their branch of the committee to superintend the election of Col. Commandant of the 15th Brigade of North Carolina Militia; which was read, and, on motion of Mr. Edwards, laid on the table.

On motion of Mr. Dockery, the Senate adjourned until to-morrow morning ten o'clock.

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**Tuesday, November 29, 1842.**

Mr. Moore, from the Committee on Propositions and Grievances, to whom was referred a bill and accompanying documents, to change the location of the Court-House of the County of Montgomery, and for other purposes, reported the same without amendment; which was read the second time and passed.

Mr. Myers presented the following resolution:

Resolved, That the Public Treasurer be authorized to pay to Green Hill, the sum of Fifty Dollars, for carrying a Writ of Election to the Thirteenth Congressional District, to supply the place of the Hon. Louis Williams, deceased; and that he be allowed the same in the settlement of his public accounts.

Which was read the first time and passed, and, on motion
of Mr. Spruill, was referred to the Committee on Claims.

Mr. Pasteur presented the following preamble and resolution, to wit:

Whereas, in the year 1837, a wagon, conveying arms and accoutrements belonging to the State of North Carolina, from Raleigh, or some other place, to Newbern, by some accident, was precipitated into a Creek, by which the said accoutrements would have been materially injured, if not entirely destroyed, had they not been attended to immediately: whereupon, the Major-General of that division employed a man by the name of Slade, to dry, oil, and blacken 1412 pieces; for which labor he charges the moderate sum of thirty-eight dollars and eighty-three cents, and also thinks himself entitled to interest, after six months, on the above sum of $38 83, which is $10 67, making in all forty-nine dollars and fifty cents. Therefore,

Resolved, That the Public Treasurer be directed to pay to Zacchens Slade, or his agent, the sum of forty-nine dollars and fifty cents, out of any money in the Treasury not otherwise appropriated.

Which was read the first time and passed, and, on his motion, was referred to the Committee on Claims.

Mr. Myers presented the following resolution:

Resolved, That the Public Treasurer be authorized to pay to Joseph A. King, the sum of forty dollars, for carrying a Writ of Election to the First Senatorial district, to supply the place of the Hon. William B. Shepard, resigned; and that he be allowed the same in the settlement of his public accounts.

Which was read the first time and passed, and, on his motion, was referred to the Committee on Claims.

Mr. Reid presented a bill, entitled a bill to provide for rendering navigable Colley Swamp, in the counties of Bladen and New Hanover, and to create a corporation for that purpose; which was read the first time and passed, and, on his motion, was referred to the Committee on Internal Improvements.

Mr. Shepard presented the following resolution:

Resolved, That the Public Treasurer be authorized to pay to Charles Frazier, the sum of forty-five dollars, for painting fifteen labels for the doors in the State Capitol; and that he be allowed the same in the settlement of his public accounts.
Which was read the first time and passed, and, on his motion, was referred to the Committee on Claims.

Mr. Myers presented a bill, entitled a bill making securities on prosecution bonds liable for plaintiff's costs; which was read the first time and passed, and, on motion of Mr. Jones, was referred to the Committee on the Judiciary.

Mr. Shepard presented a bill, entitled a bill to incorporate a Mutual Insurance Company, in the State of North Carolina; which was read the first time and passed, and, on his motion, was referred to the Committee on the Judiciary.

Received from the House of Commons a message, stating that Messrs. Biggs, J. P. Caldwell, T. Wilson, Walker, Foreman, Scales, Bower and Halsey, form their branch of the Committee on Finance—and further stating that Messrs. Brackin, Mendenhall and Avery, form their committee on the Library.

On motion of Mr. Dockery, the message from the House of Commons, relative to the election of Col. Commandant of Cavalry, attached to the 15th Brigade of North Carolina Militia, was taken up, and, by consent of the Senate, amended by the Clerk Assistant of the House of Commons.

The Senate then voted as follows:

FOR MR. NEAL,

MESSRS. Speaker,
Albright,
Arrington,
Allison, (of O.)
Allison, (of I.)
Boykin,
Boyd,
Brown,
Burgin,
Cathey,
Cooper,
Dobson,
Dockery,
Edwards,
Elliott,
Etheridge,

MESSRS. Melvin,
Mitchell,
Moore,
Morehead,
Moye,
Myers,
Pharr,
Pasteur,
Ray,
Reid,
Ribelin,
Rogers,
Shepard,
Spruill,
Speight,
Stafford,
Mr. Etheridge presented the resignation of J. Bell, a justice of the peace for the county of Currituck; which was read and accepted, and sent to the House of Commons.

Mr. Miller, from the Joint Select Committee on the part of the Senate to superintend the election of Col. Commandant of Cavalry, attached to the 15th Brigade of North Carolina Militia, reported that Samuel J. Neal, having received a majority of the votes given, was duly elected; in which report the Senate concurred.

Received from the House of Commons a message, stating that they have passed an engrossed resolution in favor of A. S. Mooring, late sheriff of Martin county, in which they ask the concurrence of the Senate; the resolution was then read the first time and passed, and, on motion of Mr. Allison (of I.) was referred to the Committee on Claims.

The Speaker presented to the Senate a communication from the Secretary of State, in answer to a resolution of the Senate, adopted on the 24th instant, therein transmitting a table, shewing the aggregate population and federal population of this State; which was read, and, on motion of Mr. Spruill, ordered to be printed.

Received from the House of Commons a message, proposing to refer to a Joint Select Committee of three on the part of each House, that part of the Governor's Message which relates to the University; which was read and agreed to.

The Speaker announced to the Senate, that Messrs. Brown, Shepard and Elliott form our branch of the committee on that part of the Governor's Message which relates to the University; and the House of Commons was informed thereof by message.

Mr. Spruill presented the following resolution:

Resolved, That the President and Directors of the Literary Board be instructed to examine into the propriety of making a road from the
reclaimed public lands, near Pungo River, in Beaufort County, to some point at the high lands of Washington County. And, if the same shall be deemed expedient, the said Board is hereby authorized to construct said road; the costs of which shall be paid out of the fund appropriated for reclaiming the swamp lands.

Which was read the first time and passed, and, on motion of Mr. Jaceocks, was referred to the Committee on Internal Improvements.

Received from the House of Commons a message, proposing to raise a Joint Select Committee of three on the part of each House, to be denominated the Committee on Public Buildings, to inquire into the probable cost of fitting up the old office of Secretary of State, for the use of the Supreme Court, in which to hold said court; and also rooms for the Library and Clerk's office of said court; and that they further report what disposition ought to be made of the remaining offices on the Capitol Square; which was read and agreed to.

The Speaker announced to the Senate, that Messrs. Maye, Melvin and Stallings, form our branch of the Joint Select Committee on Public Buildings and for other purposes; and the House of Commons was informed thereof by message.

Mr. Joyner, from the Committee on Internal Improvement, to whom was referred a bill, entitled a bill to revive and continue in force an act, entitled an act to incorporate the Weldon Rail Road Company, passed in the year 1839, reported the same without amendment. It was made the order of the day for to-morrow.

Mr. Moore presented the following resolution:

Resolved, That the Committee on Education and the Literary Fund be instructed to inquire, if any, and what alterations or amendments are expedient in the Act for the establishment of Common Schools, and report by bill or otherwise.

Which was read and adopted.

Received from the House of Commons the pension certificate of the County Court Clerk of Craven county, in favor of Alexander Taylor; which was read, and, on motion of Mr. Morehead, was referred to the Committee on Claims.
The resolution in favor of Charles Blanton, sheriff of Cleveland county, was taken up, and read the second time and passed, and, on motion of Mr. Moye, was referred to the Committtee on Claims.

The Senate then took up the resolution in favor of Joseph M. Bogle, late sheriff of Iredell county; which was read the third time and passed, and ordered to be engrossed.

The bill, entitled a bill to amend the second section of an act passed in 1835-'36, entitled an act directing the time of holding the Court of Pleas and Quarter Sessions, in the county of Mecklenburg, was taken up, and read the second time and passed.

Received from the House of Commons a message, proposing to go forthwith into an election of a Solicitor for the second judicial circuit, and that Wm. B. Rodman is in nomination for the appointment; which was read and agreed to.

The Speaker announced to the Senate, that Messrs. Cooper and Hodges form our branch of the committee to superintend the election of Solicitor for the second judicial circuit; and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating that Messrs. Bower and J. W. Williams form their branch of the committee to superintend the election of a Solicitor for the second judicial circuit.

The Senate then voted as follows:

FOR MR. CLARK,

MESSRS. Albright,
Allison, (of O.)
Allison, (of I.)
Burgin,
Cathey,
Dockery,
Elliott,
Howard,
Hodges,
Jacocks,
Jones,
Joyner,
Miller,

MESSRS. Morehead,
Moye,
Myers,
Pharr,
Ray,
Ribelin,
Spruill,
Stafford,
Tomlinson,
Thomas,
Jno. W. Williams,
Worth—25.
The message from the House of Commons concurring in our proposition to raise a Joint Select Committee of thirteen on the part of each House, to whom shall be referred the subject of apportioning the State into nine Congressional districts, and report by bill or otherwise, with the following amendment—"That said committee shall be composed of one member in each House from each of the present Congressional districts," was, on motion of Wm. P. Williams, taken up, read, and agreed to.

Mr. Hodges, from the Joint Select Committee to superintend the election of Solicitor for the Second Judicial Circuit, reported that Henry S. Clark, having received a majority of the votes given, was duly elected; in which report the Senate concurred.

On motion of Mr. Arrington, the Senate adjourned until to-morrow morning ten o'elock.

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**Wednesday, November 30, 1842.**

Mr. Joyner presented the memorial of the stockholders of Wilmington & R. R. R. Company, praying the Legislature to extend the time of paying their two first bonds, amounting to fifty thousand dollars each, to the years 184 and 1849: which was read, and, on his motion, referred to the Committee on Internal Improvement.

Mr. Joyner also presented the proceedings of the several

### FOR MR. RODMAN,

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<td>Wm. P. Williams—24.</td>
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annual meetings of the stockholders of the Wilmington and Raleigh Rail-road Company; which was read, and, on his motion, referred to the Committee on Internal Improvements.

Mr. Reid, from the Committee on claims, to whom was referred a resolution in favor of Green Hill, reported the same to the Senate with an amendment, to wit: strike out the word fifty, and insert, in lieu thereof, the words forty-four; which was read the second time and passed as amended.

Mr. Reid, from the same Committee, to whom was referred the resolution in favor of Joseph A. King, reported the same to the Senate, with an amendment, to wit: strike out forty, and insert thirty-eight. The resolution was read the second time, and passed as amended.

Mr. Reid, from the same Committee, to whom was referred the resolution in favor of A. S. Mooring, late Sheriff of Martin County, reported the same to the Senate, with an amendment: strike out the words "twenty-eight dollars and forty cents," and insert the words "twenty-six collars and ninety-eight cents;" which was read the second time, and passed as amended.

Mr. Reid, from the same Committee, to whom was referred the resolution in favor of Charles Blanton, Sheriff of Cleveland county, reported the same to the Senate, with an amendment, to wit: That said Blanton be allowed the sum of eight dollars and seven cents, instead of eight dollars and forty-nine cents; which was read the second time, and passed as amended.

Mr. Reid, from the same Committee, to whom was referred the pension certificate in favor of Alexander Taylor, reported the same to the Senate, and recommended that it be countersigned by the Speaker of the Senate.

Mr. Miller presented a bill, entitled a bill to prevent the felling of timber in, or otherwise obstructing the stream of First Broad River, in the county of Cleveland; which was read the first time and passed, and, on motion of Mr. Albright, was referred to the Committee on Propositions and Grievances.

The Speaker announced to the Senate the following Joint Committees:

ON APPORTIONING THE STATE INTO NINE CONGRESSIONAL DISTRICTS.

Messrs. Moore, Messrs. Shepard,
Joyner, Morehead,
Moye, Albright,
Exum, Walker,
Larkins, Burgin,
Arrington, Dobson,
Dockery,

ON SENATORIAL DISTRICTS AND APPORTIONING THE HOUSE OF COMMONS,

Messrs. Edwards, Messrs. Reid,
Spruill, Ray,
Howard, Cathey,
Boyd,

ON ELECTORAL DISTRICTS,

Messrs. Wm. P. Williams, Messrs. Miller,
Jacocks, Pasteur,
Stafford,

RELATING TO A LUNATIC ASYLUM,

Messrs. Hodges, Messrs. Shepard,
Rogers, Ribelin,
Worth,

ON BANKS,

Messrs. Brown, Messrs. Miller,
Morehead, Allison, (of O.),
Hester,

ON THE PENITENTIARY,

Messrs. Elliott, Messrs. Cooper,
Stallings, Thomas,
Myers,

Received from the House of Commons a message, proposing to raise a Joint Select Committee, of three on the part of each House, to designate the time and manner of counting and comparing the votes cast for Governor, at the late August election; which was read and agreed to, and that Messrs. Fitts, Brummell, Avery, and Young, constitute their branch of the Committee on enrolled bills for the present
week. Whereupon the Speaker announced to the Senate, that Messrs. Boyd, Spruill, and Etheridge form our branch of the Committee to designate the time and manner of counting and comparing the votes cast for Governor at the late August election, and the House of Commons was informed thereof by message.

Received from the House of Commons a message, proposing to raise a Joint Select Committee, of three on the part of each House, to prepare a skeleton map of the State—dividing the same into counties, with the names, population, and amount of taxes paid by each county, laid down thereon, as reported by the Comptroller, under the census of 1840; which was read and agreed to. Whereupon the Speaker announced to the Senate that Messrs. Reid, Jacocks and Pasteur constitute our branch of the committee, to prepare a skeleton map of the State; and the House of Commons was informed thereof by message.

Received from the House of Commons a message, therein transmitting the engrossed bill, entitled a bill to amend the act for the better regulation of the town of Williamston; and also an engrossed resolution to pay Ashe and Nash counties their distributable share of the school fund; in which they ask the concurrence of the Senate. The above named bill was read the first time and passed, and, on motion of Mr. Cooper, was referred to the Committee on Private Bills. And the resolution was read the first time and passed, and, on motion of Mr. Arrington, was referred to the Committee on Education and the Literary Fund.

Received from the House of Commons a message, proposing to go into an election on Tuesday, the 13th December next, at the hour of 12 o'clock, of a Senator of the United States, whose term of service shall commence from and after the 4th day of March, 1843; which was read, and on motion of Mr. Edwards, ordered to lie on the table.

Received from the House of Commons a message, proposing to raise a Joint Select Committee of two on the part of each House, to inquire into the manner in which the money appropriated at the last session of the Legislature, for the repairs of the Governor's house, out houses and enclosure, has been disposed of; and that said committee have power to call upon the Governor, Secretary of State, Treasurer and Comptroller; and, if necessary, to send for persons and papers; which was read and agreed to. Whereupon, the Speaker announced to the Senate, that Messrs. Moye and Dobson constitute our branch of
said committee, and the House of Commons was informed thereof by message.

On motion of Mr. Hester, 

Ordered, That a message be sent to the House of Commons, proposing to go into an election on Friday, the 2d day of December next, of a Senator of the United States, to supply the place of the Hon. Wm. A. Graham, whose term of service expires on the 4th March, 1843; and stating that Romulus M. Saunders is in nomination for the appointment.

Received from the House of Commons a message, concurring in our proposition to go into an election on Friday, the 2d day of December next, of a Senator of the United States, to supply the place of the Hon. Wm. A. Graham, whose term of service expires on the 4th March, 1843; and further stating, that the name of Wm. A. Graham is added to the nomination for the appointment.

On motion of Mr. Joyner, the bill, entitled a bill to revive and continue in force an act, passed in the year 1839, entitled an act to incorporate the Weldon Rail Road Company, and to amend the same, was taken up and read the second time. Mr. Larkins moved to amend the bill, by striking out in the last section of the bill the word ninety, and insert the word fifty; which was decided in the negative. The bill then passed.

On motion of Mr. Spruill, the Senate adjourned until tomorrow morning ten o'clock.

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**Thursday, December 1, 1842.**

Mr. Jones presented a bill, entitled a bill to alter and improve the road leading from Wilkesboro', up Mulling Creek across the Blue Ridge into Ashe county; which was read the first time and passed, and, on his motion, referred to the Committee on Internal Improvement.

Mr. Elliott presented a bill, entitled a bill to amend an act concerning the Comptroller; which was read the first time and passed.

Mr. Jones presented a bill, entitled a bill to alter the mode of electing constables in this State, so far as relates to the county of Caldwell; which was read the first time and
passed, and, on his motion, was referred to the Committee on the Judiciary.

Mr. Reid presented a bill, entitled a bill to incorporate the Fayetteville Riflemen of the county of Cumberland; which was read the first time and passed, and, on his motion, was referred to the Committee on Military Affairs.

Mr. Thomas presented a bill, entitled a bill to prevent the felling of timber in the water courses in Davidson county, and fishing with fire light in Hambye's Creek in said county; which was read the first time and passed, and, on motion of Mr. Edwards, was referred to the Committee on Propositions and Grievances.

On motion of Mr. Elliott, the bill, entitled a bill to amend an act, entitled an act concerning the Comptroller, was taken up, and, on motion of Mr. Edwards, was referred to the Committee on Finance.

The Senate took up the following resolutions: A resolution in favor of Joseph A. King; a resolution to pay Green Hill forty-four dollars; and a resolution in favor of Charles Blanton, sheriff of Cleveland county; which were severally read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, stating that Messrs. Brogden and Ashe constitute their branch of the committee in relation to the expenditures of the appropriation of last session for the Governor's House—and that Messrs. Brummell, Baxter and Kelly, form their branch of the committee to count and compare the votes for Governor at last August election—and that Messrs. Francis, Bragg and Jackson, constitute their branch of the committee to prepare a Skeleton Map of the State—and Messrs. Francis, Harrington and Jefferson, form their branch of the committee on Public Buildings.

Received from the House of Commons the following resignations, as justices of the peace: John Marley, for the county of Wilkes; Asbury Norzum, for the county of Washington; and Silas Todd, of Mecklenburg; which were severally read and accepted.

Received from the House of Commons a message, proposing to raise a Joint Select Committee of five upon the part of each House, to whom shall be referred that portion of the Governor's Message which relates to the purchasers of Cherokee lands, and that Messrs. Whitaker, Candler, Bower, T. R. Caldwell and Avery constitute their branch of said committee. Whereupon the Speaker announced to the
Senate, that Messrs. Cathy, Jones, Burgin, Rogers and Boykin, form our branch of said committee; and the House of Commons was informed thereof by message.

The bill, entitled a bill to amend the second section of an act, passed in 1835-’6, entitled an act directing the time of holding the Court of Pleas and Quarter Sessions in the county of Mecklenburg—and the bill, entitled a bill to revive and continue in force an act to incorporate the Weldon Rail Road Company, and to amend the same; were taken up, and read the third time and passed, and ordered to be engrossed.

Received from the House of commons a message, proposing to raise a Joint Select Committee of three on the part of each House, to inquire in what manner the Capitol Square should be enclosed, and what would be the probable cost thereof—and that they report by bill or otherwise—and stating that Messrs. Young, Bower and Halsey, form their branch of said committee. Whereupon, the Speaker announced to the Senate, that Messrs. Morehead, Hester and Dockery, form our branch of said committee; and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to cede a portion of Rutherford county to the county of Cleveland; a bill to incorporate the Trustees of Midway Academy, in the county of Franklin; a bill to incorporate Franklin Academy, in the county of Duplin; and a bill to incorporate the Albemarle Blues, in the county of Pasquotank; in which they ask the concurrence of the Senate.— Said bills were severally read the first time and passed.

Mr. Edwards moved that the vote, by which was passed the bill, entitled a bill to amend the second section of an Act passed in 1835–6, entitled an Act directing the time of holding the Court of Pleas and Quarter Sessions in the County of Mecklenburg, he reconsidered. Pending the question, he withdrew his motion. Thereupon Mr. Cooper renewed the motion; which was decided in the negative.

Received from the House of Commons a message, stating that they had discovered that a joint order has been adopted to vote for a Solicitor-General this day, at 12 o’clock, when no such officer is authorized by law, since the Revised Statutes of 1836, and proposing to rescind said joint order; and further proposing to vote this day, at 12 o’clock, for Solicitor of the Fourth Judicial Circuit, and stating that John F.
Poindexter and Cadwallader Jones, Jr., are in nomination for the appointment, and that Messrs. Scales and McRae form their branch of the Committee to superintend said election; which was read and agreed to. Whereupon the Speaker announced to the Senate, that Messrs. Allison, (of O.) and Pharr, constitute our branch of the Committee to superintend said election, and the House of Commons was informed thereof by message.

The Senate then voted as follows:

FOR MR. JONES,

Messrs. Speaker,
Arrington,
Allison, (of O.)
Boykin,
Brown,
Cooper,
Edwards,
Etheridge,
Exum,
Hester,
Larkins,
Melvin,

Messrs. Mitchell,
Reid,
Rogers,
Shepard,
Speight,
Stafford,
Stallings,
Swinson,
Walker,
Jno. W. Williams,
Wm P Williams—24.

FOR MR. POINDEXTER,

Messrs. Albright,
Allison, (of I.)
Boyd,
Burgin,
Cathey,
Dobson,
Dockery,
Elliott,
Howard,
Hodges,
Jacocks,
Jones,

Messrs. Joyner,
Miller,
Morehead,
Moye,
Myers,
Pharr,
Ray,
Ribelin,
Spruill,
Thomas,
Worth—23.

FOR MR. CRAIG,

Mr, Moore.
The Senate then took up the bill, entitled a bill to change the location of the Court-House in the County of Montgomery, and for other purposes; which was read the third time and passed, and ordered to be engrossed.

Mr. Allison, (of O.) from the Joint Select Committee on the part of the Senate, to superintend the election of Solicitor for the Fourth Judicial Circuit, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

On motion of Mr. Hester,

Ordered, that a message be sent to the House of Commons, proposing to vote again for Solicitor of the Fourth Judicial Circuit.

Received from the House of Commons a message, agreeing to our proposition to go again into an election of a Solicitor for the Fourth Judicial Circuit, and stating that Messrs. Harrington and Ashe form their branch of the Committee to superintend the election of Solicitor for the Fourth Judicial Circuit. Whereupon the Speaker announced to the Senate, that Messrs. Jones and Tomlinson form our branch of the Committee to superintend said election, and the House of Commons was informed thereof by message.

The Senate then voted as follows:

FOR MR. JONES,

Messrs. Speaker,
Arrington,
Allison, (of O.)
Boykin,
Brown,
Cooper,
Edwards,
Etheridge,
Exum,
Hester,
Larkins,
Melvin,
Mitchell,

FOR MR. JACkSON,

Mr Tomlinson.
Mr. Jones, from the Joint Select Committee on the part of the Senate, to superintend the election of Solicitor for the Fourth Judicial Circuit, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

On motion of Mr. Thomas,

Ordered, that a message be sent to the House of Commons, proposing to go again into an election of Solicitor for the Fourth Judicial Circuit.

Received from the House of Commons a message, agreeing to our proposition to go again into an election of a Solicitor for the Fourth Judicial Circuit, and stating that Messrs. Bower and Brandon form their branch of the Committee to superintend the election of solicitor for the Fourth Judicial Circuit. Whereupon the Speaker announced to the Senate, that Messrs. Thomas and Boyd form our branch of the Committee to superintend said election, and the House of Commons was informed thereof by message.

The Senate then voted as follows:

FOR MR. JONES,

Messrs. Speaker, Arrington, Allison, (of O.) Boykin, Brown, Cooper, Messrs. Moore, Pasteur, Reid, Rogers, Shepard, Speight,

FOR MR. POINDEXTER,


Mr. Ray voting for Mr. Craig.

On motion of Mr. Edwards, the Senate adjourned until to-morrow morning ten o'clock.

FRIDAY, DECEMBER 2, 1842.

Mr. Edwards, from the committee on the Judiciary, to whom was referred a bill, entitled a bill making securities on prosecution bonds liable for plaintiffs' costs, reported the same to the Senate with an amendment, to wit: After the word "costs," add the following: "and on motion, it shall be the duty of the court to give judgment against such security for the plaintiff's costs, as well as the defendant's cost." The bill and amendment were made the order of the day for to-morrow.

Mr. Cooper presented the following resolution:

Resolved. That the committee on Military Affairs be, and they are hereby instructed to so amend the militia laws of this State, that they
will not come in conflict with the several laws of this State; and that they have leave to report to this General Assembly by bill or otherwise.

Which was read and adopted.

Mr. Dockery presented the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire whether any, and if any, what amendments are necessary to be made to the Revised Statutes, chapter 102, entitled an act to provide for the collection and management of a revenue for this State, so far as regards the mode of valuing or assessing land; and that they report by bill or otherwise.

Which was read and adopted.

Mr. Thomas, from the Joint Select Committee on the part of the Senate to superintend the election of Solicitor for the 4th judicial circuit, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

Mr. Pasteur presented a bill, entitled a bill to amend an act, passed at the session of 1831-'5, entitled an act to establish the Merchant's Bank of the town of Newbern; which was read the first time and passed, and, on his motion, was referred to the Committee on the Judiciary.

Mr. Dockery asked to be excused from serving on the Joint Committee, relative to enclosing the Capitol Square. He was excused accordingly.

On motion of Mr. Elliott,

Ordered, That a message be sent to the House of Commons, proposing to go into an election of Solicitor for the 4th judicial circuit. Mr. Edwards moved that the motion be laid on the table; which was agreed to.

Received from the House of Commons a message, stating that Messrs. Rayner, Dewey, Biggs, Brower, Dockery, Ross and Candler, form their branch of the Joint Select Committee to lay off the Senatorial districts, and apportion the representation in the House of Commons—Messrs Young, Bower and Halsey, form their branch of the committee on enclosing the Public Square—Messrs. Bragg, J. B. Jones, Halsey, J. W. Taylor, Nixon, Pitts, Ashe, Cad. Jones, Jr., Cardwell, Brumwell, Barringer, Byrd and Bower, form their branch of the committee to lay off the Congressional districts—that Messrs. Scales,
Nash, McRae, Watson and Ehringhause constitute their branch of the committee on the formation of the Electoral Districts; that Messrs. Russell, Bower, Mendenhall, Cad. Jones, Jr. and Moore, form their branch of the Committee on the Penitentiary; that Messrs. Brackin, Allen, Shanklin, Thomas and John W. Williams, form their branch of the committee on a Lunatic Asylum; and that Messrs. J. P. Caldwell, Nixon, Pope, Jackson, and Biggs, their branch of the committee on Banks.

Mr. Shepard presented the following resolution:

Resolved, That the Public Treasurer be authorized to pay to John R. Harrison, the sum of Forty Dollars, for carrying a Writ of Election to the County of Onslow, to supply the vacancy occasioned by the resignation of John B. Pollock.

Which was read the first time and passed, and, on his motion, was referred to the committee on Claims.

Received from the House of Commons a message, proposing to raise a Joint Select Committee of three on the part of each House, to inquire into the value of the swamp lands in Hyde county, reclaimed by the Literary Board; the manner in which the money appropriated for that purpose has been expended; and the propriety of continuing the works on said land; and that they report by bill or otherwise; which was read and agreed to.

Received from the House of Commons a message, therein transmitting a communication from his excellency Gov. Morehead, with accompanying documents, which they propose to refer to the joint select committee upon the Expenditures of Appropriations for the Governor's House and premises; which was read and agreed to.

Mr. Larkins presented a bill, entitled a bill to compel the justices of New Hanover county to levy the State and other taxes at the first court held after the first day of January in each and every year, and other purposes; which was read the first time and passed.

Mr. Cooper presented the following resolution, to wit:

Resolved, That the Committee on Finance inquire into the expediency of causing to be issued the sum of Five Hundred Thousand Dollars in Treasury Notes, redeemable at such time, and in such manner as may seem just and proper; and of providing for such appro-
priation or distribution of the same as may be best calculated to afford relief to the good people of this State from our present distressed and embarrassed condition, and that they report by bill or otherwise.

Which was read. Mr. Arrington moved to amend it, by striking out the word "Finance," and inserting the word "Judiciary," which was not agreed to. The resolution was then adopted.

The Senate took up for consideration the engrossed bill, entitled a bill to incorporate Franklin Academy, in the county of Duplin; a bill, entitled a bill to incorporate the Trustees of Midway Academy, in the county of Franklin; a bill, entitled a bill to incorporate the Albemarle Blues, in the county of Pasquotank; and a bill, entitled a bill to cede a portion of Rutherford county to the county of Cleveland; which were severally read the second time and passed.

The Speaker presented to the Senate a communication from the Secretary of State, therein transmitting to the Senate the returns made by the Sheriffs of this State for the election of Governor for the ensuing two years: which was read, and, on motion of Mr. Joyner, ordered to lie on the table.

On motion of Mr. Edwards,

Ordered, That a message be sent to the House of Commons, proposing to go into an election of Solicitor for the Fourth Judicial Circuit.

Received from the House of Commons a message, agreeing to the proposition of the Senate to vote immediately for a Solicitor of the Fourth Judicial Circuit—and that Messrs. Munroe and T. Wilson, form their branch of the committee to superintend the said election. Whereupon, the Speaker announced to the Senate, that Messrs. Ribelin and Speight, form our branch of the committee to superintend said election; and the House of Commons was informed thereof by message.

The Senate then voted as follows:

FOR MR. JONES,

Messrs. Speaker,
Arrington,
Allison, (of O.)

Messrs. Pasteur,
Ray,
Reid,
Boykin, Rogers,
Brown, Shepard,
Cooper, Speight,
Edwards, Stafford,
Etheridge, Stallings,
Exum, Swinson,
Hester, Tomlinson,
Larkins, Walker,
Melvin, Jno. W. Williams,
Mitchell, Wm. P. Williams—27.

FOR MR. POINDEXTER.

Messrs. Albright,
Messrs. Jones,
Allison, (of I.) Joyner,
Boyd, Miller,
Burgin, Morehead,
Cathey, Moye,
Dobson, Myers,
Dockery, Pharr,
Elliott, Ribelin,
Howard, Spruill,
Hodges, Thomas,
Jacocks, Worth—22.

Mr. Speight, from the Joint Joint Select Committee on the part of the Senate to superintend the election of a Solicitor for the Fourth Judicial Circuit, reported that Cadwallader Jones, Jr., having received a majority of the votes given, was duly elected; in which report the Senate concurred.

Mr. Edwards moved, that the joint agreement of the two Houses, made on yesterday, to go into an election of United States Senator this day, be rescinded; and proposed to go into said election on to-morrow. The question then was on the adoption of the motion; which was decided in the affirmative—26 yeas—21 nays.

Mr. Arrington demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Arrington,
Allison, (of O.)

Messrs. Pasteur,
Ray,
Boykin,  Reid,  
Boyd,    Rogers,  
Cooper,  Shepard,  
Dobson,  Speight,  
Edwards,  Stafford,  
Etheridge,  Stallings,  
Exum,  Swinson,  
Hester,  Tomlinson,  
Larkins,  Walker,  Jno. W. Williams,  

Those who voted in the negative were  
Messrs. Albright,  Messrs. Miller,  
Allison, (of I,)  Moore,  
Burgin,    Morehead,  
Cathey,    Move,  
Dockery,   Myers,  
Elliott,   Pharr,  
Howard,   Ribelin,  
Hodges,  Spruill,  
Jacocks,  Thomas,  
Jones,   Worth—21.  
Joyner,  

Received from the House of Commons a message, proposing to rescind the joint agreement of the two Houses on yesterday, to go into an election of United States Senator this day, and further proposing to go into said election on to-morrow; which was read, and, on motion of Mr. Hester, ordered to lie on the table.

Mr. Joyner presented the following resolution:

Resolved, That so much of the Governor's Message as relates to the repudiation of State debts, be referred to a Select Committee.

Which was read and adopted.

The Speaker announced to the Senate, that Messrs Hodges, Stallings and Pasteur, constitute our branch of the committee to inquire into the value of the Swamp Lands in Hyde county, and for other purposes; and the House of Commons was informed thereof by message.

On motion of Mr. Morehead, the Senate adjourned until to-morrow morning ten o'clock.
Mr. Morehead presented the following resolution:

Resolved, That the Public Treasurer of this State refund to Richard C. Stubblefield, of Rockingham County, or agent, fifty dollars, which sum was collected of the said Stubblefield, by the Sheriff of Bertie County, as a penalty incurred in selling cotton yarn, not the manufacture of this State; and that he be allowed the same in the settlement of his accounts.

Which was read the first time and passed, and, on his motion, was referred to the Committee on Claims.

Mr. Cooper presented the following resolution:

Resolved, That the principal Door-keepers of each House be, and they are hereby instructed, to purchase suitable stationery for this General Assembly, and that the Treasurer pay the same out of any moneys not otherwise appropriated; and that he be allowed the same in the settlement of his public accounts.

Which was read the first time and passed.

Mr. Reid presented the following preamble and resolutions:

Whereas, at its session of 1835-6, the Congress of the United States passed an Act to establish an Arsenal of Deposite and General Construction, at some point which would extend to the South the greatest facilities for receiving arms and other munitions of war; and whereas, after mature deliberation on the part of the Military Committee, aided by the experience of the War Department, and at the urgent recommendation of the Chief of the Ordnance Bureau, the site of the said Arsenal was fixed near the town of Fayetteville, in this State, because it combined greater advantages than any other position, for an institution of its magnitude and utility; which were fully and ably set forth by Colonel Bomford, in his report on the subject to the War Department: And whereas, the said Arsenal has been commenced and progressed with on a scale corresponding with the original design of Congress, requiring now but little more to render it efficient for all the purposes of such an establishment, and conducive to the safety and protection of a large portion of the Southern Country, to wit: North Carolina, the middle and western portions of Virginia, the eastern portion of Tennessee, the north-western portion of Georgia and South Carolina, important sections of the country, which can be furnished
with military stores from no other Depot, with facility and economy: And whereas, an intention has been manifested by the War Department to postpone the completion of this highly important work to an indefinite period, if not to curtail and cripple its efficiency.

Be it therefore Resolved, by the General Assembly of North Carolina, That, in the opinion of this General Assembly, it is expedient and proper that the North Carolina Arsenal, now being erected in this State, should be completed, in accordance with the intentions and the original design of the Congress of the United States, the interests of this State and the adjoining States alike demanding it.

Resolved, That the large amount of money already expended on the North Carolina Arsenal was unnecessary to make it an Arsenal of Deposite merely; and that to convert it into an Arsenal of that class now, would be unwise as a military measure, and would disappoint the just expectations of the citizens of the wide extended district of country depending upon it for military supplies and protection.

Resolved, That our Senators and Representatives in Congress be requested to use their best endeavors to procure sufficient appropriations of money to ensure the completion of the North Carolina Arsenal, as an Arsenal of Deposite and General Construction, in pursuance of the original design of Congress.

Which were read the first time and passed.

Mr. Myers presented a bill, entitled a bill to amend the 31st chapter of the Revised Statutes, concerning crimes and punishments; which was read the first time and passed, and, on motion of Mr. Morehead, was referred to the Committee on the Judiciary.

Mr. Jones presented the following resolution:

Resolved, That the Committee on the Judiciary be instructed to inquire into the propriety of so altering and amending the first section of an Act relating to Bastardy, as to increase the fine therein specified, and that they report by bill or otherwise.

Which was read and adopted.

Mr. Reid presented a bill, entitled a bill to extend the time of holding the Superior Court of Cumberland county; which was read the first time and passed, and, on his motion, was referred to the Committee on the Judiciary.

Mr. W. P. Williams presented the following resolution: Resolved, That the Committee on the Judiciary be requested to
inquire into the propriety and expediency of so altering or amending the present law, as to allow masters of slaves the right of appeal for misdemeanor before a single justice of the peace.

Which was read and adopted.

The bill, entitled a bill to compel the justices of New Hanover county to levy State and other taxes at the first court held after the first day of January in each and every year, and other purposes, was taken up and read the second time, and, on motion of Mr. Morehead, amended and passed.

Mr. Myers asked to be excused from serving on the committee raised on so much of the Governor's message as relates to a Penitentiary. The question was, shall he be excused; which was decided in the negative—yeas 19—nays 28.

Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were,

**Messrs.** Albright,
Allison, (of I.)
Burgin,
Dobson,
Dockery,
Elliott,
Hester,
Howard,
Jacocks,
Joyner,

**Messrs.** Morehead,
Moye,
Pharr,
Ray,
Ribelin,
Spruill,
Thomas,
Wm. P. Williams,
Worth—19.

Those who voted in the negative were

**Messrs.** Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Cathey,
Cooper,
Edwards,
Etheridge,
Exum,
Hodges,
Jones,

**Messrs.** Mitchell,
Miller,
Moore,
Pasteur,
Reid,
Rogers,
Shepard,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
The Senate then took up the engrossed bill, entitled a bill to incorporate Franklin Academy, in the county of Duplin; a bill to incorporate the Trustees of Midway Academy, in the county of Franklin; a bill to ecede a portion of Rutherford county to the county of Cleveland; a bill, entitled a bill to incorporate the Albemarle Blues, in the county of Pasquotank; which were severally read the third time and passed, and ordered to be enrolled.

The Senate then took up the order of the day, to wit: A bill, entitled a bill, making securities on prosecution bonds liable for plaintiff's costs: which was read the second time and passed as amended.

Received from the House of Commons a message, agreeing to our proposition to rescind the joint order of the two Houses, made on Wednesday last, to go into an election of a United States Senator this day; and, further, agreeing to go into said election to-morrow.

The Senate then proceeded to the execution of the joint order of the two Houses to go into an election of a United States Senator this day. Whereupon, a message was sent to the House of Commons proposing to go immediately into said election.

Received from the House of Commons a message, agreeing to our proposition to go immediately into an election of a United States Senator, and stating that the name of the Hon. Bedford Brown is added to the nomination for the appointment—and that Messrs. Brower and Halsey form their branch of the committee to superintend said election; and the House of Commons will proceed to vote on the return of their messenger. Whereupon, the Speaker announced to the Senate, that Messrs. Morehead and Edwards constitute our branch of the committee to superintend said election; and the House of Commons was informed thereof by message. The Senate then voted as follows:

FOR MR. GRAHAM,

Messrs. Allbright,
Allison, (of I.)
Burnig,
Cathey,

Messrs. Joyner,
Miller,
Morehead,
Moye,
Dockery, Myers, 1842.1
Elliott, Pharr, JOURNAL
Howard, Ribelin, OP
Hodges, Spruill,
Jacocks, Thomas,
Jones, Worth—20.

FOR MR. BROWN,

MESSRS. Speaker,
Arrington,
Allison, (of O.),
Boykin,
Boyd,
Cooper,
Edwards,
Exum,
Etheridge,

MESSRS. Larkins,
Melvin,
Mitchell,
Pasteur,
Reid,
Speight,
Swinson,
Jno. W. Williams—17.

FOR MR. SAUNDERS,

MESSRS. Dobson,
Hester,
Moore,
Ray,
Rogers,
Shepard,

MESSRS. Stafford,
Stallings,
Tomlinson,
Walker,
Wm. P. Williams—11.

Received from the House of Commons a message, stating that Messrs. Street, Lamb and Noreum, constitute their branch of the Joint Select Committee on the swamp lands in Hyde county.

Received from the House of Commons the following resignations of justices of the peace: Wm. Cox, for the county of Ashe, and Dougless Davis, of the county of Cherokee; which were read and accepted.

Mr. Morehead, from the Joint Select Committee on the part of the Senate to superintend the election of a United States Senator, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

Received from the House of Commons a message, proposing that the two Houses of the General Assembly shall assemble in the Hall of the House of Commons on Friday, the 9th of December, 1842, at 12 o'clock; that one member

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be appointed teller on the part of the Senate, and two on the part of the House of Commons, to make a list of the votes for Governor of the State of North Carolina, as they shall be declared; that the result shall be delivered to the Speaker of the Senate, who shall announce to the two Houses, assembled as aforesaid, the state of the vote and the person elected, if it shall appear that a choice has been made agreeably to the Constitution of the State, which communication shall be deemed a sufficient declaration of the person elected, and, together with a list of the votes, shall be entered on the Journal of the two Houses; which was read and agreed to.

On motion of Mr. Larkins,

Ordered, That a message be sent to the House of Commons, proposing to go again into an election of a Senator for the United States.

Received from the House of Commons a message, agreeing to our proposition to go again into an election of a Senator for the United States—and that Messrs. Russell and Chandler form their branch of the committee to superintend the election. Whereupon, the Speaker announced to the Senate, that Messrs. Morehead and Edwards constitute our branch of the committee to superintend the said election; and the House of Commons was informed thereof by message.

The Senate then voted as follows:

FOR MR. GRAHAM,

Messrs. Albright,
Allison, (of I.)
Burgin,
Cathey,
Dockery,
Elliott,
Howard,
Hodges,
Jacocks,
Jones,
Messrs. Joyner,
Miller,
Morehead,
Moye,
Myers,
Pharr,
Ribelin,
Thomas,
Worth—19.

FOR MR. BROWN,

Messrs. Speaker,
Arrington,
Boykin,
Messrs. Melvin,
Mitchell,
Pasteur,
Boyd, Reid, 
Cooper, Speight, 
Edwards, Swinson, 
Etheridge, Jno. W. Williams, 
Exum, Wm. P. Williams, 
Larkins, Allison, (of O.)—18.

FOR MR. SAUNDERS,

Messrs. Dobson, Messrs. Spruill, 
Hester, | Stafford, 
Moore, Stallings, 
Ray, Tomlinson, 
Rogers, Walker—11. 
Shepard, 

On motion of Mr. Shepard, the Senate adjourned until Monday morning ten o'cock.

MONDAY, DECEMBER 5, 1842.

Mr. Morehead, from the Joint Select Committee on the part of the Senate, to superintend the election of a United States' Senator, reported that no person had received a majority of the votes given, and there was no election. In which report the Senate concurred.

Mr. Jones presented the resignation of William H. Martin, a Justice of the Peace for the County of Wilkes; which was read and accepted, and sent to the House of Commons.

Mr. Morehead, from the Committee on the Judiciary, to to whom was referred a bill to amend the 34th chapter of the Revised Statutes, concerning crimes and punishments, reported the same to the Senate, with an amendment, to wit: after the word State, add the words "or any territory thereof." The bill and amendment were made the order of the day for to-morrow.

Mr. Wm. P. Williams, from the Committee on Internal Improvement, to whom was referred a resolution, directing the said Committee to inquire into the expediency of appropriating the sum of three thousand dollars out of the fund created for Internal Improvement, for the purpose of clear-
Resolving, That the Board of Internal Improvement be, and they are hereby authorized and required to cause to be surveyed, the most eligible route for a canal, of suitable capacity, from the most advantageous point on Lumber River, to Cape Fear River, so as to form the most convenient and beneficial water communication, by canal, between the said rivers; and that they report to the next General Assembly the estimated cost of such improvement, and the advantages likely to result from the same. And that the said Board be further authorized to ascertain and report the probable expense of clearing out Lumber River, from the point on said River which may be selected for the commencement of the said canal, to Naked Creek, in Richmond County.

Resolved, That the expense of making the said surveys and examinations shall be paid out of the fund created for Internal Improvement.

Which was read, and, on motion of Mr. Dockery, made the order of the day for Thursday next.

Mr. Moore, from the Committee on Propositions and Grievances, to whom was referred a bill, entitled a bill to prevent the felling of timber in the water courses in Davidson County, and fishing with fire-light in Hambey's Creek, in said County, reported the same to the Senate without amendment, and recommended its rejection; which was read and made the order of the day for to-morrow.

Mr. Moore, from the same Committee, to whom was referred a bill, entitled a bill to prevent the felling of timber in, or otherwise obstructing the stream of First Broad River, in the County of Cleveland, reported the same to the Senate; which was read and made the order of the day for to-morrow.

Received from the House of Commons a message, transmitting therein a communication from his Excellency, Gov. Morehead, with the accompanying report of the Board of Internal Improvement, and propose to print it; which was read and agreed to.

Mr. Stallings presented the resignation of J. R. Kee, a Justice of the Peace for the county of Gates; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons a message, proposing to go into an election of Attorney General, to sup-
ply the vacancy occasioned by the resignation of Hugh McQueen, Esq., on this day, at 12 o'clock; which was read and agreed to. On motion of Mr. Speight, Spier Whittaker; on motion of Mr. Dobson, Jno. R. J. Daniel; on motion of Mr. Stafford, James B. Shepard; and, on motion of Mr. Rogers, Thomas Bragg, jr., were nominated for the appointment of Attorney General—and the House of Commons was informed thereof by message. Whereupon, the Speaker announced to the Senate, that Messrs. Rogers and Speight form our branch of the committee to superintend the election; and the House of Commons was informed thereof by message.

The Speaker announced to the Senate, that Messrs. Allison (of L.) and Shepard form our branch of the committee on Enrolled Bills the present week.

The bill, entitled a bill, making securities on prosecution bonds liable for plaintiffs' costs, was taken up, and read the third time and passed, and ordered to be engrossed.

The Senate then took up the bill, entitled a bill to compel the Justices of New Hanover county to levy the county and poor taxes at the first court held after the first day of January in each and every year, and other purposes; which was read the third time and passed, and ordered to be engrossed.

The resolutions in relation to the United States Arsenal, were then taken up, and read the second time and passed.

Mr. Reid presented a resolution in favor of George Simpson; which was read the first time and passed, and, on motion of Mr. Morehead, was referred to the Committee on Claims.

The resolution relative to stationery, was taken up, and read the second time, amended, and passed.

Mr. Spruill moved, that the Committee on Internal Improvement be discharged from the farther consideration of the resolution, instructing the President and Directors of the Literary Board to examine into the propriety of making a road from the reclaimed public lands, near Pungo, in Beaufort county, to some point at the high lands of Washington county; which motion prevailed; and the resolution was then referred to the Committee on Swamp Lands.

Mr. Allison (of O.) moved, that a message be sent to the House of Commons, proposing to go into an election of Comptroller of State on Wednesday next, at 12 o'clock, and nominating for that appointment Nathaniel J. Palmer.—
Whereupon Mr. Stallings moved that the motion be laid on table; which was agreed to.

Received from the House of Commons a message, stating that they have passed the following engrossed bills: A bill to incorporate the Oak Grove Academy, in the county of Anson, and appoint Trustees thereof; a bill to direct the reference of suits on the bonds of Sheriffs and other officers; a bill to extend the time for registering grants, mesne conveyances, powers of attorney, bills of sale, and deeds of gift; a bill to prevent the felling of timber into Second Broad river, in the county of Rutherford; a bill to regulate the County Court of Rowan; and a bill extending the time for perfecting titles to lands, heretofore entered—in which they ask the concurrence of the Senate. The third and last named bills were read the first time and passed, and referred to the Committee on the Judiciary. The other named bills were read the first time and passed, and made the order of the day for to-morrow.

Received from the House of Commons a message, stating that Messrs. C. Jones, jr. and Russell form their branch of the committee to superintend the election of an Attorney General. The hour agreed on having arrived, the House will proceed to vote on the return of the messenger.

The Senate then voted as follows:

FOR MR. WHITAKER,

Messrs. Speaker,
Albright,
Arrington,
Allison, (of 1.)
Boykin,
Burgin,
Dockery,
Elliott,
Hodges,

Messrs. Jacocks,
Jones,
Joyner,
Moye,
Myers,
Ribelin,
Spruill,
Speight,
Worth—18.

FOR MR. DANIEL,

Messrs. Allison, (of O.)
Boyd,
Brown,
Cathey,
Cooper,

Messrs. Larkins,
Melvin,
Miller,
Morehead,
Pharr,
FOR MR. SHEPARD,

Messrs. Pasteur, 
Ray, 
Reid. 
Stafford, 

FOR MR. BRAGG,

Messrs. Moore, Rogers, and Mitchell—3.

Received from the House of Commons a message, stating that Messrs. Brummell and Kelly form their branch of the committee to count and compare the votes cast for Governor at the last election.

Mr. Rogers, from the joint select committee on the part of the Senate, to superintend the election of an Attorney General, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

On motion of Mr. Arrington, 
Ordered, That a message be sent to the House of Commons, proposing to go again into an election of an Attorney General.

Received from the House of Commons a message, agreeing to our proposition to go again into an election of Attorney General, and stating that Messrs. Walker and Halsey form their branch of the committee to superintend said election. Whereupon the Speaker announced to the Senate that Messrs. Arrington and Jones form our branch of the committee to superintend the said election; and the House of Commons was informed thereof by message.

The Senate then voted as follows:

FOR MR. WHITAKER,

Messrs. Speaker, 
Arrington, 
Allison, (of I.) 
Boykin, 

Messrs. Jones, 
Joyner, 
Miller, 
Moye,
Boyd, Myers.
Burgin, Ribelin,
Dockery, Spruill,
Elliott, Speiglt,
Howard, Thomas,
Hodges, Worth—21.
Jacocks,

FOR MR. DANIEL,

Messrs. Albright, Messrs. Melvin,
Cathey, Morehead,
Cooper, Pharr,
Dobson, Swinson,
Etheridge, Tomlinson,
Larkins,

FOR MR. SHEPARD,

Messrs. Pasteur, Messrs. Stallings,
Ray, Walker,

FOR MR. BRAGG,

Messrs. Allison, (of O.) Messrs. Moore,
Brown, Reid,
Edwards, Rogers—7.
Mitchell;

The Speaker announced to the Senate, that Mr. Spruill is
appointed on the part of the Senate to count and compare
the votes cast for Governor, at the last August election,
and the House of Commons was informed thereof by mes-

sage.

Mr. Arrington, from the Joint Select Committee, on the
part of the Senate, to superintend the election of an Attor-
ney-General, reported that no person had received a ma-

jority of the votes given, and there was no election; in which
report the Senate concurred.

Received from the House of Commons a message, propos-
ing to go forthwith into an election for Senator of the United
States; which was read. Mr. Dobson moved that it be laid
on the table; which was not agreed to.
The Speaker then announced to the Senate, that Messrs. Dockery and Arrington constitute our branch of the Committee to superintend the election of a Senator for the United States.

Received from the House of Commons a message, stating, that Messrs. J. P. Caldwell and Dewey form their branch of the Committee to superintend the election of a United States' Senator, and that they will proceed to vote upon the return of their messenger.

The Senate then voted as follows:

FOR MR. GRAHAM,

Messrs. Albright,  Messrs. Joyner,  Messrs. Joyner,  
  Allison, (of I.)  Miller,  Miller,  
  Burgin,  Morehead,  Morehead,  
  Cathey,  Moye,  Moye,  
  Dockery,  Myers,  Myers,  
  Elliott,  Pharr,  Pharr,  
  Howard,  Ribelin,  Ribelin,  
  Hodges,  Thomas,  Thomas,  
  Jones,  

FOR MR. BROWN,

Messrs. Speaker,  Messrs. Larkins,  
  Allison, (of O.)  Melvin,  
  Boykin,  Pasteur,  
  Boyd,  Reid,  
  Cooper,  Speight,  
  Edwards,  Swinson,  
  Etheridge,  Jno. W. Williams,  

FOR MR. SAUNDERS,

Messrs. Arrington,  Messrs. Shepard,  
  Dobson,  Spruill,  
  Mitchell,  Stafford,  
  Moore,  Stallings,  
  Ray,  Tomlinson,  

Mr. Arrington, from the Joint Select Committee on the
part of the Senate, to superintend the election of a United States’ Senator, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

On motion of Mr. Larkins,

Ordered, That a message be sent to the House of Commons, proposing to go again into an election of an Attorney General.

Received from the House of Commons a message, agreeing to our proposition to go again into an election of an Attorney General—and stating that the names of Messrs. Shepard and Daniel are withdrawn from the nomination—and further informing the Senate, that Messrs. Cardwell and Ehringhause form their committee to superintend said election. Whereupon, the Speaker announced to the Senate, that Messrs. Rogers and Joyner form our branch of said committee; and the House of Commons was informed thereof by message.

The Senate then voted as follows:

FOR MR. BRAGG,

Messrs. Allison, (of O.)
Boyd,
Brown,
Dobson,
Edwards;
Etheridge,
Exum.
Larkins,
Melvin,
Mitchell,

Messrs. Moore,
Pasteur,
Reid,
Rogers,
Stafford,
Stallings,
Swinson,
Tomlinson,
Jno. W. Williams,
Wm. P. Williams—20.

FOR MR. WHITAKER,

Messrs. Speaker,
Albright,
Arrington,
Allison, (of I.)
Boykin,
Burgin,
Cathey,
Cooper,
Dockery,

Messrs. Joyner,
Miller,
Morehead,
Moye,
Myers,
Pharr,
Ray,
Ribelin,
Shepard,
On motion of Mr. Stallings,
Ordered, That Mr. Hester have leave of absence from the service of this House for to day.

On motion of Mr. Ribelin, the Senate adjourned until to morrow morning ten o’clock.

Tuesday, December 6, 1842.

Mr. Joyner, from the Joint Select Committee on the part of the Senate, to superintend the election of an Attorney General, reported that Spier Whitaker, having received a majority of the votes given, was duly elected; in which report the Senate concurred.

Mr. Edwards, from the Committee on the Judiciary, to whom was referred a bill, entitled a bill to extend the time for registering grants, mesne conveyances, bills of sale and deeds of gift, reported the same to the Senate without amendment; which was read, and made the order of the day for to-morrow.

Mr. Edwards, from the same committee, to whom was referred a bill, entitled a bill to extend the time of holding the Superior Court of Cumberland, reported the same to the Senate; which was read, and made the order of the day for to-morrow.

Mr. Edwards, from the same committee, to whom was referred a resolution, instructing them to inquire whether any, and if any, what amendments are necessary to be made to the Revised Statutes, chapter 102, entitled an act to provide for the collection and management of a revenue for
this State, so far as regards the mode of valuing or assessing land, reported a bill, entitled a bill to provide for the assessment of real estate; which was read the first time and passed; and, on motion of Mr. Joyner, was ordered to be printed.

Mr. Worth presented the following resolution:

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee, to inquire into the propriety of amending the law in relation to the Inspection of Tobacco in this State.

Which was read and adopted.

Mr. Boyd presented the resignation of Joel Fagg, a Justice of the Peace for the county of Rockingham; which was read and accepted, and sent to the House of Commons.

The Senate took up the following resolutions: A resolution relative to Stationery, and the resolution in relation to the United States' Arsenal; which were read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, therein transmitting a communication (with the accompanying documents) from his Excellency Gov. Morehead, which they propose to refer to the Joint Select Committee on Public Buildings; which was read and agreed to.

The Senate then took up the engrossed bill, entitled a bill to incorporate the Oak Grove Academy, in the county of Anson, and appoint trustees thereof; a bill, entitled a bill to direct the reference of suits on the bonds of Sheriffs and other officers; a bill, entitled a bill to regulate the County Court of Rowan; and a bill, entitled a bill to prevent the felling of timber into the Second Broad River, in the county of Rutherford; which were severally read the second time and passed.

The bill, entitled a bill to amend the 34th chapter of the Revised Statutes, concerning crimes and punishments, was then taken up, and read the second time and passed, as amended.

The Senate then proceeded to consider the bill entitled a bill to prevent the felling of timber in the water courses in Davidson county, and fishing with fire light in Hamby's creek, in said county; which was read the second time. Mr. Thomas moved to amend the bill, by striking out the words "wa-
ter courses," and inserting in lieu thereof the words "Rich Fork, Abbott's creek, Hambey's creek, and Muddy creek;" which was agreed to. Mr. Jones then moved to amend the bill by striking out the words "fishing by fire light in Hambey's creek, in said county;" which was not agreed to. The bill then passed as amended.

The bill, entitled a bill to prevent the felling of timber in, or otherwise obstructing the stream of First Broad river, in the county of Cleveland, was taken up and read the second time, and, on motion of Mr. Miller, amended and passed.

Mr. Dobson presented the resignation of James Calaway, a justice of the peace for the county of Surry; Mr. Reid, the resignation of Peter McKellar, a justice of the peace for the county of Cumberland; which were read and accepted, and sent to the House of Commons.

On motion of Mr. Burgin,

Ordered, That a message be sent to the House of Commons, proposing to go immediately into an election of a United States' Senator.

Received from the House of Commons a message, agreeing to our proposition to go immediately into an election of a United States' Senator; and stating that Messrs. Norcum and Rayner constitute their branch of the committee to superintend the said election. Whereupon the Speaker announced to the Senate, that Messrs. Boyd and Howard form our branch of the committee to superintend said election; and the House of Commons was informed thereof by message.

The Senate then voted as follows:

FOR MR. GRAHAM,

Messrs. Albright,
Allison, (of I.)
Burgin,
Cathey,
Elliott,
Howard,
Hodges,
Jacocks,
Jones,

Messrs. Joyner,
Morehead,
Moye,
Myers,
Pharr,
Ribelin,
Spruill,
Thomas,
Worth—18.

FOR MR. BROWN,

Messrs. Speaker,

Messrs. Larkins,
Arrington,          Melvin,
Allison, (of O.)    Mitchell,
Boykin,            Reid,
Boyd,              Speight,
Cooper,            Stafford,
Edwards,           Swinson,
Etheridge,         Jno. W. Williams,
Exum,              Wm. P. Williams—18.

FOR MR. SAUNDERS;

Messrs. Dobson,      Messrs. Rogers,
                    Sheppard,
Hester,             Stallings,
Miller,             Tomlinson,
Moore,              Walker—10.
Ray,                

Received from the House of Commons a message, stating that Messrs. Nash, Leach, Nixon and J. J. Bryan, form their branch of the committee on Enrolled Bills for the present week.

Received from the House of Commons a message, therein transmitting a communication from his Excellency Governor Morehead, accompanied by sundry resignations of Justices of the Peace and Field Officers of Cavalry, which have been read and accepted in their House, to wit: The resignations, as Justices of the Peace, of Thomas Lloyd of Yaney County, Henry Hauser of Stokes County, Caleb L. Whitehurst of Pasquotank County, Robert Williamson of Lincoln County, D. B. Gaither of Iredell County, L. B. K. Dicker of Halifax County, F. J. Kenon of Stanly County, James McNeilly of Cleveland County, Jesse Arledge of Randolph County, Wm. B. Taylor of Greene County, Jesse N. Faulcon of Halifax County, and Ralph McNair and Thomas Waddill, as Colonels of Cavalry; which were severally read and accepted.

The Speaker announced to the Senate, that Mr. Brown is appointed to serve on the Committee on enclosing the Capitol Square, in place of Mr. Dockery excused, and the House of Commons was informed thereof by message.

On motion of Mr. Wm. P. Williams, the Senate adjourned until to-morrow morning ten o'clock.
Mr. Melvin presented the resignations of F. Sasser, James Hanelson, and Lott Williamson, Justices of the Peace for the County of Columbus; which were severally read and accepted, and sent to the House of Commons.

Mr. Howard, from the Joint Select Committee on the part of the Senate, to superintend the election of a Senator for the United States, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

Mr. Reid, from the Committee on Claims, to whom was referred the resolution in favor of Charles Frazier, reported the same to the Senate with an amendment, to wit: strike out forty-five, and insert thirty; which was read and made the order of the day for to-morrow.

Mr. Reid, from the same Committee, to whom was referred the resolution in favor of John R. Harrison, reported the same to the Senate, with an amendment: strike out forty, and insert in lieu thereof twenty-six; which was read and made the order of the day for to-morrow.

Mr. Reid, from the same Committee, to whom was referred the resolution in favor of George Simpson, reported the same to the Senate; which was read and made the order of the day for to-morrow.

Mr. Reid, from the same Committee, to whom was referred the resolution in favor of Richard C. Stubblefield, reported the same to the Senate without amendment; which was read and made the order of the day for to-morrow.

Mr. Ribelin presented the following resolution:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the law, as to compel overseers of Roads to apply all fines collected by them to the hiring of hands to keep said Roads in good repair; and that they report by bill or otherwise.

Which was read and adopted.

The Senate took up for consideration the following engrossed bills, to wit: A bill, entitled a bill to prevent the felling of timber into Second Broad River, in the county of Rutherford; a bill, entitled a bill to direct the reference of
suits on the bonds of Sheriffs and other officers; which were read the third time and passed, and ordered to be enrolled. The engrossed bill, entitled a bill to regulate the County Court of Rowan; and the bill, entitled a bill to incorporate the Oak Grove Academy, in the county of Anson, and appoint trustees thereof; were taken up, and read the third time, amended, and passed.

The Senate then took up the bill, entitled a bill to amend the 34th chapter of the Revised Statutes, concerning crimes and punishments; the bill, entitled a bill to prevent the felling of timber in the water courses in Davidson county; and fishing with fire light in Hambey's creek in said county; and the bill, entitled a bill to prevent the felling of timber in, or otherwise obstructing the stream of, First Broad River in the county of Cleveland; which were severally read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, therein transmitting a communication with the accompanying report from Sam'l F. Patterson, President of the Raleigh and Gaston Rail Road Company, and proposing to print one copy for each member of the General Assembly; which was read and agreed to.

Received from the House of Commons a message, stating that they have passed the following engrossed bill, to wit: A bill, entitled a bill to keep up a bridge in the county of Henderson; in which they ask the concurrence of the Senate. The bill was read the first time and passed.

The bill, entitled a bill to amend an act passed at the session of 1834-'5, entitled an act to establish the Merchants' Bank of the Town of Newbern, was taken up, and read the second time. The question was, shall this bill pass? which was decided in the affirmative—32 to 16; and upon this question Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Allison, (of L.)
Boyd,
Burgin,
Cathey,
Dobson,
Dockery,
Edwards,

Messrs. Moore,
Morehead,
Moye,
Myers,
Pasteur,
Pharr,
Ray,
Elliott, Reid, 
Exum, Ribelin, 
Hester, Spruill, 
Howard, Stafford, 
Hodges: Tomlinson, 
Jacocks, Thomas, 
Jones, Jno. W. Williams, 
Joyner, Wm. P. Williams, 
Miller, Worth—32 yeas.

Those who voted in the negative were

Messrs. Albright, Messrs. Melvin, 
Arrington, Mitchell, 
Allison, (of O.) Rogers, 
Boykin, Shepard, 
Brown, Speight, 
Cooper, Stallings, 
Etheridge, Swinson, 
Larkins, Walker—16 nays.

Mr. Shepard presented a bill, entitled a bill in relation to the Intendants of Police, or Magistrates of Police of the City of Raleigh, and the several corporate towns of this State, and for other purposes; which was read the first time and passed, and, on his motion, was referred to the Committee on the Judiciary.

Received from the House of Commons a message, proposing to go immediately into an election of a Senator for the United States, whose services shall commence from and after the 4th March, 1843; which was read, and, on motion of Mr. Hester, ordered to lie on the table.

The Speaker announced to the Senate, that Messrs. Joyner, Worth, Miller, Brown and Edwards, form the committee on so much of the Governor's Message as relates to the repudiation of State debts.

Mr. Cathey presented the following resolution:

Resolved, That the Committee on so much of the Governor's Message as relates to the purchasers of Cherokee lands, be instructed to inquire into the expediency of surveying and selling, or otherwise disposing of the unsold and unappropriated lands, in the Counties of Macon and Cherokee; and that they report by bill or otherwise.

Which was read and adopted.
Mr. Morehead presented a bill, entitled a bill to amend the 4th chapter of the Revised Statutes, entitled an act concerning appeals and proceedings, in the nature of appeals; which was read the first time and passed, and, on motion of Mr. Pharr, was referred to the Committee on the Judiciary.

The engrossed bill, entitled a bill to extend the time for registering grants, mesne conveyances, powers of attorney; bills of sale, and deeds of gift, was taken up, and read the second time and passed.

The Senate took up the bill, entitled a bill to extend the time of holding the Superior Court for the county of Cumberland; which was read the second time and passed.

The bill, entitled a bill to provide for the assessment of real estate, was then taken up, and read the second time, and, on motion of Mr. Joyner, was laid on the table.

Mr. Larkins moved, that the message from the House of Commons, proposing to go immediately into an election of a United States Senator, be now taken up—and upon this question Mr. J. W. Williams demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Arrington, Allison, (of I.)
Boykin,
Burgin,
Cathey,
Cooper,
Edwards,
Elliott,
Exum,
Larkins,
Melvin,

Messrs. Mitchell,
Miller,
Pasteur,
Ray,
Reid,
Speight,
Stallings,
Swinson,
Tomlinson,
Jno. W. Williams—

21 yea.

Those who voted in the negative were

Messrs. Albright,
Allison, (of O.)
Dobson,
Dockery,
Etheridge,
Hester,
Howard,

Messrs. Moore,
Moye,
Myers,
Rogers,
Shepard,
Spruill,
Stafford,
Hodges,       Thomas,
Jacocks,       Walker,
Jones,         Wm. P. Williams—
Joyner,        21 nays.

There being an equal division of the question, the Speaker voted in the affirmative: so the message was taken up.—Whereupon, Mr. Thomas moved that the message be laid on the table; which was decided in the negative—21 yeas—25 nays.

Mr. Arrington demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Albright,
Burgin,
Dobson,
Dockery,
Elliott,
Hester,
Howard,
Hodges,
Jacocks,
Jones,
Joyner,

Messrs. Moore,
Morehead,
Moye,
Myers,
Pharr,
Rogers,
Shepard,
Spruill,
Stafford,
Thomas—21 yeas.

Those who voted in the negative were

Messrs. Arrington,
Allison, (of O.),
Allison, (of I.),
Boykin,
Boyd,
Cathey,
Cooper,
Edwards,
Etheridge,
Exum,
Larkins,
Melvin,
Mitchell,

Messrs. Miller,
Pasteur,
Ray,
Reid,
Speight,
Stallings,
Swinson,
Tomlinson,
Walker,
Wm. P. Williams,
Jno. W. Williams
Worth—25 nays.

Mr. Morehead then moved, that the message be so amended as to go into an election of a United States’ Senator on to-morrow at 12 o’clock; which was decided in the affirmative—24 yeas—23 nays.
Those who voted in the affirmative were

Messrs. Albright, Messrs. Mitchell, 
Allison, (of I.) Morehead, 
Cauhey, Moye, 
Dobson, Myers, 
Dockery, Pharr, 
Elliott, Ray, 
Hester, Ribelin, 
Howard, Shepard, 
Hodges, Spruill, 
Jacocks, Stafford, 
Jones, Thomas, 
Joyner, Worth—24 yeas.

Those who voted in the negative were

Messrs. Arrington, Messrs. Moore, 
Allison, (of O.) Pasteur, 
Boykin, Reid, 
Boyd, Rogers, 
Burgin, Speight, 
Cooper, Stallings, 
Edwards, Swinson, 
Etheridge, Tomlinson, 
Exum, Walker, 
Larkins, Jno. W. Williams, 
Melvin, Wm. P. Williams— 
Miller, 23 nays.

On motion of Mr. Howard, the Senate adjourned until to-morrow morning ten o'clock.

Thursday, December 8, 1842.

Mr. Dobson, from the Committee on Private Bills, to whom was referred the engrossed bill, entitled a bill to amend the acts for the better regulation of the town of Williamston, reported the same to the Senate without amendment; which was read the second time and passed.

Mr. Cooper moved that the rule of the Senate be suspended, so as to read the bill a third time; which was a-
greed to—and the bill was accordingly read and passed, and ordered to be enrolled.

The Speaker presented to the Senate a communication from Jno. A. Averitt, Sheriff of Onslow county, relative to the election of a Senator for Onslow county, in place of Jno. B. Pollock, resigned—which stated that Thomas Ennett is duly elected to fill the vacancy aforesaid, which was read, and, on motion of Mr. Reid, was ordered to lie on the table.

Mr. Allison (of O.) from the Committee on Military Affairs, to whom was referred a bill, entitled a bill to incorporate the Fayetteville Riflemen of the county of Cumberland, reported the same to the Senate with an amendment, to wit: In the third section of the bill strike out eight, and insert the word twelve; the bill was then read the second time and passed as amended.

Mr. Allison (of O.) from the same committee, to whom was referred a resolution directing and instructing them to amend the militia laws of this State, so that they will not conflict with the civil laws of this State, reported adversely thereto, and asked to be discharged from its further consideration. They were discharged accordingly.

Received from the House of Commons a message, agreeing to our proposition to appoint a Joint Select Committee, to whom shall be referred the propriety of amending the law in relation to the inspection of Tobacco—and stating that Messrs. Fitts, Scales, Hill, Doak and Thomas, constitute their branch of the said committee. Whereupon, the Speaker announced to Senate, that Messrs. Worth, Hester and Joyner, form our branch of the said committee; and the House of Commons was informed thereof by message.

The Senate took up the following resolutions: A resolution to pay Charles Frazier thirty dollars; a resolution in favor of John R. Harrison; a resolution in favor of George Simpson; and a resolution in favor of Richard C. Stubblefield, of Rockingham county; which were severally read the second time and passed.

The Senate then took up the engrossed bill, entitled a bill to extend the time of registering grants, mesne conveyances; powers of Attorney, bills of sale and deeds of gift; which was read the third time and passed, and ordered to be enrolled.

The bill, entitled a bill to extend the time of holding the Superior Court for the county of Cumberland, was taken
up, and read the third time and passed, and ordered to be engrossed.

Mr. Reid moved that the documents accompanying the report of the Board of Internal Improvements be printed, one copy for each member of this General Assembly; which motion prevailed.

Received from the House of Commons a message, agreeing to our proposition to go into an election of United States' Senator, this day, at 12 o'clock, and that Messrs. Francis and Hawkins constitute their branch of the Committee to superintend the election.

The bill, entitled a bill to amend an Act passed at the session of 1834–5, entitled an Act to establish the Merchant's Bank of the Town of Newbern, being the order of the day, was taken up and read the third time. Mr. Shepard moved to amend the bill, by striking out all after the words a bill, and insert, as a substitute therefor, the words "to relieve the people;" pending the question, he withdrew his amendment: The question then was, Shall the bill pass? which was decided in the affirmative—32 to 15.

Mr. Shepard demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Allison, (of I.)

Boyd,
Burgin,
Cathey,
Dobson,
Dockery,
Edwards,
Elliott,
Etheridge,
Exum,
Hester,
Howard,
Hodge,
Jacocks,
Jones,
Joyner,

Messrs. Miller,

Moore,
Morehead,
Moye,
Myers,
Pasteur,
Pharr,
Ray,
Reid,
Ribelin,
Rogers,
Stafford,
Tomlinson,
Thomas,
Jno. W. Williams,
Worth—32 yeas.

Those who voted in the negative were

Messrs. Arrington,

Messrs. Shepard,
Ordered, that said bill be engrossed.

Received from the House of Commons a message, therein transmitting the report of their branch of the Joint Select Committee to prepare a skeleton Map of the State, together with the map reported by said Committee; and further proposing to procure, for the use of the two Houses, ten copies of said map; which was read and agreed to.

The hour having arrived, the Senate proceeded to execute the joint order of the two Houses—to go into the election of a United States’ Senator. Whereupon the Speaker announced to the Senate, that Messrs. Boyd and Moye form our branch of the Committee to superintend said election, and the House of Commons was informed thereof by message.

The Senate then voted as follows:

FOR MR. GRAHAM,

Messrs. Allison, (of I.)  Messrs. Jacocks,
Burgin,  Jones,
Cathey,  Joyner,
Dockery,  Morehead,
Elliott,  Moye,
Howard,  Pharrr,
Hodges,  Ribelin—14.

FOR MR. BROWN,

Messrs. Speaker,  Messrs. Mitchell,
Arrington,  Pasteur,
Allison, (of O.)  Ray,
Boykin,  Reid,
Boyd,  Speight,
Cooper,  Stafford,
Edwards,  Swinson,
Etheridge,  Tomlinson,
Exum,  Ino. W. Williams,
Larkins,  Wm. P. Williams—21.
Melvin,
On motion of Mr. Edwards, the bill, entitled a bill to provide for the assessment of real estate, was taken up, and read the second time. Mr. Allison (of 1.) moved to amend the bill in the first section, by striking out 1843, and inserting the words 1845; which was not agreed to. He then moved to amend the bill, by adding after the word land, "with the improvements thereon;" which was agreed to. The bill then passed as amended.

Mr. Boyd, from the Joint Select Committee on the part of the Senate to superintend the election of a United States’ Senator, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

Received from the House of Commons a message; proposing to print the documents accompanying the report of the Board of Internal Improvement, therein transmitted to the Senate, one copy for the use of each member; which was read. Mr. Dockery moved that the vote by which a like message was ordered to be sent to the House of Commons be reconsidered; which motion prevailed. The motion was then laid on the table, and the proposition of the House of Commons was concurred in.

The engrossed bill, entitled a bill to keep up a bridge in the county of Henderson, was taken up, and read the second time and passed.

The Senate proceeded to consider the special order of the day, to wit: The resolutions relative to surveying and clearing out Lumber river; which was read, and, on motion of Mr. Dockery, ordered to lie on the table.

On motion of Mr. Stallings,

Ordered, That a message be sent to the House of Commons, proposing to go again into an election of a United States’ Senator.

Received from the House of Commons a message, agreeing to our proposition to go again immediately into another
election of a United States' Senator—and stating that Messrs. Avery, and J. J. Bryan form their committee to superintend said election. Whereupon, the Speaker announced to the Senate, that Messrs. Stallings and Morehead constitute our branch of the committee to superintend said election; and the House of Commons was informed thereof by message.

The Senate then voted as follows:

FOR MR. GRAHAM,

Messrs. Allison, (of I.) Messrs. Hodges,
Burgin.
Cathey,
Dockery,
Elliott,
Howard,

FOR MR. BROWN,

Messrs. Speaker,
Arrington,
Allison, (of O.)
Boykin,
Boyd,
Cooper,
Edwards,
Etheridge,
Exum,
Larkins,
Melvin,

FOR MR. SAUNDERS,

Messrs. Dobson,
Hester,
Jones,
Miller,
Moore,
Myers,
Pharr,

On motion of Mr Reid, the Senate adjourned until tomorrow morning ten o'clock.
Mr. Morchhead, from the Joint Select Committee on the part of the Senate to superintend the election of a United States Senator, reported that no person had received a majority of votes given, and there was no election; in which report the Senate concurred.

Mr. Edwards, from the Committee on the Judiciary, to whom was referred the engrossed bill, entitled a bill extending the time for perfecting titles to lands heretofore entered, reported the same to the Senate with an amendment, to wit: insert in the last line but one in the second section, after the word lands, "or the rights of junior entries;" which was read the second time and made the order of the day for to-morrow.

On motion of Mr. Cooper, Thomas Ennett, the Senator elect for the county of Onslow, appeared, produced his credentials, was qualified before the House, and took his seat.

Mr. Edwards, from the Committee on the Judiciary, to whom was referred a bill, entitled a bill to exempt mariners from the payment of public taxes, reported adversely thereto; which was read, and made the order of the day for to-morrow.

Mr. Edwards, from the same committee, to whom was referred a bill, entitled a bill to amend the 4th chapter of the Revised Statutes, entitled an act concerning appeals and proceedings in the nature of appeals, reported the same to the Senate without amendment; which was read and made the order of the day for to-morrow.

Mr. Elliott, from the Committee on the Judiciary, to whom was referred a resolution instructing them to inquire into the expediency of so amending the law, as to compel overseers of roads to apply all fines collected by them to the hiring of hands to keep said roads in repair, reported a bill, entitled a bill in relation to the duties of overseers of roads; which was read the first time and passed, and made the order of the day for to-morrow.

Mr. Dobson presented the petition of Richard Cox, of the county of Surry, praying the Legislature to authorise him to hawk and peddle goods free of tax; which was read, and, on his motion, was referred to the Committee on Private Bills.

Mr. Shepard, from the Committee on the Judiciary, to whom was referred the resolution instructing them to in-
quire into the propriety and expediency of altering or amending the present law, as to allow masters of slaves the right of appeal for misdemeanors before a single Justice of the Peace, reported a bill, entitled a bill regulating appeals; which was read the first time and passed, and made the order of the day for to-morrow.

Mr. Cooper presented a bill, entitled a bill to amend the 29th section of the 31st chapter of the Revised Statutes; which was read the first time and passed, and, on motion of Mr. Edwards, was referred to the Committee on the Judiciary.

Mr. Miller presented a bill, entitled a bill to incorporate the town of Shelby, in the county of Cleveland, and appoint commissioners; which was read the first time and passed, and, on his motion, was referred to the Committee on Private Bills.

The bill, entitled a bill to incorporate the Fayetteville Riflemen of the county of Cumberland, was taken up, and read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, therein transmitting a communication from Charles L. Hinton, Public Treasurer, with the accompanying statement of the Bank of the State of North Carolina, proposing to print it; which was read and agreed to.

The resolution in favor of Richard C. Stubblefield, of Rockingham county, was taken up, and read the third time. Mr. Exum moved to amend it, by striking out the word fifti, and inserting in lieu thereof the word twenty; which was not agreed to. Mr. Cooper then moved to amend it, by striking out the word fifti, and inserting the word thirty; which was not agreed to. The resolution then passed, and was ordered to be engrossed.

Received from the House of Commons a message, stating that they have passed the following engrossed bills and resolutions; in which they ask the concurrence of the Senate: A bill to establish a new county by the name of Catawba; a bill to amend the 56th s. of the 59th ch. of the Rev. S.'s, entitled an act for establishing public landings, &c.; a bill to incorporate the New Hanover Rifle Corps, in the town of Wilmington; a bill to incorporate the Independent Iredell Blues, of the county of Iredell; a resolution for the relief of the Clerk of the County Court of Franklin; a bill to incorporate Union Academy, in the county of Lenoir; a bill for the better regulation of the town of Statesville; a bill
to alter the time of holding the Court of Pleas and Quarter Sessions for the county of Moore; a bill to repeal an act, passed in the year 1835, entitled an act to abolish the office of County Trustee in the county of Moore, and for other purposes. The four first named bills were severally read the first time and passed. The above named resolution was read the first time, and, on motion of Mr. W. P. Williams, was laid on the table.

Received from the House of Commons a message, stating that the hour having arrived, at which, by a former joint order, the two Houses agreed to assemble in the Hall of the House of Commons, for the purpose of counting and comparing the votes for Governor—and that the House is now ready to receive the Senate in their Hall, for the purpose of executing said joint order; which was read. Whereupon, the Senate repaired to the House of Commons. The counting of votes according to the joint resolution of the two Houses having been concluded, Mr. Spruill, in behalf of the Tellers of both Houses, reported. Mr. Speaker Wilson then made the following announcement, to wit:

Gentlemen of the Senate and of the House of Commons:

The returns of votes given at the election, on the first Thursday in August last, for Governor of this State, have been opened and published, according to law, in the presence of a majority of both Houses of the General Assembly.

The Tellers appointed by both Houses to examine the returns and make a list of the votes, have reported that thirty seven thousand nine hundred and forty three votes were given for John M. Morehead, of the county of Guilford; being the highest number given for any person: that thirty-four thousand four hundred and eleven votes were given for Louis D. Henry, of the county of Cumberland; in which is included the returns from the county of Chatham, which are not in conformity with the requirements of the Constitution, the same not being under seal; and that no returns have been received from Wilkes and Bertie counties.

No objection having been made to the said report, I declare that John M. Morehead is duly elected Governor of the State of North Carolina, for two years, from the first day of January next.
The following is a statement of the votes for Governor of the State, as reported by the Tellers of the two Houses.

<table>
<thead>
<tr>
<th>Counties</th>
<th>Jno. M. Morehead</th>
<th>Louis D. Henry</th>
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</thead>
<tbody>
<tr>
<td>Anson,</td>
<td>995</td>
<td>372</td>
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<td>Ashe,</td>
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<td>Bertie,</td>
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<td>Bladen,</td>
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<td>309</td>
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<td>Buncombe,</td>
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<td>438</td>
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<td>593</td>
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<td>Gates,</td>
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<td>Granville,</td>
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<td>Greene,</td>
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<td>Guilford,</td>
<td>1615</td>
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<td>Halifax,</td>
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<td>Iredell,</td>
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<td>Johnston,</td>
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<td>Jones,</td>
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<td>Lenoir,</td>
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<tr>
<td>Lincoln,</td>
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<td>Macon,</td>
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<td>Martin,</td>
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<tr>
<td>Moore,</td>
<td>521</td>
<td>504</td>
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<tr>
<td>Nash,</td>
<td>80</td>
<td>765</td>
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</table>
Upon the invitation of the Speaker of the Senate, the Senators returned to the Senate chamber. Whereupon Mr. Spruill presented to the Senate the following resolution, to wit:

Resolved, That a message be sent to the House of Commons, proposing that a Committee of one on the part of the Senate, and two on the part of the House of Commons, be appointed to wait on John M. Morehead, and inform him of his election as Governor of North Carolina, for two years, from the first day of January next, and to ascertain from him when it will suit his convenience to appear before the two Houses of this General Assembly, and take the oaths of office.

Which was read and adopted.

Mr. Moore, from the Committee of Propositions and Grievances, asked to be discharged from the further considera-
tion of the bill, entitled a bill to lay off and establish a new County by the name of Catawba, heretofore referred to them. They were discharged accordingly.

On motion of Mr. Tomlinson, the Senate adjourned until to-morrow morning ten o'clock.

Saturday, December 10, 1812.

On motion of Mr. Arrington,

Ordered, That Mr. Wm. P. Williams have leave of absence from the service of this House for to-day.

Mr. Edwards, from the Committee on the Judiciary, to whom was referred a bill, entitled a bill to amend the 29th section of the 31st chapter of the Revised Statutes, reported the same to the Senate without amendment; which was read and made the order of the day for Monday next.

Mr. Spruill presented the following preamble and resolution:

Whereas, the third section of the second article of the Amended Constitution of the State of North Carolina declares, that the returns of every election for Governor shall be sealed up, and transmitted to the seat of Government, by the returning officers, directed to the Speaker of the Senate, who shall open and publish them, in the presence of a majority of the members of both Houses of the General Assembly: And whereas, the returns made by the Sheriff of Chatham County, of the votes taken at the election for Governor, on the 4th day of August, 1842, and which were handed by the Secretary to the Speaker of the Senate, were not sealed up, as prescribed in the said third section of the second article of the Amended Constitution: And whereas, it may be important for this General Assembly to express an opinion on the constitutionality of said returns of the Sheriff of Chatham, (the votes given in said County not affecting the result of said election,) in order that the question may be settled—

Therefore, Resolved, That the returns of the Governor's election, made by the Sheriff of Chatham County, were not made in accordance with the third section of the second article of the Amended Constitution of this State, were informal and improper, and ought not to have been counted.

Which were read the first time and passed, and, on mo-
tion of Mr. Morehead, ordered to be printed, and made the order of the day for Monday next.

Mr. Edwards, from the Committee on the Judiciary, to whom was referred a resolution, instructing them to inquire into the propriety of so altering and amending the first section of an Act relating to Bastardy, as to increase the fine therein specified, reported adversely thereto, and asked to be discharged from its further consideration. They were discharged accordingly.

Mr. Spruill presented the following resolution, to wit:

Resolved, That the Secretary of State be directed to commence suits against the Sheriffs of Bertie and Wilkes Counties, for the penalty in not making any returns of the votes given on the 4th day of August last, at the election for Governor, as prescribed in the third section of the second article of the Amended Constitution of this State, and the 16th section of the 53d chapter of the Revised Statutes; and that he commence suit against the Sheriff of Chatham County, for the penalty in not making his returns of the votes given at the election for Governor, on the 4th day of August last, in the manner and form as provided in the third section of the second article of the Amended Constitution; and that he commence suits for the full penalty on all the Sheriffs of this State who did not make their returns of the Governor's election, on the 4th day of August last, in the manner and form as directed in the 25th chapter of the Act of 1840.

Which was read the first time and passed, and, on motion of Mr. Morehead, was referred to the Committee on the Judiciary.

Mr. Hester presented a bill, entitled a bill to prevent the selling of growing crops; which was read the first time and passed, and, on his motion, was referred to the Committee on the Judiciary.

Mr. Cathey presented a bill, entitled a bill to alter and amend the Act, entitled an Act for the establishment and better regulation of Common Schools, passed at the session of 1840, chapter 7; which was read the first time and passed, and, on motion of Mr. Spruill, was referred to the Committee on Education and the Literary Fund.

The Senate took up the engrossed bill, entitled a bill for the better regulation of the town of Statesville: A bill, entitled a bill to alter the time of holding the Court of Pleas and Quarter Sessions for the County of Moore; a bill, enti-
tled a bill to repeal an Act passed in the year 1835, entitled an Act to abolish the office of County Trustee, in the County of Moore, and for other purposes; and a bill, entitled a bill to incorporate Union Academy, Lenoir County; which were severally read the first time and passed.

The following resolutions were then taken up, to wit:

A resolution in favor of George Simpson; a resolution in favor of John R. Harrison, and a resolution to pay Charles Frazier thirty dollars; which were severally read the third time and passed, and ordered to be engrossed.

The engrossed bill, entitled a bill to keep up a bridge in the County of Henderson, was taken up, and read the third time and passed, and ordered to be enrolled.

The Senate then took up the engrossed bill, entitled a bill to incorporate the Independent Iredell Blues, of the County of Iredell, and the engrossed bill, entitled a bill to incorporate the New Hanover Rifle Corps, in the town of Wilmington; which were read the second time and passed.

Mr. Joyner presented the memorial of the President, Directors, and Company of the Bank of Cape Fear, asking the Legislature so to amend their charter, that the annual meetings of their stockholders shall be held on the first Monday of May, instead of the first Monday of January, in each year; which was accompanied by a bill, entitled a bill to amend the charter of the Bank of Cape Fear; which was read the first time and passed, and made the order of the day for Monday next.

On motion of Mr. Morehead, the bill, entitled a bill to amend the 4th chapter of the Revised Statutes, entitled appeals and proceedings in the nature of appeals, was taken up, and read the second time and passed.

The bill, entitled a bill to provide for the assessment of real estate, was taken up, and read the third time: Mr. Joyner moved to amend the bill, by adding the following section:

*Be it further enacted, That when the valuation, with the improvements thereon, of any tract of land in any County, or lot in any town in this State, shall have been assessed under the provisions of this Act, and the improvements thereon, or any portion thereof, shall have been destroyed by fire, or other calamity, it shall be the duty of the County Court of each County, on application of the party injured, his, her, or their representative, to appoint a board of valuation, to consist of one Justice of the Peace and two discreet freeholders, whose duty it shall be to view the premises thus damaged, and diligently inquire
what amount of damage has been sustained by such fire, or other calamity, and how much, in their opinion, the assessed valuation of such tract of land or lot should be reduced in consequence thereof. And it shall be the duty of said board of valuation, to report the same to the next County Court of their County; and, if approved by the said Court, the assessed valuation of the said tract of land or lot, on which taxes are to be paid, shall be reduced accordingly, and the tax list corrected by the Clerk of said Court, under its direction. But if the said Court be of opinion, upon fair investigation, that error has been committed by the said board, in their valuation, then, and in that case, it shall be competent for the said Court to correct such valuation, and to order the Clerk of the Court to alter the tax list accordingly.

Which which was read, and made the order of the day for Monday next.

The bill, entitled a bill to exempt mariners from the payment of public taxes, was taken up, and read the second time and rejected.

Received from the House of Commons a message, therein transmitting to the Senate the report of the Adjutant General of North Carolina, and proposing to print the same; which was read and agreed to.

Received from the House of Commons a message, agreeing to our proposition to raise a committee of one on the part of the Senate, and two on the part of the House of Commons, to wait upon his Excellency John M. Morehead, and inform him of his election as Governor of the State of North Carolina, from the first day of January next, and ascertain from him, when it will suit his convenience to appear before the two Houses of this General Assembly, and take the oaths of office—and that Messrs. Wilson and Mendenhall, form their branch of said committee. Whereupon, the Speaker announced to the Senate, that Mr. Spruill is appointed on the part of the Senate on said committee; and the House of Commons was informed thereof by message.

The bill, entitled a bill regulating appeals, was taken up, and read the second time, and, on motion of Mr. Shepard, made the order of the day for Tuesday next.

The Senate then took up the bill, entitled a bill in relation to the duties of overseers of roads; which was read the second time, and on motion of Mr. Morehead, amended and passed.

Received from the House of Commons a message, stating
that they have passed the following engrossed bills and resolution, in which they ask the concurrence of the Senate: A bill to establish and incorporate a town at Onslow Court House, in the county of Onslow, by the name of Cedarville; a resolution in favor of Joshua Bullock; a bill to repeal so much of an act concerning the Courts of Pleas and Quarter Sessions of Moore and Sampson counties, as relates to the county of Sampson. Said bills and resolution were read the first time and passed.

On motion of Mr. Ray, the engrossed bill, entitled a bill to establish a new county by the name of Catawba, was taken up, and read the second time and passed.

The engrossed bill, entitled a bill extending the time for perfecting titles to lands heretofore entered, was taken up, and read the second time, amended and passed.

The Senate then proceeded to consider the engrossed bill, entitled a bill to amend the 65th section of the 59th chapter of the Revised Statutes, entitled an act for establishing public landings, &c; which was read the second time, and, on motion of Mr. Jaeocks, ordered to lie on the table.

Mr. Reid presented the following resolution:

Resolved, That the Public Treasurer be authorized to pay Morris, Tasker and Morris, sixty-eight dollars and twenty-five cents, for materials furnished by them in rebuilding the State Capitol.

Which was read the first time and passed, and, on motion of Mr. Morehead, was referred to the Committee on Claims.

On motion of Mr. Miller, the Senate adjourned until Monday morning ten o'clock.

Monday, December 12, 1842.

Mr. Reid, from the committee on claims, to whom was referred the resolution in favor of Zacheus Slade, reported the same to the Senate without amendment; which was read, and made the order of the day for to-morrow.
Mr. Shepard presented a bill entitled a bill for the relief of the people; which was read the first time and passed, and, on motion of Mr. Morehead, committed to the whole house, and made the order of the day for Friday next, and ordered to be printed.

The Speaker announced to the Senate, that Messrs. Jones and Speight form our branch of the committee on Enrolled Bills for this week; and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating, that Messrs. J. P. Caldwell, Whitaker, Williamson and Scales form their branch of the committee on Enrolled Bills for the present week.

Received from the House of Commons a message, therein transmitting to the Senate, a communication from his Excellency Gov. Morehead, on the subject of Common Schools, together with the report of the President and Directors of the Literary Board, which they propose to print; which was read and agreed to.

The Engrossed Bill entitled a Bill to incorporate the New Hanover Rifle Corps, in the town of Wilmington, was taken up and read the third time and passed, and ordered to be Enrolled.

The Senate then proceeded to consider the Engrossed Bill, entitled a bill to incorporate the Independant Iredell Blues, of the county of Iredell; which was read the third time. Mr. Jones moved to amend the bill, by striking out the word, "eight" and inserting the word, "twelve; which was agreed to. The bill then passed as amended.

On motion of Mr. Jacocks, the Engrossed Bill, entitled a bill to amend the 65th section of the 59th chapter of the Revised Statutes, entitled an act for establishing public landings, &c., was taken up and read the second time, and passed.

The Engrossed Bill, entitled a bill to incorporate Union Academy, in Lenoir county, was taken up, and read the second and third times, and passed, and ordered to be enrolled.

Mr. Howard presented a memorial from sundry citizens of Jones county, praying the Legislature to amend the Inspection law; which was read, and, on his motion, laid on the table.

Mr. Dockery presented the following resolutions:

Resolved, That the Committee on the Judiciary be instructed to inquire whether any, and, if any, what amendments are necessary to
the present laws of this State, to more effectually suppress the trading or trafficking in ardent spirits by free persons of color.

Resolved, further, That said Committee inquire whether any additional Legislation be necessary to prevent the selling of ardent spirits to slaves; and that they report by bill or otherwise.

Which were read and adopted.

The bill, entitled a bill to amend the 4th chapter of the Revised Statutes, entitled appeals and proceedings in the nature of appeals, was taken up, and read the third time and passed, and ordered to be engrossed.

The engrossed bill, entitled a bill extending the time for perfecting titles to lands heretofore entered, was taken up, and read the third time, and, on motion of Mr. Joyner, ordered to lie on the table.

On motion of Mr. Edwards, the bill, entitled a bill to provide for the assessment of real estate, was taken up, and read the third time, and the amendment heretofore offered by Mr. Joyner, was agreed to, and further amended on motion of Mr. Boyd. The question then was, shall the bill pass? which was decided in the affirmative—36 to 9.

Mr. Mitchell demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Boykin, Messrs. Larkins,
Boyd, Miller,
Brown, Moore,
Burgin, Morehead,
Cathey, Muye,
Dobson, Myers,
Dockery, Pasteur,
Edwards, Pharr,
Elliott, Ray,
Ennett, Ribelin,
Etheridge, Shepard,
Exum, Speight,
Hester, Stafford,
Howard, Tomlinson,
Hodges, Thomas,
Jacoeks, Walker,
Jones, Jno. W. Williams,
Joyner, Worth—36 yeas.
Those who voted in the negative were

Messrs. Arrington,
   Allison, (of O.)
   Cooper,
   Melvin,
   Mitchell,

Messrs. Reid,
   Spruill,
   Stallings,
   Swinson—9 nays.

Ordered, That said bill be engrossed.

The resolution relating to the returns of the Governor's election, made by the Sheriff of Chatham county, was taken up, and read the second time, and, on motion of Mr. Edwards, was referred to the Committee on Privileges and Elections.

The Senate then took up the bill, entitled a bill to amend the 29th section of the 31st chapter of the Revised Statutes; which was read the second time and passed.

The following engrossed bills and resolution were taken up, to wit: A bill, entitled a bill to alter the time of holding the Court of Pleas and Quarter Sessions for the county Moore; a bill, entitled a bill to repeal so much of an act concerning the Courts of Pleas and Quarter Sessions of Moore and Sampson counties, as relates to the county of Sampson; a bill, entitled a bill to repeal an act passed in the year 1835, entitled an act to abolish the office of County Trustee in the county of Moore, and for other purposes; and a resolution in favor of Joshua Bullock; which were severally read the second time and passed.

The engrossed bill, entitled a bill to establish and incorporate a town at Onslow Court House, in the county of Onslow, by the name of Cedarville, was taken up, and read the second time. Mr. Ennett moved to amend the bill, by striking out Cedarville wherever it occurs in the bill, and inserting in lieu thereof the word Jacksonville; which was agreed to. The bill then passed as amended.

The Senate then took up the bill, entitled a bill in relation to the duties of overseers of roads; which was read the third time and passed, and was ordered to be engrossed.

The bill, entitled a bill to amend the charter of the Bank of Cape Fear, was taken up, and read the second time and passed.

The Senate then took up the engrossed bill, entitled a bill to establish a new county by the name of Catawba; which was read the third time and passed—28 to 16.
Mr. Boyd demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Allison, (of O.) Messrs. Moore, Morehead,
Brown, Myers,
Burgin, Pharr,
Cathey, Ray,
Dobson, Reid,
Dockery, Ribelin,
Edwards, Shepard,
Ennett, Spruill,
Etheridge, Stafford,
Hester, Thomas,
Jones, Walker,
Joyner, Jno. W. Williams;
Jacoiks, Worth—28 yeas.
Larkins,

Those who voted in the negative were

Messrs. Arrington; Messrs. Mitchell,
Boykin; Miller,
Boyd, Moye,
Cooper, Pasteur,
Exum, Speight,
Howard, Stallings,
Hodges, Swinson,
Melvin, Tomlinson—16 nays.

Ordered, That said bill be enrolled.

On motion of Mr. Ray, the Senate adjourned until tomorrow morning ten o'clock.

Tuesday, December 13, 1842.

The Speaker presented to the Senate a communication from David W. Stone, stating the cause why the Bank of Cape Fear has not made a report to the Legislature; which was read, and, on motion of Mr. Joyner, ordered to lie on the table.
The Speaker also presented to the Senate the statement of the Merchants' Bank of Newbern, made on Wednesday, November 30, 1842; which was read, and, on motion of Mr. Joyner, was ordered to be printed.

Mr. Edwards, from the Joint Select Committee, to whom was referred the apportionment of representation in the House of Commons, reported a bill, entitled a bill to apportion the members of the House of Commons among the several Counties in this State, according to the federal population; which was read the first time and passed, and, on his motion, was ordered to be printed.

Mr. Joyner, from the Committee on Internal Improvement, to whom was referred a bill, entitled a bill to provide for rendering navigable Colley Swamp, in the Counties of Bladen and New Hanover, and to create a corporation for that purpose, reported the same to the Senate, with sundry amendments; which was read the second time, and made the order of the day for to-morrow.

Mr. Arrington presented the following resolutions:

Resolved, That the Joint Select Committee on Banks be instructed to inquire into the causes of the late suspension of specie payments by the Bank of the State of North Carolina, and the Bank of Cape Fear, and also into the extent and character of the injury sustained by the people of this State, in consequence of said suspension.

Resolved, further, That said Committee be instructed to inquire whether any other, and, if any, what abuses have been committed by said corporations, since said suspension, and that they report a bill to prevent the occurrence of such abuses and violations of their charters in future.

Which were read and adopted.

Mr. Boyd presented the following resolution, to wit:

Resolved, That the Committee on Education and the Literary Fund be instructed to inquire into the expediency of repealing so much of an Act of the Revised Statutes, chapter 67, sections 5 and 13, as authorizes and empowers the President and Directors of the Literary Fund to cause surveys to be made of the Swamp Lands, and to expend two hundred thousand dollars in reclaiming the said Lands; and that they report by bill or otherwise.

Which was read and adopted.
The engrossed resolution in favor of Joshua Bullock, was taken up, and read the third time and rejected.

The engrossed bill, entitled a bill to establish and incorporate a town at Onslow Court House, in the county of Onslow, by the name of Cedarville, was taken up, and read the third time, on motion of Mr. Joyner, amended and passed.

On motion of Mr. Wm. P. Williams, the engrossed resolution for the relief the Clerk of the County Court of Franklin, was taken up, and read the first time. He then moved to amend it, by striking out all after the word "resolved," and substitute therefor the following, to wit:

That Smith Patterson, Clerk of the County Court of Franklin, and Samuel Brown, Clerk of the County Court of Nash, be relieved from the penalty incurred for failing to make a return of an abstract of the list of taxables to the Comptroller; also, for failing to make a return of the names of Sheriffs, and their securities, to the Comptroller, on or before the first day of September, 1842, and that the suits now on the docket of the Superior Court of Wake County, be dismissed on payment of costs, by said Patterson and Brown, of the above Counties of Franklin and Nash.

Which was read and agreed to. The resolution then passed, as amended.

The Senate then took up the bill, entitled a bill to amend the 29th section of the 31st Chapter of the Revised Statutes; which was read the third time and passed by the following vote—36 to 8.

Mr. Stallings demanded the yeas and nays.

Those who voted in the affirmative were

Messrs. Arrington, Allison, (of O.) Boykin,
Brown, Burgin, Cooper,
Dobson, Dockery, Edwards, Elliott,
Ennett,           Messrs. Mitchell,
Miller, Morehead,
Moye, Myers,
Pasteur, Pharr,
Ray, Reid,
Ribelin, Rogers,
Exum, Spruill,  
Hester, Speight,  
Hodges, Stafford,  
Jacocks, Swinson,  
Joyner, Jno. W. Williams,  
Larkins, Worth—36 yea.

Those who voted in the negative were

Messrs. Allison, (of I.)  
Boyd, Messrs. Jones,  
Cathey, Stallings,  
Howard, Walker,  
Wm. P. Williams—  
8 nays.

Ordered, That said bill be engrossed.

The engrossed bill, entitled a bill to repeal so much of an act concerning the Courts of Pleas and Quarter Sessions of Moore and Sampson counties, as relates to the county of Sampson; and the bill, entitled a bill to alter the time of holding the Court of Pleas and Quarter Sessions for the county of Moore; were taken up, and read the third time and passed, and ordered to be enrolled.

The Senate then took up the engrossed bill, entitled a bill to amend the 65th section of the 59th chapter of the Revised Statutes, entitled an act for establishing public landings, &c.; which was read the third time, and passed as amended.

Received from the House of Commons a message, stating that they have passed the following engrossed bill, to wit: A bill to lay off and establish a county by the name of McDowell—in which they ask the concurrence of the Senate. Said bill was read the first time and passed, and made the order of the day for to-morrow.

The bill, entitled a bill to amend the charter of the Bank of Cape Fear, was taken up, and read the third time and passed, and ordered to be engrossed.

On motion of Mr. Wm. P. Williams, the bill, entitled a bill regulating appeals, was taken up, and read the second time and passed.

Mr. Thomas moved that the vote by which was passed the bill, entitled a bill to provide for the assessment of real estate be now reconsidered, which was agreed to. Then, on his motion, the bill was laid on the table.

The resolution in favor of Zachens Slade, was taken up,
Mr. Cooper presented the following preamble and resolutions:

Whereas, it is important, as this State is a large stockholder in the Bank of the State of North Carolina and the Bank of Cape Fear, that an investigation should be instituted into the management of said Banks; especially, as the recent and numerous frauds, failures, suspensions, thefts, and corruptions, in similar institutions, in various States of the Union, create a just distrust, and impose the duty of strict scrutiny. Therefore,

Be it Resolved, (the House of Commons concurring,) that this General Assembly will, before its adjournment, elect a Committee of two persons, neither of whom shall be connected with either of said Banks, as stockholders or officers, who shall, within four months after the adjournment of said General Assembly, conduct said investigation.

Resolved, further, (the House of Commons concurring,) That it shall be the duty of said Committee, to examine into the safety and value of the stock owned by the State of North Carolina in said Banks; into all abuses affecting the value or safety of said stock; and, especially, into the several amounts of stock owned by the Presidents and Directors of said Banks, or branches of the Banks, in which they officiate.

Resolved, further, (the House of Commons concurring,) That said Committee shall personally inspect the books and accounts, and count the specie of each of said Banks, and their several branches and offices; and the said Committee, in conducting their investigations, shall have full power to summon and examine witnesses, and administer oaths.

Resolved, further, (the House of Commons concurring,) That said Committee shall, within six months after the adjournment of this General Assembly, make a report to the Governor of this State of their proceedings and investigations, who shall publish the same-in three newspapers of the State, having a general circulation; and shall also submit the same to the Council of State, whom he shall convene for that purpose; and if, with their advice, he shall deem the same to contain matter demanding the action of the General Assembly, he shall convene the said General Assembly for that purpose.

Which were read the first time, and, on his motion, were ordered to lie on the table and be printed.

The bill, entitled a bill extending the time for perfecting titles to lands heretofore entered, was taken up, and read the third time. The question then was on the adoption of the amendment proposed by Mr. Dockery "to strike out the
second section of the bill;” which did not prevail. The bill then passed.

The engrossed bill, entitled a bill for the better regulation of the town of Statesville was then taken up, and read the second time, and, on motion of Mr. Allison (of I.) amended and passed.

The Senate then proceeded to consider the engrossed bill, entitled a bill to repeal an act passed in the year 1835, entitled an act to abolish the office of County Trustee in the county of Moore, and for other purposes; which was read the third time, and, on motion of Mr. Worth, was ordered to lie on the table.

On motion of Mr. Ribelin, the Senate adjourned until to-morrow morning ten o'clock.

Wednesday, December 14, 1842.

The Speaker presented to the Senate the statement of the Bank of Cape Fear and its branches, on the morning of Monday the 5th day of December, 1842; which was read, and, on motion of Mr. Morehead, ordered to be printed.

Mr. Stafford presented the following resignations: J. Waugh and James Stafford, Justices of the Peace for the county of Stokes; which were read and accepted, and sent to the House of Commons.

Mr. Exum presented the resignation of Elijah Smith, a Justice of the Peace for the county of Wayne; which was read and accepted, and sent to the House of Commons.

Mr. Edwards, from the Joint Select Committee which was appointed to lay off the State into fifty Senatorial Districts, reported a bill, entitled a bill to lay off this State into fifty Senatorial Districts, accompanied with a statement; which was read the first time and passed, and, on his motion, the report, with the accompanying statement, were ordered to be printed; and, on motion of Mr. Wm. P. Williams, made the order of the day for Monday next.

Mr. Arrington, from the Committee on Finance, to whom was referred a bill to amend an act of the Revised Statutes, chapter 102, entitled an act to provide for the collection and management of a revenue for this State, reported the same
to the Senate, and recommended its rejection; which was read, and made the order of the day for to-morrow.

Mr. Arrington, from the same committee, to whom was referred a bill to amend an act concerning the Comptroller, reported the same to the Senate with sundry amendments, and recommended its passage; which was read, and made the order of the day for to-morrow.

Mr. Arrington, from the same committee, to whom was referred a resolution instructing them to inquire into the expediency of causing to be issued the sum of five hundred thousand dollars in Treasury notes, reported the same to the Senate, and asked to be discharged from the further consideration of the subject. They were discharged accordingly.

Mr. Dobson, from the committee on Private Bills, to whom was referred a bill, entitled a bill to incorporate the town of Shelby, in the county of Cleveland, and appoint commissioners, reported the same to the Senate without amendment; which was read. Whereupon, Mr. Miller presented a counter memorial of sundry citizens of Cleveland county; which was read, and the bill and memorial were laid on the table.

Mr. Reid, from the Committee on Claims, to whom was referred the resolution in favor of Morris, Tasker and Morris, reported the same to the Senate without amendment; which was read, and made the order of the day for to-morrow.

Mr. Boyd presented the following resolution:

Resolved, That the Committee on Education and the Literary Fund be instructed to inquire into the expediency of so amending the law in relation to Common Schools, as to cause the accounts of the Chairman of the Board of Superintendents of Common Schools to be audited and settled by the Committee of Finance, or such other Board as the County Courts of this State may appoint for that purpose; and that said Committee report by bill or otherwise.

Which was read and adopted.

Mr. Dobson presented the following preamble and resolution, to wit:

Whereas, many of our Superior Courts take place the last of September and first of October, making it very inconvenient for the She-
riффs of those Counties to leave their official duties to come to Raleigh to make their settlements.

Therefore, Resolved, That the Committee of Finance be instructed to inquire into the expediency of altering the present law, so as to give longer time to Sheriffs to make their settlements:

Which were read and adopted.

Mr. Allison, (of I.) presented the following resolution:

Resolved, That the Committee on the Library be instructed to examine the Legislative Journals and Documents in manuscript in the Secretary's office, from the year 1777 to the year 1785, both years inclusive, and that they report, by bill or otherwise, on the expediency of printing the same.

Which was read and adopted.

Mr. Shepard presented a bill, entitled a bill relating to Banks, and to prohibit the circulation of cut notes and post notes, and selling exchange when suspended, and to prohibit the banks of this State from receiving or paying out the notes of the Banks of other States, issued and payable out of the State of North Carolina, and to prevent the suspension of specie payments, and for other and similar purposes; which was read the first time and passed, and, on motion of Mr. Brown, was ordered to be printed, and referred to the committee on Banks.

On motion of Mr. Morehead, the bill, entitled a bill to provide for the assessment of real estate, was taken up, and, on his motion, recommitted to the committee on the Judiciary.

Mr. Jacocks moved that the vote by which was rejected the resolution in favor of Joshua Bullock, be reconsidered; which motion prevailed. Whereupon, on motion of Mr. Hester, said resolution was referred to the committee on Claims.

The engrossed bill, entitled a bill for the better regulation of the town of Statesville, was taken up and read the third time and passed.

Mr. Cathey presented a bill, entitled a bill to incorporate the Nantahalah Turnpike Company, in the counties of Macon and Cherokee; which was read the first time and passed, and, on his motion, was referred to the Committee on Internal Improvements.

The Senate then took up the bill, entitled a bill regulating appeals; which was read the third time, and, on motion
of Mr. Morehead, amended and passed, and ordered to be engrossed.

The resolution for the relief of the Clerks of the County Courts of Franklin and Nash, was taken up, and read the second time and passed.

Received from the House of Commons a message, concurring in the amendment proposed by the Senate to the engrossed bill to regulate the County Courts of Rowan; also, in the amendments to the engrossed bill to incorporate the Oak Grove Academy, and appoint Trustees, and in the amendment proposed by the Senate to the engrossed bill to incorporate the Independent Iredell Blues, of the County of Iredell.

Ordered, that said bills be enrolled.

Received from the House of Commons a message, stating that they have passed the following engrossed bill and resolution: A bill to lay off and establish a County by the name of Union; a resolution in favor of Jane Buckannon, of Yancy County, in which they ask the concurrence of the Senate. Said bill and resolution were read the first time and passed.

The engrossed bill, entitled a bill to lay off and establish a County by the name of McDowell, was taken up and read the second time, and, on motion of Mr. Morehead, was ordered to lie on the table.

Received from the House of Commons a message, proposing to add the name of Jno. C. B. Ehiringhaus, of Pasquotank, to the Joint Select Committee on military affairs; which was read and agreed to.

Received from the House of Commons the following resignations of Justices of the Peace, to wit: Thomas Waddill, Jr., of the County of Anson; Jesse Marly, of the County of Chatham; H. T. Royster, of the County of Granville; Hosea Lanier, of the County of Duplin, and R. M. Rosebrough, of the County of Rowan; which were severally read and accepted.

The bill, entitled a bill for rendering navigable Colley Swamp, in the Counties of Bladen and New Hanover, and to create a corporation for that purpose, was taken up and read the second time, and the amendments proposed by the Committee were agreed to. The question then was, Shall the bill pass as amended? which was decided in the affirmative—25 to 11.

Mr. Wm. P. Williams called for the yeas and nays, which are as follows:

...
Those who voted in the affirmative were

**Messrs.** Arrington, Allison, (of I.),
Brown,
Cathey,
Dobson,
Edwards,
Ellott,
Emmett,
Jacocks,
Jones,
Joyner,
Larkins,
Mitchell,

**Messrs.** Miller,
Morehead,
Myers,
Pasteur,
Pharr,
Ray,
Reid,
Ribelin,
Shepard,
Stafford,
Thomas,
Jno. W. Williams—25 yess.

Those who voted in the negative were

**Messrs.** Albright,
Allison, (of O.),
Boykin,
Boyd,
Cooper,
Exum,
Hester,
Melvin,
Moore,

**Messrs.** Moye,
Rogers,
Spruill,
Speight,
Stallings,
Tomlinson,
Wm. P. Williams,
Worth—17 nays.

On motion of Mr. Morehead, the Senate adjourned until to-morrow morning ten o'clock.

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**Thursday December 15, 1842.**

Mr. Reid, from the Committee on the Judiciary, to whom was referred the bill in relation to the Intendants of Police or Magistrates of Police of the City of Raleigh, and the several corporate towns in this State, reported the same to the Senate with sundry amendments; which was read the second time and made the order of the day for to-morrow.

Mr. Edwards, from the Committee on the Judiciary, to whom was referred the bill, entitled a bill to alter the mode
of electing Constables in this State, so far as relates to the County of Caldwell, reported the same to the Senate, with the following amendment: In the first section, insert "and yearly thereafter;" which was agreed to.

The bill was then read the second time, and, on motion of Mr. Jones, was ordered to lie on the table.

Mr. Pasteur presented a bill, entitled a bill to incorporate the Newbern Ice Company; which was read the first time and rejected.

The engrossed resolution for the relief of the Clerks of the County Courts of Franklin and Nash, was taken up, and read the third time and passed.

The Senate took up the bill, entitled a bill to provide for rendering navigable Colley Swamp, in the Counties of Bladen and New Hanover, and to create a corporation for that purpose; which was read the third time, amended, on motion of Mr. Edwards, and passed as amended, by the following vote: 31 to 15. Mr. Worth demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were,

Messrs. Arrington, Messrs. Joyner,
Allison, (of I.) Larkins,
Boykin, Mitchell,
Brown, Miller,
Burgin, Morehead,
Cathey, Myers,
Dobson, Pasteur,
Dockery, Pharr,
Edwards, Ray,
Elliott, Reid,
Ennett, Ribelin,
Hester, Shepard,
Howard, Stafford,
Hodges, Jno. W. Williams,
Jacocks, Worth—31 yeas.
Jones,

Those who voted in the negative, were

Messrs. Albright, Messrs. Rogers,
Allison, (of O.)  Spruill,  
Boyd,  Speight,  
Cooper,  Stallings,  
Exum,  Tomlinson,  
Melvin,  Thomas,  
Moore,  Wm. P. Williams—  
Moye,  15 nays.

Ordered, That said bill be engrossed.

Mr. Reid presented a memorial from sundry citizens of Fayetteville and the County of Cumberland, praying the Legislature to devise some plan, either by constructing a Turnpike road, or by some other direct means, to facilitate the intercommunication between the town of Fayetteville and the western part of the State; which was read, and, on his motion, was referred to the Committee on Internal Improvements.

Received from the House of Commons a message, proposing to raise a joint select committee to inquire into the title of the State to the swamp lands already drained, or proposed to be drained by existing laws; which was read and agreed to.

Received from the House of Commons a message, proposing to go into an election of seven Counsellors of State on to morrow; and stating that Messrs. Henry Fitts, of Warren county; Henry W. Connor, of Lincoln county; Richard D. Spaight, of Craven county, Gabriel Holmes, of New Hanover county; Alexander W. Mebane, of Bertie county; David Watson, of Chatham county; and Thomas N. Cameron, of Cumberland county, are in nomination for the Counsel; which was read and agreed to.

Mr. Edwards moved that the vote by which was adopted the proposition from the House of Commons, to raise a joint select committee to inquire into the title of the State to the swamp lands already drained, or proposed to be drained by existing laws, be now reconsidered; which motion prevailed. The question then was, shall the proposition of the House of Commons be concurred in? which was decided in the negative.

Mr. Worth presented a bill, entitled a bill to alter the time of selling lands and negroes in Montgomery county; which was read the first time and passed.

The engrossed resolution in favor of Jane Buchannan of Yancey county, was taken up, and read the second time and rejected.
The Senate then took up the resolution in favor of Morris, Tasker & Morris; which was read the second time and passed.

The bill, entitled a bill to amend an act, entitled an act concerning the Comptroller, was taken up, and read the second time, and, on motion of Mr. Elliott, amended, and rejected by the following vote—19 to 27.

Mr. Edwards demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were:

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<th>Messrs. Arrington,</th>
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<td>Moye,</td>
<td>Worth—19 yeas.</td>
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Those who voted in the negative were:

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<th>Messrs. Albright,</th>
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<td>Howard,</td>
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<td>Hodges,</td>
<td>Jno. W. Williams—</td>
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<td>Jones,</td>
<td>27 nays.</td>
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Received from the House of Commons a message, proposing to go into an election, on Saturday next at 12 o'clock, for five Trustees of the University, to supply the vacancies occasioned by the deaths of the late John Owen, William B. Mearns, Lewis Williams, Edmund Jones, and William McPheters; and stating that Messrs. R. M. Pearson, John M. Diek, Rev. Dr. Mason, Thomas G. Stone, John G. By-
num, Thomas Ruffin, Joseph J. Daniel, Wm. W. Cherry, Walter F. Leak, Alexander Wilson, and Charles Shepard, are in nomination for the appointments; which was read and agreed to.

Received from the House of Commons a message, therein transmitting to the Senate a communication from his Excellency John M. Morehead, transmitting the report of the Treasurer of the Board of the Trustees of the University, and the report of the committee appointed to audit and settle his accounts for the first year, which communication and reports they propose to print; which was read and agreed to.

Mr. Burgin moved that the vote by which was rejected the engrossed resolution in favor of Jane Buchannon, of Yancy County, be reconsidered; which motion prevailed. The resolution was then referred to the Committee on Claims.

The bill, entitled a bill to amend an act of the Revised Statutes, Chapter 102, entitled an act to provide for the collection and management of a revenue for this State, was taken up, and read the second time, and, on motion of Mr. Dobson, was laid on the table.

On motion of Mr. Walker, the engrossed bill to lay off and establish a county by the name of Union, was taken up, and, on his motion, was made the order of the day for tomorrow.

Mr. Moore moved that a message be sent to the House of Commons, proposing to go immediately into an election of a United States Senator; which was agreed to by the following vote: 24 to 22.

Mr. Cooper demanded the yeas and nays.

Those who voted in the affirmative were

MESSRS. Albright, Messrs. Moore,
Allison, (of I.) Morehead,
Cathey, Moye,
Dobson, Myers,
Dockery, Pharr,
Elliott, Ray,
Howard, Ribelin,
Hodges, Spruill,
Jacocks, Stallings,
Jones, Thomas,
Received from the House of Commons a message, agreeing to our proposition to go forthwith into an election of a United States Senator, and stating that Messrs. Holloway and Leach form their branch of the committee to superintend the election. Whereupon, the Speaker announced to the Senate, that Messrs. Boyd and Moore form our branch of the Committee to superintend the said election; and the House of Commons was informed thereof by message.

The Senate then voted as follows:

**FOR MR. GRAHAM,**

Messrs. Arrington,  
Messrs. Allison (of O.)  
Messrs. Boykin,  
Messrs. Boyd,  
Messrs. Burgin,  
Messrs. Cooper,  
Messrs. Edwards,  
Messrs. Exum,  
Messrs. Hester,  
Messrs. Larkins,  
Messrs. Joyner,  
Messrs. Miller,  
Messrs. Moyer,  
Messrs. Ribelin—10.

**FOR MR. BROWN,**

Messrs. Arrington,  
Messrs. Allison (of O.)  
Messrs. Boykin,  
Messrs. Boyd,  
Messrs. Burgin,  
Messrs. Cooper,  
Messrs. Edwards,  
Messrs. Exum,  
Messrs. Hester,  
Messrs. Larkins,  
Messrs. Melvin.  
Messrs. Mitchell,  
Messrs. Pasteur,  
Messrs. Ray,  
Messrs. Reid,  
Messrs. Speight,  
Messrs. Stafford.
The bill, entitled a bill to apportion the members of the House of Commons among the several counties in this State, according to the Federal Population, was taken up, and read the second time. Mr. Cathey moved to amend the bill, by striking out the words "four members from Lincoln." Pending the question, he withdrew his motion. Whereupon, it was renewed by Mr. Morehead. The bill and motion were then laid on the table.

On motion of Mr. Albright, the Senate adjourned until to-morrow morning ten o'clock.

FRIDAY, DECEMBER 16, 1842.

Mr. Edwards, from the Committee on the Judiciary, to whom was referred the resolution directing the Secretary to sue delinquent Sheriffs, reported the same to the Senate without amendment; which was read the second time, and made the order of the day for to-morrow.

Mr. Reid, from the Committee on Claims, to whom was referred a resolution in favor of Jane Buchannon, of Yancy county, reported the same to the Senate, and recommended its passage; which was read; and made the order of the day for to-morrow.

Mr. Reid, from the same committee, to whom was referred the resolution in favor of Joshua Bullock, reported fa-
Mr. Larkin presented the following resolution:

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of amending the existing law, so as to compel Rail Road Companies in this State to keep in repair all bridges by them erected, under the same fines and penalties as overseers of Public Roads now are; and that they report by bill or otherwise.

Which was read and adopted.

Mr. John W. Williams presented a bill, entitled a bill to amend an act for the establishment and better regulation of Common Schools, so far as it relates to the county of Person; which was read the first time and passed, and, on motion of Mr. Joyner, was referred to the Committee on Education and the Literary Fund.

Mr. Cooper presented a bill, entitled a bill to amend the 10th section of the 104th chapter of the Revised Statutes; which was read the first time and passed, and, on motion of Mr. Ribelin, was referred to the Committee on the Judiciary.

Mr. Moore, from the Joint Select Committee on the part of the Senate to superintend the election of a United States Senator, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

On motion of Mr. Jones, the bill, entitled a bill to alter the mode of electing Constables in this State, so far as relates to the county of Caldwell, was taken up, and read the second time, and, on his motion, amended, by adding the county of Wilkes thereto; the bill then passed as amended.

On motion of Mr. Morehead, the engrossed bill, entitled a bill to lay off and establish a county by the name of McDowell, was taken up, and read the second time and passed, by the following vote—30 to 18. Mr. Rogers demanded the yeas and nays.

Those who voted in the affirmative, were,

Messrs. Albright, Messrs. Miller,
Allison, (of O.) Morehead.
Allison, (of 1.)  
Brown,  
Burgin,  
Cathey,  
Dobson,  
Dockery,  
Edwards,  
Elliott,  
Hester,  
Jacocks,  
Jones,  
Joyner,  
Larkins,  

Myers,  
Pharr,  
Ray,  
Reid,  
Ribelin,  
Shepard,  
Spruill,  
Stafford,  
Thomas,  
Walker,  
Jno. W. Williams,  
Wm. P. Williams,  
Worth—30 yeas.

Those who voted in the negative, were,

Messrs. Arrington,  
Boykin,  
Boyd,  
Cooper,  
Eavett,  
Exum,  
Howard,  
Hodges,  
Melvin,  

Messrs. Mitchell,  
Moore,  
Moye,  
Pasteur,  
Rogers,  
Speight,  
Stallings,  
Swinson,  
Tomlinson—18 nays.

On motion of Mr. Myers, the engrossed bill, entitled a bill to lay off and establish a County by the name of Union, was taken up, and read the second time, and passed by the following vote—26 to 22. Mr. Moye demanded the yeas and nays.

Those who voted in the affirmative, were,

Messrs. Albright,  
Allison, (of O.)  
Allison, (of l.)  
Brown,  
Burgin,  
Cathey,  
Dobson,  
Dockery,  
Elliott,  
Hester,  
Jones,  
Joyner,  
Miller,  

Messrs. Morehead,  
Myers,  
Pharr,  
Ray,  
Reid,  
Ribelin,  
Shepard,  
Spruill,  
Stafford,  
Thomas,  
Walker,  
Jno. W. Williams,  
Worth—25 yeas.
Those who voted in the negative, were,

Messrs. Arrington, Messrs. Melvin,
    Boyd,               Mitchell,
    Boykin,            Moore,
    Cooper,            Moye,
    Edwards,           Pasteur,
    Ennett,            Rogers,
    Exum,              Speight,
    Howard,            Stallings,
    Hodges,            Swinson,
    Jacocks,           Tomlinson,
    Larkins,           Wm. P. Williams—

22 nays.

On Motion of Mr. Wm. P. Williams, the Senate resolved itself into a committee of the whole House, he being cal'ed to the Chair: the committee then took up the bill, entitled a bill for the relief of the people; which was read the second time; Mr. Shepard moved to amend the bill, by striking out in the third section, all after the words, “be it further enacted,” and inserting the following therefore:

That the payment of one-fifth of the principal and interest, at the end of every year, provided for in the first section of this bill, shall be strictly enforced by the Governor; and should the same not be punctually paid, the Governor shall immediately institute suit for the same; and, after collection or payment of the same, he and his Council shall invest the one-fifth of the principal and interest, as it is gradually paid or collected at the end of each succeeding year, in Bank or other Stock, until the end of the fifth year, when, and not before, the notes hereby authorized to be issued shall be redeemed, and the fund mentioned in this section is hereby pledged for the redemption of the same. But no person or persons shall be compelled to receive these Treasury Notes in the payment of any debt or debts, unless he, she, or they, may respectively choose so to do; nor shall any person circulate, or attempt to circulate the same as money; and the loan offices authorized in this Act shall be opened on or before the first day of March next. And, further, any person who shall alter, forge, or counterfeit the bills hereby authorized to be issued, or attempt to do so, shall be punished with fine and imprisonment, at the discretion of the Court. And these bills hereby authorized to be issued, shall not be receivable in the payment of public taxes or bank dividends, or any other debt due the State. And it is hereby further provided, that no one person shall borrow of these Treasury Notes more than five hundred dollars in amount; and the Governor and Council are hereby made a body corporate to issue these Treasury Notes, and they shall sue and be sued,
and in all other respects whatever, shall possess, use and enjoy, the powers and privileges of incorporated bodies of this State.

Which was read, and, after having spent some time thereon, Mr. Cooper moved that the committee rise, report progress, and ask leave to sit again; which was agreed to. Whereupon, the Speaker resumed the Chair—and the Chairman reported the bill and amendment to the House, and asked leave to sit again. Mr. Reid then moved that the amendment be printed; which was agreed to.

The Senate, on motion of Mr. Burgin, adjourned until to-morrow morning ten o'elock.

SATURDAY, DECEMBER 17, 1842.

Mr. Wm. P. Williams, from the committee on the part of the Senate to alter the electoral districts of this State, reported a bill, entitled a bill to alter the electoral districts of this State; which was read the first time and passed, and, on his motion, the bill and statement were ordered to be printed.

Mr. Stallings presented the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the Revised Statutes, as to allow special administrators to collect debts of the testator; and that they report by bill or otherwise.

Which was read and adopted.

Mr. Worth, from the Joint Select Committee which was directed to inquire into the propriety of amending the law relative to the inspection of Tobacco, reported a bill entitled a bill to alter the mode of inspecting tobacco in the town of Fayetteville; which was read the first time and passed, and made the order of the day for Monday next.

Received from the House of Commons a message, agreeing to the amendment, proposed by the Senate to the engrossed bill for the better regulation of the town of Statesville.
Ordered, That said bill be enrolled.

Received from the House of Commons a message, informing the Senate, that the names of the Rev. George W. Jeffreys, of Person county, and Thomas S. Ashe, of Anson, are added to the nominations heretofore made for Trustees of the University.

Received from the House of Commons a message, proposing to go forthwith into an election of Counsellors of State, and informing the Senate, that Messrs. Johnston Busbee, Jno. A. Anderson, Isaac T. Avery, Thomas McGehee, Allen Goodwin and James P. Leak are in nomination for the Counsel; which was read and agreed to. Whereupon, on motion of Mr. Elliott, the name of James Watt, of Rockingham County, was added to the nomination.

The Speaker then announced to the Senate, that Messrs. Elliott and Worth form our branch of the Committee to superintend said election.

Received from the House of Commons a message, stating, that Messrs. Bower and Baxter form their branch of the Committee to superintend the election of Counsellors of State.

The Senate then voted as follows:

FOR MR. FITTS,


FOR MR. CONNOR,

Messrs. Speaker, Messrs. Mitchell,
FOR MR. HOLMES,

Messrs. Speaker,  Messrs. Mitchell,  
Arrington,  Pasteur,  
Allison, (of O.)  Ray,  
Boykin,  Reid,  
Boyd,  Rogers,  
Brown,  Shepard,  
Cooper,  Speight,  
Dobson,  Stafford,  
Edwards,  Stallings,  
Ennett,  Swinson,  
Exum,  Tomlinson,  
Hester,  Jno. W. Williams,  
Larkins,  Wm. P. Williams—28.  
Melvin,  

FOR MR. MEBAINE,

Messrs. Speaker,  Messrs. Mitchell,  
Arrington,  Pasteur,  
Allison, (of O.)  Moore,  
Boykin,  Ray,  
Boyd,  Reid,  
Brown,  Rogers,  
Cooper,  Shepard,  
Dobson,  Speight,  
Edwards,  Stafford,  
Ennett,  Stallings,  
Exum,  Swinson,  
Hester,  Tomlinson,  
Larkins,  Jno. W. Williams,  
Melvin,  Wm. P. Williams—27.  

FOR MR. WATSON,

Messrs. Speaker,
Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Cooper,
Dobson,
Edwards,
Ennett,
Exum,
Hester,
Larkins,
Melvin,

Messrs. Mitchell,
Pasteur,
Ray,
Reid,
Rogers,
Shepard,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Jno. W. Williams,
Wm. P. Williams—27.

FOR MR. CAMERON,

Messrs. Speaker,
Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Cooper,
Dobson,
Edwards,
Ennett,
Exum,
Hester,
Larkins,
Melvin,

Messrs. Mitchell,
Moore,
Pasteur,
Ray,
Reid,
Rogers,
Shepard,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Jno. W. Williams,
Wm. P. Williams—28.

FOR MR. SPAIGHT,

Messrs. Speaker,
Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Cooper,
Dobson,
Edwards,
Ennett,
Exum,
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Dockery, Moye,
Elliott, Myers,
Howard, Ribelin,
Hodges, Spruill,
Jacocks, Thomas,
Jones, Worth—18.

FOR MR. McGEHEE,

Messrs. Albright, Messrs. Miller,
Burgin, Moore,
Cathey, Morehead,
Dockery, Moye,
Elliott, Myers,
Howard, Ribelin,
Hodges, Spruill,
Jacocks, Thomas,
Jones, Worth—19.

FOR MR. ANDERSON,

Messrs. Albright, Messrs. Miller,
Burgin, Moore,
Cathey, Morehead,
Dockery, Moye,
Elliott, Myers,
Howard, Ribelin,
Hodges, Spruill,
Jacocks, Thomas,
Jones, Worth—19.

FOR MR. WATT,

Messrs. Albright, Messrs. Joyner,
Burgin, Miller,
Cathey, Morehead,
Dockery, Myers,
Elliott, Ribelin,
Howard, Spruill,
Hodges, Thomas,
Jacocks, Worth—17.

Jones.
FOR MR. PERRY,

Messrs. Dockery and Morehead—2.

Mr. Pharr voting for Messrs. Kerr, Halsey, Winston, and Hill.

Mr. Allison, (of I) for Messrs. Kerr, Eccles, Halsey, Winston, and Hill.

Received from the House of Commons a message, therein transmitting the memorial of the Mecklenburg Monumental Association, asking an act of incorporation and an appropriation, which they propose to refer to a joint select committee, and be printed; which was read and agreed to.

Received from the House of Commons a message, stating, they have passed the following engrossed bills and resolution, to wit: A bill for the better regulation of the town of Wilmington; a bill to incorporate the town of Franklinton, in the county of Franklin; a bill to amend an act, passed by the General Assembly at the session of 1838-9, chapter 18, entitled an act to incorporate the Hiwassee Turnpike Company; a bill to incorporate the Liberty Guards, in the county of Davidson; a bill to authorise John M. Bogle and others to keep floats or rafts of timber in Welch's creek; and a resolution in favor of Wm. H. Holloman; in which they ask the concurrence of the Senate. Said bills and resolution were severally read the first time and passed.

On motion of Mr. Larkins, the Senate resolved itself into a committee of the whole House—Mr. Wm. P. Williams being called to the Chair—and took up the unfinished business of yesterday, to wit: the bill for the relief of the people; which bill and amendment were read; and, after having spent some time therein, Mr. Edwards moved that the committee rise and report the bill and amendment to the House. Whereupon the Speaker resumed the Chair, and the Chairman reported the bill and amendment to the Senate. The question was then taken on the adoption of the amendment; which was agreed to.

Mr. Elliott, from the Joint Select Committee on the part of the Senate to superintend the election of seven Counsellors of State, reported that Messrs. Vitts, Connor, Spaight, Holmes, Mebane, Watson and Cameron, having each received a majority of the votes given, were duly elected; in which report the Senate concurred.

On motion of Mr. Morehead,
.Ordered, That Mr. M'Lea have leave of absence from the
service of this House, from and after Monday next, until Friday, the 23d instant.

On motion of Mr. Cooper, the Senate adjourned until Monday morning ten o'clock.

MONDAY, DECEMBER 19, 1842.

Mr. William P. Williams presented the resignation of Joseph A. Whitaker, a Justice of the Peace for the county of Franklin; which was read and accepted, and sent to the House of Commons.

Mr. Shepard, from the Committee on the Judiciary, to whom was referred the bill entitled a bill to incorporate a Mutual Insurance Company in the State of North Carolina, reported the same to the Senate with an amendment; which was read, and, on motion of Mr. Elliott, ordered to be printed.

Mr. Hester, from the Joint Select Committee to whom was referred the subject of enclosing the Capitol Square, reported a bill, entitled a bill to provide for the enclosing the Capitol Square; which was read the first time and passed.

Mr. Joyner, from the Committee on Education and the Literary Fund, to whom was referred the resolution to pay Nash and Ashe counties their distributable share of the School fund, reported a bill, entitled a bill for the relief of the counties of Nash and Ashe, as a substitute therefor; which was read the first time and passed;

Mr. Hodges presented the following resolutions:

Resolved, That it is the right and duty of the people's representatives to keep the people advised how the money of the State and of individuals is managed by the officers employed for that purpose, and the present is not the time to silently permit either to be deprived of their just and proper profits upon their money in the hands of said officers.

Resolved, therefore, That the Public Treasurer be, and he is hereby authorized and required to make an immediate call on the President and Directors of the Bank of Cape Fear for the causes wherefore said Bank declared a semi-annual dividend of only two and a-half per cent. on the capital stock, in January last, when the
other Banks in the State declared dividends of three per cent. or upwards, on their stock; and why said Bank declared no dividend at all in July last, when the other Banks declared dividends of three per cent, thereby causing a loss to the State, on her stock in said Bank, in one year, as compared to the dividends of the other Banks, of eighteen thousand, six hundred and twenty-seven dollars, and a loss to the individuals owning the residue of said stock, of thirty-three thousand, eight hundred and seventy-three dollars. And whether any part of said losses have been caused by the plunder of the Bank by any of its own officers, and at what offices said thefts have been committed, and the amount so lost; and whether any part of said losses have been caused by loans to build the Rail Roads, and lying over without the payment of the interest thereon; and how much of said interest is thus lying over and unpaid. And, likewise, whether any part of said losses has been caused by permitting favorites, under pretense of keeping accounts with said Bank, to abstract money from said Bank, upon their naked or insufficiently secured notes, bills, checks, or drafts, with which to shave, in the Northern cities, the promissory notes of the North Carolina merchants, to be thrown into said Bank for collection, and the amount lost by the Bank by said transactions, and the offices at which they happened.

Resolved, further, That the Public Treasurer demand, in the name of the State, of said President and Directors, to respond to his said call as early as practicable, and that he lay this response immediately before this General Assembly.

Which was read. Mr. Joyner moved that the resolutions be laid on the table until to-morrow and be printed; which motion was rejected by the following vote—9 to 38.

Mr. Cooper demanded the yeas and nays.

Those who voted in the affirmative were

Messrs. Albright,
Allison, (of I.)
Burgin,
Cathey,
Elliott,

Messrs. Howard,
Jacocks,
Jones,
Joyner—9 yeas.

Those who voted in the negative were

Messrs. Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,

Messrs. Myers,
Pasteur,
Pharr,
Ray,
Reid,
Cooper,  Ribelin,
Dobson,  Rogers,
Dockery,  Shepard,
Edwards,  Spruill,
Ennett,  Speight,
Exum,  Stafford,
Ivester,  Stallings,
Hodges,  Swinson,
Larkins,  Tomlinson,
Melvin,  Thomas,
Mitchell,  Walker,
Miller,  Jno. W. Williams,
Moore,  Wm. P. Williams
Morehead,  Worth—38 nays.

The resolutions were then adopted.

Mr. Exum presented the following resolution:

Resolved, That the Committee on Education and the Literary Fund be instructed to inquire into the necessity of so amending the School Law, passed at the session of 1840-41, so as to give the School Committees, in any district, when the land owner and School Committee men cannot agree as to the value of three acres of land if necessary, to set the School-house upon, a right to summon a Jury to assess said land; and that they report by bill or otherwise.

Which was read and adopted.

Mr. Dobson presented the following resolutions:

Resolved, That the General Assembly of North Carolina cherishes a sound regard for the public credit of this State, and will maintain inviolate the public faith.

Resolved, further, That this General Assembly strongly disapprove the doctrine of repudiating public or private debts, and that the law lately passed by Congress, repudiating, to a very large extent, private debts between individuals, is unwise in policy, is destructive of the principles of sound morality, and is in flagrant violation of the rights of private property.

Resolved, further, That our Senators in Congress are instructed, and our Representatives requested, to use their influence to repeal the Bankrupt Law.

Resolved, That his Excellency, the Governor of this State, is hereby requested to transmit a copy of these resolutions to each of our Senators and Representatives in Congress.
Which were read the first time and passed, and, on motion of Mr. Edwards, ordered to be printed.

Mr. Miller presented a bill, entitled a bill to grant an additional Court of Pleas and Quarter Sessions, and probate Courts to the county of Cleveland; which was read the first time and passed, and, on motion of Mr. Jones, was referred to the committee on the Judiciary.

The resolution in favor of Morris, Tasker & Morris, was taken up, and read the third time and passed, and ordered to be engrossed.

The Senate took up the engrossed resolution in favor of Joshua Bullock, which was read the third time and passed, and ordered to be enrolled.

The Speaker announced to the Senate that Messrs. Spruill and Moore form our branch of the committee on Enrolled Bills for this week.

Received from the House of Commons a message, stating that Messrs. Candler, J. Barnes, Brandon and Talliaferro form their branch of the Committee on Enrolled Bills for this week.

Received from the House of Commons a message, proposing that the Joint Select Committee on Public Buildings shall inquire into the expediency of procuring a suitable bell for the Capitol, and that they report the most suitable place for its location; that said committee inquire and report on the expediency of covering the floors of the Legislative Halls with cheap carpeting, and of procuring curtains for the windows of said Halls; that they inquire whether, in their opinion, the facilities for hearing in the said Halls may be improved; and if so, that they cause such experiments to be made for that purpose as they shall think advisable, at the public expense; which was read and adopted.

The bill, entitled a bill to alter the mode of electing Constables in this State, so far as relates to the counties of Caldwell and Wilkes, was taken up, and read the third time and passed, and ordered to be engrossed.

The Senate took up the engrossed resolution in favor of Jane Buckannon, of Yancey county; which was read the second time, and, on motion of Mr. Morehead, was ordered to lie on the table.

The engrossed resolution in favor of Wm. H. Holloman was taken up and read the second time, and, on motion of Mr. Spruill, was referred to the Committee on Claims.
The Senate then took up the following engrossed bills, to wit: A bill to incorporate the Liberty Guards, in the county of Davidson; a bill to incorporate the town of Franklin, in the county of Franklin; a bill to incorporate the Trustees of the Ashboro' Male Academy, in the county of Randolph; and a bill for the better regulation of the town of Wilmington; which were severally read the second 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 prosecutions of perjury and subornation of perjury; a bill to repeal an act, passed in the year 1833, entitled an act to abolish the offices of County Trustee and Treasurer of public buildings in the counties of Richmond, Columbus and Robeson. The first named bill was read the first time and passed, and, on motion of Mr. Allison (of I.) referred to the Committee on the Judiciary. And the last named bill was read the first time and passed.

Received from the House of Commons a message, proposing to go forthwith into an election of a United States Senator; which was read and agreed to. Whereupon, the Speaker announced to the Senate, that Messrs. Hester and Wm. P. Williams form our branch of the committee to superintend said election; and the House of Commons was informed thereof by message.

Received from the House of Commons a message, informing the Senate that Messrs. Francis and Raynor form their branch of the committee to superintend the election of a United States Senator, and that the name of Wm. A. Graham is withdrawn from the nomination, and the name of Wm. H. Haywood, jr. is added to the nomination, and that they will commence voting on the return of the messenger.

The Senate then voted as follows:

FOR MR. BROWN,

Messrs. Speaker,
Arrington,
Allison, (of O.)
Boykin,
Boyd,
Cooper,
Edwards,

Messrs. Mitchell,
Pasteur,
Ray,
Reid,
Shepard,
Speight,
Stafford,
On motion of Mr. Edwards, the bill, entitled a bill to apportion the members of the House of Commons among the several counties in this State according to federal population, was taken up, and read the second time, amended, on motion of Mr. Reid, and passed.

On motion of Mr. Burgin, the engrossed bill, entitled a bill to lay off and establish a county by the name of McDowell, was taken up, and read the third time and passed by the following vote—28 to 16. Mr. Rogers called for the yeas and nays.

Those who voted in the affirmative, were,

FOR MR. SAUNDERS,

Messrs. Albright, Cathey, Dobson, Dockery, Hester, Hodges, Jacocks, Jones, Joyner, Miller, Morehead, Myers, Pharr, Rogers, Spruill, Stallings, Thomas, Walker, Worth.

FOR MR. BADGER,

Messrs. Allison, (of I.) and Burgin.

Mr. Ribelin voting for Mr. Graham.
Ordered, That said bill be enrolled.

Mr. Wm. P. Williams, from the joint select committee on the part of the Senate to superintend the election of United States Senator, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

On motion of Mr. Joyner, the resolution directing the Secretary to sue delinquent Sheriffs, was taken up, and read the second time. He then moved to strike out the Sheriff of Bertie county. Pending the question, the bill was, on his motion, laid on the table.

The Speaker announced to the Senate, that Messrs Morehead, Walker, Edwards, Elliott, and Ray, constitute our branch of the committee on the memorial of the Mecklenburg Monumental Association; and the House of Commons was informed thereof by message.

On motion of Mr. Walker, the engrossed bill, entitled a bill to lay off and establish a county by the name of Union, was taken up, and read the third time and passed by the following vote—25 to 19. Mr. Exum demanded the yeas and nays.

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Miller,
Allison, (of O.) Morehead,
Allison, (of I.)  
Burgin,  
Cathey,  
Dobson,  
Dockery,  
Edwards,  
Elliott,  
Hester,  
Jacocks,  
Jones,  
Joyner,  
Myers,  
Pharr,  
Ray,  
Reid,  
Ribelin,  
Shepard,  
Spruill,  
Stafford,  
Walker,  
Worth—25 yrs.

Those who voted in the negative, were,

| Messrs. Arrington,  |
| Messrs. Mitchell,  |
| Burgin,  |
| Boyd,  |
| Cooper,  |
| Ennett,  |
| Exum,  |
| Howard,  |
| Hodges,  |
| Larkins,  |
| Melvin,  |
| Boykin,  |
| Boyd,  |
| Cooper,  |
| Exum,  |
| Howard,  |
| Hodges,  |
| Larkins,  |
| Melvin,  |

19 nays.

\text{Ordered, That said bill be enrolled.}

Received from the House of Commons a message, proposing to go forthwith into another election of United States' Senator, and informing the Senate that the name of Michael Hoke, of Lincoln, is added to the nomination; which was read. Mr. Edwards moved that the message be laid on the table; which was agreed to by the following vote—27 to 19. Mr. Arrington called for the yeas and nays.

Those who voted in the affirmative, were,

| Messrs. Arrington,  |
| Messrs. Pasteur,  |
| Allison, (of O.)  |
| Boykin,  |
| Boyd,  |
| Burgin,  |
| Cooper,  |
| Dobson,  |
| Edwards,  |
| Ennett,  |

Pharr,  
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Rogers,  
Speight,  
Stafford,  
Stallings,  
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Swinson.

On motion of Mr. Hodges, the Senate adjourned until to-morrow morning ten o'clock.

TUESDAY, DECEMBER 20, 1842.

The Speaker presented to the Senate the resignation of Willis Wilkins, a Justice of the Peace for the county of Edgecomb; which was read and accepted, and sent to the House of Commons.

Mr. Tomlinson presented the pension certificate of the County Court Clerk of Johnston county, in favor of Silas Harr: which was read, and on motion of Mr. Allison (of I.) referred to the Committee on Claims.

Mr. Joyner, from the Committee on Education and the Literary Fund, to whom was referred a bill to amend an act, entitled an act for the establishment and better regulation of Common Schools, so far as it relates to the county of Person, reported the same to the Senate and recommended its rejection; which was read, and made the order of the day for to-morrow.

The engrossed bill to incorporate the Liberty Guards, in the county of Davidson, and a bill to incorporate the town
of Franklinton, in the county of Franklin, were taken up, and read the third time and passed, and ordered to be enrolled.

Mr. Jacocks presented the following bill: A bill, entitled a bill relating to private ways; which was read the first time and passed, and, on his motion, was referred to the Committee on the Judiciary.

Mr. Moore, from the Joint Select Committee, to whom was referred so much of his Excellency the Governor's Message, as relates to the subject of Congressional apportionment, reported a bill, entitled a bill to divide the State of North Carolina into nine Congressional districts, accompanied with a statement; which was read the first time and passed, and, on his motion, was ordered to be printed.

Mr. Moore moved that the vote by which was passed the bill, entitled a bill to divide the State of North Carolina into nine Congressional districts, be reconsidered; which motion prevailed. He then moved that it be recommitted to the same committee; which was agreed to.

Mr. Spruill presented a memorial from Ormond Respess, of Washington county, accompanied with a resolution in his favor; which was read the first time and passed, and, on his motion, referred to the Committee on Claims.

The bill, entitled a bill to incorporate the Trustees of the Asheborough Male Academy, in the county of Randolph, was taken up, and read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, proposing to go forthwith into an election of United States' Senator; and inform the Senate that the names of the Hon. Bedford Brown, Romulus M. Saunders and Michael Hoke are withdrawn from the nomination; which was read and agreed to.

The Speaker announced to the Senate, that Messrs. Arrington and Spruill constitute our branch of the committee to superintend the election of United States' Senator; and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating that Messrs. Walker and Jos. P. Caldwell form their branch of the committee to superintend the election of United States' Senator, and that they will commence voting upon the return of the messenger.

The Senate then voted as follows:
FOR MR. HAYWOOD;


FOR MR. GRAHAM,


Mr. Shepard voting for Mr. Saunders.

On motion of Mr. Edwards, the bill, entitled a bill to apportion the members of the House of Commons among the several counties in this State, according to the federal population, was taken up, and read the third time and passed, and ordered to be engrossed.

Mr. Spruill, from the Joint Select Committee on the part of the Senate to superintend the election of United States Senator, reported that W. H. Haywood, jr., having received a majority of the votes given, was duly elected; in which report the Senate concurred.

On motion of Mr. Burgin, the engrossed resolution in favor of Jane Buchannon, of Yancey county, was taken up, and read the second time, and, on his motion, amended and passed.
On motion of Mr. Edwards, the bill, entitled a bill to lay off this State into Senatorial districts, was taken up, and read the second time. Mr. Reid moved to amend the bill by inserting a section between the first and second sections; which was read and agreed to. Mr. Hodges then moved to amend the bill, by inserting the words "and Hyde" next after the words "Washington and Tyrrell" in the 9th line, and strike out the words "and Hyde" in the 13th line.— Upon this question he demanded the yeas and nays, which are as follows, to wit:

**Those who voted in the affirmative were**

Messrs. Arrington, Brown, Edwards, Hodges, Moore, Pasteur,

Messrs. Rogers, Shepard, Stallings, Wm. P. Williams, Worth—11 yea.

**Those who voted in the negative were**

Messrs. Albright, Allison, (of O.), Allison, (of I.), Boykin, Boyd, Cathey, Cooper, Dobson, Dockery, Elliott, Ennet, Exum, Hester, Howard, Jacocks, Joyner, Laikins,


So the amendment did not prevail.

Mr. Worth moved the following amendments to the bill: in the 22d line, after the word Montgomery, add "and Stanley;" in the 27th line, strike out the words "and Stanley."—
Upon these amendments Mr. Morehead demanded the yeas and nays, which were as follows, to wit:

Those who voted in the affirmative were:


Those who voted in the negative were:


So the amendment did not prevail.

Mr. Jones moved that the bill be laid upon the table; which motion did not prevail. He then offered the following amendment to the bill, to wit: the 44th district shall be Surry, Wilkes and Ashe; 48th, Caldwell and Burke; 49th, Buncombe and Yancey; 50th, Henderson, Haywood, Macon and Cherokee. Upon this question, Mr. Worth demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were:

Messrs. Albright, Joyner.
Allison, (of I.)    Miller,  
Burgin,            Morehead,  
Cathey,            Myers,    
Dockery,           Pharr,    
Elliott,           Ribelin,  
Howard,           Spruill,  
Hodges,            Thomas,   
Jacoeks,         Worth—19 yeas.  
Jones,            

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<td>Jno. W. Williams,</td>
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<td>Wm. P. Williams—28 nays.</td>
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So the amendment did not prevail.

Whereupon, Mr. Morehead moved that the bill be postponed until the first day of March next; and upon this motion he demanded the yeas and nays, which are as follows:

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<td>Messrs. Hodges,</td>
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<td>Messrs. Pharr,</td>
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<td>Worth—4 yeas.</td>
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<td>Myers,</td>
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Boyd, Brown, Burgin, Cathey, Cooper, Dobson, Dockery, Edwards, Elliott, Ennett, Exum, Hester, Howard, Jacocks, Jones, Messrs. Joyner, Larkins,

Pasteur, Ray, Reid, Ribelin, Rogers, Shepard, Spruill, Speight, Stafford, Stallings, Swinson, Tomlinson, Thomas, Walker, Jno. W. Williams, Wm. P. Williams—

43 nays.

So the motion did not prevail.

The question then was, shall the bill pass? and upon this question Mr. Joyner demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were


43 yeas.

Those who voted in the negative, were,

Messrs. Albright, Messrs. Morehead,
Burgin, Dockery, Hodges, Jacocks, Jones, Joyner,

Myers, Pharr, Ribelin, Thomas, Worth—14 nays.

So the bill passed.

On motion of Mr. Jones,

Ordered, That the statistical statement and amendment offered by him to the bill to lay off this State into fifty Senatorial districts, be printed.

On motion of Mr. Elliott,

Ordered, That the statement and amendment made by Mr. Worth to the bill to lay off this State into fifty Senatorial districts, be printed.

On motion of Mr. Reid, the Senate adjourned until tomorrow morning ten o'clock.

Wednesday, December 21, 1842.

On motion of Mr. Williams, of Franklin,

Ordered, That Thomas G. Stone, Principal Clerk of the Senate, be temporarily excused from the service of the Senate; and that William J. Cowan be permitted to perform his duties during his absence.

Mr. Thomas, from the committee on Privileges and elections, to which was referred a resolution relative to the return made by the Sheriff of Chatham, of the votes taken at the recent election for Governor, made a report thereon, accompanied by sundry amendments, and the following resolution, to wit:

Resolved, That the Judiciary Committee prepare and report a bill to amend the laws respecting the election of Governor, according to the plan contained in the foregoing report, with such modifications (if any) as may seem expedient.

Ordered, on motion of Mr. Spruill, that the report, with the amendments and resolution, lie on the table, to be printed.
Mr. Moore, from the Joint Select Committee to which was referred so much of the Governor's message as relates to the subject of Congressional Elections, made a report thereon, accompanied by a bill, entitled a bill to lay off the State into nine Congressional Districts; which, on motion of Mr. Speight, was ordered to be made the order of the day for Wednesday next, and to be printed.

Mr. Cathey presented a bill to incorporate the Nantahalah Turnpike Company, in the counties of Macon and Cherokee; which was read the first time and passed, and, on motion of Mr. Cathey, was ordered to be referred to the committee on Internal Improvement.

Mr. Albright introduced the following resolution, to wit:

Resolved, That the Joint Select Committee on Military Affairs be instructed to inquire into the expediency of amending the 17th section of the militia laws, (73d chapter Revised Statutes,) so as to be better and easier understood on the subject of issuing and renewing executions.

Which was read and adopted.

On motion of Mr. Howard, the memorial from the county of Jones, relative to the inspection of Turpentine, was taken up, and ordered, that a message be sent to the House Commons, proposing to refer said memorial to the Senators and Representatives from the counties of Craven, Jones, Lenoir, Greene, Wayne, and Johnston; and that they report by bill or otherwise.

On motion of Mr. Joyner, the resolution directing the Secretary of State to sue delinquent sheriffs, was taken up and considered. Mr. Joyner moved to amend the resolution by striking out so much thereof as relates to the sheriff of Bertie; which amendment was agreed to—ayes 31, nays 16. The yeas and nays being demanded by Mr. Williams, of Franklin.

Those who voted in the affirmative, are

Messrs. Albright,
Arrington,
Allison, (of O.),
Boyd,
Brown,

Messrs. Miller,
Moore,
Myers,
Pasteur,
Pharr.
Those who voted in the negative, are

Messrs. Allison, (of I.) Messrs. Larkins,
Boykin,
Dockery,
Edwards,
Elliott,
Exum,
Howard,
Hodges,

Messrs. Morehead,
Reid,
Ribelin,
Shepard,
Speight,
Williams, (of F.)—
16 nays.

Mr. Albright moved further to amend the resolution by striking out so much thereof as relates to the county of Chatham; which amendment was not agreed to—ayes 13, nays 34. The yeas and nays being demanded by Mr. Hodges.

Those who voted in the affirmative, are

Messrs. Albright,
Cooper,
Dobson,
Dockery,
Hester,
Jones,
Joyner,

Messrs. Mitchell,
Moore,
Myers,
Ray,
Thomas,
Worth—13 nays.

Those who voted in the negative are

Messrs. Arrington,
Allison, (of O.)
Allison, (of I.)
Boykin,
Boyd,

Messrs. Miller,
Motehead,
Pasteur,
Pharr,
Reid,
Thereupon, on motion of Mr. Jones, the resolution as amended was ordered to lie on the table.

Received from the House of Commons a message, informing the Senate that Messrs. Moore and Bower form their branch of the committee to superintend the election of five Trustees of the University; and that they will proceed to vote on the return of the messenger.

The Senate then voted as follows:

**FOR MR. PEARSON,**

Messrs. Albright,
Arrington,
Allison, (of I.)
Burgin,
Cathey,
Dockery,
Elliott,
Miller,

Ribelin,
Rogers,
Shepard,
Spruill,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Williams, (of P.)

34 nays.

**FOR MR. DICK,**

Messrs. Albright,
Allison, (of O.)
Allison, (of I.)
Boykin,
Cathey,
Dobson,
Dockery,
Elliott,
Exum,

Messrs. Jones,
Joyner,
Larkins,
Mitchell,
Moore,
Morehead,
Ray,
Rogers,
Williams, (of P.)
Howard, Worth—20.

FOR MR. MASON,

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FOR MR. STONE,

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FOR MR. SHEPARD,

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Walker,  
Williams, (of P.)—30.

FOR MR. WILSON,

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FOR MR. CHERRY,

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<td>Miller,</td>
<td>Williams, (of P.)—12.</td>
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FOR MR. LEAKE,

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<th>Messrs. Boyd,</th>
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FOR MR. RUFFIN,

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FOR MR. DANIEL,

Messrs. Speaker, Messrs. Melvin,
Arrington, Mitchell,
Allison, (of I.) Pharr,
Boykin, Ray,
Cathey, Rogers,
Cooper, Shepald,
Ennett, Stafford,
Howard, Stallings,
Hodges, Swinson,
Jones, Tomlinson,
Joyner, Wm. P. Williams—23.
Larkins,

FOR MR. JEFFRIES,

Messrs. Allison, (of O.) Messrs. Shepard,
Boyd, Speight,
Brown, Tomlinson,
Dobson, Thomas,
Edwards, Williams, (of F.)—12.
Exum,

FOR MR. HOLMES,

Messrs. Boykin, Messrs. Hester,
Boyd, Larkins,
Brown, Speight—6.

FOR MR. BRAGG,

Messrs. Hodges, Messrs. Stallings,
Reid, Walker—5,
Rogers,

FOR MR. BYNUM,

Mr. Miller.
Received from the House of Commons a message, informing the Senate that they had transmitted the memorial of Joel Strong, of Granville county, on the subject of the boundary line between Virginia and North Carolina, and proposing to refer the same to a Joint Select Committee; which proposition was concurred in, and the House of Commons informed thereof by message—and that Messrs. Brown, Hester, Edwards, Morehead and Boyd form the Senate’s branch of said committee.

Received from the House of Commons, the engrossed resolution in favor of Richard W. Long; in which they ask the concurrence of the Senate. Whereupon, said resolution was concurred in. and, on motion of Mr. Allison, ordered to be referred to the Committee on Claims.

On motion of Mr. Dobson, a message was sent to the House of Commons, proposing to go into an election at 11 o’clock to-morrow for Treasurer of the State—and informing them that John H. Wheeler and Charles L. Hinton are in nomination for the appointment.

Received from the House of Commons a message, agreeing to the proposition of the Senate to refer the memorial from the county of Jones, in relation to the propriety of amending the laws in regard to the inspection of turpentine, &c. to the Senators and Representatives from the counties of Craven, Jones, Lenoir, Greene, Wayne and Johnston as a committee on the subject, who shall report by bill or otherwise.

On motion of Mr. Allison (of I.) a message was sent to the House of Commons, proposing to set apart next Saturday week, at 3 o’clock, for the appointment of Justices of the Peace in the several counties of the State.

On motion of Mr. Williams, of Franklin, the Senate then adjourned until to-morrow morning ten o’clock.
On motion of Mr. Arrington, the Senator from Warren was excused from the service of the Senate from and after to-day until Monday next.

Mr. Dockery presented the memorial of Absalom Davis, Archibald Smith and Thomas Norment, committee on the part of the superintendents of Common Schools in the county of Robeson, on the subject of Common Schools; which, on motion of Mr. Dockery, was ordered to be referred to the Committee on Education and the Literary Fund.

Mr. Larkins presented a bill, entitled a bill to repeal part of the first section of an act passed at the last session of the Legislature, entitled an act to reduce into one the several acts concerning the appointment of Commissioners of Navigation and Pilotage for the Cape Fear River, and to restore the appointment to the County Court of New Hanover county; which was read the first time and passed.

Mr. Edwards, from the Committee on the Judiciary, to which was referred the bill to amend the 10th section of the 104th chapter of the Revised Statutes, reported the same without amendment. and recommending its passage into a law. Whereupon, said bill was made the order of the day for to-morrow.

Mr. Edwards, from the same committee to which was referred the bill relating to private ways, reported the same without amendment, with a recommendation that it be rejected. Made the order of the day for to-morrow.

Mr. Arrington, from the Committee on Finance, to which was referred a resolution instructing them to inquire into the expediency of amending the Revenue Laws of this State, made a report thereon, recommending that it is inexpedient to legislate on the subject, and asking to be discharged from the further consideration thereof; which report was concurred in, and the committee discharged accordingly.

Mr. Morehead, from the Committee on the Judiciary, to which was referred the bill concerning prosecutions for perjury and subornation, reported the same without amendment; and recommending its passage into a law. Made the order of the day for to-morrow.

Mr. Elliott introduced the following resolution, to wit:

\textit{Resolved,} That the Clerk of the Senate be authorised to purchase
a suitable book for enrolling the committees of the Senate, and the joint committees of the two Houses of the General Assembly; and his order on the Treasurer for the amount to be paid for said book, shall be paid by that officer, and shall be a voucher for him.

On motion of Mr. Elliott, the rule requiring bills and resolutions of a public nature to be read but once on the same day, was suspended. Whereupon, the resolution was read the first, second and third times, passed, and ordered to be enrolled:

Mr. Speight, from the committee of the Superintendents for five Trustees of the University, reported that the Hon. Thomas Ruffin, having received a majority of the votes, was duly elected; but that no other person in nomination had received a majority of votes; in which report the Senate concurred.

Mr. Arrington presented the following resolution, to wit:

Resolved, That the Joint Select Committee on Swamp Lands be instructed to inquire in what way the appropriation made for the purpose of reclaiming the Swamp Lands has been expended, specifying the purposes and objects for which it has been applied, and report to this House.

Which resolution was adopted.

Mr. Miller presented a resolution respecting the withdrawal from the Post-office of this City, and detention of a petition of sundry citizens of Lincoln County, in opposition to the establishment of a new County out of the County of Lincoln, and addressed to him under cover; which, on motion of Mr. Miller, was ordered to lie on the table. The resolution was subsequently taken up and amended, on motion of Mr. Miller, by striking out all the preamble after the word “December,” in the 9th line thereof, and adopted as amended; and Messrs. Morehead, Edwards, Walker, Cathey, and Burgin, were appointed a Committee under said resolution.

Received from the House of Commons a message, agreeing to ballot to-day, at 11 o’clock, for Treasurer, and informing the Senate that Messrs T. R. Caldwell and Cad. Jones form their branch of the Committee to superintend the election. Whereupon a message was sent to the House of Commons, informing them that Messrs. Spruill and Dob-
son form the Senate’s branch of the Committee, and that
they will proceed to the election on the return of the mes-
senger.

The Senate then proceeded to vote, as follows, to wit:

FOR MR. HINTON,

Messrs. Albright,
Allison, (of I.)
Burgin,
Cathey,
Dockery,
Elliott,
Howard,
Hodges,
Jacocks,
Jones,
Joyncr,
Messrs. Miller,
Morehead,
Myers,
Pharr,
Ribelin,
Spruill,
Tomlinson,
Thomas,
Wm. P. Williams,
Worth—21.

FOR MR. WHEELER,

Messrs. Speaker,
Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Cooper,
Dobson,
Edwards,
Ennett,
Exum,
Hester,
Larkins,
Messrs. Melvin,
Mitchell,
Moore,
Pasteur,
Ray,
Reid,
Rogers,
Speight,
Stafford,
Stallings,
Swinson,
Walker,

FOR MR. WATSON,

Mr. Shepard

Received from the House of Commons a message, stating
that Thomas Bragg, Thomas S. Ashe, and David Reid, are
added to the nomination for Trustees of the University.
The resolution in favor of Jane Buchannon, of Yancey
County, was read the third time, passed, and ordered to be
enrolled.
Mr. Albright introduced a bill, entitled a bill to amend an Act on descents, 38th chapter Revised Statutes, and an Act on legacies, filial portions, and distributive shares, chapter 64, Revised Statutes; which was read the first time and passed, and, on motion of Mr. Joyner, ordered to be referred to the Committee on the Judiciary.

Received from the House of Commons a message, stating that they had agreed to the amendments proposed by the Senate to the engrossed bill to amend the 45th section, 59th chapter of the Revised Statutes, entitled an act for establishing public landings, and also to the amendments proposed by the Senate to the engrossed bill to establish and incorporate a town at Onslow Court House, by the name of Cedarville; also, to the amendment proposed by the Senate to the engrossed bill extending the time of perfecting titles to land heretofore entered.

Ordered, That said bills be enrolled.

Mr. Spruill, from the committee appointed to superintend the election for Treasurer, reported that no person in nomination having received a majority of the votes of the two Houses, there is no election; in which report the Senate concurred.

On motion of Mr. Edwards, the bill to lay off the State into fifty Senatorial districts, was taken up, and, on motion of Mr. Joyner, was ordered to lie on the table and be made the order of the day for Thursday next.

On motion of Mr. Elliott, a message was sent to the House of Commons, proposing to go immediately into an election for Comptroller, and informing them that William F. Collins, William J. Cowan, N. J. Palmer and Young Patterson are in nomination for the appointment.

Received from the House of Commons a message, agreeing to the proposition of the Senate to go forthwith into an election for Comptroller, and stating that Messrs. Levi Walker and J. P. Caldwell form the branch of the committee to superintend the said election, and that the name of James George is added to the nomination. Whereupon, a message was sent to the House of Commons, informing them that Messrs. Arrington and Williams of Franklin form the committee on the part of the Senate, and that they shall commence voting on the return of the messenger.
The Senate then voted as follows:

FOR MR. PATTERSON,

Messrs. Arrington, Brown, Cooper, Edwards, 

FOR MR. PALMER,

Messrs. Allison, (of O.) Boyd, Hester, Mitchell, 

FOR MR. GEORGE,

Mr. Speaker.

FOR MR. COLLINS,

Messrs. Albright, Burgin, Cathey, Dockery, Elliott, Howard, Hodges, Jacocks, Jones, Joyner, 
Messrs. Miller, Moore, Morehead, Myers, Pharr, Ribelin, Spruill, Thomas, Worth—20.

FOR MR. COWAN,

Messrs. Boykin, Dobson, Ennett, Exum, Larkins, Melvin, 
Messrs. Rogers, Speight, Stafford, Swinson, Walker—11.

Received from the House of Commons a message, stating that they had passed the engrossed bill to amend an act, entitled an act to regulate the proceedings in the Court of Pleas and Quarter Sessions of Craven county, and for other
purposes; in which they ask the concurrence of the Senate. Whereupon, the said bill was read the first time and passed.

Mr. Arrington, from the committee appointed to superintend the balloting for Comptroller, reported that no person in nomination having received a majority of the votes of the two Houses, there is no election; in which report the Senate concurred.

On motion of Mr. Larkins, a message was sent to the House of Commons, proposing to go forthwith into another election for Treasurer.

Received from the House of Commons a message, agreeing to the proposition to go forthwith into an election for Treasurer, and stating that Messrs. Bragg and Jefferson compose the committee on their part to conduct said election. Whereupon, a message was sent to the House of Commons, informing them that Messrs. Allison (of O.) and Reid compose the committee on the part of the Senate; and that they will commence voting on the return of the messenger.

The Senate then voted as follows:

FOR MR. HINTON,

MESSRS. Albright,  
Allison, (of I.)  
Burgin,  
Cathey,  
Doekery,  
Elliott,  
Howard,  
Hodges,  
Jones,  
Jacocks,  

MESSRS. Joyner,  
Miller,  
Morehead,  
Myers,  
Pharr,  
Ribelin,  
Spruill,  
Thomas,  
Wm. P. Williams,  
Worth—20.

FOR MR. WHEELER,

MESSRS. Speaker,  
Arrington,  
Allison, (of O.)  
Boykin,  
Boyd,  
Brown,  
Cooper,  
Dobson,  
Edwards,  

MESSRS. Mitchell,  
Moore,  
Pasteur,  
Ray,  
Reid,  
Rogers,  
Speight,  
Stafford,  
Stallings.
Ennett,                        Swinson,
Exum,                        Tomlinson,
Hester,                      Walker,
Larkins,                     Jno. W. Williams—27.
Melvin,

On motion of Mr. Worth, a bill, entitled a bill to repeal an act, passed in the year eighteen hundred and thirty-five, entitled an act to abolish the office of County Trustee in the county of Moore, and for other purposes, heretofore laid on the table, was taken up and read the third time and passed, and ordered to be enrolled.

Mr. Reid, from the committee appointed to superintend the election for Treasurer, reported that no person in nomination having received a majority of the votes of the two houses, there is no election; in which report the Senate concurred.

On motion of Mr. Howard, leave of absence was granted to the Senator from Chatham, from and after to-morrow, until Thursday next.

On motion of Mr. Elliott, a message was sent to the House of Commons, proposing to go forthwith into another election for Comptroller.

Received from the House of Commons a message, agreeing to the proposition to go forthwith into another election for Comptroller—and stating that Messrs. Burgin and Rogers compose the committee on their part to conduct said election, and that the name of James George is withdrawn from the nomination. Whereupon, a message was sent to the House of Commons, informing them that Messrs. Burgin and Rogers compose the committee on the part of the Senate; and that they will commence voting on the return of the messenger.

The Senate then voted as follows:

FOR MR. COLLINS,

Messrs. Albright,
Allison, (of I.)
Burgin,
Cathey,
Dockery,
Elliott,
Howard,

Messrs. Joyner,
Miller,
Morehead,
Myers,
Pharr,
Ribelin,
Spruill,
Hodges, Tomlinson,  
Jacocks, Thomas,  
Jones, Worth—20.

FOR MR. PATTERSON,

Messrs. Speaker, Messrs. Ray,  
Arrington, Reid,  
Edwards, Stallings,  
Pasteur, Wm. P. Williams—8.

FOR MR. PALMER,

Messrs. Allison, (of O.) Messrs. Moore,  
Boyd, Shepard,  
Brown, Stafford,  
Hester, Jno. W. Williams—8.

FOR MR. COWAN,

Messrs. Boykin, Messrs. Melvin,  
Cooper, Mitchell,  
Dobson, Rogers,  
Ennett, Speight,  
Exum, Swinson,  
Larkins, Walker—12.

On motion of Mr. Hester, a message was sent to the House of Commons, proposing to go forthwith into another election for Treasurer.

Received from the House of Commons a message, agreeing to the proposition to go forthwith into an election for Treasurer—and stating that Messrs. Nash and Dobson compose the committee on their part to conduct said election. Whereupon, a message was sent to the House of Commons, informing them that Messrs. Allison (of I.) and Dobson compose the committee on the part of the Senate; and that they will commence voting on the return of the messenger.

The Senate then voted as follows:

FOR MR. HINTON,

Messrs. Albright, Messrs. Joyner,  
Allison, (of I.) Miller,  
Burgin, Morehead,
Mr. Rogers, from the committee appointed to superintend the election for Comptroller, reported that no person in nomination having received a majority of the votes of the two Houses, there is no election; in which report the Senate concurred.

On motion of Mr. Howard,

Resolved, That a Select Committee be appointed, to be composed of the members representing, in the Senate, the counties of Craven, Beaufort, Chowan, Perquimons, Currituck, Washington, and C----, to inquire into the expediency of amending the law in relation to Pilots and Pilotage, so far as relates to Ocracoke Inlet.

The engrossed bill for the better regulation of the town of Wilmington, was read the third time, passed, and ordered to be enrolled.

A bill for the relief of the Counties of Nash and Ashe, and a bill to alter the mode of inspecting Tobacco in the town of Fayetteville, were severally read the second time and passed.

Mr. Dobson, from the Committee appointed to superintend
the election for Treasurer, reported that John H. Wheeler, 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 the substitute proposed by the Senate, and herewith return the engrossed resolution of this House for the relief of the Clerk of the County Court of Franklin.

Mr. Brown, from the Joint Select Committee on the subject of Banks, reported a bill, entitled a bill to prevent the suspension of specie payments by the Banks in this State, recommending it to be passed into a law; whereupon said bill was read the first time and passed, ordered to be printed and made the order of the day for Thursday next.

On motion of Mr. Elliott, a message was sent to the House of Commons, proposing to go immediately into an election for Comptroller.

Friday, December 23, 1842.

Mr. Melvin presented the petition of James Cromartie and Patrick Cromartie, of Bladen county, praying for the passage of an act authorising them to clear out Cypress Creek in said county; which, on motion of Mr. Melvin, was ordered to be referred to the Committee on Internal Improvement.

On motion of Mr. Elliott,

Resolved, That the Judiciary Committee inquire into the expediency of repealing the second section of an act giving to the University the property which may hereafter escheat to the State.

Received from the House of Commons a message, proposing to go forthwith into an election for four Trustees of the University; which proposition was agreed to, and a message sent to the House of Commons informing them thereof—and that Messrs. Jones and Elliott form the committee on the part of the Senate.

The resolution directing the Secretary of State to sue delinquent Sheriffs was read the third time, amended on
motion of Mr. Albright, by striking out so much thereof as relates to the county of Chatham, passed as amended, and ordered to be engrossed.

The resolutions relating to the Bankrupt Law, were read the second time, and ordered, on motion of Mr. Brown, to lie on the table.

The bill for the relief of the counties of Nash and Ashe, was read the third time, passed, and ordered to be enrolled.

Received from the House of Commons a message, stating that Messrs. J. P. Caldwell and Holloway form their branch of the committee to superintend the voting for Trustees of the University; and that the House will proceed to vote on the return of the Messenger.

The Senate then proceeded to vote as follows:

FOR MR. PEARSON,

Messrs. Allison, (of I.)  Messrs. Morehead,
Burgin,                Pharr,
Cathey,                Ribelin,
Dockery,               Stallings,
Jones,                 Walker,
Miller,                Worth—12.

FOR MR. DICK,

Messrs. Allison, (of O.)  Messrs. Morehead,
Cathey,                Stafford,
Larkins,               Jno. W. Williams—7.
Mitchell,

FOR MR. MASON,

Messrs. Allison, (of I.)  Messrs. Pasteur,
Cathey,                Pharr,
Dockery,               Reid,
Howard,                Shepard,
Jacocks,               Spruill,
Jones,                 Wm. P. Williams,
Morehead,              Worth—15.

FOR MR. STONE,

Messrs. Speaker,  Messrs. Miller,
Albright,             Myers,
FOR MR. DANIEL,

Messrs. Joyner, Mitchell, Rogers,

FOR MR. REID,

Messrs. Speaker, Arrington, Allison, (of O.) Burgin, Dobson, Elliott, Ennett, Hester, Howard, Hodges, Mitchell,

FOR MR. JEFFRIES,

Messrs. Allison, (of O.) Boyd, Brown, Dobson, Myers,

FOR MR. CHERRY,

Messrs. Hodges, Jacocks, Myers,

FOR MR. LEAKE,

Messrs. Albright, Boykin,
Boyd,  
Brown,  
Cooper,  
Dockery,  

Miller,  
Swinson,  
Walker—11.

FOR MR. WILSON,

Messrs. Albright,  
Allison, (of O.)  
Dockery,  
Elliott,  
Howard,  
Jones,  
Joyner,  

Messrs. Miller,  
Morehead,  
Pharr,  
Reid,  
Ribelin,  
Walker,  
Wm. P. Williams—14.

FOR MR. SHEPARD,

Messrs. Arrington,  
Boykin,  
Boyd,  
Burgin,  
Hester,  
Hodges,  
Jacocks,  
Larkins,  
Pasteur,  

Messrs. Ray,  
Reid,  
Rogers,  
Shepard,  
Speight,  
Stafford,  
Stallings,  
Tomlinson—17.

FOR MR. ASHE,

Messrs. Speaker,  
Albright,  
Cathey,  
Cooper,  
Elliott,  
Ennett,  

Messrs. Jones,  
Melvin,  
Myers,  
Thomas,  
Worth—11.

FOR MR. BRAGG,

Messrs. Speaker,  
Arrington,  
Allison, (of O.)  
Boykin,  
Boyd,  
Cooper,  
Dobson,  
Ennett,  
Hester,  

Messrs. Larkins,  
Melvin,  
Mitchell,  
Pasteur,  
Ray,  
Reid,  
Rogers,  
Speight,  
Stafford,
Mr. Brown voted for Mr. Holmes.

The bill, in relation to the Intendants of Police or Magistrates of Police of the City of Raleigh, and the several corporate towns in this State, heretofore made the order of the day, was taken up and considered, and the several amendments reported from the Committee on the Judiciary were concurred in. Mr. Larkins moved to amend the same, by adding the following as an additional clause, to wit:

Be it further enacted, That the provisions of this act shall not extend to the town of Wilmington.

Which amendment was agreed to.

Mr. Hodges moved further to amend the bill by the following words, as an additional clause, to wit:

Be it further enacted, That the provisions of this bill shall not extend to the town of Washington and Bath.

Pending the question on this amendment, on motion of Mr. Stallings, it was ordered that the bill and amendment be laid on the table.

The bill to authorise John M. Bogle and others to keep floats or rafts of timber on Welch's Creek, was read the second time and passed.

The bill relating to private ways, was taken up, on motion of Mr. Jacocks, read the second time and rejected.

Mr. Jones, from the committee appointed to conduct the election for four Trustees of the University, reported that Thomas S. Ashe and Thomas Bragg, having received a majority of the votes of the two Houses, were duly elected, and that no other persons in nomination were elected; in which report the Senate concurred.

On motion of Mr. Dobson, a message was sent to the House of Commons, proposing that the two Houses go into an election forthwith for two Trustees of the University, yet to be elected.
Received from the House of Commons a message, stating that Messrs. Russell, Moore, Barringer, Fitts and Bragg form their branch of the Joint Select Committee on the memorial relating to the boundary line between Virginia and North Carolina.

Received from the House of Commons a message, stating their agreement to the proposition of the Senate to set apart Saturday, the 31st inst. at 3 o'clock, P. M. for the appointment of Justices of the Peace.

The engrossed bill to amend an act, passed by the General Assembly, at the session of 1838-'9, chapter 18th, entitled an act to incorporate the Hiwassee Turnpike Company, was taken up, read the second time, and passed.

The bill to incorporate a Mutual Insurance Company in the State of North Carolina, was taken up, on motion of Mr. Shepard, and made the order of the day for Monday, the 2nd January, 1843.

Received from the House of Commons a message, agreeing to the proposition of the Senate to go forthwith into an election for two trustees of the University—and stating that Messrs. Avery and Mills form their branch of the committee to conduct the election, and that the name of J. G. Bynum is withdrawn from the nomination. Whereupon, a message was sent to that House, informing them that Messrs. Howard and Spruill form the committee to conduct the election on the part of the Senate; and that they will proceed to vote on the return of the messenger.

The Senate then proceeded to vote as follows:

**FOR MR. SHEPARD,**

Messrs. Boyd, Messrs. Reid,
Ennett, Rogers,
Hodges, Shepard,
Pasteur, Stallings—8.

**FOR MR. WILSON,**

Messrs. Allison, (of 1.) Messrs. Morehead,
Elliott, Pharr,
Jones, Reid—7.
Miller,

**FOR MR. LEAKE,**

FOR MR. CHERRY,
Messrs. Speaker and Jacocks—2.

FOR MR. REID,

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<td>Hodges,</td>
<td>Worth—24.</td>
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FOR MR. STONE,

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<td>Melvin,</td>
<td>Worth—16.</td>
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FOR MR. MASON,


FOR MR. DANIEL,
Mr. Elliott.

FOR MR. PEARSON,

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<th>Messrs. Allison, (of I.)</th>
<th>Messrs. Miller,</th>
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<td>Cathey,</td>
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<td>Dockery,</td>
<td>Ribelin—7.</td>
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<td>Jones,</td>
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FOR MR. JEFFRIES,

Messrs. Allison, (of O.) Messrs. Spruill,
Boyd, Stafford,
Brown, Tomlinson,
Burgin, Thomas,
Howard, Jno. W. Williams,
Larkins, Worth—13.
Myers,

The bill for the relief of the counties of Ashe and Nash, was read a third time, passed and ordered to be engrossed.

The bill to alter the mode of inspecting tobacco in the town of Fayetteville, was read a third time, passed and ordered to be engrossed.

The bill to alter the time of selling lands and negroes in Montgomery county, on motion of Mr. Worth, was taken up and referred to the committee on the Judiciary.

The bill to provide for enclosing the State House Square, was taken up and considered; and, on motion of Mr. Hester, the blank in the bill was filled up with the names of Nathaniel G. Rand, and William White of Raleigh. Mr. Shepard moved further to amend the bill, by striking out all after the words "of wooden," to "provided," and insert in lieu thereof, that the foundation be of stone, in the first section; and in the same section strike out two thousand, and insert fifty thousand, and whenever two thousand occurs, insert fifty thousand. Pending the question on this amendment, Mr. Miller moved that the bill be indefinitely postponed; and on the question, shall the bill be indefinitely postponed? it was decided in the affirmative—ayes 23, noes 17—The ayes and noes being demanded by Mr. Cooper, are as follows:

Those who voted in the affirmative, are

Messrs. Arrington, Messrs. Pasteur,
Allison, (of O.) Ray,
Boykin, Reid,
Boyd, Ribelin,
Cooper, Rogers,
Dobson, Spruill,
Elliott, Stafford,
Ennett, Swinson,
Larkins, Tomlinson,
Melvin, Walker,
Mitchell, Williams, of P.—23.
Miller,
Those who voted in the negative, are

Messrs. Allison, (of I.)  Messrs. Joyner,
  Brown,               Morehead,
  Burgin,              Myers,
  Cathey,              Pharr,
  Dockery,             Shepard,
  Hester,              Snellings,
  Howard,              Thomas,
  Jacocks,             Worth—17.
  Jones,

Mr. Spruill, from the committee on the part of the Senate, appointed to conduct the election of two Trustees of the University, reported that Mr. Jeffreys having received a majority of the votes of the two Houses, is duly elected, and that no other person in nomination is elected; in which report the Senate concurred.

Received from the House of Commons a message, proposing to go forthwith into an election of one Trustee to the University of this State, and informing the Senate that the names of Messrs. J. J. Daniel, W. W. Cherry, Charles Shepard, W. F. Leake and T. G. Stone are withdrawn from the nomination.

A message was sent to the House of Commons, agreeing to this proposition to go into an election for one Trustee, and informing that House that Messrs. Spruill and Pasteur will form a committee on the part of the Senate to conduct the election. Whereupon, a message was received from the House of Commons, informing the Senate that Messrs. Halsey and Russell form the committee of the House to superintend the election of Trustee to the University, and that the House of Commons will commence voting on the return of the messenger.

The Senate then voted as follows:

FOR MR. WILSON,

Messrs. Elliott,                Messrs. Pharr,
Morchead,                      Rogers—4.

FOR MR. REID,

Messrs. Speaker,                Messrs. Miller,
                          23
Arrington, 
Allison, (of O.), 
Boykin, 
Boyd, 
Cooper, 
Dobson, 
Ennett, 
Hester, 
Howard, 
Hodges, 
Joyner, 
Larkins, 
Mitchell, 
Pasteur, 
Ray, 
Shepard, 
Spruill, 
Stafford, 
Stallings, 
Swinson, 
Tomlinson, 
Thomas, 
Walker, 
Wm. P. Williams, 
Jno. W. Williams—27.

FOR MR. PEARSON,

Messrs. Allison, (of I.), 
Burgin, 
Cathey, 
Dockery, 
Jacocks,

Messrs. Jones,

FOR MR. DICK,

Mr. Melvin,

Received from the House of Commons the resignation of J. S. Thompson, Major of Cavalry in the 6th Brigade of North Carolina Militia, and of David D. Baker, a Justice of the Peace for the county of Yancey; which were severally read and accepted.

Received from the House of Commons a message, agreeing to the proposition to go forthwith into an election for Comptroller, and stating that Messrs. Harrington and Lord compose the committee on their part to conduct the election. Whereupon, a message was sent to the House of Commons, informing them that Messrs. W. P. Williams and Larkins compose the committee on the part of the Senate, that the name of Mr. Palmer is withdrawn from the nomination— and that they will commence voting on the return of the messenger.

The Senate then voted as follows:

FOR MR. COLLINS,

Messrs. Albright, 
Messrs. Miller,
The resolution directing the Secretary to sue delinquent Sheriffs, which was made the order of the day for this day, was taken up and considered. Mr. Allison of Iredell moved to amend the same, by striking out all after the word “penalty” in the fourth line thereof; which amendment was not agreed to. Whereupon, Mr. Jones moved to postpone the same indefinitely; which motion was not agreed to—ayes 14—nays 31. The ayes and noes being demanded on motion of Mr. Hodges.

Those who voted in the affirmative, are

Messrs. Albright, Melvin,
Cathy, Melvin,
Dobson, Mitchell,
Those who voted in the negative are

Messrs. Arrington,
Allison (of O)
Boyd's
Brown
Burgin
Cooper
Edwards
Ennett
Hester
Howard
Hodges
Larkins
Moore
Morehead

Messrs. Pasteur,
Reid,
Ribelin,
Rogers,
Shepard,
Spruill,
Speight,
Stafford,
Stallings
Swinson,
Tomlinson,
Thomas,
Walker,
Williams, (of P.)
Williams, (of F.)—31.

Mr. Williams of Franklin, from the committee appointed to superintend the election for Comptroller, reported that William F. Collins, having received a majority of the votes of the two Houses, is duly elected; in which report the Senate concurred.

Received from the House of Commons the resignations of R. L. Stute and Joseph J. Bryan, Justices of the Peace for the county of Wilkes: also, of George H. Hamilton, a Justice of the Peace for the county of Ashe; which were severally endorsed, read and accepted in the House, and which were read and accepted by the Senate.

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

[Note.—The vote for Comptroller, above stated, belongs to the preceding day's proceedings; but was placed here by mistake of the person who copied the Journal for the press, which was not detected by the Printer in time to correct the error, except by this note.]
Saturday, December 21, 1842.

Mr. Spruill, from the committee appointed to wait on his Excellency Governor Morehead, to inform him of his election, and to ascertain at what time it will suit his convenience to attend the two Houses and take the oaths of office, reported, that he would attend on Saturday, the 31st inst., at 12 o'clock, for the purpose of taking the necessary oaths of office.

On motion of Mr. Joyner,

Ordered, That Mr. Jacoeks have leave of absence from the service of this House for to-day and Monday next.

Mr. Pasteur, from the joint select committee to superintend the election for one Trustee to the University, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

Mr. Allison (of I.) introduced the following resolution:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so altering and amending the law, as regards the election of Treasurer of the State, as to define the time specifically when his term of service shall expire; and that they report by bill or otherwise.

Which was read and adopted.

Mr. Cooper presented the following resolution:

Resolved, That the Committee on Military Affairs be, and they are hereby instructed to provide by law some safe plan to collect together all the public arms that have been placed in the hands of volunteer companies, and the companies are entirely dispersed, and the public arms are scattered into the hands of those that are not responsible for them; and that they report to this General Assembly on the subject.

Which was read and adopted.

Mr. Reid, from the committee on Claims, to whom was referred the pension certificate of Silas Horn, reported that they recommend that the certificate be countersigned by the Speaker of the Senate and transmitted to the House of Commons.

Mr. Reid, from the same committee, to whom was referred the resolution in favor of Mr. H. Hollomon, reported
the same to the Senate, with the following amendment, to wit: strike out "forty-eight," and insert in lieu thereof, "thirty;" which was read and made the order of the day for Monday next.

Mr. Reid, from the said committee, to whom was referred the resolution in favor of Richard W. Long, Sheriff of Rowan county, reported the same to the Senate and recommended its adoption; which was read and made the order of the day for Monday next.

Mr. Dobson presented the following resolution:

Resolved, That Charles L. Hinton be requested to perform the duties of Treasurer, until the time (allowed by law) expires for the Treasurer elect to receive the office.

Which was read, and, on motion of Mr. Allison of I. postponed until Monday next.

Received from the House of Commons a message, proposing to go forthwith into an election of one Trustee for the University; which was read and agreed to. The Speaker announced to the Senate that Messrs. Cathey and Mitchell form our branch of the committee to superintend the election of one Trustee for the University, and the House of Commons was informed thereof by message. Received from the House of Commons a message, stating that Messrs. J. P. Caldwell and Massey constitute their branch of the committee to superintend the election of one Trustee to the University; and informing the Senate that the names of Messrs. Mason and Wilson are withdrawn from the nomination, and that they will commence voting on return of the messenger.

The Senate then voted as follows:

FOR MR. REID,

Messrs. Speaker.
Arrington.
Allison, (of O.)
Boyd.
Brown.
Cooper.
Dobson.

Mitchell,
Pasteur,
Rea,
Rogers,
Shepard,
Spruill,
Stafford,
Resolved, That the committee on public buildings be, and they are hereby instructed to inquire into the expediency of reporting a bill to provide means for the building of a wood house in the Capital Square, for the safe keeping of the fuel for the General Assembly and State officers.

Which was read and adopted.

Mr. Cathey, from the joint select committee on the part of the Senate, to superintend the election for one Trustee of the University, reported that no person had received a majority of the votes given, and there was no election; in which report the Senate concurred.

The Senate then took up the following engrossed bills: A bill, entitled a bill to authorise John McBoyle and others to keep floats and rafts of timber in Welch’s creek; and a bill, entitled a bill to amend an act, passed by the General Assembly at the session of 1838-9, chapter 18, entitled an act to incorporate the Hiwassee Turnpike Company; which were read the third time and passed, and ordered to be enrolled.
Received from the House of Commons a message, proposing to raise a joint select committee of four on the part of each House, to make suitable arrangements for the reception of his Excellency John M. Morehead, on the 31st inst., to take the oaths of office before this General Assembly; which was read and agreed to. Whereupon, the Speaker announced to the Senate that Messrs. Joyner, Edwards, Spruill and William P. Williams form our branch of said committee; and the House of Commons was informed thereof by message.

On motion of Mr. Allison of Iredell,

Ordered, That a message be sent to the House of Commons, proposing to go into another election of one Trustee to the University, yet to be elected.

Received from the House of Commons a message, proposing to vote again for one Trustee, yet to be elected for the University of this State. Whereupon, Mr. Allison of I. moved that the vote by which was passed the motion to send a message to the House of Commons, proposing to vote again for one Trustee yet to be elected for the University, be reconsidered; which motion prevailed. The motion was then laid upon the table, and the message from the House of Commons was then agreed to.

On motion of Mr. Dobson,

Ordered, That a message be sent to the House of Commons, informing them that the name of David Reid is withdrawn from the nomination for the appointment of Trustee to the University.

The Speaker announced to the Senate, that Messrs. Shepard and Joyner form our branch of the committee to superintend the election of Trustee to the University; and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating that Messrs. Candler and Cardwell form their committee to superintend the election of one Trustee to the University, yet to be elected; and that they will proceed to vote upon the return of the messenger.

The Senate then voted as follows:

FOR MR. DICK.

Messrs. Speaker.

Allison, (of O.)

Messrs. Mitchell,

Pasteur.
Boykin,          Rea,
Boyd,          R-Id,
Brown,          Rogers,
Cooper,         Shepard,
Dobson,         Stafford,
Dockery,        Swinson,
Elliott,       Tomlinson,
Ennett,         Wm. P. Williams,
Larkin,
Melvin,

FOR MR. PEARSON,

Messrs. Arrington,       Messrs. Moye,
Allison (of O.)          Myers,
Burgin,                  Pharr,
Cathey,                  Ribelin,
Howard,                  Spruill,
Hodges,                 Stallings,
Jones,                   Thomas,
Joyner,                  Walker,
Miller,                  Worth—21.
Morchhead,

The engrossed bill, entitled a bill to amend an act, entitled an act to regulate the proceedings in the Court of Pleas and Quarter Sessions of Craven county, and for other purposes—and the engrossed bill, entitled a bill to repeal an act, passed in the year 1831, entitled an act to abolish the offices of County Trustee and Treasurer of Public Buildings in the counties of Richmond, Columbus and Robeson, was taken up, and read the second time, and passed.

Mr. Shepard, from the Joint Select Committee on the part of the Senate to superintend the election of one Trustee to the University, reported that Jno. M. Dick, having received a majority of the votes given, was duly elected; in which report the Senate concurred.

The bill, entitled a bill to amend the 10th section of the 104th chapter of the Revised Statutes, was then taken up, and read the second time. Mr. Stallings moved, that the bill be indefinitely postponed; and, upon this motion, Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Allison, (of O.)       Messrs. Ribelin,
Those who voted in the negative, were

Messrs. Allison, (of I.)  Messrs. Larkins,
Boykin,                Melvin,
Burgin,               Miller,
Cathey,               Myers,
Cooper,               Pharr,
Dobson,               Rea,
Ennett,               Reid,
Howard,               Shepard,
Jones,                Swinson,
Joyner,               Walker—20 nays.

So the motion did not prevail. Mr. Joyner moved to amend the bill, by inserting after the word "overseen" "at least three days before the time appointed for working on the road," which was agreed to. Mr. Mitchell then moved to amend it, by striking out the word "written" and inserting the word "verbal," which was not agreed to. Mr. Walker further moved an amendment; which was also rejected. The question then was, shall the bill pass? and, upon this question, Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Allison, (of I.)  Messrs. Larkins,
Boykin,                Melvin,
Brown,                Miller,
Burgin,               Myers,
Cathey,               Rea,
Cooper,               Reid,
Dobson,               Shepard,
Howard,               Stafford,
Jones,                Swinson—19 years.
Those who voted in the negative were

Messrs. Allison, (of O.)
Boyd,
Dockery,
Mitchell,
Morehead,
Moye,
Pasteur,
Pharr,

Messrs. Ribelin,
Rogers,
Staitings,
Tomlinson,
Thomas,
Walker,
Wm. P. Williams,
Jno. W. Williams,

16 nays.

So the bill passed as amended.

Received from the House of Commons the resignation of Mr. H. Russell, a Justice of the Peace for the county of Hyde; which was read and accepted.

On motion of Mr. Dockery, the Senate adjourned until Monday morning ten o'clock.

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MONDAY, DECEMBER 26, 1842.

Mr. Wm P. Williams, from the Committee on Internal Improvement, to whom was referred the bill, entitled a bill to incorporate the Natchalahah Turnpike Company, in the counties of Macon and Cherokee, reported the same to the Senate without amendment; which was read and made the order of the day for to-morrow.

Mr. W. P. Williams, from the same Committee, to whom was referred the memorial of the Wilmington and Raleigh Rail Road Company, reported a resolution in favor of said Rail Road Company; which was read the first time and passed.

Mr. Reid, from the Committee on Claims, to whom was referred the resolution in favor of Ormond Respass, reported the same to the Senate, and believe it inexpedient to adopt the resolution, and asked to be discharged from the further consideration of the subject. The committee was discharged accordingly.

Mr. Reid, from the Committee on the Judiciary, to whom was referred a bill, entitled a bill to grant an additional
Court of Pleas and Quarter Sessions and probate courts to the county of Cleveland, reported the same to the Senate with an amendment, to wit: strike out the second and third sections in the bill; which was read and made the order of the day for to-morrow.

The Speaker announced to the Senate that Messrs. Thomas and Shepard form the committee on our part on enrolled bills for this week; and the House of Commons was informed thereof by message.

The engrossed resolution in favor of Richard W. Long, was taken up, and read the second time and passed.

The Senate took up the resolution in favor of William H. Holoman; which was read. Mr. Shepard moved to amend the amendment by striking out "thirty" and inserting "forty;" which was not agreed to. Whereupon, Mr. Dockery moved to lay it on the table; which motion was rejected.—

Mr. Joyner then moved to strike out "thirty" and insert "thirty-eight." Pending this question, Mr. Reid moved that the resolution be recommitted to the Committee on Claims; which motion prevailed.

Mr. Jones presented a bill, entitled a bill establishing a Superior Court of Law and Court of Equity in the county of Caldwell, and for other purposes; which was read the first time and passed.

Received from the House of Commons a message, stating that Messrs. Dockery, Dickson, Koonce and M'Cae form their committee on enrolled bills for the present week.

The engrossed bill, entitled a bill to repeal an act, passed in the year 1831, entitled an act to abolish the office of county Trustee and Treasurer of Public Buildings in the counties of Richmond, Columbus and Robeson; and a bill, entitled a bill to amend an act to regulate the proceedings in the Court of Pleas and Quarter Sessions of Craven county, and for other purposes, were taken up, and read the third time and passed, and ordered to be enrolled.

The bill, entitled a bill to amend the 10th section of the 104th chapter of the Revised Statutes, was taken up, and read the third time. Mr. Jones moved to amend the bill, by inserting after the word "written," the words "or verbal;" which was not agreed to. The bill then passed, and was ordered to be engrossed.

Mr. Jones presented the following preamble and resolution, to wit:
Whereas, the Sheriff of Wilkes county failed to comply with the requisition of the Constitution, in making out the returns of the election for Governor, held in August last, and whereas, the said failure does not appear to have originated in wilful negligence, or an intention to commit a fraud in said election:

Therefore resolved, That the Secretary of State be instructed not to commence suit against said Sheriff for the aforesaid delinquency.

Which was read, and, on his motion, ordered to lie on the table.

The engrossed bill, entitled a bill concerning prosecutions for perjury and subornation of perjury, was taken up, and read the second time and passed.

On motion of Mr. Morehead, the Senate adjourned until to-morrow morning ten o'clock.

Tuesday, December 27, 1842.

Mr. Jacoeks presented the resignation of Francis Nixon, a Justice of the Peace for the county of Perquimons; which was read and accepted, and sent to the House of Commons.

Mr. Edwards asked to be excused from serving on the committee raised on the Mecklenburg Monumental Association. He was excused accordingly.

Mr. Morehead presented a bill, entitled a bill to amend an act, entitled an act to incorporate the Salem Manufacturing Company; which was read the first time and passed.

Mr. Walker presented a bill, entitled a bill to authorise the County Court of Mecklenburg to appoint inspectors of the elections at the April term of said court; which was read the first time and passed.

On motion of Mr. Spruill, the report and resolution from the committee on Privileges and elections, to whom was referred the resolution relating to the returns made by the Sheriff of Chatham county, of the votes taken at the recent election for Governor, was taken up ad read, and, on motion of Mr. Spruill, the resolution proposing to refer said report to the committee on the Judiciary, was amended, by striking out Judiciary, and inserting, in lieu thereof,
Privileges and Elections. The report was then referred to said committee.

Received from the House of Commons a message, stating that Messrs. T. Wilson, Mendenhall, Jones of Currituck, and Halsey, form their branch of the joint select committee to make arrangements for the reception and inauguration of Governor Morehead, on the 31st inst.

Received from the House of Commons a message, agreeing to the substitute proposed by the Senate to the engrossed resolution to pay Ashe and Nash counties their distributable share of the school fund. Ordered, that said bill be enrolled.

The engrossed resolution in favor of Richard W. Long, was taken up, and read the third time and passed, and ordered to be enrolled.

The Senate then took up the bill, entitled a bill to alter the electoral districts of this State, and for other purposes; which was read the second time. Mr. Dockery moved to amend the bill, by striking out, in the fifth district, "Richmond," and inserting "Cumberland;" which was not agreed to. Mr. Cathey then moved to amend the bill by adding the county of McDowell to the eleventh district; which motion did not prevail. The bill then passed.

The bill, entitled a bill to repeal part of the first section of an act, passed at the last session of the Legislature, entitled an act to reduce into one the several acts concerning the appointment of Commissioners of Navigation and Pilotage for the Cape Fear river, and to restore the appointment to the County Court of New Hanover, was taken up and read the second time, and on motion of Mr. Joyner, was referred to the Committee on Propositions and Grievances.

Mr. Cooper offered the following amendment to the bill for the relief of the people, to wit: In the first section and sixth line, strike out 10, and insert 3. In the second section, first line, strike out the word, "bill" and insert, "scrip." In the third section, as amended, strike out, the words "nor shall any person circulate or attempt to circulate the same as money." In the same section, "and the scrip authorized to be issued shall be receivable in payment of public taxes and Bank dividends, or any other debt due the State, redeemable at all times at the Public Treasury, with any solvent Bank notes, or gold and silver;"—which was read, and ordered to be printed.
The bill, entitled a bill to grant an additional Court of Pleas and Quarter Sessions and Probate Courts to the county of Cleveland, was taken up and read the second time.—The amendment proposed by the committee was agreed to, and the bill passed as amended.

Mr. Stallings presented a bill, entitled a bill to amend an act, passed at the last session of the General Assembly, entitled an act to authorize the making of a turnpike road from Gatesville to the Chowan river, and to incorporate a Company for that purpose; which was read the first time and passed.

The Senate then took up the bill, entitled a bill establishing a Superior Court of Law, and Court of Equity in the county of Caldwell, and for other purposes; which was read the second time. Mr. Jones moved that the bill be laid upon the table; which was agreed to.

The bill, entitled a bill to incorporate the Nantahalah Turnpike Company, in the counties of Macon and Cherokee, was taken up, and read the second time. The question was, shall this bill pass? and upon this question, Mr. Cooper demanded the yeas and nays, which are as follows:

**Those who voted in the affirmative were**

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<th>Messrs. Allison, (of I.)</th>
<th>Messrs. Miller,</th>
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<td>Burgin,</td>
<td>Pasteur,</td>
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<td>Cathey,</td>
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<td>Howard,</td>
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<td>Jacocks,</td>
<td>Stafford,</td>
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<td>Jones,</td>
<td>Thomas,</td>
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<td>Joyner,</td>
<td>Worth—18 yeas.</td>
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**Those who voted in the negative were**

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<th>Messrs. Albright,</th>
<th>Messrs. Mitchell,</th>
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<td>Arrington,</td>
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<td>Allison, (of O.)</td>
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<td>Boykin,</td>
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<td>Cooper,</td>
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<td>Ennett,</td>
<td>Swinson,</td>
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<td>Tomlinson,</td>
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So the bill was rejected.

The resolution relative to the Treasurer of the State, was taken up and read. Mr. Allison (of I.) moved the following as a substitute therefor, to wit:

That Charles L. Hinton be, and he is hereby appointed agent for this State, for the purpose of receiving any monies offered for the entry of lands; and his receipt for the same shall be sufficient to enable the individual, thus paying in monies, to proceed to the completion of grants, as now provided by law.

Resolved further, That the said Charles L. Hinton be, and he is hereby authorised to pay off and discharge all or any resolution that have been, or may be passed by this General Assembly, up to the first day of January, 1843; and that he have authority to issue his warrant or draft to any Bank in this State, for the amount of money necessary to carry this resolution into effect.

Which was read, and ordered to lie upon the table.

The resolution in favor of the Raleigh and Wilmington Rail Road Company, was taken up and read the second time, and, on motion of Mr. Joyner, ordered to lie upon the table.

The engrossed bill, entitled a bill concerning prosecutions for perjury and subornation of perjury, was then taken up and read the third time and passed, and ordered to be enrolled.

On motion of Mr. Edwards, the Senate adjourned until to-morrow morning ten o’clock.

WEDNESDAY, DECEMBER 28, 1842.

Mr. Allison (of I.) presented a memorial from sundry citizens of Statesville, praying the Legislature to make a Turnpike road from Fayetteville to some point in the West; which was read, and, on his motion, was referred to the Committee on Internal Improvement.
Mr. Arrington presented the resignation of Francis Av-vent, a Justice of the Peace for the county of Nash; which was read and accepted, and sent to the House of Commons.

Mr. Jones presented the following resolution:

Resolved, That the Committee on the Judiciary, be instructed to inquire into the expediency of repealing the 14th section of the 39th chapter of the Revised Statutes, concerning alimony and divorce; and that they report by bill or otherwise.

Which was read and adopted.

Mr. Hester presented a bill, entitled a bill to incorporate the Henderson Academy in the town of Henderson, in Granville county; which was read the first time and passed.

The Senate took up the bill, entitled a bill to incorporate the Salem Manufacturing Company; which was read the second time and passed.

The Speaker presented to the Senate a communication from Charles L. Hinton, therein transmitting a statement of the affairs of the Bank of Cape Fear by the Cashier thereof; which was read, and, on motion of Mr. W. P. Williams, ordered to lie on the table and be printed.

Mr. Morehead, from the Committee on the Judiciary, to whom was referred the bill, entitled a bill to provide for the assessment of real estate, reported the same to the Senate, with the following amendment at the end of section second, to wit:

Provided, however, That it shall be the duty of each and every person claiming lands subject to taxation either by entry or grant, which entry or grant shall have been made or issued after the board of valuation shall have held its last session, to return upon oath the value of such land so entered or granted, with the list of taxable property, to the Justice appointed to receive the same; subject, however, to such correction in the valuation, as the County Court to which the return may be made shall think proper to make.

Which was read, and made the order of the day for to-morrow.

On motion of Mr. Edwards, the communication and statement of the Cashier of the Bank of Cape Fear, was taken up, and, on motion of Mr. Cooper, was referred to the Committee on Banks.
On motion of Mr. Edwards, the vote by which the bill, entitled a bill to incorporate the Nantahalah Turnpike Company, in the counties of Macon and Cherokee, was re-considered; and, on his motion, was re-committed to the Committee on Internal Improvement.

Mr. Albright presented a bill, entitled a bill to amend the execution law; which was read the first time and passed, and, on motion of Mr. Walker, was referred to the Committee on the Judiciary.

On motion of Mr. Allison (of I.,) the resolution relative to the Public Treasurer, was taken up, and read the first time. The amendment heretofore proposed by Mr. Allison (of I.,) was adopted, with the following amendment, proposed by Mr. Joyner, to wit: after the word "State," in the second line, insert the words "until his successor in office is qualified and prepared to enter upon the duties of the office of Public Treasurer." Mr. Shepard moved an amendment; which was not agreed to. The question then was, shall the resolution pass, as amended? which was decided in the affirmative. The yeas and nays were demanded by Mr. Jones.

Those who voted in the affirmative, were

Messrs. Albright,
Arrington,
Allison, (of O.)
Allison, (of I.)
Boyd,
Brown,
Burgin,
Cathey,
Dobson,
Edwards,
Elliott,
Hester,
Howard,
Hodges,
Jacocks,
Jones,
Joyner,

Messrs. Mitchell,
Miller,
Morehead,
Moye,
Myers,
Pasteur,
Pharr,
Rea,
Reid,
Ribelin,
Rogers,
Spruill,
Thomas,
Jno. W. Williams,
Wm. P Williams,
Worth—33 yeas.

Those who voted in the negative were

Messrs. Boykin,
Cooper,

Messrs. Shepard,
Speight,
Dockery, Stallings,
Ennett, Swinson,
Exum, Tomlinson,
Larkins, Walker—13 nays.
Melvin,

Whereupon, on motion of Mr. Allison (of I.,) the rules were suspended so as to read the resolution the second and third times. The resolution was then read the second and third times, and passed as amended, and ordered to be engrossed.

On motion of Mr. Reid, the bill, entitled a bill for the relief of the people, was taken up, and read the second time. Mr. Cooper moved to amend the bill, to wit: in the first section, and sixth line, strike out "ten," and insert "three;" which was agreed to. In the second section, first line, strike out the word "bill," and insert "scrip." In third section as amended, strike out the following words: "nor shall any person circulate, or attempt to circulate the same, as money." In the third section insert as follows: "and the scrip authorised to be issued, shall be receivable in payment of public taxes and bank dividends, or any other debt due the State, redeemable at all times at the Public Treasury, with any solvent bank notes, or gold and silver;" which several amendments were agreed to. Mr. Edwards moved that the bill be indefinitely postponed; which was decided in the affirmative—yeas 42—nays 5. Mr. Shepard demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Miller,
Arrington, Melvin,
Alison (of O.) Mitchell,
Allison, (of I.) Morehead,
Boykin, Moye,
Boyd, Myers,
Brown, Pasteur,
Burgin, Pharr,
Cathay, Rea,
Dobson, Reid,
Dockery, Ribelin,
Edwards, Rogers,
Elliott, Spruill,
Ennett, Speight,
Hester,  
Howard,  
Hodges,  
Jacocks,  
Jones,  
Joyner,  
Larkins,  

Stafford,  
Stallings  
Tomlinson,  
Walker,  
Jno. W. Williams,  
Wm. P. Williams,  
Worth—42 yeas.

Those who voted in the negative, were

Messrs. Cooper,  
Messrs. Swinson,  
Exum,  
Thomas—5 nays.  
Shepard,

The Speaker announced to the Senate, that Mr. Shepard is appointed to serve on the Committee on the Mecklenburg Monumental Association, in place of Mr. Edwards, excused.

On motion of Mr. Jones, the Senate adjourned until tomorrow morning ten o'clock.

THURSDAY, DECEMBER 29, 1842.

Mr. Walker presented the petition of Wm. Davidson of Mecklenburg county, for a claim against the State of North Carolina, for money advanced the Catawba Navigation Company, in which the State is a stockholder; which was read, and, on his motion, referred to the Committee on Claims.

Mr. Arrington, from the Committee of Finance, to whom was referred a resolution instructing them to inquire into the expediency of amending the revenue law, so as to give the Sheriffs a longer time to make their settlements at the Public Treasury, reported a bill, entitled a bill extending the time for Sheriffs to settle their accounts with the Comptroller; which was read the first time and passed.

Mr. Joyner, from the Committee on Education and the Literary Fund, to whom was referred so much of the Governor's Message as relates to Common Schools and the Literary Fund, reported a bill, entitled a bill to amend an act, entitled an act for the establishment and better regulation of Common Schools, passed in the year 1841; which was
Mr. Howard, from the Joint Select Committee, to whom was referred the memorials of sundry citizens, relative to the inspection laws of this State, reported a bill, entitled a bill to amend the 59th chapter of the Revised Statutes, &c.; which was read the first time and passed.

Mr. Worth presented the following resolution:

Resolved, That the Treasurer pay to A. B. Cochran, administrator of John M. Allen, late Sheriff of Montgomery County, the sum of seventy-five dollars and twenty cents, it being the amount of three hundred and seventy-six insolvent polls, for the years 1830-31-32-33-34 and 35, allowed by the County Court of Montgomery, and paid into the Treasury by said Allen.

Which was read the first time and passed, and, on his motion, referred to the Committee on Claims.

Mr. Cooper presented a bill, entitled a bill concerning Fisheries in this State; which was read the first time and passed, and, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Shepard presented a bill, entitled a bill for the better regulation of the City of Raleigh, and to amend the act of 1792, &c.; which was read the first time and passed.

Mr. Wm. P. Williams presented the following resolution:

Resolved, That the Speaker of the Senate and Speaker of the House of Commons be requested to inform Wm. H. Haywood Jr., of his election as Senator of the United States' Congress from North Carolina, for six years, from and after the fourth of March next, and that they request his acceptance of the same.

Which was read and agreed to.

Mr. Shepard presented the following preamble and resolution:

Whereas, several years since, General Beverly Daniel, as Commissioner of Mr. Patton, Chief Architect, agreed to pay Dr. Josiah O. Watson, for the use of the quarry to build the Capitol, the sum of five hundred dollars:

Resolved, therefore, That the Public Treasurer be authorized to
pay Dr. Josiah O. Watson the sum of two hundred and fifty dollars.

Which was read the first time and passed, and, on his motion, referred to the Committee on Claims.

Received from the House of Commons a message, stating that they have passed the engrossed bill to prevent the felling of timber into Rich Fork creek, Abbott's creek, Hambey's creek, &c. with an amendment; in which they ask the concurrence of the Senate. The amendment was agreed to—and further stating, that they have rejected the engrossed bill making securities on prosecution bonds liable for plaintiff's costs.

Received from the House of Commons the resignation of William Trice, of Orange county, a Justice of the Peace; which was read and accepted.

Mr. Edwards presented the following resolution:

Resolved, That the two Houses of this General Assembly will adjourn on ———, the ——— day of ———, and that the Clerks of the two Houses make up their estimates to that day, inclusive.

Which was read, and, on his motion, ordered to lie on the table.

The bill, entitled a bill to amend an act, entitled an act to incorporate the Salem Manufacturing Company, was taken up, and 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: A bill to attach the 84th Regiment of North Carolina Militia to the 15th Brigade; a bill to amend the 23d section of the Revised Statutes, relating to Guardian and Ward; and a bill to preserve the natural benefits of the Pamlico sound to the citizens of this State; which were severally read the first time and passed.

On motion of Mr. Edwards, the bill, entitled a bill to lay off this State into fifty Senatorial districts, was taken up, and read the third time. Mr. Hodges moved the following amendments to the 4th district, to wit: strike out the words "Beaufort and Hyde" and insert "Washington, Tyrrell and
Hyde.” The question was, shall the amendments be adopted? and upon this question, Mr. Hodges demanded the yeas and nays.

Those who voted in the affirmative were

Messrs. Arrington, Brown, Burgin, Edwards, Hester, Hodges, Jones, Moye,

Messrs. Pasteur, Rogers, Shepard, Speight, Stallings, Jno. W. Williams, Worth—15 yeas.

Those who voted in the negative were

Messrs. Albright, Allison, (of O.) Allison, (of I.) Boykin, Boyd, Cathey, Cooper, Dobson, Dockery, Elliott, Ennett, Exum, Howard, Jacocks, Joyner,

Messrs. Larkins, Melvin, Mitchell, Miller, Morehead, Myers, Pharr, Rea, Reid, Ribelin, Spruill, Swinson, Tomlinson, Thomas, Walker—30 nays.

So the amendment did not prevail.

Mr. Worth moved the following amendment to the 32d district: In the 22d line, after the word “Montgomery” add “and Stanly.” In the 27th line, strike out the words “and Stanly.” The question was, shall the amendment be adopted? which was decided in the negative—yeas 19—nays 26. Mr. Thomas demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Albright, Miller,
Mr. Jones moved that the bill be amended as follows, to wit: The forty-fourth district shall be Surry, Wilkes and Ashe; 48th, Burke and Caldwell; 49th, Buncombe and Yaney; and 50th, Henderson, Haywood, Macon and Cherokee. Pending the question, Mr. Joyner moved that the Senate adjourn until to-morrow morning ten o'clock; which was not agreed to. Whereupon, on motion of Mr. Morehead, the Senate adjourned until to-morrow morning ten o'clock.

FRIDAY, DECEMBER 30, 1842.

Mr. Howard presented a petition from the Branch Pilots for the bar and swashes at Ocracoke Inlet; which was, on his motion, referred to the Joint Committee on Pilotage.
Mr. Joyner, from the Committee on Education and the Literary Fund, to whom was referred a resolution instructing them to inquire into the expediency of so amending the law in relation to Common Schools, to cause to be condemned three acres of land in each school district, for the use of a common school thereon, where the owner will not agree to sell the same for a fair and equitable equivalent, reported that it was inexpedient at this time to legislate upon the subject, and asked to be discharged from its further consideration. The committee was discharged accordingly.

Mr. Joyner, from the same committee, to whom was referred the memorial of the committee of the board of superintendents of common schools in the county of Robeson, reported that they have inserted in the bill in relation to common schools, reported to the Senate, a section to exempt them from taxation for the maintenance of common schools, and asked to be discharged from the further consideration of the subject. The committee was discharged accordingly.

Mr. Cathey, from the Joint Select Committee on the purchase of Cherokee lands, to whom was referred a resolution instructing them to inquire into the expediency of surveying and selling, or otherwise disposing of the unsold and unappropriated lands in the counties of Macon and Cherokee, reported that they deem it inexpedient at this time to legislate on the subject, and asked to be discharged from its further consideration. The committee was discharged accordingly.

Mr. Elliott presented the following resolution:

Resolved, That the Clerks of the two Houses of the General Assembly be required to collect the skeleton maps of the State, procured under the authority of this Legislature, and deposit them in the office of the Secretary of State, for future use and reference.

Which was read and adopted.

Mr. Hester presented the following resolution:

Resolved, That a message be sent to the House of Commons, proposing to raise two Joint Select Committees, to consist of three members, one of each Committee to be selected from the Senate, and two from the House, whose duty it shall be to examine into the condition of the Bank of the State of North Carolina, and the Bank of Cape Fear; and that said Committee be directed to inspect the books, and
examine into the proceedings of said corporations, count the specie, and report at as early a day as possible; and that said Committee have leave to make the examination during the business hours of their respective Houses.

Which was read and adopted.

Mr. Moore presented the following resolution:

Resolved, That a message be sent to the House of Commons, proposing to hold evening sessions, beginning at half after three o'clock, from and after Monday next.

Which was read, and, on motion of Mr. Edwards, ordered to lie on the table.

Received from the House of Commons a message, therein transmitting to the Senate the report of the Joint Select Committee, to make arrangements for the inauguration and qualification of his Excellency, Gov. Morehead, on the 31st inst.; which was read and concurred in.

Received from the House of Commons a message, therein transmitting a communication from his Excellency, Gov. Morehead, with the accompanying letter from Gov. Dudley, in relation to the Wilmington and Raleigh Rail Road Company, which they propose to refer to a Joint Select Committee; which was read and agreed to.

Mr. Miller presented a memorial from the citizens of the town of Shelby relative to felling timber in the public streets, and also the practice of retailing ardent spirits in the public square during the session of the courts and other public days. He then moved that the bill, entitled a bill to incorporate the town of Shelby, in the county of Cleveland, and appoint commissioners thereof, be taken up; which was agreed to. On his motion, said bill and memorial were referred to the Committee of Propositions and Grievances.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, in which they ask the concurrence of the Senate: A bill to amend an act concerning Coroners, Revised Statutes, chapter 25, section 4; and a bill to incorporate the town of Weldon, in the county of Halifax, and for the regulation thereof. The first named bill was read the first time and passed, and, on motion of Mr. Arrington, was referred to the Committee on
the Judiciary. The last named bill was read the first time and passed.

On motion of Mr. Shepard, the bill, entitled a bill for the better regulation of the City of Raleigh, and to amend the act of 1792, was taken up, and read the second time and passed. He then moved, that the rule of the Senate be suspended, so as to read the bill the third time; which was agreed to. The bill was then read the third time and passed, and ordered to be engrossed.

The Speaker announced to the Senate, that Messrs. Joyner, Arrington, Morehead, Reid and Spruill form our committee on the message of Gov. Morehead and letter from Gov. Dudley, in relation to the Wilmington and Raleigh Rail Road Company; and the House of Commons was informed thereof by message.

On motion of Mr. Edwards, the unfinished business of yesterday, to wit: the bill to lay off this State into fifty Senatorial districts, was taken up. The question was on the amendments proposed by Mr. Jones; which was decided in the negative—yeas 20—nays 24.

Mr. Jones demanded the yeas and nays.

Those who voted in the affirmative were

Messrs. Albright, Allison, (of I.)
Burgin,
Cathey,
Dockery,
Elliott,
Howard,
Hodges,
Jacocks,
Jones,

Messrs. Joyner,
Miller,
Moore,
Morehead,
Moye,
Myers,
Pharr,
Ribelin,
Thomas,
Worth—20 yeas.

Those who voted in the negative were

Messrs. Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Cooper,
Dobson,
Edwards,

Messrs. Pasteur,
Rea,
Reid,
Rogers,
Shepard,
Spruill,
Spight,
Stafford,
Mr. Reid moved the following amendment to the bill: strike out Henderson in the 49th district, and add Henderson to the 50th district.

Mr. Worth moved to lay the bill and amendment on the table, and that the amendment be printed; which motion was decided in the negative—yeas 6—nays 42.

Those who voted in the affirmative were

Messrs. Cathey, Messrs. Jacocks,
Elliott, Joyner,
Hodges, Worth—6 yeas.

Those who voted in the negative, were

Messrs. Albright, Messrs. Moore,
Arrington, Morehead,
Allison, (of O.), Moye,
Allison, (of I.) Myers,
Boykin, Pasteur,
Boyd, Pharr,
Brown, Rea,
Burgin, Reid,
Cooper, Ribelin,
Dobson, Rogers,
Dockery, Shepard,
Edwards, Spruill,
Ennett, Speight,
Exum, Stafford,
Hester, Stallings,
Howard, Swinson,
Jones, Tomlinson,
Larkins, Thomas,
Melvin, Walker,
Mitchell, Jno. W. Williams,
Miller, Wm. P. Williams—

28 nays.

42 nays.
The question then was, on the amendment of Mr. Reid, which was decided in the negative—yeas 19—nays 29.

Mr. Miller demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Arrington,
   Allison, (of O.)
   Boykin,
   Boyd,
   Brown,
   Cooper,
   Dobson,
   Ennett,
   Exum,
   Hodges,

   Messrs. Larkins,
   Melvin,
   Moye,
   Reid,
   Speight,
   Stafford,
   Stallings,
   Swinson,
   Walker—19 yeas.

Those who voted in the negative were

Messrs. Albright,
   Allison, (of I.)
   Burgin,
   Cathey,
   Dockery,
   Edwards,
   Elliott,
   Hester,
   Howard,
   Jacocks,
   Jones,
   Joyner,
   Mitchell,
   Miller,
   Moore,

   Messrs. Morehead,
   Myers,
   Pasteur,
   Pharr,
   Rea,
   Ribelin,
   Rogers,
   Shepard,
   Spruill,
   Tomlinson,
   Thomas,
   Jno. W. Williams,
   Wm. P. Williams,
   Worth—29 nays.

The question then was, shall the bill pass? which was decided in the affirmative—yeas 33—nays 15.

Mr. Albright demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Arrington,
   Allison (of O.)
   Boykin,

   Messrs. Miller,
   Moore,
   Pasteur,

Those who voted in the negative were


Ordered, that said bill be engrossed.

Received from the House of Commons a message, stating that Messrs. Barringer, Bragg, Nash, Brower and McRae form their branch of the committee on the Message of Gov. Morehead and letter of Ex-Gov. Dudley.

On motion of Mr. Moore, the bill, entitled a bill to amend an act concerning the mode of choosing Senators and Representatives in the Congress of the United States, was taken up, and read the second time. Mr. Cooper moved to amend the bill as follows: In the 8th district, strike out Washington and Tyrrell, and add, "Martin." In the 9th district, strike out Martin and insert, "Washington and Tyrrell," which amendment was agreed to—33 yeas and 15 nays.

Those who voted in the affirmative were

Mr. Exum moved to amend the bill by striking out all in the first section, after the words, "And the said nine districts shall be composed of the following counties, to wit:"

and insert the following words:

The first district shall be composed of the counties of Currituck, Camden, Pasquotank, Perquimons, Gates, Chowan, Hertford, Northampton, Bertie, Washington, and Tyrrell; the second district shall be composed of the counties of Halifax, Nash, Edgecomb, Pitt, Beaufort, Hyde, Martin, and Greene; the third district shall be composed of the counties of Sampson, Wayne, Lenoir, Craven, Jones, Onslow, Duplin, Carteret, and Johnston; the fourth district shall be composed of the counties of New Hanover, Brunswick, Columbus, Bladen, Robeson, Moore, Cumberland, Chatham, and Richmond; the fifth district shall be composed of the counties of Wake, Franklin, Granville, Orange and Warren; the sixth district shall be composed of the counties of Randolph, Davidson, Davie, Rowan, Stanly, Montgomery, Iredell, and Wilkes; the seventh district shall be composed of the counties of Caswell, Rockingham, Guilford, Stokes, Surry, and Person; the eighth district shall be composed of the counties of Mecklenburg, Lincoln, Cleveland, Cabarrus, and Anson; the ninth district
shall be composed of the counties of Ashe, Caldwell, Burke, Rutherford, Yancey, Buncombe, Henderson, Haywood, Macon, and Cherokee; each of which districts shall be entitled to elect and send one Representative to the Congress of the United States.

Strike out all in the second section after the words "first district," and insert the following:

At Hertford, in the county of Perquimons; in the second district, at Tarborough, in Edgecomb; in the third district, at Kinston, Lenoir; in the fourth district, at Fayetteville, in Cumberland; in the fifth district, at Henderson, in Granville; in the sixth district, at Mount Mourne in Iredell; in the seventh district, at Rockford, in Surry; in the eighth district, at Lincolnton; in the ninth district, at Asheville, in Buncombe.

He then moved that the bill be laid on the table, and the amendments be printed; which was agreed to.

Mr. Morehead presented the following resolution:

Resolved, That the chairman of the Select Committee, to whom was referred a resolution relative to the taking from the Post-office, in the city of Raleigh, and the detention thereof, certain memorials, from the citizens of Lincoln county, praying the Legislature not to divide the county, directed to Dr. W. J. T. Miller, be authorized to administer an oath to such persons as shall be brought before the Committee for examination.

Which was read and adopted.

On motion of Mr. Miller, the Senate adjourned until to-morrow morning ten o'clock.

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Saturday, December 31, 1842.

Mr. Myers presented the resignation of Darling Rushing, a Justice of the Peace of the county of Anson; which was read and accepted, and sent to the House of Commons.

Mr. Edwards, from the Committee on the Judiciary, to whom was referred the engrossed bill, entitled a bill to amend an act concerning Coroners, Revised Statutes, Chap-
ter 25, section 4, reported the same to the Senate without amendment; which was read, and made the order of the day for Monday next.

Mr. Edwards, from the same committee, to whom was referred a bill, to alter the time of selling lands and negroes in Montgomery county, reported the same to the Senate without amendment; which was read, and made the order of the day for Monday next.

Mr. Edwards, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of repealing the second section of the act, giving to the University the property which may hereafter escheat to the State, reported the same, and asked to be discharged from its further consideration, and recommend it be referred to the Committee on the University; which was agreed to.

Mr. Elliott, from the Committee on the Judiciary, to whom was referred a resolution instructing them to inquire into the expediency of so altering and amending the law as regards the election of Treasurer of the State, as to define the time specifically when his term of service shall expire, reported a bill, entitled a bill to amend the Revised Statutes, chapter 115, entitled an act concerning the Treasurer of the State; which was read the first time and passed.

Mr. Reid, from the Committee on Claims, to whom was referred the resolution in favor of the Administrator of John M. Allen, deceased, late Sheriff of Montgomery, reported the same to the Senate without amendment, and recommended its passage.

Mr. Reid, from the said committee, to whom was committed the engrossed resolution in favor of Wm. H. Holloman, reported the same to the Senate; which was read, and made the order of the day for Monday next.

Mr. Jones, from the Committee on the Judiciary, to whom was referred a resolution instructing them to inquire into the expediency of repealing the 14th section of the 39th chapter of the Revised Statutes, concerning alimony and divorce, reported unfavorably thereto. The committee was discharged from its further consideration.

Mr. Worth presented a bill, entitled a bill relating to the 14th Brigade of North Carolina Militia; which was read the first time and passed, and, on motion of Mr. Jacocks, referred to the Military Committee.

Mr. W. P. Williams, from the Committee on Internal
Improvement, to whom was referred the petition of James Cromartie, praying this General Assembly to pass an act granting him the privilege of clearing out Cypress creek, in the county of Bladen, to South river, reported adversely thereto, and asked to be discharged from the further consideration of the subject. The committee was discharged accordingly.

Mr. Moye presented the following preamble and resolution:

Whereas, by the law passed at the last General Assembly of North Carolina, for the purpose of making elections uniform throughout the State, the election of Sheriffs happen in several Counties during Court week: and whereas, by the law in relation to the taking the bonds of Sheriffs, requiring that they shall be taken at the next succeeding term of the County Court, thereby leaving a term of three months between the time of election before the bonds can be taken, and creating a doubt as to the liability of the former Sheriff in this interval, and which might work prejudicialy to the interest of a new Sheriff elect—Therefore,

Resolved, That the Committee on the Judiciary inquire into the expediency of amending the law to remedy this inconvenience, and make the same more uniform and explicit; and that they have leave to report by bill or otherwise.

Which was read and adopted.

Mr. Tomlinson presented the resignation of John Lee, a Justice of the Peace for the county of Johnston; which was read and accepted, and sent to the House of Commons.

Mr. Moore, from the Committee on Propositions and Grievances, to whom was referred a bill and accompanying petition to incorporate the town of Shelby, in the county of Cleveland, reported the same to the Senate; which was read the second time and passed.

The bill, entitled a bill to grant an additional Court of Pleas and Quarter Sessions to the county of Cleveland, was taken up, and read the second time and passed. Mr. Miller moved that the rules of the Senate be suspended, so as to read the bill a third time. The bill was then read the third time and passed, and ordered to be engrossed.

The bill, entitled a bill to incorporate the Henderson Academy, in the town of Henderson in Granville county, was taken up, and read the second time and passed.

Mr. Elliott moved, that the vote by which was passed the
amendment to the 8th and 9th district, proposed by Mr. Cooper, to the bill to amend an act concerning the mode of choosing Senators and Representatives in the Congress of the United States, be re-considered. Pending the question, Mr. Joyner moved that the motion be laid on the table; which was agreed to.

Received from the House of Commons a message, proposing to raise a Joint Select Committee, consisting of the Representatives in both Houses, from Macon, Haywood, Buncombe, Yancey, Rutherford and Burke, to inquire into the best means for removal of the Cherokee Indians, now within the State of North Carolina, and of hereafter preventing the ingress into this State of any of said tribe, and that said committee report by bill or otherwise; which was read and agreed to.

Received from the House of Commons a message, stating that the hour having arrived, at which, by a former joint order, the two Houses were to assemble together, for the purpose of qualifying and inaugurating his Excellency, Jno. M. Morehead, as Governor of North Carolina, they are now ready to receive our honorable body into the Hall of the House of Commons for that purpose. Whereupon, the Senate repaired to the House of Commons, and, after witnessing the qualification and inauguration of his Excellency, Jno. M. Morehead, as Governor, the Senators returned to the Senate Chamber.

The Senate then took up the engrossed bill, entitled a bill to incorporate the town of Weldon, in the county of Halifax, and for the regulation thereof; which was read the second time and passed.

On motion of Mr. Shepard, the Senate adjourned until 3 o'clock, P. M.

3 O'clock, P. M.

The Senate met according to adjournment, and proceeded to the appointment of Justices of the Peace; and, after getting through, on motion of Mr. Elliott, adjourned until Monday morning ten o'clock.
Mr. Thomas presented a memorial from sundry citizens of Clemmons and its vicinity, praying the Legislature to cause to be made a Turnpike Road, from Raleigh to some point in the West; which was read, and, on his motion, was referred to the Committee on Internal Improvement.

Mr. Shepard, from the Committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of amending the existing law, so as to compel Rail Road Companies in this State to keep in repair all bridges by them erected, under the same fines and penalties as overseers of the public roads now are, reported a bill, entitled a bill to amend the charters of the several Rail Roads within this State; which was read the first time and passed.

Mr. Wm. P. Williams, from the Committee on Internal Improvements, to whom was referred a bill to incorporate the Nantahalah Turnpike Company, in the counties of Macon and Cherokee, reported a bill, entitled a bill to incorporate the Nantahalah Turnpike Company, in the counties of Macon and Cherokee; which was read the first time and passed.

Mr. Reid, from the Committee on the Judiciary, to whom was referred resolutions concerning the trading in ardent spirits by slaves and free persons of color, reported adversely thereto, and asked to be discharged from the further consideration of the subject. The Committee was discharged accordingly.

Mr. Stallings, from the Joint Select Committee on public buildings, to whom was referred a resolution concerning the building a wood house on the public square, reported that they deem it inexpedient to build any wood house at the present, and asked to be discharged from the further consideration of the subject. The Committee was discharged accordingly.

Mr. Dobson presented a memorial from sundry citizens of the West, accompanied by a resolution, asking the Legislature to cause to be made a Turnpike Road, from Fayetteville to Wilkesboro; which was read, and, on his motion, referred to the Committee on Internal Improvement.

Mr. Dobson presented the resignation of Joel Jackson, a Justice of the Peace for the County of Surry; which was read and accepted, and sent to the House of Commons.
On motion of Mr. Joyner, the resolution of the Committee on Internal Improvement upon the memorial of the Wilmington and Raleigh Rail Road Company, was taken up and read: whereupon he offered the following amendment therefor: a bill, entitled a bill to amend an Act entitled an Act for the relief of the Wilmington and Raleigh Rail Road Company, passed in the year 1840; which was read, and, on his motion, was laid on the table.

Mr. Morehead, from the Select Committee to whom was referred the resolution relative to the caption? and detention of the memorials from a portion of the citizens of Lincoln County, reported the following resolution:

Resolved, That the Select Committee on the subject of taking from the Post-office, in Raleigh, and the detention of the memorials from the citizens of Lincoln County, be discharged from the further consideration of the subject.

Which was read and concurred in. Whereupon Mr. Moore moved that the Clerk of the Senate furnish a copy of the report from the Select Committee on said subject, to Mr. Rea, Senator from Lincoln, if called for; which motion prevailed.

On motion of Mr. Edwards, the resolution relating to the adjournment of the General Assembly, was taken up and read. Mr. Morehead moved to fill the blank with the words 'on Monday, the 16th instant;' which was decided in the affirmative, and ordered to be engrossed—42 yeas, 3 nays. Mr. Larkins demanded the yeas and nays.

Those who voted in the affirmative were

Messrs. Albright,
Arrington,
Allison, (of O.)
Allison, (of I.)
Boykin,
Boyd,
Brown,
Burgin,
Cathey,
Cooper,
Dobson,
Edwards,
Elliott,

Messrs. Miller,
Moore,
Morehead,
Moye,
Myers,
Pasteur,
Pharr,
Rea,
Reid,
Ribelin,
Rogers,
Speight,
Stafford,
Exum, Stallings,  
Hodges, Swinson,  
Jacocks, Tomlinson,  
Jones, Thomas,  
Joyner, Walker,  
Larkins, Jno. W. Williams,  
Melvin, Wm. P. Williams,  
Mitchell, Worth—42 yeas.

Those who voted in the negative, were

Messrs. Dockery, Shepard, and Spruil—3 nays.

The resolution was then adopted, as amended.

Received from the House of Commons a message, concurring in the additional recommendations of the Senate to certain individual recommendations of Justices of the Peace from the House of Commons, made on Saturday last.

Received from the House of Commons a message, stating that Messrs. Rand, Willey, Odom and McLean form their branch of the committee on Enrolled Bills for the present week. Whereupon the Speaker announced to the Senate that Messrs. Reid and Elliott form our branch of the committee on Enrolled Bills the present week; and the House of Commons was informed thereof by Message.

Received from the House of Commons a message, therein transmitting certain memorials of citizens of Wilmington and the Commissioners of Navigation, in relation to the navigation and pilotage of the Cape Fear River; which was read, and, on motion of Mr. Moore, the memorials were referred to the committee on Propositions an Grievances.

On motion of Mr. Reid, the bill and amendments, concerning the mode of choosing Senators and Representatives in the Congress of the United States, was taken up. The question pending, was the motion of Mr. Elliott to reconsider the vote amending the bill in the 8th and 9th districts; which was decided in the affirmative—24 yeas, and 21 nays.

Those who voted in the affirmative, were

Messrs. Allison (of O.)  Messrs. Mitchell,  
Allison, (of I.)  Miller,  
Boykin, Moore,  
Boyd, Morehead,
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Burgin, Moye,
Cathey, Pharr,
Dockery, Reid,
Edwards, Ribelin,
Elliott, Rogers,
Hodges, Stallings,
Joyner, Thomas,
Larkins, Jno. W. Williams—

24 yeas.

Those who voted in the negative were

Messrs. Albright, Messrs. Pasteur,
Arrington, Rea,
Brown, Spruill,
Cooper, Speight,
Dobson, Stafford,
Exum, Swinson,
Howard, Tomlinson,
Jacocks, Walker,
Jones, Wm. P. Williams,
Melvin, Worth—21 nays.
Myers,

The question then recurred on the amendments of Mr.
Cooper; which was decided in the negative—yeas 21, nays
24. Mr. Cooper demanded the yeas and nays, which are as
follows:

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Reid,
Arrington; Shepard,
Brown, Spruill,
Cooper, Speight,
Dockery, Stafford,
Exum, Swinson,
Howard, Tomlinson,
Jacocks, Walker,
Melvin, Wm. P. Williams;
Myers, Worth—21 yeas.
Pasteur,

Those who voted in the negative were

Messrs. Allison, (of O.) Messrs. Mitchell,
Boykin, Miller,  
Boyd, Moore,  
Burgin, Morehead,  
Cathey, Moyo,  
Dobson, Pharr,  
Edwards, Ray,  
Elliott, Ribelin,  
Hodges, Rogers,  
Jones, Stallings,  
Joyner, Thomas,  
Larkins, Jno. W. Williams—

24 nays.

The amendment heretofore proposed by Mr. Exum, was read. The question then was, shall the amendment be adopted? which was decided in the negative—12 yea—33 nays.

Mr. Howard demanded the yea and nay, which are as follows:

Those who voted in the affirmative were

Messrs. Arrington, Messrs. Shepard,  
Cooper, Spruill,  
Exum, Speight,  
Howard, Swinson,  
Pastleur, Tomlinson,  
Reid, Walker—12 yea.

Those who voted in the negative, were,

Messrs. Albright, Messrs. Melvin,  
Allison, (of O.) Mitchell,  
Allison, (of I.) Miller,  
Boykin, Moore,  
Boyd, Morehead,  
Brown, Moyo,  
Burgin, Myers,  
Cathey, Pharr,  
Dobson, Ribelin,  
Dockery, Rogers,  
Edwards, Stafford,  
Elliott, Stallings,  
Hodges, Thomas,  
Jacocks, Wm. P. Williams.  
Jones, Jno. W. Williams,  
Joyner, Worth—33 nays.  
Larkins,
The bill was then read the second time. Mr. Howard moved to amend the sixth district, by striking out Jones and attaching it to the eighth district; which motion was decided in the negative—yeas 10—nays 36.

Mr. Hodges demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were,

Messrs. Albright,
Dockery,
Howard,
Jacocks,
Jones,
Messrs. Joyner,
Möye,
Shepard,
Spruill,
Thomas—10 yeas.

Those who voted in the negative, were,

Messrs. Arrington,
Allison, (of O.)
Allison, (of I.)
Boykin,
Boyd,
Brown,
Burgin,
Cathey,
Cooper,
Dobson,
Edwards,
Elliott,
Exum,
Hodges,
Larkins,
Melvin,
Mitchell,
Miller,
Messrs. Moore,
Morehead,
Myers,
Pasteur,
Pharr,
Rea,
Reid,
Ribelin,
Rogers,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Jno. W. Williams,
Wm. P. Williams,
Worth—36 nays.

The bill then passed.—27 yeas—19 nays.

Mr. Spruill demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Allison, (of O.)
Allison, (of I.)
Boykin,
Messrs. Mitchell,
Miller,
Moore,
Those who voted in the negative were

Messrs. Albright,       Messrs. Myers,       Pasteur,       Shepard,       Spruill,       Speight,       Tomlinson,  
Arrington,              Cooper,              Dockery,        Exum,              Howard,       Jacocks,       Joyner,         
Moye,                   Morehead,            Moye,           Myers.             

Mr. Stallings presented a memorial from sundry fishermen on the waters of the Albemarle Sound, praying that there may be no legislative interposition on the subject; which was read, and, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Larkin presented a bill, entitled a bill to repeal an act, passed at the present session of the General Assembly, establishing a county by the name of Catawba; which was read the first time and passed.

On motion of Mr. Stallings, the Senate adjourned until to-morrow morning ten o'clock.

Tuesday, January 3, 1843.

Mr. Edwards, from the committee on the Judiciary, to whom was referred the resolution instructing them to report to the Senate a bill to stay the collection of debts under ex-
ecution; to establish a valuation law, or some other measure which will, in the opinion of said committee, afford the most instant and permanent relief to the citizens of this State, reported adversely thereto, and asked to be discharged from the further consideration of the subject. The committee was discharged accordingly; and, on motion of Mr. Spruill, ordered that said report be printed.

Mr. Wm. P. Williams, from the committee on Internal Improvement, to whom was referred a bill to alter and improve the road leading from Wilkesborough, up Mulberry creek, across the Blue Ridge into Ashe county, reported adversely thereto, and asked to be discharged from the further consideration of the subject. The committee was discharged accordingly.

Mr. Elliott, from the committee on the Judiciary, to whom was referred a resolution instructing them to inquire into the expediency of amending the law relative to taking the bonds of Sheriffs, reported a bill, entitled a bill to amend the 109th chapter of the Revised Statutes, entitled an act concerning Sheriffs; which was read the first time and passed.

Mr. Thomas, from the committee on Privileges and Elections, to whom was referred a resolution instructing them to prepare and report a bill to amend the laws respecting the election of Governor, according to the plan contained in the foregoing report, with such modification (if any) as they may deem expedient, reported a bill, entitled a bill supplemental to and amendatory of the fifty-third chapter of the Revised Statutes, and the 25th chapter of the statute passed at the session of the General Assembly which commenced on Monday, the 16th of November, 1810; which was read the first time and passed, and, on his motion, ordered to lie on the table and be printed.

Mr. Cooper presented a bill, entitled a bill to prevent malicious prosecutions; was read the first time and passed.

Mr. Morehead presented the following resolutions:

Resolved, That the Comptroller report to the Senate as early as practicable the amount of money paid into the Public Treasury by the Bank of the State of North Carolina, as dividends on the capital stock held by the State in said bank; also the amount paid in as taxes on the stock held by individuals since the organization of the Bank, including the dividend payable January, 1813.
Resolved further, That the Comptroller make a like statement as to the amount of dividends and taxes paid into the Public Treasury, by the Bank of Cape Fear, since the extension of its capital stock, under the act of the Legislature of 1836-'37.

Which were read and adopted.

On motion of Mr. Jones, the bill, entitled a bill establishing a Superior Court of Law and Equity in the county of Caldwell, and for other purposes, was taken up and read the second time, amended and passed.

Received from the House of Commons a message, stating that they have passed the engrossed resolution in favor of Charles L. Hinton, Public Treasurer; in which they ask the concurrence of the Senate. Said resolution was read the first time and passed. Mr. Spruill then moved to suspend the rule of the Senate, so as to read the resolution the second and third times; which was agreed to. The resolution was then read the second and third time and passed, and ordered to be enrolled.

On motion of Mr. Cooper, the bill, entitled a bill to repeal an act, passed at the present General Assembly, establishing a county by the name of Catawba was taken up, and read the second time. Mr. Joyner moved to amend the bill, by striking out all after the enacting clause, and inserting his substitute therefor. Mr. Edwards moved to amend the amendment proposed by Mr. Joyner, by striking out the preamble; which was agreed to. Mr. Miller presented a counter memorial; which was read. Mr. Thomas then moved that the bill and amendments be indefinitely postponed; which motion was decided in the affirmative—yeas 25—nays 19.

Mr. Jacocks demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Albright, Messrs. Pharr,
Allison, (of O.) Rea,
Brown, Reid,
Cathey, Shepard,
Cooper, Spruill,
Dobson, Swinson,
Dockcry, Tomlinson,
Elliott, Thomas.
**Those who voted in the negative were**

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<th>Messrs. Arrington,</th>
<th>Messrs. Joyner,</th>
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<td>Allison, (of I.)</td>
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<td>Howard,</td>
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<td>Hodges,</td>
<td>Speight,</td>
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<td>Jacocks,</td>
<td>Stafford—19 nays.</td>
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<td>Jones,</td>
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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: A bill to repeal a part of the 1st section of an act, passed at the last session of the General Assembly, entitled an act to reduce into one the several acts concerning the appointment of Commissioners of Navigation and Pilotage for the Cape Fear river, so as to restore the appointment to the County Court; and a bill to amend an act, passed at the session of the General Assembly in the year 1838-'9, entitled an act to incorporate the Rocky Mount Manufacturing Company. Said bills were read the first time and passed.

Received from the House of Commons a message, there-in transmitting to the Senate a message from his Excellency the Governor, accompanied by a letter from Samuel F. Patterson, Esq., in relation to the Raleigh and Gaston Rail Road, which they propose to refer to the Joint Select Committee heretofore raised on the Wilmington and Raleigh Rail Road; which was read and agreed to.

On motion of Mr. Spruill, the Senate adjourned until tomorrow morning ten o’clock.
Mr. Larkin presented a memorial and counter memorial from sundry citizens of Wilmington, relative to the extension of the limits of said town; which was, on his motion, referred to the Committee on Propositions and Grievances.

Mr. Melvin presented the memorial of J. J. D. Lucas, of the county of Bladen, praying the Legislature to cause to be prefixed the name of Gabriel Johnston to a grant of land which has the signature torn off; and also cause the recording of the same in the Secretary's office: which was read, and, on his motion, referred to the Committee on Claims.

Mr. Shepard presented a memorial from Robert N. Jeffreys and others, praying the Legislature to grant relief to them for damages done them by the Raleigh and Gaston Rail Road Company; which was, on his motion, referred to the Committee on the Judiciary.

Mr. Howard presented a memorial of sundry citizens of the county of Jones, relative to millers taking toll for grinding Indian corn; which was, on his motion, referred to the Committee on Propositions and Grievances.

Mr. Moore, from the Committee on Propositions and Grievances, to whom was referred a bill to repeal part of the first section of an act, passed at the last session of the Legislature, entitled an act to reduce into one the several acts concerning the appointment of Commissioners of Navigation and Pilotage on the Cape Fear river, reported the same to the Senate without amendment; which was read, and, on his motion, ordered to lie on the table.

Mr. Morehead, from the Committee on the Judiciary, to whom was referred a bill to amend an act on descents, 38th Chapter Revised Statutes, and an act on legacies, filial portions and distributive shares, chapter 64, Revised Statutes, reported adversely thereto, and asked to be discharged from the further consideration of the subject. The committee was discharged accordingly.

Mr. Moore, from the Committee on Propositions and Grievances, to whom was referred a bill concerning fisheries and nets in this State, reported adversely thereto; which was read and made the order of the day for tomorrow.
Mr. Dobson presented the following resolution:

Resolved, That the Legislative, Executive, and Judiciary Abstinence Society have leave to hold their meeting in the Senate chamber on Friday evening the 6 instant, at half past 6 o'clock P. M.

Which was read and not agreed to.

Mr. Miller presented a bill, entitled a bill to extend the time for taking stock in the Hickory Nut Turnpike Company; which was read the first time and passed, and, on motion of Mr. Spruill, referred to the Committee on Internal Improvement.

Mr. Larkins presented a bill, entitled a bill to incorporate Cape Fear Lodge No. 2, of the Independent order of Odd Fellows, of the town of Wilmington; which was read the first time and passed.

Mr. Rogers presented a bill, entitled a bill to authorise the Literary Board to issue notes, and to make loans to the people; which was read the first time and passed, and, on his motion, ordered to lie on the table, and be printed.

Mr. Jacocks, from the Committee to whom was referred the resolution in relation to pilots and pilotage, as far as relates to Ocracoke Inlet, and a memorial from the said Pilots, reported adversely thereto, and asked to be discharged from the further consideration of the subject. The Committee was discharged accordingly.

Received from the House of Commons the following resignation of Justices of the Peace: W. Smith, for the county of Currituck; George Goforth, for the county of Buncombe; Seth Morgan, for the county of Pasquotank; Arthur Ethridge, of the county of Currituck; Ellen Micom, of the county of Nash; which were severally read, and accepted.

Mr. Elliott moved that the vote by which was indefinitely postponed the bill and amendment to repeal an act, passed at the present session of the General Assembly, establishing a county by the name of Catawba, be reconsidered; which was decided in the negative—22 yeas, and 24 nays.

Mr. Thomas demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Albright, Arrington, Messrs. Joyner, Mitchell,
Allison, (of I.) Miller.
Boykin, Moore.
Boyd, Moyo, Pasteur.
Burgin, Pharr.
Dockery, Reid.
Edwards, Rogers.
Howard, Speight.
Hodges, Worth—22 years.
Jacocks, 

Those who voted in the negative were

Messrs. Allison, (of O.) Messrs. Myers, 
Brown, Rea,
Cathey, Ribelin,
Cooper, Shepard,
Dobson, Spruill,
Elliott, Stallings,
Ennett, Swinson,
Exum, Tomlinson,
Jones, Thomas,
Larkins, Walker,
Melvin, Jno. W. Williams,
Morehead, Wm. P. Williams—
24 nays.

On motion of Mr. Edwards, the bill, entitled a bill to provide for the assessment of real estate, was taken up and read the third time. Mr. Allison (of I.) moved to amend the bill, by inserting a substitute therefor; which did not prevail.

Mr. Thomas moved to amend the bill in the first section, by striking out "five," and inserting "ten years." Upon this question, Mr. Dockery called for a division of the question to strike out; which was decided in the affirmative—32 yeas—15 nays.

Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Albright, Messrs. Myers, 
Albright, Pharr,
Arrington, Rea,
Alison (of O.), Reid,
Allison, (of I.) Ribelin,
Brown, Rogers,
Burgin, Speight,
Cathey,
Those who voted in the negative were

Messrs. Boykin,        Messrs. Joyner,
  Boyd,               Larkins, 
  Edwards,           Moore, 
  Ennett,             Morehead, 
  Exum,               Pasteur, 
  Howard,             Shepard, 
  Hodges,             Spruill—15 nays.
  Jacocks, 

The question then was on inserting 10; which was agreed to. The bill then passed as amended by the following vote:

Mr. Arrington demanded the yeas and nays.

Those who voted in the affirmative, were,

Messrs. Boykin,        Messrs. Larkins, 
  Boyd,               Morehead, 
  Brown,             Myers, 
  Burgin,            Pasteur, 
  Cooper,             Pharr, 
  Edwards,            Rea, 
  Elliott,            Ribelin, 
  Ennett,              Shepard, 
  Exum,                Speight, 
  Howard,              Swinson, 
  Hodges,             Thomas, 
  Jacocks,             Walker, 
  Jones,               Worth—27 yea.
  Joyner, 

Those who voted in the negative, were

Messrs. Albright,        Messrs. Moore, 
  Arrington,            Moye, 
  29
Ordered, That said bill be engrossed.

The Speaker presented to the Senate a communication from the Comptroller of the State, in obedience to a resolution of the Senate, relative to the dividends paid by the Bank of the State and the Cape Fear Bank; which was read, and, on motion of Mr. Morehead, ordered to lie on the table and be printed.

On motion of Mr. Jones, the bill, entitled a bill establishing a Superior Court of Law and Equity in the county of Caldwell, and for other purposes, was taken up, and read the third time and passed, and ordered to be engrossed.

On motion of Mr. Jones, the Senate adjourned until to-morrow morning ten o'clock.

THURSDAY, JANUARY 5, 1843.

Mr. W. P. Williams, from the Committee on Internal Improvements, to whom was referred that part of the Governor's Message, recommending that a charter be granted to make a Turnpike Road from the City of Raleigh to some point westward, and other subjects of a similar character, reported adversely thereto; which was read. The committee asked to be discharged from the further consideration of the subject. They were discharged accordingly. On motion of Mr. Arrington, ordered that said report lie on the table and be printed.

Mr. Reid, from the Committee on Claims, to whom was referred the petition of Wm. Davidson, of Mecklenburg county, reported a resolution in favor of William Davidson; which was read the first time and passed.

Mr. Dockery, from the Committee on Internal Improve-
ment, to whom was referred a bill to extend the time of taking stock in the Hickory Nut Turnpike Company, reported the same to the Senate with an amendment, strike out the word "April," and insert the word "March," which was read, and made the order of the day for to-morrow.

Mr. W. P. Williams, from the Committee on Internal Improvement, to whom was referred a resolution instructing them to inquire into the expediency of making a Turnpike Road from Fayetteville to Wilkesborough, reported adversely thereto, and asked to be discharged from its further consideration. The committee was discharged accordingly.

Mr. W. P. Williams, from the same committee, to whom was referred the memorial of the citizens of Clemonsville and its vicinity, praying that a Turnpike road be constructed, commencing at the City of Raleigh, and leading to some point in the west, reported adversely thereto, and asked to be discharged from the further consideration of the subject. The committee was discharged accordingly.

Mr. W. P. Williams, from the same committee, to whom was referred the memorial of the citizens of Iredell county, praying that a Turnpike road be constructed from Fayetteville to the west, reported adversely thereto, and asked to be discharged from the further consideration of the subject. They were discharged accordingly.

Mr. Allison (of O.) presented a bill, entitled a bill to unite the offices of superintendent of Public Buildings and Librarian, to provide for the election of the same, and for other purposes; which was read the first time and passed, and, on his motion, was referred to the Committee on Public Buildings.

Received from the House of Commons a message, stating that they have adopted the resolution of the Senate to adjourn on the 16th inst., with an amendment; insert after the word "adjourn," the words "sine die;" which was read and agreed to.

Received from the House of Commons a message, therein transmitting to the Senate a communication from his Excellency Gov. Morehead, accompanied by the copy of a letter from Junius D. Gardner, in relation to the bond of thirty-five thousand dollars of the Wilmington and Raleigh Rail Road Company, endorsed by the State; which was read, and, on motion of Mr. Morehead, referred to the committee on the Wilmington and Raleigh Rail Road Company.

Mr. Brown, from the committee on Banks, laid before
the Senate communications from the President of the Bank of the State, and the Cashier of the Bank of Cape Fear, in reply to interrogatories made to them by said committee, which were read and ordered to lie on the table and be printed.

On motion of Mr. Dockery, the resolution relative to surveying and clearing out Lumber river, was taken up and read the second time, and rejected by the following vote—13 yeas, 32 nays. Mr. William P. Williams demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Allison, (of I.)
Burgin,
Cathery,
Dockery,
Elliott,
Howard,
Jacocks,

Messrs. Jones,
Joyner,
Miller,
Myers,
Pharr,
Shepard—13 yeas.

Those who voted in the negative, were

Messrs. Albright,
Arrington,
Allison, (of O.)
Boykin,
Boyd,
Cooper,
Dobson,
Edwards,
Ennett,
Exum,
Hester,
Hodges,
Larkins,
Melvin,
Mitchell,
Moore,

Messrs. Morehead,
Moye,
Pasteur,
Ribilin,
Rogers,
Spruill,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Thomas,
Walker,
Jno. W. Williams,
Wm. P. Williams,
Worth—32 yeas.

On motion of Mr. Moore, the bill, entitled a bill to amend an act concerning the mode of choosing Senators and Representatives in the Congress of the United States, was taken up and read the third time.

Mr. Cooper moved to amend the 8th and 9th districts, by striking out, in the 8th district, Washington and Tyrrell,
and inserting Martin; in the 9th district, strike out Martin and insert Washington and Tyrrell.

Mr. Howard moved to amend the amendment, by striking out Jones, in the 6th district, and adding it to the 8th. A division of the question being called for, the question was on striking out, which was decided in the negative—yeas 13, nays 35.

Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

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<th>Messrs. Albright,</th>
<th>Messrs. Spruill,</th>
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<td>Wm. P Williams,</td>
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<td>Jacocks,</td>
<td>Worth—13 yeas.</td>
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Those who voted in the negative were

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<th>Messrs. Mitchell,</th>
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<td>Jno. W. Williams,</td>
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<td>Melvin,</td>
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35 nays.

Mr. Dockery moved to amend the bill by striking out all except the first and 9th district, and insert his substitute therefor, as follows:
Eighth District.
Carteret, 6,047  Carteret, 6,047
Craven, 11,157  Craven, 11,157
Hyde, 5,579  Hyde, 5,579
Tyrrell, 4,933  Tyrrell, 4,933
Washington, 3,834  Washington, 3,834
Beaufort, 10,436  Beaufort, 10,436
Greene, 5,407  Greene, 5,407
Pitt, 9,547  Pitt, 9,547
Edgcomb, 12,732  Edgcomb, 12,732
Jones, 3,818  Jones, 3,818

Sixth District.
Nash, 7,568  Nash, 7,568
Halifax, 13,103  Halifax, 13,103
Warren, 9,639  Warren, 9,639
Franklin, 8,852  Franklin, 8,852
Granville, 15,334  Granville, 15,334
Wake, 17,920  Wake, 17,920

Fourth District.
Cumberland, 13,127  Cumberland, 13,127
Chatham, 14,116  Chatham, 14,116
Moore, 7,399  Moore, 7,399
Robeson, 9,216  Robeson, 9,216
Richmond, 7,357  Richmond, 7,357
Montgomery, 5,077  Montgomery, 5,077
Randolph, 12,312  Randolph, 12,312
Stanly, 4,709  Stanly, 4,709

Seventh District.
Columbus, 3,507  Columbus, 3,507
Bladen, 6,657  Bladen, 6,657

Brunswick, 4,417  Brunswick, 4,417
New Hanover, 10,762  New Hanover, 10,762
Sampson, 10,837  Sampson, 10,837
Duplin, 9,311  Duplin, 9,311
Lenoir, 4,132  Lenoir, 4,132
Onslow, 6,431  Onslow, 6,431
Wayne, 9,422  Wayne, 9,422
Johnston, 9,208  Johnston, 9,208

Fifth District.
Orange, 21,574  Orange, 21,574
Person, 8,050  Person, 8,050
Caswell, 11,883  Caswell, 11,883
Rockingham, 11,613  Rockingham, 11,613
Guilford, 18,116  Guilford, 18,116

Second District.
Stokes, 15,192  Stokes, 15,192
Surry, 14,368  Surry, 14,368
Ashe, 7,269  Ashe, 7,269
Wilkes, 11,005  Wilkes, 11,005
Iredell, 14,199  Iredell, 14,199
Davidson, 13,591  Davidson, 13,591

Third District.
Lincoln, 20,381  Lincoln, 20,381
Mecklenburg, 15,744  Mecklenburg, 15,744
Rowan, 10,763  Rowan, 10,763
Davie, 6,819  Davie, 6,819
Anson, 12,955  Anson, 12,955
Cabarrus, 8,387  Cabarrus, 8,387

Which was read and decided in the negative—14 yeas—33 nays.

Those who voted in the affirmative, were

Messrs. Albright,  
Arrington,  
Cooper,  
Dockery,  
Elliott,  
Messrs. Jacocks,  
Joyner,  
Morehead,  
Moye,  
Myers,
Mr. Walker moved to amend the 2d district, by striking out Cabarrus and add it to the 4th district; which was decided in the negative—11 yeas—36 nays.

Those who voted in the affirmative were

Messrs. Arrington,  
Allison, (of O.)  
Boyd,  
Cooper,  
Exum,  
Hester,

Messrs. Howard,  
Allison, (of O.)  
Rea,  
Shepard,  
Stafford,  
Walker—11 yeas.

Those who voted in the negative, were,

Messrs. Albright,  
Allison, (of I.)  
Boykin,  
Brown,  
Burgin,  
Cathey,  
Dobson,  
Dockery,  
Edwards,

Messrs. Miller,  
Moore,  
Morehead,  
Moye,  
Myers,  
Pasteur,  
Pharr,  
Reid,  
Ribelin,
Mr. Morehead moved to amend the bill, by inserting the following substitute therefor:

<table>
<thead>
<tr>
<th>First District</th>
<th>Wayne,</th>
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<tbody>
<tr>
<td>Currituck</td>
<td>5,536</td>
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<tr>
<td>Camden</td>
<td>4,099</td>
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<td>Pasquotank</td>
<td>7,399</td>
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<td>Perquimouns</td>
<td>6,169</td>
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<td>Gates</td>
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<td>Chowan</td>
<td>5,224</td>
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<tr>
<td>Hertford</td>
<td>6,165</td>
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<tr>
<td>Bertie</td>
<td>9,483</td>
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<tr>
<td>Tyrrell</td>
<td>4,013</td>
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<tr>
<td>Washington</td>
<td>3,834</td>
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<tr>
<td>Northampton</td>
<td>10,665</td>
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<td><strong>Total</strong></td>
<td><strong>70,571</strong></td>
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<th>Second District</th>
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<td>Hyde,</td>
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<td>Beaufort,</td>
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<th>Third District</th>
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<td>Martin,</td>
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<td>Halifax,</td>
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<td>Franklin,</td>
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<td>Nash,</td>
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<td>Edgecomb,</td>
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<th>Fourth District</th>
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<td>Granville,</td>
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<td>Brunswick,</td>
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<td>New Hanover,</td>
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<td>Sampson,</td>
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<th>Sixth District</th>
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<td>Caswell,</td>
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<td>Rockingham,</td>
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<td>Stokes,</td>
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<td>Guilford,</td>
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<td>Randolph,</td>
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<td><strong>Total</strong></td>
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</table>
Seventh District.

Richmond, 7,557
Montgomery, 5,077
Anson, 12,955
Stanly, 4,709
Cabarrus, 8,387
Mecklenburg, 15,744
Lincoln, 20,381

Eighth District.

Surry, 14,368
Ashe, 7,269
Wilkes, 11,005
Iredell, 14,199
Davie, 6,819
Davidson, 13,596
Rowan, 10,763

Ninth District.

Caldwell, 5,000
Yancey, 5,860
Burke, 10,514
Buncombe, 9,604
Haywood, 4,858
Macon, 4,722
Cherokee, 3,347
Henderson, 4,943
Rutherford, 13,920
Cleveland, 6,626

Total:

74,810
69,389

Which was not agreed to—yeas 21—nays 26.

Mr. Thomas demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Albright,
Arrington,
Allison, (of I.)
Burgin,
Cooper,
Dockery,
Elliott,
Exum,
Howard,
Jacocks,
Joyner,

Messrs. Morehead,
Moye,
Myers,
Rea,
Shepard,
Spruill,
Speight,
Thomas,
Walker,
Worth—21 yeas.

Those who voted in the negative, were,

Messrs. Allison, (of O.)
Boykin,
Boyd,
Brown,

Messrs. Miller,
Moore,
Pasteur,
Pharr,
Mr. Larkins moved to amend the bill, by striking out "South Washington" and inserting "Wilmington" which was not agreed to. Mr. Moore moved the following as an additional section, to wit:

*Be it further enacted, That this act shall take effect from and after the 4th of March next.*

Which was read and agreed to.

The question then was, shall the bill pass as amended? which was decided in the affirmative—30 yeas—17 nays.

Mr. Moye demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

<table>
<thead>
<tr>
<th>Messrs. Allison, (of O.)</th>
<th>Messrs. Miller,</th>
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<tr>
<td>Allison, (of I.)</td>
<td>Moore,</td>
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<td>Boykin,</td>
<td>Pasteur,</td>
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<tr>
<td>Boyd,</td>
<td>Pharr,</td>
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<td>Brown,</td>
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<td>Cathey,</td>
<td>Ribelin,</td>
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<td>Dobson,</td>
<td>Rogers,</td>
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<td>Edwards,</td>
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<td>Ennett,</td>
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<td>Hester,</td>
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<td>Jones,</td>
<td>Swinson,</td>
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<td>Larkins,</td>
<td>Tomlinson,</td>
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<td>Melvin,</td>
<td>Jno. W. Williams,</td>
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<tr>
<td>Mitchell,</td>
<td>Wm. P. Williams—</td>
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</tbody>
</table>

26 nays.

30 yeas.
Those who voted in the negative were

Messrs. Albright,
Arrington,
Cooper,
Dockery,
Elliott,
Exum,
Howard,
Jacoeks,
Joyner,

Messrs. Morehead,
Moye,
Myers,
Shepard,
Spruill,
Thomas,
Walker,
Worth—17 nays.

Ordered, That said bill be engrossed.

On motion of Mr. Albright, the Senate adjourned until to-morrow morning ten o'clock.

FRIDAY, JANUARY 6, 1843.

Mr. Cathey presented a petition of the citizens of Cherokee county, relative to the removal of the Cherokee Indians to the West; which, on his motion, was referred to the Joint Select Committee on the removal of the Cherokee Indians.

Mr. Joyner, from the Committee on Education and the Literary Fund, to whom was referred a resolution of the Senate, directing them to inquire into the expediency of repealing so much of the fifth and thirteenth section of the 67th chapter of the Revised Statutes as authorises the President and Directors of the Literary Fund to cause surveys to be made of the Swamp lands, and to expend two hundred thousand dollars in reclaiming said lands, reported the following resolution:

Resolved, That the present General Assembly fully concur with the President and Directors of the Literary Fund, in the opinion expressed in their annual report, that no new work for the drainage of the Swamp lands should be undertaken, until those already reclaimed shall have been brought into market, and the value of the improvements fully tested.

Which was read the first time and passed.
Mr. Joyner, from the same committee, to whom was referred a bill to alter and amend the act, entitled an act for the establishment and better regulation of Common Schools, passed at the session of 1840, reported the same to the Senate without amendment, and recommended its rejection; which was read and made the order of the day for to-morrow.

Mr. Moore, from the Committee on Propositions and Grievances, to whom was referred a memorial from the citizens of the town of Wilmington, praying the extension of their corporate limits, and also a counter petition, protesting against such enlargement, reported a bill, entitled a bill to extend the limits of the town of Wilmington; which was read the first time and passed.

Mr. Moore, from the same committee, to whom was referred the petition from the millers and other persons of the county of Jones, reported adversely thereto, and asked to be discharged from the further consideration of the subject. They were discharged accordingly. Whereupon, Mr. Howard moved to withdraw from the file of the Senate, the petition of the millers and other persons of the county of Jones; which was agreed to.

Mr. Joyner, from the Joint Select Committee of the two Houses, to whom was referred the message of the Governor, of the 28th December last, accompanying a communication from the President of the Wilmington and Raleigh Rail Road Company, reported a bill, entitled a bill to amend an act, entitled an act for the relief of the Wilmington and Raleigh Rail Road Company, passed in the year 1840; which was read the first time and passed. He also reported a resolution in relation to the election (by the General Assembly) of a suitable person to make investigation and examination into the affairs and condition of the Wilmington and Raleigh Rail Road Company; which was read the first time and passed, and, on motion of Mr. Stallings, the bill and resolution, together with the report, were ordered to be laid on the table and be printed.

Mr. Cathey presented a bill, entitled a bill to lay off and establish a new County by the name of Jackson; which was read the first time and passed, and, on his motion, referred to the Committee on Propositions and Grievances.

The bill, entitled a bill to incorporate the town of Shelby, in the County of Cleveland, and appoint Commissioners; and a bill, entitled a bill to incorporate the Henderson Academy,
in the town of Henderson, in Granville County, were taken up, and read the third time and passed, and ordered to be engrossed.

The Senate then took up the engrossed bill, entitled a bill to incorporate the town of Weldon, in the County of Halifax, and for the regulation thereof; which was read the third time and passed, and ordered to be enrolled.

On motion of Mr. Joyner, the bill, entitled a bill to amend an Act, entitled an Act for the establishment and better regulation of Common Schools, passed in the year 1840, was taken up and read the second time. Mr. Joyner moved to amend the second section, by striking out the words "to prescribe and caused to be purchased," and inserting the words "and to recommend;" which was agreed to. He further moved to amend the same section, by filling the blank with two thousand dollars; which was not agreed to.

Mr. Dockery then moved to fill it with fifteen hundred dollars; which was agreed to. Mr. Brown moved to amend the bill, by striking out the second section thereof; which was decided in the affirmative—39 yeas—8 nays.

Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were,

Messrs. Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Burgin,
Cooper,
Dobson,
Edwards,
Ennett,
Exum,
Hester,
Howard,
Larkins,
Melvin,
Mitchell,
Miller,
Moore,
Morehead,
Moye,

Messrs. Myers,
Pasteur,
Pharr,
Rea,
Reid,
Ribelin,
Rogers,
Shepard,
Spruill,
Spight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Thomas,
Walker,
Jno. W. Williams,
Wm. P. Williams,
Worth—39 yeas.
Those who voted in the negative, were,

Messrs. Albright,  
Allison, (of I.)  
Cathey,  
Dockery,  
Messrs. Elliott,  
Jacocks,  
Jones,  
Joyner—8 nays.

Mr. Spruill moved to amend the bill, by adding to the first section—"and if at such election a majority of the votes of any county or counties shall be for no school, such county or counties shall forfeit their right to that portion of the School Fund now reserved for them, and loaned out by the Literary Board; and such funds shall be added to the general fund for distribution, and be divided among the counties which have voted for school."

Mr. Howard moved an amendment to the amendment, to wit:

*Provided, That it shall be the duty of the Sheriffs of such County or Counties, at every succeeding annual election, to advertise and hold an election for said purpose; and that from the time said County or Counties may, by their votes, declare in favor of school, it shall be entitled to the benefits of said fund then remaining to be divided, or which may hereafter accrue.*

Which was not agreed to. The question then was on the amendment of Mr. Spruill, which was decided in the negative.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative were

Messrs. Albright,  
Allison, (of I.)  
Boykin,  
Cooper,  
Jacocks,  
Jones,  
Mitchell,  
Messrs. Moore,  
Morehead,  
Myers,  
Rogers,  
Spruill,  
Stallings,  
Wm. P. Williams—14 yeas.

Those who voted in the negative were

Messrs. Allison, (of O.)  
Boyd,  
Messrs. Miller,  
Moye,
Mr. Cathey moved that the third section be stricken out, which was not agreed to. Mr. Joyner moved to strike out, in the fifth section, the words “and in strict conformity to such form as may be prescribed by the general superinten- dent,” which was agreed to. Pending the adoption of the fifth section, the Senate, on motion of Mr. Jones, adjourned until to-morrow morning ten o’clock.

Saturday, January 7, 1843.

On motion of Mr. Edwards, 
Ordered, That Mr. Miller have leave of Absence from the service of this House, from and after to-morrow, the balance of the Session.

Mr. Melvin presented the following resolution:

Resolved, That Joseph Simmons and Armelian Bryan be allowed to pay the purchase money for their respective entries, numbers 2222, and 2227, as per Entry Taker’s book, Brunswick county, December 14, 1836, and March 28, 1837; and that upon the payment of the purchase money, they obtain grants for the same; provided, nevertheless, this resolution shall not prejudice nor affect any entry made conformable to the existing law, nor any grant which may have been obtained for said lands.

Which was read, and, on his motion, referred to the Committee on Propositions and Grievances.
Mr. Hodges presented a bill, entitled a bill concerning the Commissioners of Navigation for the port of Washington, and to amend the 88th chapter of the Revised Statutes; which was read the first time and passed, and, on his motion, referred to the Committee on Propositions and Grievances.

Mr. Burgin presented a bill, entitled a bill for the relief of the county of Yancey; which was read the first time and passed, and, on his motion, referred to the Committee on Education and the Literary Fund.

The Senate then took up the unfinished business of yesterday, to wit: the bill, entitled an act for the establishment and better regulation of Common Schools, passed in the year 1840; which was read. Mr. Jovner moved to amend the bill by striking out the 5th and 6th sections thereof, and inserting the following amendment, to wit:

Be it further enacted, That it shall not be lawful for any Committee of Common Schools to receive into their hands any of the funds set apart for the support of Common Schools: but whenever it shall become necessary for any such Committee to incur any expense, in the purchase of a piece of land on which to erect a school, or to rent, build, or repair a school-house, it shall be lawful for such Committee, or a majority of them, to state an account for such expense, and to draw on the chairman of the board of superintendents for the same; which account shall accompany the draft so drawn, and shall be paid by the said chairman: Provided, such Committee of Common Schools, or the school district they represent, shall have in the hands of the chairman of the board of superintendents a sum sufficient to pay the same.

Which was read and agreed to.

Mr. Jovner moved to strike out all of the first part of the 7th section to the word hands, in the 8th line; which was agreed to. Mr. Edwards further moved to amend, by striking out all of the 7th section, after the word held, and insert the following:

In the several counties, on the fourth Saturday which shall happen after the superintendents of common schools have been appointed in the several counties of this State; which election shall be conducted in the manner prescribed in and by the 8th section of the act of 1840 and 41, entitled an act for the establishment and better regulation of Common Schools.

Which was read and agreed to.
Mr. Joyner moved to amend the 8th section, by striking out the words "Committee of Common Schools, or any member thereof," which was agreed to. Mr. Morehead moved to insert in the 8th section, before the word "misapplied," the word "corruptly" which was agreed to. Mr. Joyner moved to strike out the 10th section of the bill, which was agreed to.

Mr. Shepard moved the following as an additional section:

*Be it further enacted, That the Board of Superintendents of the several Counties in this State be, and they are hereby authorized to allow reasonable compensation to the Clerks of the said Board for their services.*

Which was not agreed to.

Mr. Moore moved the following as an additional section, to wit:

*Be it further enacted, That the President and Directors of the Literary Fund, shall cause to be stricken off one hundred copies of the Act, passed by the Legislature, for the establishment and better regulation of Common Schools, embracing the original Act and all amendments, and cause the same to be transmitted to the Clerk of each County Court, for the use and benefit of the School Commissioners and School Committee in each county.*

Which was not agreed to.

Mr. Thomas moved the following as an additional section, to wit:

*Be it further enacted, That the Treasurer of the Literary Board be required to pay over annually to the County Trustee of each County that has not accepted of Common Schools, its distributive share of the school fund, which fund shall be loaned out at interest until such county or counties shall accept of "School" according to law, when the said principal and interest shall be applied to that use; and the County Court, seven Justices being present, shall take the aforesaid Trustee's bond annually, for double the amount of money, which has, or may come into his hands from the school fund; and the County Court as aforesaid, shall make such compensation to the Trustee as it may think proper, out of the county funds.*
Mr. Worth moved the following as an amendment thereto:

That no county hereafter refusing to vote for school, shall be entitled to any interest on the amount set apart for those counties so refusing.

Which was not agreed to.

The question was then taken on the amendment of Mr. Thomas; which was decided in the negative—8 yeas—38 nays.

Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were


Those who voted in the negative were


Mr. Shepard then moved that the bill be indefinitely postponed; which was decided in the negative—14 yeas—32 nays.
Those who voted in the affirmative, were

Messrs. Allison, (of O.) Messrs. Shepard,
Boykin, Speight,
Brown, Swinson,
Cooper, Tomlinson,
Hester, Thomas,
Rea, Walker,
Ribelin, Jno. W. Williams,

14 yeas.

Those who voted in the negative were

Messrs. Albright, Messrs. Larkins,
Arrington, Melvin,
Allison, (of I.) Mitchell,
Boyd, Miller,
Cathay, Moore,
Dobson, Morehead,
Dockery, Moye,
Edwards, Myers,
Elliot, Pasteur,
Ennett, Pharr,
Exum, Rogers,
Howard, Spruill,
Hodges, Stafford,
Jacocks, Stallings,
Jones, Wm. P Williams,
Joyner, Worth—32 nays.

The bill then passed as amended.

On motion of Mr. Miller, the bill, entitled a bill to extend the time for taking stock in the Hickory Nut Turnpike Company, was taken up, and read the second time, and the amendment proposed by the committee agreed to.

Mr. Stallings moved that the bill be indefinitely postponed; which was decided in the negative—17 yeas—25 nays.

Those who voted in the affirmative were

Messrs. Arrington, Messrs. Mitchell,
Allison, (of O.) Spruill,
Boykin, Speight,
Boyd, Stallings,
Brown, Swinson,
Mr. Edwards moved the following proviso to the 1st section:

Provided, however, The said subscription shall not be made, unless it shall appear to the satisfaction of the Treasurer, that the individual stockholders have complied with the provision of the act of last session.

Which was read and agreed to. The bill then passed as amended. Mr. Morehead moved that the rule of the Senate be suspended so as to read the bill a third time; which was agreed to. The bill was then read the third time and passed and ordered to be engrossed.

On motion of Mr. Spruill, the bill, entitled a bill to alter the electoral districts of this State, was taken up, and read the third time and passed, and ordered to be engrossed.

On motion of Mr. W. P. Williams, the Senate adjourned until Monday morning ten o'clock.
Monday, January 9, 1843.

The Speaker announced to the Senate, that Messrs. Howard and Jones form our branch of the Committee on Enrolled Bills the present week.

Mr. Moore, from the Committee on Propositions and Grievances, to whom was referred a bill, entitled a bill to lay off and establish a new county by the name of Jackson, and accompanying memorials, reported adversely thereto; which was read and made the order of the day for to-morrow. Mr. Moore, from the same committee, to whom was referred a resolution in favor of Joseph Simmons and Arme lain Bryan, reported the same to the Senate and recommended its passage; which was read and made the order of the day for to-morrow.

The bill, entitled a bill to amend an act, entitled an act for the establishment and better regulation of Common Schools, passed in the year 1840-41, was taken up, and read the third time. Mr. Jacocks moved the following as an additional section.

And be it further enacted, That it shall be the duty of the Chairman of the Boards of Common Schools at the first Court, which shall be held for their respective counties, after their appointment, to enter into bonds with security, satisfactory to said Court, before entering upon their duties as such.

Mr. Cooper then moved that the bill and amendments be re-committed to the Committee on Education and the Literary Fund; which was not agreed to. Pending the question, Mr. Jacocks withdrew his amendment, and proposed the following as a substitute therefor:

And be it further enacted, That it shall be the duty of the several County Courts of this State to require the Chairman of the Board of Superintendents of Common Schools to enter into bond with good and sufficient security, in such sum as they may deem reasonable and adequate, conditioned for the faithful discharge of his duties.

Which was read and agreed to.

Mr. Thomas moved that the bill and amendment be laid on the table; which was agreed to. Mr. Elliott moved the following amendment as an additional section:
And be it further enacted, That the Chairmen of the Boards of Superintendents, shall receive, as a compensation for their services, a commission of five per cent. and no more, on all monies paid out by them as chairmen.

Which was read and not agreed to.

The question then was, shall the bill pass as amended? which was decided in the affirmative—41 yeas—4 nays.

Mr. Thomas demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Albright,                Messrs. Joyner,
Arrington,                        Larkins,
Allison, (of O.),                Melvin,
Allison, (of I.),                Mitchell,
Boykin,                          Moore,
Boyd,                            Morehead,
Brown,                           Moye,
Burgin,                          Pasteur,
Cathey,                          Pharr,
Cooper,                          Rea,
Dobson,                          Rogers,
Dockery,                         Spruill,
Edwards,                         Speight,
Elliott,                         Stafford,
Ennett,                          Stallings,
Exum,                           Swinson,
Hester,                          Walker,
Howard,                          Jno. W. Williams,
Hodges,                          Wm. P. Williams,
Jacocks,                         Worth—41 yeas.
Jones,

Those who voted in the negative, were

Messrs. Myers,                Messrs. Tomlinson,
Ribelin,                       Thomas—4 nays.

Ordered, that said bill be engrossed.

Received from the House of Commons a message, stating that Messrs. Stowe, Ehringhaus, Allen and Patterson form their branch of the Committee on Enrolled Bills for the present week.
Received from the House of Commons a message, therein transmitting a communication from his Excellency, Gov. Morehead, accompanied by certain proceedings of the Stockholders of the Bank of the State, and also sundry resolutions which have been adopted by the House of Commons in reference thereto; in which they ask the concurrence of the Senate. The resolutions were read the first time and passed. Whereupon, Mr. Edwards presented the following preamble and resolutions:

Whereas, the individual stockholders of the Bank of the State of North Carolina have signified to this General Assembly a willingness to surrender the charter of said Bank:

Therefore, be it Resolved, That this General Assembly will give its assent to such surrender, and will accept the same, if tendered during the present session.

Be it further Resolved, That, upon such surrender and acceptance, this General Assembly will proceed to provide, by law, some safe and proper system for closing the concerns of said Bank, in a manner consistent with the interests of the stockholders, the convenience of debtors, and the safety of the funds of the State, as well as with the rights of creditors.

Which was read the first time and passed, and, on his motion, laid on the table and ordered to be printed.

On motion of Mr. Dockery,

Ordered, That the resolutions from the House of Commons, together with the communication from his Excellency Gov. Morehead, be printed.

On motion of Mr. Joyner, the bill, entitled a bill to amend an act, entitled an act for the relief of the Wilmington and Raleigh Rail Road Company, passed in the year 1810, was taken up, and read the second time and passed, by 32 to 14 votes.

Mr. Arrington demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were,

Messrs. Albright,
Allison, (of I.)
Boyd,
Brown,
Burgin,

Messrs. Mitchell,
Moore,
Morehead,
Moye,
Myers,

Those who voted in the negative, were


The engrossed bill, entitled a bill to amend an act, passed at the session of the General Assembly, in the year 1838-'9, entitled an act to incorporate the Rocky Mount Manufacturing Company, was taken up, and read the second time and passed.

The Senate then took up the bill, entitled a bill to incorporate Cape Fear Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of Wilmington; and the bill, entitled a bill to extend the limits of the town of Wilmington; which was read the second time and passed.

On motion of Mr. Shepard, the bill, entitled a bill in relation to the Intendants of Police, or Magistrates of Police of the City of Raleigh, and the several corporated towns in this State, and for other purposes, was taken up, and read the second time, and; on his motion, amended and passed.

The engrossed resolution in favor of Wm. H. Holloman, was taken up, and read the second time, and, on motion of Mr. Elliott, ordered to lie on the table.

The Senate took up the resolution in favor of the Administrator of John M. Allen, deceased, late Sheriff of Montgomery county; which was read the second time and rejected.
Mr. Moore moved that the Senate adjourn until half past 6 o'clock, P. M.; which was not agreed to. Whereupon, Mr. Joyner moved that the Senate adjourn until to-morrow morning ten o'clock; which was also not agreed to.

On motion of Mr. Moye, the bill, entitled a bill to amend the 109th chapter of the Revised Statutes, entitled an act concerning Sheriffs, was taken up, and read the second time. Mr. Melvin moved to amend the bill by adding the following proviso:

Provided, That the provisions of this act shall not extend to the county of Bladen.

Which was agreed to. The bill then passed as amended.

Mr. Spruill presented a bill, entitled a bill to incorporate the Albemarle Swamp Land Company; which was read the first time and passed.

On motion of Mr. Dobson, the Senate adjourned until to-morrow morning ten o'clock.

TUESDAY, JANUARY 10, 1843.

Mr. Elliott, from the Joint Committee on the Library, to whom was referred a resolution of the Senate, instructing them to inquire into the expediency of having printed a manuscript volume in the Governor's office, entitled Indexes to Colonial Documents relative to North Carolina, reported a preamble and resolutions to authorize the printing of Indexes to Colonial Documents relative to North Carolina, and the procurement of copies of said documents in the proper offices in London; which was read the first time and passed.

Mr. Stallings, from the Joint Select Committee to whom was referred a bill to unite the offices of Superintendent of Public Buildings and Librarian, to provide for the election of the same, and for other purposes, reported the same to the Senate with amendments, to wit: fill the blank in the 5th section with the sum of five hundred dollars, and the blank in the 6th section with the sum of two hundred and
fifty dollars; which was read and made the order of the day for to-morrow.

Mr. Larkins presented the following resolution:

Resolved, That this House will hold evening sessions from and after this day.

Which was read and not agreed to.

Mr. Joyner presented a bill, entitled a bill in relation to the Literary Fund; which was read the first time and passed.

Received from the House of Commons a message, proposing to raise a Joint Select Committee of three on the part of each House, to whom shall be referred the communications, therein transmitted, of his Excellency, Gov. Morehead, and the Speakers of the two Houses, with the accompanying documents, in relation to the official bond of the Treasurer elect; which was read.

Mr. Joyner moved the following amendment to the proposition of the House of Commons, to wit:

And that the Committee have power to send for persons and papers, if, in the course of their investigation, the same shall be found necessary.

Mr. Joyner moved the following as an amendment to his amendment:

Provided, That the said Committee do not send for persons and papers beyond the City of Raleigh.

Which was read and agreed to.

The question then was on the adoption of the amendment as amended, which was decided in the affirmative—24 to 20.

Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Albright,
Allison, (of I.)
Boyd,
Burgin,
Cathey,

Messrs. Jacocks,
Jones,
Joyner,
Morehead,
Moye,
Cooper, Myers, Dobson, Pasteur, Dockery, Pharr, Elliott, Spruill, Hester, Thomas, Hodges, Wm. P. Williams, Howard, Worth—24 yeas.

Those who voted in the negative were

Messrs. Arrington, Messrs. Rogers,
Allison (of O.) Rea,
Boykin, Shepard,
Brown, Speight,
Edwards, Stafford,
Exum, Stallings
Ennett, Swinson,
Larkins, Tomlinson,
Melvin, Walker,
Mitchell, Jno. W. Williams—20 nays.

The proposition of the House of Commons was then agreed to.

On motion of Mr. Edwards, the resolutions relating to the Bank of the State, were taken up, and read the second time. Mr. Joyner moved the following as an amendment thereto, to wit:

Resolved, by the General Assembly of the State of North Carolina, That it is not expedient to instruct the representatives of the State, in the general meeting of the stockholders of the Bank of the State, to propose the adoption of such measures as may be necessary for closing the business of the said Bank: and dividing the capital stock among the proprietors thereof, as early as may be consistent with the security of the debts, and reasonable indulgence to the debtors of the Bank.

Which was read.

Mr. Shepard moved to strike out the word "not," in the second line; which was decided in the affirmative—23 yeas—23 nays; which are as follows:

Those who voted in the affirmative were

Messrs. Arrington, Messrs. Mitchell,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Cooper,
Edwards,
Ennett,
Exum,
Hester,
Larkins,
Melvin,

Those who voted in the negative were

Messrs. Albright,
Allison, (of I.)
Burgin,
Cathey,
Dobson,
Dockery,
Elliott,
Howard,
Hodges,
Jacocks,
Jones,
Joyner,

Messrs. Moore,
Morehead,
Moye,
Myers,
Pharr,
Ribelin,
Rogers,
Spruill,
Thomas,
Wm. P. Williams,
Worth—23 nays.

There being an equal division of the question, the Speaker voted in the affirmative; consequently the motion to strike out, prevailed. The question then was, on the amendment of Mr. Joyner, as amended; which was decided in the negative, 1 to 45.

Mr. Shepard voted in the affirmative.

Those who voted in the negative, were,

Messrs. Albright,
Arrington,
Allison, (of O.)
Allison, (of I.)
Boykin,
Boyd,
Brown,
Burgin,
Cathey,

Messrs. Melvin,
Mitchell,
Moore,
Morehead,
Moye,
Myers,
Pasteur,
Pharr,
Rea,

The question was then taken on the adoption of the resolutions relating to the Bank of the State, heretofore offered by Mr. Edwards; which was decided in the affirmative—26 to 20.

Those who voted in the affirmative were

Messrs. Arrington, Messrs. Mitchell,
Allison (of O.), Moore,
Boykin, Pasteur,
Boyd, Rea,
Brown, Shepard,
Cooper, Speight,
Dobson, Stafford,
Edwards, Stallings,
Ennett, Swinson,
Exum, Tomlinson,
Hester, Walker,
Larkins, Jno. W. Williams,
Melvin, Wm. P. Williams—26 yeas.

Those who voted in the negative were

Messrs. Albright, Messrs. Joyner,
Allison, (of I.) Morehead,
Burgin, Moye,
Cathey, Myers,
Dockery, Pharr,
Elliott, Ribelin,
Howard, Rogers,
Received from the House of Commons a message, stating that they have passed the engrossed bill to amend the 4th chapter Revised Statutes, entitled appeals, and proceedings in the nature of appeals, with sundry amendments; in which they ask the concurrence of the Senate. Said amendments were read and agreed to.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to restore Jury trial to the County Courts of Anson; a bill for the better regulation of the Fisheries on Salmon creek, in Bertie county; a bill to number the regiment of Militia on the west side of French Broad river, in Buncombe county; a bill to increase the compensation made to witnesses attending the courts of Orange county, and for other purposes; and a bill concerning Register's fees; in which they ask the concurrence of the Senate. Said bills were severally read the first time and passed.

The engrossed bill, entitled a bill to amend an act, passed at the session of the General Assembly, in the year 1838-9, entitled an act to incorporate the Rocky Mount Manufacturing Company, was taken up, and read the third time and passed, and ordered to be enrolled.

The Senate took up the bill entitled a bill to incorporate Cape Fear Lodge, No. 2, of the Independent Order of Odd Fellows, of the town of Wilmington; which was read the third time and passed, and ordered to be engrossed.

The bill, entitled a bill to amend the 59th chapter of the Revised Statutes, was taken up, and read the second time and passed.

The Senate took up the bill in relation to the Intendants of Police, or Magistrates of Police of the City of Raleigh, and the town of Fayetteville, and for other purposes; which was read the third time, and, on motion of Mr. Melvin, ordered to lie on the table.

The bill, entitled a bill to extend the limits of the town of Wilmington, was taken up, and read the third time, and, on motion of Mr. Joyner, ordered to lie on the table.

The resolutions in relation to the Bank of the State of North Carolina, were then taken up, and read the second time, and, on motion of Mr. Edwards, were ordered to lie on the table.
On motion of Mr. Cooper, the bill entitled a bill to prevent malicious prosecutions, was taken up, and read the second time and rejected—15 yeas—26 nays.

Mr. Cooper demanded the yeas and nays, which are as follows.

Those who voted in the affirmative, were,

Messrs. Arrington,
Boykin,
Cooper,
Dobson,
Ennett,
Exum,
Larkins,
Moore,
Messrs. Pasteur,
Rea,
Speight,
Swinson,
Tomlinson,
Thomas,
Walker—15 yeas.

Those who voted in the negative, were,

Messrs. Albright,
Allison, (of O.)
Allison, (of I.)
Boyd,
Burgin,
Cathey,
Dockery,
Edwards,
Elliott,
Hester,
Howard,
Jaccom,
Jones,
Messrs. Joyner,
Melvin,
Mitchell,
Moye,
Myers,
Pharr,
Ribelin,
Rogers,
Spruill,
Stallings,
Jno. W. Williams,
Wm. P. Williams—25 nays.

Received from the House of Commons a message, agreeing to our amendment, to the proposition contained in their former message to raise a Joint Select Committee on the communications of the Governor and the two Speakers, in relation to the official bond of the Treasurer elect—and further stating that Messrs. Bragg, Moore and Bower form their branch of said committee. Whereupon, the Speaker announced to the Senate, that Messrs. Edwards, Joyner and Arrington constitute our branch of said committee; and the House of Commons was informed thereof by message.

On motion of Mr. Edwards, the Senate adjourned until to-morrow morning ten o'clock.
Wednesday, January 11, 1843.

Mr. Joyner, from the Committee on Education and the Literary Fund, to whom was referred a bill for the relief of the County of Yancey, reported the same to the Senate without amendment, and recommended its passage; which was read and made the order of the day for to-morrow.

Mr. Moore, from the Committee on Propositions and Grievances, to whom was referred a bill concerning Commissioners of Navigation for the town of Washington, reported the same to the Senate, and recommended that all the words after a bill, be struck out, and a bill therewith submitted, entitled a bill concerning the Commissioners of Navigation for the port of Washington, and to amend the 88th chapter of the Revised Statutes, as a substitute therefor; which was read and made the order of the day for to-morrow.

Mr. Hodges presented a bill, entitled a bill to alter the time of collecting the corporation taxes in the town of Washington; which was read the first time and passed, and, on his motion, referred to the Committee on private bills.

Mr. Allison, (of O.) from the Committee on Military Affairs, to whom was referred the bill relative to the 14th brigade of North Carolina Militia, reported adversely thereto; which was concurred in. The Committee was then discharged from its further consideration.

Mr. Allison, (of O.) from the same Committee, to whom was referred a resolution relative to the Public Arms, reported adversely thereto, and asked to be discharged from its further consideration. They were discharged accordingly.

Mr. Albright presented a bill, entitled a bill concerning County Trustees and Treasurers of Public Buildings; which was read the first time and passed.

On motion of Mr. Joyner, the bill, entitled a bill to amend an Act, entitled an Act for the relief of the Wilmington and Raleigh Rail Road Company, passed in the year 1840–41, was taken up and read the third time. Mr. Wm. P. Williams moved to amend the bill, by striking out Literary and inserting the words Internal Improvement; which was decided in the negative—21 to 24.
Those who voted in the affirmative were

**Messrs.** Arrington,  
Allison, (of O.)  
Boykin,  
Boyd,  
Brown,  
Cooper,  
Exum,  
Hester,  
Hodges,  
Larkins,  
Melvin,  

**Messrs.** Mitchell,  
Rea,  
Shepard,  
Speight,  
Stallings,  
Swinson,  
Tolinson,  
Walker,  
Jno. W. Williams,  
Wm. P. Williams—

21 years.

Those who voted in the negative were

**Messrs.** Albright,  
Allison, (of I.)  
Burgin,  
Cathey,  
Dobson,  
Edwards,  
Elliott,  
Ennett,  
Howard,  
Jacocks,  
Jones,  
Joyner,  

**Messrs.** Moore,  
Morehead,  
Moye,  
Myers,  
Pasteur,  
Pharr,  
Ribelin,  
Rogers,  
Spruill,  
Thomas,  
Worth—24 nays.

The question then was, shall the bill pass? which was decided in the affirmative—29 to 15.

Mr. Dockery demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

**Messrs.** Albright,  
Allison, (of I.)  
Boyd,  
Brown,  
Burgin,  
Cathey,  
Dobson,  
Dockery,  
Edwards,  
Elliott,  

**Messrs.** Mitchell,  
Moore,  
Moye,  
Myers,  
Pasteur,  
Pharr,  
Rea,  
Ribelin,  
Rogers,  
Spruill,
Hester, Howard, Jacocks, Jones, Joyner, Stallings, Thomas, Walker, Worth—29 years.

Those who voted in the negative, were

Messrs. Arrington, Allison, (of O.) Messrs. Melvin,
Boykin, Cooper, Ennett, Exum, Hodges, Larkins,

Ordered, That said bill be engrossed.

The resolution in relation to the appointment of an agent to investigate the affairs of the Wilmington and Raleigh Rail Road Company, was taken up and read the second time. Mr. Joyner moved to amend the resolution, by striking out Treasury, and inserting the words "out of the fund for Internal Improvement;" which was agreed to. Mr. Jones moved the following proviso thereto:

Provided, The expenses of the same shall not exceed one hundred dollars.

Which was not agreed to.

The question then was, shall the resolution pass? which was decided in the negative—22 to 23.

Mr. Stallings demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Albright, Allison, (of I.) Messrs. Jacocks, Joyner,
Burgin, Cathey, Dobson, Dockery, Edwards,

15 nays.
On motion of Mr. Cathey, the bill, entitled a bill to incorporate the Nantahalah Turnpike Company in the counties of Macon and Cherokee, was taken up, and read the second time, amended and passed.

On motion of Mr. Edwards, the resolutions relating to the Bank of the State, were taken up and read the third time. Mr. Joyner moved, that the resolutions be informally passed over, and the message from the House of Commons be considered; which was agreed to.

Received from the House of Commons a message, stating, that they have passed the Engrossed Resolution, to extend to John H. Wheeler, Treasurer, further time to give his official bond; in which they ask the concurrence of the Senate; said resolution was read the first time and passed, and on motion of Mr. Joyner, the rules of the Senate were suspended, so as to read them the second and third times and passed, and ordered to be enrolled.

The resolutions, relating to the Bank of the State, were resumed by the Senate. Pending the question,

The Senate, on motion of Mr. Morehead, adjourned until to-morrow morning 10 o'clock,
Mr. Jones moved, that the vote by which was rejected, the resolutions in relation to the appointment of an Agent to investigate the affairs of the Wilmington and Raleigh Rail Road Company, be reconsidered; which was decided in the negative—22 to 23.

Mr. Larkins demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were,

Messrs. Albright,
  Allison, (of I.)
  Burgin,
  Cathey,
  Dobson,
  Dockery,
  Edwards,
  Elliott,
  Hester,
  Howard,
  Hodges,

Messrs. Jacocks,
  Jones,
  Joyner,
  Moore,
  Morehead,
  Moye,
  Myers,
  Pharr,
  Rea,
  Ribelin,
  Spruill—22 yeas.

Those who voted in the negative were

Messrs. Arrington,
  Allison, (of O.)
  Boykin,
  Boyd,
  Brown,
  Cooper,
  Ennett,
  Exum,
  Larkins,
  Melvin,
  Mitchell,
  Pasteur,

Messrs. Rogers,
  Shepard,
  Speight,
  Stafford,
  Stallings,
  Swinson,
  Tomlinson,
  Thomas,
  Walker,
  Jno. W. Williams,
  Wm. P Williams,
  23 nays.

Mr. Walker presented the petition of James Johnston and others, of the county of Mecklenburg, praying the Legislature to exempt them from the incorporated laws of Davidson College; which was read, and, on his motion, refer-
red to the Committee on Propositions and Grievances.

Mr. Brown presented a petition of sundry citizens of Raleigh and its vicinity, remonstrating against being taken into the corporate limits of said City; which was read, and, on his motion, laid on the table.

Mr. Allison (of I.) presented a petition from sundry citizens of the counties of Mecklenburg, Iredell and Lincoln, praying the Legislature to make a new county out of parts of those counties aforesaid; which was read, and, on his motion, referred to the Committee on Propositions and Grievances.

Mr. Joyner presented a memorial from a constituted committee by the citizens of the town of Wilmington, praying the Legislature that the act, entitled an act for the better regulation of the town of Wilmington, passed the present session of the General Assembly, be repealed; which was read, and, on his motion, referred to a select committee. Whereupon, the Speaker announced to the Senate that Messrs. Joyner, Larkins, Boykin, Howard and Melvin form said committee.

Mr. Dobson, from the committee on Private Bills, to whom was referred a bill, entitled a bill to alter the time of collecting the corporation taxes in the town of Washington, reported the same to the Senate, and recommended its passage; which was read, and made the order of the day for tomorrow.

Mr. Dockery presented a bill, entitled a bill to incorporate the Alfredville Cavalry or Dragoons, in the county of Robeson; which was read the first time and passed.

Mr. Shepard presented a bill, entitled a bill to require public officers to give receipts; which was read the first time and passed.

Received from the House of Commons a message, therein transmitting a communication from his Excellency Governor Morehead, covering a letter to him from D. W. Stone, Esq. in relation to the official bond of John H. Wheeler, Treasurer elect; which they propose to refer to the joint select committee heretofore raised on the subject; which was read and agreed to.

On motion of Mr. Cathey, the bill, entitled a bill to incorporate the Nantahalah Turnpike Company, in the counties of Macon and Cherokee, was taken up and ordered to be engrossed.

On motion of Mr. Edwards, the Senate took up the un-
finished business of yesterday, to wit: the resolutions relating to the Bank of the State; which was read the third time.

Mr. Edwards moved the following resolution as an amendment thereto.

Resolved, That the Speakers of the two Houses of this General Assembly communicate to the President and Directors of the Bank of the State of North Carolina, a copy of the foregoing resolutions.

Which was read and agreed to. Pending the question, the Senate, on motion of Mr. Howard, adjourned until tomorrow morning ten o'clock—23 to 22.

Mr. Boykin demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Albright, Messrs. Joyner,
    Allison, (of I.)   Moore,
    Burgin,        Morehead,
    Cathey,  Moye,
    Dobson,  Myers,
    Dockery,  Pharr,
    Elliott,  Ribelin,
    Hester,  Spruill,
    Howard,  Thomas,
    Hodges,  Wm. P. Williams,
    Jacocks,  Worth—23 yeas.
    Jones,  

Those who voted in the negative were

Messrs. Arrington, Messrs. Mitchell,
    Allison (of O.)   Pasteur,
    Boykin,  Rogers,
    Boyd,  Shepard,
    Brown,  Speight,
    Cooper,  Stafford,
    Edwards,  Stallings,
    Emmett,  Swinson,
    Exum,  Tomlinson,
    Larkein,  Walker,
    Melvin,  Jno. W. Williams—

22 nays.
Friday, January 13, 1843.

Mr. Pasteur presented the resignation of Richard D. Spaight, as one of the Counsellors of State; which was read and accepted, and, on his motion, was ordered to be transmitted to the House of Commons.

On motion of Mr. Edwards,

Ordered, That Mr. Moore have leave of Absence from the service of this House, from and after to-morrow, the balance of the session.

Mr. Dockery presented a petition from sundry citizens of Robeson, Richmond and Cumberland counties, praying the Legislature to grant them the exclusive privilege of navigating Lumber river for twenty years; which was read, and, on his motion, was referred to the Committee on Internal Improvement.

Mr. Moore, from the Committee on Propositions and Grievances, to whom was referred a petition from James Johnston and others, reported adversely thereto, and asked to be discharged from the further consideration of the subject. They were discharged accordingly.

Mr. Moore, from the same committee, to whom was referred a petition and memorial from persons living in the counties of Mecklenburg, Iredell and Lincoln, praying the Legislature to establish a new county, to be made out of certain portions of the above named counties, reported adversely thereto, and asked to be discharged from the further consideration of the subject. They were discharged accordingly.

Mr. Moore, from the same committee, to whom was referred a petition and memorial from persons living in the counties of Mecklenburg, Iredell and Lincoln, praying the Legislature to establish a new county, to be made out of certain portions of the above named counties, reported adversely thereto, and asked to be discharged from the further consideration of the subject. They were discharged accordingly.

Mr. Cathey presented a memorial from sundry Indians of the Cherokee nation, praying the Legislature not to pass any laws which will oppress them, nor remove them to the west; which was read, and, on his motion, referred to the Select Committee raised on the removal of said Indians.

Mr. Elliott, from the committee on the University,
whom was referred a resolution of the Senate, instructing them to inquire into the expediency of repealing the act of 1789, section second, giving to the University escheated property, reported adversely thereto, and asked to be discharged from the further consideration of the subject. — They were discharged accordingly.

Mr. Dobson, from the Committee on Private bills, to whom was referred the petition of Richard Cox, of the county of Surry, asking to hawk and peddle goods in this State, free of taxation, reported a bill, entitled a bill for the relief of Richard Cox, of Surry county; which was read the first time and passed.

Mr. Hester presented the following preamble and resolutions:

Whereas, it is desirable to build up a Tobacco market in our own State, and from the quantity of Tobacco annually carried to the town of Henderson, such a market may be established there, if properly encouraged, and the necessary banking facilities be afforded:

Resolved therefore, That a Bank ought to be established in the town of Henderson, with a capital of one hundred thousand dollars, to be divided into shares of —— dollars each. The Bank to go into operation whenever fifty thousand dollars of the stock shall have been taken, and twenty-five thousand dollars actually paid in, in gold or silver, or its equivalent.

Resolved further, That the individual property of the stockholders ought to be bound in proportion to the amount subscribed.

Resolved further, That the Committee on Banks be instructed to report a bill to carry out the provisions of the foregoing resolutions.

Which were read the first time and passed.

Received from the House of Commons a message, therein transmitting a communication of Charles L. Hinton, Esq., late Public Treasurer, which they propose to refer to the Joint Select Committee on Finance, with instructions to request Major Hinton to continue in charge of the effects of the Treasury office until his successor be installed; and that said Committee be further instructed to prepare a resolution, making such compensation as may seem just and proper, for any sacrifice he may have made in remaining in said office up to the present time, and for his continuance in said office till his successor be installed; which was read and agreed to.

The preamble and resolutions to authorize the printing
of Indexes to Colonial Documents relative to North Carolina, and the procurement of copies of said documents in the proper offices in London, were taken up and read the second time. Mr. Brown moved that the resolutions be postponed indefinitely; which was decided in the negative—20 to 26.

Those who voted in the affirmative were

Messrs. Arrington, Allison, (of O.) Boykin, Boyd, Brown, Cooper, Edwards, Ennett, Exum, Hester,


Those who voted in the negative, were,

Messrs. Albright, Allison, (of I.) Burgin, Cath'y, Dobson, Dockery, Elliott, Howard, Hodges, Jacocks, Jones, Joyner, Moore,

Messrs. Morehead, Moye, Myers, Pharr, Rea, Ribelin, Rogers, Shepard, Spruill, Thomas, Walker, Wm. P. Williams, Worth—26 nays.

On motion of Mr. Moore, the preamble was amended. The question then was, shall the resolution pass? which was decided in the affirmative—24 to 22.

Mr. Shepard demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Allison, (of I.) Burgin,

Messrs. Morehead, Moye,
Cathey, Dobson, Dockery, Elliott, Howard, Hodges, Jacoeks, Jones, Joyner, Moore, Myers, Pharr, Rea, Ribelin, Rogers, Spruill, Thomas, Walker, Wm. P. Williams, Worth—24 yeas.

Those who voted in the negative were

Messrs. Albright, Messrs. Larkins,
Arrington, Melvin,
Allison, (of O.) Mitchell,
Boykin, Pasteur
Boyd, Shepard,
Brown, Speight,
Cooper, Stafford,
Edwards, Stallings,
Ennett, Swinson,
Exum, Donlinson,
Hester, Jno. W. Williams—22 nays.

The resolution in favor of Wm. Davidson was taken up and read the second time. Mr. Moyle moved to amend the resolution, by inserting, after the words seven hundred and fifty dollars, out of the fund set apart for Internal Improvement; which was agreed to, and, on motion of Mr. Joyner, was laid on the table.

Received from the House of Commons a message, therein transmitting to the Senate a communication from his Excellency, Gov. Morehead, covering a letter from D. W. Stone, Esq., Cashier of the Branch Bank of Cape Fear, in relation to the bonds of the Wilmington and Raleigh Rail Road Company endorsed by the State; which was read, and, on motion of Mr. Joyner, was laid on the table.

On motion of Mr. Brown, the unfinished business of yesterday, to wit: the resolutions relating to the Bank of the State, were taken up. The question pending was, shall the resolution pass the third time? Mr. Dobson moved to amend the resolutions, by striking out all after the word Resolved, and inserting the following as a substitute therefor:
That this Legislature by no means wish a dissolution of the Bank of the State; particularly at this time, when the citizens of the State are laboring under the most alarming pecuniary distress ever experienced.

Pending the question, Mr. Allison (of I.) moved to lay the resolution on the table until the first day of April next; which was decided in the negative—21 to 25.

Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Joyner,
Allison, (of I.) Morehead,
Burgin, Moye,
Cathey, Myers,
Dobson, Pharr,
Dockery, Rea,
Elliott, Ribelin,
Howard, Spruill,
Hodges, Thomas,
Jacocks, Worth—21 yeas.
Jones,

Those who voted in the negative, were

Messrs. Arrington, Messrs. Moore,
Allison, (of O.) Pasteur,
Boykin, Rogers,
Boyd, Shepard,
Brown, Speight,
Cooper, Stafford,
Edwards, Stallings
Ennett, Swinson,
Exum, Tomlinson,
Hester, Walker,
Larkins, Jno. W. Williams,
Melvin, Wm. P. Williams—
Mitchell, 25 nays.

The question was then taken on the amendment of Mr. Dobson; which was decided in the negative—21 to 25.

Mr. Brown demanded the yeas and nays which are as follows:
Those who voted in the affirmative, were

Messrs. Albright,
Allison, (of I.)
Burgin,
Cathey,
Dobson,
Dockery,
Elliott,
Howard,
Hodges,
Jacocks,
Jone,

Messrs. Joyner,
Morehead,
Moye,
Myers,
Pharr,
Ribelin,
Rogers,
Spruill,
Thomas,
Worth—21 yea.

Those who voted in the negative were

Messrs. Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Cooper,
Edwards,
Ennett,
Exum,
Hester,
Larkins,
Melvin,
Mitchell,

Messrs. Moore,
Pasteur,
Rea,
Shepard,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Jno. W. Williams,
Wm. P. Williams,
25 nays.

The question then was, shall the resolutions pass; which was decided in the affirmative—25 to 21.
Mr. Brown demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Arrington,
Allison (of O.)
Boykin,
Boyd,
Brown,
Cooper,
Edwards,
Ennett,
Exum,
Those who voted in the negative, were

Messrs. Albright, Allison, (of L.)
    Burgin,
    Cathey,
    Dobson,
    Dockery,
    Elliott,
    Howard,
    Hodges,
    Jacocks,
    Jones,

Messrs. Joyner,
    Morehead,
    Moye, Myers,
    Pharr, Ribelin,
    Rogers, Spruill,
    Thomas, Worth—21 nays.

Ordered, That said resolution be engrossed.

On motion of Mr. Brown, the bill, entitled a bill to prevent the suspension of specie payments by the Banks in this State, was taken up, and read the second time. Mr. Edwards moved to amend the bill, by striking out all after the enacting clause, and substitute his amendment therefor; which was read and agreed to. Pending the question, Mr. Stallings moved that the bill be laid on the table, and amendment be printed; which was agreed to.

On motion of Mr. Hester, the Senate adjourned until tomorrow morning half past 9 o'clock.

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Saturday, January 14, 1843.

The Senate took up the bill, entitled a bill to incorporate the Albemarle Swamp Company; which was read the second and third times and passed, and ordered to be engrossed.

The bill, entitled a bill to incorporate the Alfordville Cavalry or Dragoons in the county of Robeson, and the bill, entitled a bill to alter the time of collecting the Corporation
taxes in the town of Washington, were taken up and read the second and third times, and passed, and ordered to be engrossed.

The bill, entitled a bill to amend the 109th Chapter of the Revised Statutes, entitled an act concerning Sheriffs, was then taken up and read the third time and passed, and ordered to be engrossed.

Mr. Howard presented a bill, entitled a bill to incorporate the Beaufort Male and Female Academy, in the town of Beaufort; which was read the first time and passed.

On motion of Mr. Rogers, the bill, entitled a bill to authorise the President and Directors of the Literary Fund to issue notes, and to make loans to the People; was taken up, and read the second time. Mr. Rogers moved to amend the bill in the second section, to wit: strike out all after the words to wit, and insert the following:

Two hundred thousand dollars in notes of one dollar, two hundred thousand dollars in notes of two dollars, two hundred thousand dollars in notes of three dollars, two hundred thousand dollars in notes of four dollars, two hundred thousand dollars in notes of five dollars, and two hundred thousand dollars in notes of ten dollars.

Which was read and agreed to. He further moved amendments to the 8th and 11th sections; which were read and agreed to.

The question then was, shall the bill pass as amended? which was decided in the affirmative—23 to 22.

Mr. Brown demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Albright,  Messrs. Rea,
Boykin,  Rogers,
Burgin,  Spruill,
Cooper,  Stafford,
Dobson,  Stallings,
Emett,  Swinson,
Hester,  Tomlinson,
Hodges,  Thomas,
Jacocks,  Jno. W. Williams,
Mitchell,  Wm. P. Williams,
Moore,  Worth—23 yeas,
Fisher,
Those who voted in the negative, were


On motion of Mr. Jones,

Ordered, That Mr. Cathey have leave of absence from the service of this House, from and after to day, the balance of the session.

On motion of Mr. Brown, the bill, entitled a bill to prevent the suspension of specie payments by the Banks in this State, was taken up, and read the second time.

The question then was, shall the bill pass? which was decided in the negative—18 to 26.

Mr. Brown demanded the yea and nay, which are as follows:

Those who voted in the affirmative, were


Those who voted in the negative, were

Messrs. Albright, Allison, (of I.) Boyd, Burgin, Cathey, Deason, Messrs. Moore, Morehead, Moyer, Myers, Pasteur, Pharr,
Dockery,                   Ribelln,
Elliott,                   Rogers,
Howard,                   Spruill,
Hodges,                   Stallings,
Jacocks,                  Tomlinson,
Jones,                    Thomas,
Mitchell,                 Worth—26 nays.

Received from the House of Commons a message, stating that they have passed the engrossed bill supplemental to an Act passed by the present General Assembly, entitled an Act to lay off and establish a new County by the name of Catawba, in which they ask the concurrence of the Senate. Said bill was read the first time and passed. Mr. Spruill moved that the rules of the Senate be suspended, so as to read the bill the second and third times; which was agreed to. The bill was then read the second time. Mr. Brown moved the following amendment:

(Handwritten note: Be it further enacted, That polls shall be opened at the several precincts in the County of Lincoln and Catawba, at the election for members of Congress, in August next, and if a majority of the voters qualified to vote for members of the House of Commons shall vote for a division of said County, then this Act to go into effect; otherwise, this Act shall not be in operation.

Which was read and decided in the negative—11 to 26.

Those who voted in the affirmative, were

Messrs. Boykin,   Messrs. Jacocks,
Boyd,           Moye,
Brown,          Pharr,
Burgin,        Speight,
Edwards,      Thomas—11 yeas.
Hodges,

Those who voted in the negative were

Messrs. Albright,   Messrs. Morehead,
Arrington,        Myers,
Allison, (of O.)  Rea,
Allison, (of I.)  Ribelln,
Cooper,           Rogers,
Dobson,           Shepard,
Ennett,.
Elliott, Stafford,  
Exum, Stallings,  
Jones, Swinson,  
Larks, Walker,  
Melvin, Jno. W. Williams,  
Mitchell, Wm. P. Williams—  
[26 nays.]

The bill then passed the second and third times, and was ordered to be enrolled.

Mr. Spruill presented the following resolution:

Resolved, That a message be sent to the House of Commons, proposing to rescind the joint order for adjournment of the two Houses on Monday next.

Which was read and agreed to.

On motion of Mr. Mitchell, the Senate adjourned until Monday morning half past nine o'clock.

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Monday, January 16, 1843.

Mr. Melvin presented a memorial from sundry citizens of Bladen, praying the Legislature to authorize them to appoint Commissioners for the town of Elizabeth Town, in the County of Bladen; which was read, and, on his motion, ordered to lie on the table.

Mr. Hodges, from the Joint Select Committee on Swamp Lands, to whom was referred the resolution to inquire into the value of the Swamp Lands in Hyde County, reclaimed by the Literary Board, and other subjects, reported the following resolution:

Resolved, That the President and Directors of the Literary Board pay to James W. Satchwell, Aquilla Davis, and Joseph Sawyer, each ten dollars, for their examination of the reclaimed Swamp Lands of the State, in the County of Hyde.

Which was read the first time and passed, and the Com.
mittee was discharged from the further consideration of the subject.

On motion of Mr. Boyd,
Ordered, That the report be printed.

Mr. Melvin presented a bill, entitled a bill to incorporate Elizabeth Town, in Bladen County; which was read the first time and passed.

Mr. Worth presented a memorial from sundry citizens of Montgomery, praying the Legislature to make a Turnpike Road from Fayetteville, to some place at or near the narrows of the Yadkin; which was read, and, on his motion, was referred to the Committee on Internal Improvement.

Mr. Allison, (of O.) presented the following resolution:

Resolved, That the Public Treasurer be authorized to pay to Green Hill, forty-seven dollars and eleven cents, for sundry articles furnished the General Assembly, at its present session, and that he be allowed the same in the settlement of his public accounts.

Which was read the first time and passed, and, on his motion, was referred to the Committee on Claims.

Mr. Elliott presented the following resolution:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of so amending the militia laws as to permit persons to join a volunteer company in a Regiment contiguous to that in which they reside.

Which was read and agreed to.

Mr. Dobson presented a bill, entitled a bill to prevent malicious prosecutions; which was read the first time and passed.

Received from the House of Commons a message, therein transmitting a communication from his Excellency, Gov. Morehead; which, with the accompanying papers, they propose to refer to the Joint Select Committee on the Public Library; which was read and agreed to.

Received from the House of Commons a message, stating that they have passed the following engrossed bills and resolutions, in which they ask the concurrence of the Senate: A bill concerning fishing with seines in Beaufort County; a bill for the more speedy administration of justice; a bill to
prevent unlawful mining; a bill to authorize seven Justices of the Peace for the County of Hyde, to allow County claims, and to appoint election precincts; a bill to exempt certain articles of personal property from execution; a bill for the relief of the purchasers of Cherokee Lands; and a resolution in favor of Jacob Shultz; which were severally read the first time and passed.

The preamble and resolutions to authorize the printing of Indexes to Colonial Documents, relative to North Carolina, and the procurement of copies of said Documents in the proper offices in London, were taken up, and read the third time and passed, and ordered to be engrossed.

The bill, entitled a bill to incorporate the Beaufort Male and Female Academy, in the town of Beaufort; was read the second and third times and passed, and ordered to be engrossed.

The Senate then took up the resolution, authorizing J. Simmons and A. Bryan, to obtain grants on certain entries made in Brunswick County; which was read the second time and passed.

The resolution relating to the President and Directors of the Literary Fund, was taken up, and read the second time and passed.

Mr. Joyner moved that the Rules of the Senate be suspended, so as to read the resolution a third time, which was agreed to.

The resolution was then read the third time and passed, and ordered to be engrossed.

Received from the House of Commons the resignation of Joel Sweany, a Justice of the Peace for the County of Person; which was read and accepted.

The resolution providing for the establishment of a Bank at Henderson, was then taken up and read the second time.

Mr. Cooper moved, that the resolution be indefinitely postponed, which was decided in the negative—20 to 20.

Those who voted in the affirmative, were,

Messrs. Arrington, Allison (of O.), Allison, (of I.), Boykin, Boyd, Brown, Messrs. Hodges, Melvin, Morehead, Moye, Rea, Speight,
Those who voted in the affirmative, were


Those who voted in the negative, were

Messrs. Arrington, Allison, (of O.), Allison, (of L.), Boykin, Boyd, Brown, Hodges, Melvin, Morehead, Moye, Myers, Ribelín,
Mr. Jones presented a bill, entitled a bill to provide suitable stationery and candles for the Executive Office, Department of State, and future Legislatures, and for other purposes; which was read the first time and passed.

Received from the House of Commons a message, agreeing to our proposition to rescind the former joint order of the two Houses, to adjourn "sine die this day."

Received from the House of Commons a message, stating that Messrs. Ashe, Dewey, Mills, and Avery, form their branch of the Committee on enrolled bills, the present week. Whereupon, the Speaker announced to the Senate, that Messrs. Elliott and Boyd, form our branch of the Committee on enrolled bills the present week.

Received from the House of Commons a message, stating that they have passed the engrossed bill of the Senate, to lay off this State into fifty Senatorial Districts, with sundry amendments; which were read and agreed to.

The House has also passed the engrossed bill to amend an act, entitled an act concerning the mode of choosing Senators and Representatives in the Congress of the United States, with sundry amendments; which were read and agreed to, except the amendment in the 3d section, to strike out the words "the fourth of March next," and insert the words "its ratification:" which was not agreed to.

Received from the House of Commons a message, proposing to go into an election on to-morrow at 11 o'clock for a Counsellor of State, to supply the place of Richard D. Spaight, resigned—and inform the Senate, that Messrs. James D. Watt of Rockingham, and Julius S. Brackin of Orange, are in nomination for the appointment; which was read and agreed to.

The bill, entitled a bill to amend the 59th chapter of the Revised Statutes, was taken up and read the third time and passed, and ordered to be engrossed.

The bill, entitled a bill to authorize the President and Directors of the Literary Fund of North Carolina to issue notes, and make loans to the people, was taken up and read the third time. Mr. Worth moved to amend the bill, by
striking out, in the 5th section, the word "Federal," and inserting the word "White;" which was decided in the negative—13 to 28.

Mr. Tomlinson demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Albright, Messrs. Pharr,
Allison, (of O.) Rea,
Allison, (of I.) Ribelin,
Elliott, Thomas,
Jones, Walker,
Morehead, Worth—13 yeas.
Myers,

Those who voted in the negative were

Messrs. Arrington, Messrs. Jacocks,
Boykin, Joyner,
Boyd, Melvin,
Brown, Mitchell,
Burgin, Moye,
Cooper, Pasteur,
Dobson, Rogers,
Dockery, Spruill,
Edwards, Speight,
Ennett, Stallings,
Exum, Swinson,
Hester, Tomlinson,
Howard, Jno. W. Williams,
Hodges, Wm. P. Williams—
28 nays.

Mr. Mitchell moved to strike out two hundred thousand dollars in one dollar notes, and two hundred thousand in two dollar notes, and insert two hundred thousand dollars in four dollar notes, and four hundred thousand in five dollar notes; which was not agreed to. Mr. Rogers moved to amend the bill, in the 8th section, 14th line, by inserting, after the word in, "two newspapers printed in the City of Raleigh, for the space of thirty days;" which was agreed to.

The question then was, shall the bill pass? which was decided in the negative—14 to 28.

Mr. Albright demanded the yeas and nays, which are as follows:
Those who voted in the affirmative were

Messrs. Boykin, Messrs. Rogers,
Cooper, Spruill,
Dobson, Stallings,
Hester, Swinson,
Hodges, Tomlinson,
Mitchell, Thomas,
Rea, Wm. P. Williams,

Those who voted in the negative were

Messrs. Albright, Messrs. Jones,
Arrington, Joyner,
Allison, (of O.) Melvin,
Allison, (of I.) Morehead,
Boyd, Moye,
Brown, Myers,
Burgin, Pasteur,
Dockery, Pharr,
Edwards, Ribelin,
Elliott, Shepard,
Ennett, Speight,
Exum, Walker,
Howard, Jno. W. Williams,
Jacocks, Worth—28 nays.

The bill, entitled a bill to unite the offices of Superintendent of Public Buildings and Librarian, to provide for the election of the same, and for other purposes, was taken up and read the second time, and the amendments proposed by the Committee agreed to. Mr. Elliott moved that the bill be postponed indefinitely; which was decided in the negative—9 to 33.

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Jones,
Allison (of I.) Pharr,
Dockery, Shepard,
Elliott, Worth—9 nays.
Howard,

Those who voted in the negative, were

Messrs. Arrington, Messrs. Morehead,
Allison, (of O.) Moye,

The bill then passed as amended.

On motion of Mr. Elliott,
Ordered, that Mr. Thomas have leave of absence from the service of this House, from and after Wednesday next, the balance of the session.

On motion of Mr. Howard, the Senate adjourned until half past 3 o'clock.

Half past 3 O'clock, P. M.

The Senate met, according to adjournment, and took up the engrossed bill, entitled a bill to amend the 23d section of the Revised Statutes, relating to Guardian and Ward; and the engrossed bill, entitled a bill to attach the 84th regiment of North Carolina Militia to the 15th brigade; which were read the second time and passed.

The engrossed bill, entitled a bill to restore Jury trial to the County Courts of Anson; was taken up, and read the second time and passed.

Mr. Myers moved that the rules of the Senate be suspended, so as to read the bill the third time; which was not agreed to. The bill was then read the third time and passed, and ordered to be enrolled.

The Senate then took up the bill, entitled a bill to authorize the County Court of Mecklenburg to appoint Inspectors of the Elections at the April Term of said Court; and the bill, entitled a bill to amend an act, passed at the last session.
of the General Assembly, entitled an act to authorize the making of a Turnpike Road from Gatesville to the Chowan river, and to incorporate a company for that purpose; which were read the second time and passed, and ordered to be engrossed.

The bill, entitled a bill to amend the act for the better regulation of Common Schools, was taken up, and read the second time and rejected by the following vote—13 to 24.

Mr. Jacocks demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Myers,
    Allison, (of O.) Pharr,
    Allison, (of I.) Ribelin,
    Burgin, Thomas,
    Dobson, Walker,
    Elliott, Worth—13 yeas.
    Jones,

Those who voted in the negative were

Messrs. Arrington, Messrs. Melvin,
    Boykin, Mitchell,
    Boyd, Moye,
    Brown, Rogers,
    Cooper, Shepard,
    Ennett, Spruill,
    Exum, Speight,
    Hester, Stallings,
    Howard, Swinson,
    Hodges, Tomlinson,
    Jacocks, Jno. W. Williams,
    Joyner, Wm. P. Williams,

The bill, entitled a bill to amend an act entitled an act for the establishment and better regulation of Common Schools, so far as it relates to the County of Person, was taken up, and read the second time and rejected.

The bill, entitled a bill to alter and improve the road leading from Wilkesboro' up Mulling Creek, across the blue ridge, into Ashe County, was taken up, and read the second and third times, amended, and on motion of Mr. Jones, passed, and was ordered to be engrossed.
The Senate then took up the bill, entitled a bill extending the time for Sheriffs to settle their accounts with the Comptroller, which was read the second and third times, and passed, and ordered to be engrossed.

The bill, entitled a bill to amend the Revised Statutes, chapter 115, entitled an act concerning the Treasurer of the State, was taken up, and read the second time and passed.

The Senate proceeded to consider the bill, entitled a bill to alter the time of selling lands and negroes in Montgomery County; which was read the second and third times, amended on motion of Mr. Worth, and passed, and ordered to be engrossed.

The engrossed bill, entitled a bill to amend an act concerning Coroners, Revised Statutes, chapter 25, section 4, was taken up, and read the second time and passed.

The Senate then took up the bill, entitled a bill concerning Fisheries in this State; which was read the second time, and on motion of Mr. Stallings, indefinitely postponed—20 to 18.

Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were


Those who voted in the negative, were,

On motion of Mr. Dockery, the Senate adjourned until to-morrow morning 10 o'clock.

Tuesday, January 17, 1843.

Mr. Dobson presented a bill, entitled a bill to exempt all persons under twenty-one years of age from performing Military duty; which was read the first time and passed.

Mr. Myers presented a bill, entitled a bill to contract the limits of the town of Wadesborough, in Anson county; which was read the first time and passed.

The Senate took up the resolution authorising J. Simmons and A. Bryan to obtain grants on certain entries, made in Brunswick county; which was read the third time and passed, and ordered to be engrossed.

The engrossed resolution in favor of Jacob Shultz; and the resolution in favor of Jas W. Satchwel, Aquilla Davis and Joseph Sawyer, were taken up, and read the second time and passed.

Mr. Wm. P. Williams, from the Committee on Internal Improvement, to whom was referred a recommendation of a portion of the citizens of Montgomery for a Turnpike road from Fayetteville to the narrows of the Yadkin, reported adversely thereto. The committee was discharged from the further consideration of the subject.

The engrossed bill, entitled a bill to authorize seven Justices of the Peace for the county of Hyde to allow county claims and to appoint election precincts, was taken up, and read the second and third times and passed, and ordered to be enrolled.

The Senate then took up the bill, entitled a bill to unite the offices of Superintendent of Public Buildings and Librarian, to provide for the election of the same, and for other purposes; and the bill, entitled a bill to incorporate Elizabethtown in Bladen county; which were read the second and third times and passed, and ordered to be engrossed.

The engrossed bill, entitled a bill to repeal a part of the first section of an act, passed at the General Assembly, entitled an act to reduce into one the several acts concerning the appointment of Commissioners of Navigation and Pilot-
age for the Cape Fear river, so as to restore the appointment to the County Court of New Hanover, was taken up, and read the second time, amended on motion of Mr. Larkins, and passed, by the following vote—26 to 17.

Mr. Larkins demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

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<th>Messrs. Arrington,</th>
<th>Messrs. Pasteur,</th>
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<td>Allison, (of O.)</td>
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<td>Larkins,</td>
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<td>Melvin,</td>
<td>Jno. W. Williams,</td>
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<td>Mitchell,</td>
<td>Wm. P. Williams</td>
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26 yeas.

Those who voted in the negative, were

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<th>Messrs. Albright,</th>
<th>Messrs. Joyner,</th>
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<td>Allison, (of I.)</td>
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<td>Dobson,</td>
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<td>Dockery,</td>
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<td>Howard,</td>
<td>Thomas,</td>
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<td>Jacocks,</td>
<td>Worth—17 nays.</td>
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<td>Jones,</td>
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Received from the House of Commons a message, stating that according to the joint order of the two Houses on yesterday, they propose to go forthwith into an election of Counsellor of State, and inform the Senate that Messrs. Ashe and Cardwell form their branch of the committee to superintend the voting; which was agreed to. Whereupon, the Speaker announced to the Senate that Messrs. Shepard and Pasteur form our branch of the committee to superintend said election.

Received from the House of Commons a message, stating
that the name of Julius S. Brackin is withdrawn from the nomination.

The Senate then voted as follows:

FOR MR. WATT,

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<th>Messrs. Speaker,</th>
<th>Messrs. Mitchell,</th>
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FOR MR. SPRUILL,

Messrs. Albright, Moye, and Pharr—3.

FOR MR. WORTH,

Mr. Elliott.

FOR MR. GILLIAM,

Mr. Hester.

FOR MR. DOCKERY,

Mr. Ribelin.

FOR MR. COOPER,

Mr. Worth.

Mr. Morehead, from the Committee on the Judiciary, to
whom was referred the memorial of Robert N. Jeffreys and others, reported a resolution in favor of Robert N. Jeffreys and others; which was read the first time and passed.

On motion of Mr. Burtin, Mr. Spruill was added to the Committee on Claims.

On motion of Mr. Thomas, the bill, entitled a bill supplemental to, and amendatory of, the 53d chapter of the Revised Statutes and the 25th chapter of the Statute, passed at the session of 1840, was taken up, and read the second time and passed.

Mr. Brown, from the Committee on Banks, presented to the Senate a communication from the President of the Bank of Cape Fear; which was read, and, on his motion, was laid on the table.

On motion of Mr. Hodges, the bill, entitled a bill concerning the Commissioners of Navigation for the port of Washington, and to amend the 88th chapter of the Revised Statutes, was taken up, and read the second time and passed. On motion of Mr. Hodges, the rules of the Senate were suspended, and the bill was read the third time and passed, and ordered to be engrossed.

Mr. Rea presented a bill, entitled a bill to change the location of the Court House of the county of Lincoln, and for other purposes; which was read the first time and passed.

Mr. Pasteur, from the Joint Select Committee on the part of the Senate to superintend the election of Counsellor of State, reported that James Watt having received a majority of the votes given, was duly elected; in which report the Senate concurred.

Received from the House of Commons a message, stating that they have passed the engrossed bill from the Senate to apportion the members of the House of Commons among the several counties in this State, according to the Federal population, with sundry amendments; which was read and agreed to.

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 the Wilmington and Raleigh Rail Road Company, with sundry amendments, to wit, to amend the title of the bill, by striking out all after the word bill, and insert:

To direct the investment of a portion of the Literary Fund to preserve the faith and credit of the State from being tarnished by bad
endorsement of the bonds of the Wilmington and Raleigh Rail Road Company, under an act passed in the year 1840-'41.

Which was read and agreed to by the following vote—29 to 8.

Mr. Stallings demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Allison (of O.)              Messrs. Moye,
Allison, (of I.)                     Myers,
Boyd,                               Pasteur,
Brown,                              Pharr,
Burgin,                             Ribelin,
Cooper,                             Rogers,
Dobson,                             Spruill,
Edwards,                            Speight,
Elliott,                            Stafford,
Hester,                             Stallings,
Howard,                             Walker,
Jacocks,                            Jno. W. Williams,
Joyner,                             Wm. P. Williams,
Larkin,                             Worth—29 yeas.
Mitchell,

Those who voted in the negative were

Messrs. Arrington,                   Messrs. Melvin,
Boykin,                             Shepard,
Dockery,                            Swinson,
Exum,                               Tomlinson—8 nays.

They further propose to insert the following, before the enacting clause:

Whereas bonds heretofore endorsed by virtue of an Act of the General Assembly, passed in the year 1840-'41, by the Public Treasurer of this State, for the Wilmington and Raleigh Rail Road Company, to the amount of fifty thousand dollars, are now under protest, and the State is looked to for payment.

Which was read and agreed to by the following vote—32 to 5:

Mr. Stallings demanded the yeas and nays, which are as follows:
Those who voted in the affirmative, were

Messrs. Albright,
Allison, (of O.)
Allison, (of I.)
Boyd,
Brown,
Burgin,
Cooper,
Dobson,
Edwards,
Elliott,
Hester,
Howard,
Jacocks,
Joyner,
Larkins,
Melvin,

Messrs. Mitchell,
Morehead,
Moye,
Myers,
Pasteur,
Pharr,
Rea,
Ribelin,
Rogers,
Spruill,
Stafford,
Stallings,
Swinson,
Walker,
Wm. P. Williams,
Worth—32 yeas.

Those who voted in the negative were

Messrs. Arrington,
Boykin,
Dockery,

Messrs. Exum,
Tomlinson—5 nays.

The bill, entitled a bill to amend the Revised Statutes, chapter 115, entitled an act concerning the Treasurer of State, was taken up, and read the third time and passed, and ordered to be engrossed.

The Senate then took up the engrossed bill, entitled a bill for the better regulation of the Fisheries on Salmon Creek, in Bertie County; a bill to amend an act concerning Coroners, Revised Statutes, chapter 25, section 4; and a bill, entitled a bill to attach the 84th Regiment of North Carolina Militia to the 15th Brigade; which were severally read the third times and passed, and ordered to be enrolled.

The engrossed bill, entitled a bill to amend the 23d section of the Revised Statutes, relating to Guardian and Ward, was taken up, and read the third time, and on motion of Mr. Morehead, was laid on the table.

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

A bill in addition to the Revised Statutes, entitled an act concerning the University of North Carolina, in which they
ask the concurrence of the Senate; said bill was read the first time and passed.

Received from the House of Commons the resignation of William Gilbrath, as Colonel, William Drany, Lieutenant Colonel, and John McQueen, Major of the Regiment of Cavalry attached to the 8th Brigade of the 9th Division of the North Carolina Militia; which was read and accepted.

Received from the House of Commons a message, stating that they have passed the following engrossed bills and resolutions:

A bill, supplemental to an act, passed by the General Assembly of 1140-1, entitled an act to lay off and establish a County by the name of Caldwell; a bill to amend an act, passed this session of the General Assembly, entitled an act extending the time for perfecting titles to lands heretofore entered; a bill to repeal that part of the Revenue law, which requires the Comptroller to furnish the Sheriffs with blank licences; and a resolution in favor of Charles L. Hinton, Public Treasurer; and a resolution directing a loan of one thousand dollars to Floral College, in the County of Robeson; in which they ask the concurrence of the Senate; said bills and resolutions were severally read the first time and passed.

On motion of Mr. Albright, the Senate Senate adjourned until half past three o'clock.

HALF PAST 3 O'CLOCK, P. M.

The Senate met according to adjournment.

On motion of Mr. Albright, the bill entitled a bill concerning County Trustees and Treasurers of Public Buildings, was taken up, and read the second time and passed, and on motion of Mr. Albright, the Rules of the Senate were suspended, and the bill was read the third time and passed, and ordered to be engrossed.

The engrossed bill, entitled a bill to number the Regiment of Militia on the West side of French Broad River, in Buncombe County, was taken up and read the second and third times, and passed and ordered to be enrolled.

The Senate then took up the engrossed bill, entitled a bill concerning Register's fees; which was read the second time, and on motion of Mr. Stallings, was postponed indefinitely.

The engrossed bill, entitled a bill to increase the compen-
sation made to witnesses attending the Courts of Orange County, and for other purposes, was taken up, and read the second and third times and passed, and ordered to be enrolled.

On motion of Mr. Worth, Ordered, that Mr. Myers have leave of absence from the service of this House, from and after to-morrow, the balance of the session.

The bill, entitled a bill to amend the charters of the several Rail Roads within this State, was taken up, and read the second and third times.

Mr. Joyner moved to amend the bill, by striking out "twenty," and inserting "ten," which was agreed to. The bill then passed as amended, and was ordered to be engrossed.

Received from the House of Commons a message, therein transmitting to the Senate a resolution in relation to the Treasurer's bond, which they have adopted; in which they ask the concurrence of the Senate. Said resolution was read the first, second and third times and passed, and adopted.

The bill, entitled a bill to amend an act on Descents, 38th chapter Revised Statutes, and an act on Legacies, Filial Portions, and Distributive Shares, chapter 64, Revised Statutes, was taken up, and read the second time, and rejected.

Mr. Shepard presented a communication from William Hill, Secretary of State, relative to extra services performed, accompanied with the following resolution:

Resolved, That William Hill be allowed the sum of three hundred and twenty-two dollars, for extra services performed by him in the office of Secretary of State, and that the Public Treasurer pay the same, for which he shall be allowed in the settlement of his public accounts.

Which was read the first time and passed, and, on motion of Mr. Walker, referred to the Committee on Claims.

Mr. Tomlinson presented to the Senate, the following preamble and resolution, to-wit:

Whereas, an appropriation of fifty thousand dollars have been made, during the present session of the General Assembly, to pay off a portion of the debt for which the State is bound by endorsement on the bonds of the Wilmington and Raleigh Rail Road Company:

Therefore, Resolved, That in case the fifty thousand dollars ap-
appropriated as above mentioned be not repaid into the Public Treasury, on the first day of November next, the Governor is hereby directed to close the mortgage which the State has on the property and effects of the Wilmington and Raleigh Rail Road Company.

Which was read the first time and passed.

The bill, entitled a bill for the County of Yancey, was taken up and read the second and third times and passed, and ordered to be engrossed.

The Senate then took up the bill to require Public Officers to give receipts; which was read the second time, and on motion of Mr. Cooper, indefinitely postponed by the following vote—31 to 8.

Mr. Albright demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Albright,
Allison, (of O.)
Boyd,
Brown,
Cooper,
Dobson,
Exum,
Howard,
Hodges,
Jacocks,
Jones,
Joyner,
Larkins,
Melvin,
Mitchell,
Morhead,

Messrs. Moye,
Myers,
Pharr,
Ribelin,
Rogers,
Spruill,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Thomas,
Walker,
Jno. W. Williams,
Worth—31 yeas.

Those who voted in the negative, were

Messrs. Arrington,
Allison, (of I.)
Boykin,
Burgin,

Messrs. Edwards,
Hester,
Shepard,
Wm. P. Williams—
8 nays.

The bill, entitled a bill for the relief of Richard Cox, of Surry County, was taken up, and read the second and third times and passed, and ordered to be engrossed.
On motion of Mr. Burgin, the Senate adjourned until to-morrow morning ten o'clock.

Wednesday, January 18, 1843.

On motion of Mr. William P. Williams, Ordered, that Mr. Arrington have leave of absence from the service of this House, from and after Saturday next, the balance of the session.

On motion of Mr. Arrington, Ordered, that Mr. Hodges have leave of absence from the service of this House, from and after Saturday next, the balance of the session.

On motion of Mr. Elliott, Ordered, that Mr. Worthing have leave of absence from the service of this House, from and after Saturday next.

Mr. Dockery, from the Committee on Internal Improvement, to whom was referred a memorial of sundry citizens of Richmond, Albemarle and Cumberland Counties, in relation to the navigation of Lumber river, reported a bill for the improvement of Lumber river, from Campbell's Bridge to McLean's Turnpike; which was read the first time and passed.

Mr. Spruill, from the Committee on Claims, to whom was referred the resolution in favor of Green Hill, reported the same to the Senate, without amendment; which was read the second time, and made the order of the day for to-morrow.

Mr. Spruill, from the same Committee, to whom was referred the memorial of J. J. D. Lucas, of Bladen County, reported a resolution directing the Secretary of State to record a grant to J. Montgomery, of Bladen; which was read the first time and passed.

Mr. Spruill, from the said Committee, to whom was referred the resolution directing the Public Treasurer to pay Dr. Josiah O. Watson the sum of two hundred and fifty dollars, for the use of his quarry, reported the same to the Senate, and recommend that it be amended, by inserting the accompanying substitute, to wit:

Resolved, That the Public Treasurer pay to Dr. Josiah O. Watson, the sum of one hundred dollars, for the use of his quarry, on re-
building the Capitol, and that he be allowed the same in the settlement of his public accounts.

Which was read, and made the order of the day for tomorrow.

Mr. Joyner, from the Select Committee, to whom was referred a memorial from a delegation representing the citizens of the town of Wilmington, reported adversely there-to, and asked to be discharged from the further consideration of the subject. They were discharged accordingly.

Mr. Jones presented the following resolution:

Resolved, That a message be sent to the House of Commons, proposing that the Speaker of the Senate and Speaker of the House of Commons adjourn this General Assembly, sine die, on Saturday, the 21st instant, and that the Clerks make up their estimates to that day.

Which was read, and, on motion of Mr. Dockery, ordered to lie on the table.

Mr. Joyner presented a bill, entitled a bill supplemental to an act, passed at the present session, entitled an act for the better regulation of the town of Wilmington; which was read the first time and passed.

On motion of Mr. Myers, the bill, entitled a bill to contract the limits of the town of Wadesborough, in Anson county, was taken up, and read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. Joyner, the bill, entitled a bill authorizing the Portsmouth and Roanoke Rail Road Company to charge toll on their bridge over Roanoke river, at Weldon, was taken up and read the second time, and, on motion of Mr. Rogers, was postponed indefinitely—vote 20 to 20.

There being an equal division, the Speaker voted in the affirmative.

On motion of Mr. Morehead,

Ordered, That Mr. Enoett have leave of absence from the service of this House from and after Friday next, the balance of the session.

The engrossed bill, entitled a bill to repeal a part of the first section of an act, passed at the last General Assembly, entitled an act to reduce into one the several acts concerning the appointment of Commissioners of Navigation and
Pilotage for the Cape Fear river, so as to restore the appointment to the County Court of New Hanover, was taken up, and read the third time and passed, and ordered to be enrolled.

On motion of Mr. Jones, the resolution in favor of Wm. Davidson was taken up, and read the second time and rejected, by the following vote—9 to 30.

Mr. Tomlinson demanded the yeas and nays, which are as follows:

**Those who voted in the affirmative were**

Messrs. Albright, Messrs. Jones,  
Burgin, Joyner,  
Dockery, Pharr,  
Elliott, Walker—9 yeas.  
Jacocks,

**Those who voted in the negative were**

Messrs. Arrington, Messrs. Morehead;  
Allison, (of O.) Moye,  
Allison, (of I.) Pasteur,  
Boykin, Ribelin,  
Boyd, Rogers,  
Brown, Shepard,  
Cooper, Spruill,  
Dobson, Speight,  
Exum, Stafford,  
Hester, Stallings,  
Howard, Swinson,  
Hodges, Tomlinson,  
Larkins, Jno. W. Williams,  
Melvin, Wm. P. Williams,  
Mitchell, Worth—30 nays.

Mr. Spruill, from the Committee on Claims, to whom was referred the communication from Wm. Hill, and a resolution in his favor, reported the resolution to the Senate, and asked to be discharged from the further consideration of the subject. They were discharged accordingly.

Received from the House of Commons a message, therein transmitting the engrossed bill to amend an act, entitled an act concerning the mode of choosing Senators and Representatives in the Congress of the United States, and inform-
ing the Senate that they recede from their amendment to the third section heretofore made to said bill.

Received from the House of Commons a message, therein transmitting an engrossed bill concerning the bond of the Public Treasurer; in which they ask the concurrence of the Senate. Said bill was read the first time and passed.

Received from the House of Commons a message, stating that they have rejected the engrossed bill to amend the 29th section of 31st chapter Revised Statutes, entitled an act concerning Courts of Justice, Practice, Pleas and Process.

The bill, entitled a bill supplemental to, and amendatory of, the 53d chapter of the Revised Statutes, passed at the session of 1840, was taken up, and read the third time and passed, and ordered to be engrossed.

The engrossed resolution in favor of Jacob Shultz, was taken up, and read the third time and rejected by the following vote—15 to 21.

Mr. Morehead demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were


Those who voted in the negative, were

The resolution in favor of James W. Satchwell, Aquilla Davis and Joseph Sawyer, was taken up, and read the third time and passed, and ordered to be engrossed.

The Senate then took up the engrossed resolution in favor of Charles L. Hinton, Public Treasurer; which was read the second time and passed.

The engrossed resolutions directing a loan of one thousand dollars to Floral College, in the county of Robeson, was taken up, and read the second and third times and rejected, by the following vote—11 to 24.

Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were,

Messrs. Albright, Messrs. Joyner, 
Arrington, Pharr, 
Dockery, Shepard, 
Hester, Stafford, 
Jacocks, Worth—11 yeas. 
Jones, 

Those who voted in the negative, were

Messrs. Allison, (of O.) Messrs. Melvin, 
Allison, (of I.) Mitchell, 
Boykin, Morehead, 
Boyd, Moya, 
Brown, Ribelin, 
Burgin, Rogers, 
Cooper, Spruill, 
Dobson, Speight, 
Elliot, Swinson, 
Exum, Tomlinson, 
Howard, Walker, 
Larkins, Jno. W. Williams, 

24 nays.

On motion of Mr. Moya, the engrossed resolution in favor of Charles L. Hinton, Public Treasurer, was taken up, and read the third time and passed, and ordered to be enrolled.

The resolution relating to the Wilmington and Raleigh Rail Road, was taken up, and read the second time. Mr. Exum moved to amend the resolution, by striking out the
words "November next," and inserting the words "February, 1844;" which was agreed to. Mr. Rogers then moved that the resolution be laid on the table; which was decided in the negative—10 to 30.

Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Albright,
Allison, (of I.)
Burgin,
Elliott,
Jacocks,

Messrs. Joyner,
Pharr,
Rogers,
Spruill,
Worth—10 yeas.

Those who voted in the negative, were

Messrs. Arrington,
Allison (of O.)
Boykin,
Boyd,
Brown,
Cooper,
Dobson,
Dockery,
Exum,
Hester,
Howard,
Hodges,
Jones,
Larkins,
Melvin,

Messrs. Mitchell,
Morehead,
Moye,
Pasteur,
Rea,
Ribelin,
Shepard,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Jno. W. Williams,
Wm. P. Williams—
30 nays.

The resolution then passed by the following vote—23 to 17.

Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Arrington,
Allison, (of O.)
Boykin,
Boyd,
Brown,
Cooper,

Messrs. Pasteur,
Rea,
Shepard,
Speight,
Stafford,
Stallings,
Those who voted in the negative were

Messrs. Albright, Messrs. Joyner,
Allison, (of I.) Morehead,
Burgin, Moye,
Dobson, Pharr,
Dockery, Ribelin,
Elliott, Rogers,
Howard, Spruill,
Jacocks, Worth—17 nays.
Jones,

Mr. Worth asked leave to withdraw from the files of the Senate a recommendation of Justices of the Peace for the county of Moore; which was granted.

On motion of Mr. Jones, the Senate adjourned until half past three o'clock, P. M.

HALF PAST 3 O'CLOCK, P. M.

The Senate met according to adjournment.

On motion of Mr. Edwards,

Ordered, That Mr. Pasteur have leave of absence from the service of this House, from and after Friday next, the balance of the session.

On motion of Mr. Moye,

Ordered, That Mr. Exum have leave of absence from the service of this House, from and after Sunday next, the balance of the session.

The Senate took up the bill, entitled a bill in relation to the Literary Fund; which was read the second time and passed.

The bill, entitled a bill to lay off and establish a new county by the name of Jackson, was taken up, and read the second time, and, on motion of Mr. Spruill, was indefinitely postponed.

The Senate took up the bill, entitled a bill to prevent ma-
licious prosecutions; which was read the second time. Mr. Allison (of I.) moved that the bill be postponed indefinitely: which did not prevail. The question was then, shall the bill pass? which was decided in the negative—15 to 21.

Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Arrington, Allison (of O.) Messrs. Larkins, Melvin, Boykin, Rea, Cooper, Spruill, Dobson, Speight, Hester, Stafford, Hodges, Swinson15 yeas, Joyner,

Those who voted in the negative, were


Received from the House of Commons a message, therein transmitting an engrossed resolution authorizing the purchase of a copy of Hatsell's Precedents and Observations on Parliamentary Law, in which they ask the concurrence of the Senate; which was read the first time and passed.

The bill, entitled a bill to exempt all persons under twenty-one years of age from performing military duty, was taken up, and read the second time, and, on motion of Mr. Edwards, was indefinitely postponed.

The Senate then took up the bill, entitled a bill to change the location of the Court House of the county of Lincoln, and for other purposes; which was read the second time, and, on motion of Mr. Spruill, was postponed indefinitely.
The engrossed bill, entitled a bill to preserve the natural benefits of the Pamlico Sound to the citizens of this State, was taken up and read the second time, and, on motion of Mr. Howard, ordered to lie on the table.

The Senate then took up the engrossed bill to prevent unlawful mining; which was read the second time, and, on motion of Mr. Worth, was indefinitely postponed.

On motion of Mr. Cooper, the Senate adjourned until tomorrow morning ten o'clock.

Thursday, January 19, 1843,

On motion of Mr. Hodges,

Ordered, That Mr. Spruill have leave of absence from the service of this House, from and after Sunday next, the balance of the session.

On motion of Mr. Arrington,

Ordered, That Mr. Edwards have leave of absence from the service of this House, from and after Saturday next.

On motion of Mr. Edwards,

Ordered, That Mr. Melvin have leave of absence from the service of this House, from and after Monday next, the balance of the session.

On motion of Mr. Joyner,

Ordered, That Mr. Jones have leave of absence from the service of this House, from and after Sunday next, the balance of the session.

Mr. Joyner presented a memorial from J. W. Harris, of Halifax county, relative to an invention to supersede water and steam power; which was read, and, on his motion, laid on the table.

Mr. Shepard presented the resignation of H. Jones, a Justice of the Peace for Wake county; which was read and accepted, and sent to the House of Commons.

Mr. Hester presented the following preamble and resolutions:

Whereas, the citizens of this State are greatly embarrassed, in a pecuniary sense, and owing to the shortness of the crop of the past
year, and the present low prices of produce; it is, therefore, evident, if creditors should push their debtors, that property must be sold at a sacrifice, and many of our worthy citizens be deprived of their property, and not discharged from their debts; is it not the duty of the Legislature to relieve its citizens?

Be it, therefore, Resolved, As the opinion of this General Assembly, that the State ought to borrow one million of dollars, provided the same can be borrowed in the United States.

Resolved, further, That the amount, when borrowed, shall be loaned out to the different Counties, according to their federal population.

Resolved, further, that the Judiciary Committee be instructed to report a bill to carry out the provisions of the foregoing resolutions.

Which were read and not agreed to.

Mr. Hester presented the following preamble and resolutions:

Whereas, the Banks were established to increase the circulating medium of the country; and, whereas, the present embarrassments of the people, in a pecuniary sense, require that the Banks should do all they can to relieve the people, and maintain a good currency; and, whereas, it is believed, by this General Assembly, that the Banks are able to meet all their liabilities, and still afford further accommodations to the people.

Be it, therefore, Resolved, As the opinion of this General Assembly, that the Banks ought to increase their loans as much as possible, to relieve the people; and, in making loans, they should have due regard to the different sections of the State.

Which were read the first time and passed.

Mr. Joyner presented the following resolution:

Resolved, That the Public Treasurer be, and he is hereby authorized to borrow, from the fund set apart for Internal Improvement, the Literary Fund, or from either of the Banks in this State, such sum or sums of money, from time to time, at 6 per cent. interest, until the next meeting of the General Assembly, as may be necessary to meet the proper charges authorized by law against the Government; which sum or sums so borrowed, it shall be his duty to repair as soon as the Treasury is in a condition to enable him to do the same.

Which was read the first time and passed.
Mr. Ribelin presented the following resolution:

Resolved, That this General Assembly adjourn, sine die, on Tuesday, the 24th instant.

Which was read. Mr. W. P. Williams moved that the resolution be laid on the table; which was decided in the negative—16 to 23.

Those who voted in the affirmative, were

Messrs. Albright, Arrington, Allison, (of O.) Cooper, Dobson, Elliott, Hester, Jacocks,

Messrs. Mitchell, Rogers, Shepard, Spruill, Stafford, Stallings, Walker, Wm. P. Williams, 16 yrs.

Those who voted in the negative were


Messrs. Melvin, Morehead, Moye, Pasteur, Pharr, Rea, Ribelin, Speight, Swinson, Tomlinson, Jno. W. Williams, 23 nays.

Mr. Jones then moved to amend the resolution, by striking out Tuesday, the 24th, and inserting the words Saturday next, and that this resolution be sent to the House of Commons; which was decided in the affirmative—28 to 13.

Those who voted in the affirmative, were

Messrs. Albright, Allison, (of I.) Boyd, Brown,

Messrs. Melvin, Mitchell, Morehead, Moye,
JOURNAL OF THE SENATE.

Burgin, Dockery, Edwards, Exum, Howard, Hodges, Jacocks, Jones, Joyner, Larkins,

Pasteur, Pharr, Ribelln, Rogers, Speight, Stafford, Swinson, Tomlinson, Jno. W. Williams, Worth—28 yeas.

Those who voted in the negative were

Messrs. Arrington, Allison, (of O.) Boykin, Cooper, Dobson, Elliott, Hester,


The question then was, on the adoption of the resolution as amended; which was decided in the affirmative—31 to 10.

Mr. Jones demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were

Messrs. Albright, Allison, (of I.) Boyd, Brown, Burgin, Cooper, Dockery, Edwards, Elliott, Exum, Howard, Hodges, Jacocks, Jones, Joyner, Larkins,

Those who voted in the negative, were,

Messrs. Arrington,          Messrs. Mitchell,  
  Allison, (of O.)            Shepard,      
  Boykin,                    Spruill,       
  Dobson,                    Walker,        
  Hester,                    Wm. P. Williams,  
                          10 nays.

On motion of Mr. Cooper, the recommendations for Justices of the Peace for the County of Carteret were taken up. The question was, on the amendment proposed by the House of Commons, to strike out the name of Abner S. Bell; which was decided in the negative—19 to 20.

Mr. Cooper demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were:

Messrs. Arrington,          Messrs. Pasteur,  
  Allison, (of O.)            Reid,        
  Boykin,                    Speight,      
  Boyd,                      Stafford;     
  Brown,                     Stallings    
  Cooper,                    Swinson,      
  Edwards,                   Tomlinson,    
  Hester,                    Walker,       
  Larkins,                   Jno. W. Williams,  
  Melvin,                    19 yeas.

Those who voted in the negative, were

Messrs. Albright,          Messrs. Joyner,  
  Allison, (of I.)           Mitchell,     
  Burgin,                   Morehead,     
  Dobson,                   Moye,         
  Dockery,                  Pharr,        
  Elliott,                  Ribelin,      
  Exum,                     Rogers,       
  Howard,                   Shepherd,     
  Jacocks,                  Spruill,      
  Jones,                    Worth—20 nays.

On motion of Mr. Howard, the recommendation was laid on the table.
Mr. Brown, from the Joint Select Committee, to whom was referred the memorial of Jacob Strong, reported the same to the Senate, and asked to be discharged from the further consideration of the subject. They were discharged accordingly.

On motion of Mr. Edwards, the engrossed bill, entitled a bill to amend the 23d section of the Revised Statutes, relating to Guardian and and Ward, was taken up, and read the third time and passed, and was ordered to be enrolled.

Received from the House of Commons a message, stating that they have passed the following engrossed bills and resolutions, in which they ask the concurrence of the Senate: A bill to extend the provisions of the 75th chapter Revised Statutes, and to amend the same; a bill to repeal a part of the 2d section, 93d chapter Revised Statutes, and for other purposes; a bill to amend the 39th chapter of the Revised Statutes; a bill to alter the time of holding the Superior Courts of Law and Equity, and the Court of Pleas and Quarter sessions for Carteret county; a resolution in favor of Bryan and Maitland; and a resolution in favor of Thos. L. Lea, late Sheriff of Caswell county. The two first named bills were read the first time and passed, and referred to the Committee on the Judiciary. The other named bills and resolutions were severally read the first time and passed.

On motion of Mr. Shepard, the resolution in favor of Wm. Hill was taken up, and read the second time, and, on motion of Mr. Boykin, was indefinitely postponed—33 to 8.

Those who voted in the affirmative were

Messrs. Albright,
Arrington,
Allison, (of O.)
Allison, (of I.)
Boykin,
Boyd,
Brown,
Cooper,
Dockery,
Edwards,
Exum,
Hester,
Hodges,
Larkins,

Messrs. Moye,
Pasteur,
Pharr,
Rea,
Reid,
Ribelin,
Rogers,
Spruill,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Melvin, Jno. W. Williams, 33 yeas.
Mitchell, Wm. P. Williams—
Morehead, 33 yeas.

Those who voted in the negative were

Messrs. Burgin, Messrs. Jacocks,
Dobson, Jones,
Elliott, Joyner,
Howard, Shepard—8 nays.

On motion of Mr. Shepard, the resolution in favor of Robert N. Jeffreys and others, was taken up and read the second time, and, on motion of Mr. Spuill, was indefinitely postponed by the following vote—29 to 12:

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Mitchell,
Allison (of O.), Pasteur,
Allison (of I.), Pharr,
Boykin, Rea,
Boyd, Reid,
Brown, Ribelin,
Burgin, Spruill,
Cooper, Speight,
Dobson, Stafford,
Dockery, Stallings,
Exum, Swinson,
Hester, Tomlinson,
Joyner, Walker,
Larkins, Jno. W. Williams,
Melvin, 29 yeas.

Those who voted in the negative, were

Messrs. Arrington, Messrs. Jones,
Edwards, Morehead,
Elliott, Moye,
Howard, Rogers,
Hodges, Shepard,
Jacocks, Worth—12 nays.

On motion of Mr. Cooper, the engrossed bill, entitled a bill to preserve the natural benefits of the Pamlico Sound to the citizens of this State, was taken up, and read the se-
cond time and passed. On motion of Mr. Spruill, the rules of the Senate were suspended, and the bill was read the third time and passed, and ordered to be enrolled.

On motion of Mr. Hodges, the Senate adjourned until half past three o'clock, P. M.

HALF PAST 3 O'CLOCK, P. M.

The Senate met according to adjournment.

On motion of Mr. Edwards,

Ordered, That Mr. Brown have leave of absence from the service of this House, from and after to-morrow, the balance of the session.

The bill, entitled a bill supplemental to an act passed at the present session, entitled an act for the better regulation of the town of Wilmington, was taken up, and read the second time and rejected.

The Senate took up the resolution directing the Secretary of State to record a grant to J. Montgomery, of Bladen; and a resolution in favor of Green Hill; which were read the second and third times, and passed, and ordered to be engrossed.

The Senate then took up the resolution in favor of Dr. Josiah Watson; which was read the second time, and, on motion of Mr. Hodges, was indefinitely postponed.

The engrossed resolution authorizing the purchase of a copy of Hatsell's Precedents and Observations on Parliamentary Law, was taken up and read the second and third times, amended, on motion of Mr. Brown, and passed.

Mr. William P. Williams presented the following resolutions:

Resolved, That the President and Directors of the Literary Board be directed to collect and so reduce the debts of said fund, that no person or corporation shall, at any time hereafter, be indebted to said board more than five thousand dollars.

And be it further resolved, That all notes shall be renewed the first week in April next, and every six months afterwards; and should any principal fail to pay, or renew his or their note, they shall be compelled to pay the whole amount.

Which were read the first time and passed.

Received from the House of Commons a message, stating
that they have postponed indefinitely, the engrossed bill of
the Senate, establishing a Superior Court of Law and
Court of Equity, in the County of Caldwell, and for other
purposes.

The bill, entitled a bill to provide suitable stationery and
candles for the Executive Office, Departments of State, and
future Legislatures, and for other purposes; and the en-
grossed bill, entitled a bill supplemental to an act, passed by
the General Assembly of 1840-1, entitled an act to lay off
and establish a County by the name of Caldwell; were ta-
taken up, and read the second time and passed.

The engrossed bill, entitled a bill for the relief of the pur-
chasers of Cherokee Lands, was taken up and read the sec-
ond time. Mr. W. P. Williams moved to amend the bill in
the first section, by striking out the word "three," and in-
serting in lieu thereof, the word "two;" which was agreed
to. The bill then passed as amended.

The Senate then took up the engrossed bill, entitled a
bill for the more speedy administration of justice; which
was read the second time.

Mr. Brown moved that the bill be indefinitely postponed;
which was not agreed to.

The question then was, on the passage of the bill, which
was decided in the affirmative—22 to 20.

Mr. Cooper demanded the yeas and nays, which are as
follows:

**Those who voted in the affirmative, were**

Messrs. Albright, Messrs. Joyner,
    Allison, (of I.) Morehead,
    Boyd, Pharr,
    Burgin, Reid,
    Dobson, Ribelin,
    Dockery, Rogers,
    Elliott, Shepard,
    Hester, Stafford,
    Howard, Walker,
    Jacocks, Jno. W. Williams,
    Jones, Worth—22 yeas.

**Those who voted in the negative, were**

Messrs. Arrington, Messrs. Moye,
    Allison, (of O.) Pasteur,
Boykin,  
Brown,  
Cooper,  
Edwards,  
Exum,  
Larkins,  
Melvin,  
Mitchell,  
Rea,  
Spruill,  
Speight,  
Stallings,  
Swinson,  
Tomlinson,  
Wm. P. Williams—

20 nays.

The engrossed bill, entitled a bill concerning Fishing with seines in Beaufort County, was taken up, and read the second time and passed.

The engrossed bill, entitled a bill to exempt certain articles of personal property from execution, was taken up, and read the second time and rejected.

Mr. Shepard moved, that the vote by which was rejected, the engrossed bill to exempt certain articles of personal property from execution, be re-considered; which was decided in the negative—16 to 20.

Mr. Stalling demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Allison, (of O.)  
Messrs. Jacocks,  
Burgin,  
Larkins,  
Cooper,  
Moye,  
Dobson,  
Rea,  
Dockery,  
Reid,  
Exum,  
Shepard,  
Hester,  
Speight,  
Howard,  
Stallings—16 yeas,

Those who voted in the negative, were

Messrs. Albright,  
Messrs. Melvin,  
Allison (of I.)  
Mitchell,  
Boykin,  
Morehead,  
Boyd,  
Ribelin,  
Brown,  
Rogers,  
Boyd,  
Spruill,  
Brown,  
Stafford,  
Edwards,  
Spruill,  
Elliott,  
Swinson,  
Hodges,  
Tomlinson,  
Jones,  
Jno. W. Williams,  
Joyner,  
20 nays.
The engrossed bill, entitled a bill to amend an act passed the present General Assembly, entitled an act extending the time for perfecting titles to lands heretofore entered, was taken up, and read the second time and passed.

The Senate took up the engrossed bill, entitled a bill to repeal that part of the Revenue law, which requires the Comptroller to furnish the Sheriffs with blank licences; which was read the second time and rejected.

The bill, entitled a bill for the improvement of Lumber River, was taken up, and read the second time and passed.

The Senate then took up the engrossed bill, entitled a bill concerning the Bond of the Public Treasurer; which was read the second time and passed.

On motion of Mr. Jacocks, the Senate adjourned until to-morrow morning ten o'clock.

Friday, January 20, 1843.

The Speaker presented to the Senate a communication from the Governor of Maine, relative to the North Eastern boundary of that State, and of the United States; which was read, and on motion of Mr. Edwards, ordered to lie on the table.

Mr. Morehead, from the Committee on the Judiciary, to whom was referred the engrossed bill, entitled a bill to amend the 39th chapter of the Revised Statutes, reported the same to the Senate, and recommended its passage; which was read and made the order of the day for to-morrow.

Mr. Morehead, from the same Committee, to whom was referred the engrossed bill, entitled a bill to extend the provisions of the 75th chapter Revised Statutes, and to amend the same, reported the same to the Senate, and recommended its passage; which was read and made the order of the day for to-morrow.

Mr. Rea presented the following preamble and resolution:

Whereas, a prosecution is now pending in the Superior Court of Law, of the county of Lincoln, against the Justices of the Peace of
said county, for having failed or neglected to rebuild or repair the Court House and Jail of the said county, which prosecution is deemed unnecessary,

Therefore resolved, That the Solicitor of the sixth Judicial Circuit be, and he is hereby directed to suspend all further proceedings in the said prosecution, until 1845.

Which was read the first time and passed.

Mr. Howard presented a bill, entitled a bill to amend an act entitled an act to cede to the United States a certain tract of land called Bogue Bank; which was read the first time and passed.

On motion of Mr. Joyner, the Rules of the Senate were suspended, and the bill was read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons a message, stating that they have rejected the engrossed bill to alter the mode of electing Constables in this State, so far as regards the Counties of Caldwell and Wilkes; and the engrossed bill, establishing a Superior Court of Law and Equity in the County of Caldwell.

On motion of Mr. W. P Williams, the resolutions relating to the President and Directors of the Literary Board, were taken up, and read the second time; he moved to amend the resolutions, by striking out all after the word "Resolved," and inserting the following as a substitute therefor, to wit:

That the President and Directors of the Literary Board be directed to collect, by reasonable instalments, the debts due said Board; and that when said fund shall be so reduced or collected, no person or corporation shall be allowed to owe said Literary Board more than five thousand dollars as principal.

And be it further resolved, That all the notes of said fund shall be renewed the first week in April next, and every six months thereafter; and should any principal fail to pay or renew his or their note, they shall be required to pay the whole amount.

Which was read and agreed to.

The resolutions were then passed as amended, by the following vote—33 to 5.

Mr. Spruill demanded the yeas and nays, which are as follows:
Those who voted in the affirmative, were


Those who voted in the negative, were


Received from the House of Commons a message, stating that they have passed the following engrossed bills and resolutions, in which they ask the concurrence of the Senate: A bill supplemental to an act passed by the present General Assembly, entitled an act to lay off and establish a County by the name of McDowell; a bill to incorporate the Columbus Lodge, No. 102, Pittsboro', Chatham County; a bill to arrange the 6th Judicial Circuit, and to appoint the times of holding the several Courts therein; a bill to prohibit the levying of executions upon growing crops; and a resolution in favor of Leslie Gilliam. The first named bill was read the first and second times and passed. The other named bills were read the first time and passed. The resolution was then read the first time and passed, and, on motion of Mr. Hester, was referred to the Committee on Claims.

Mr. Burgin, from the Joint Select Committee, to whom was referred the memorial of the Cherokees of Quallatown, reported the same to the Senate, and asked to be discharg-
ed from the further consideration of the subject. They were discharged accordingly.

On motion of Mr. Brown, the engrossed resolution in favor of Thomas L. Lea, late Sheriff of Caswell county, was taken up and read the second time, and, on motion of Mr. Worth, was indefinitely postponed.

The resolution relating to the Treasurer, was taken up, and read the second and third times, amended, on motion of Mr. Arrington, and passed, and was ordered to be engrossed.

On motion of Mr. Shepard, the bill, entitled a bill to incorporate a Mutual Insurance Company, in the State of North Carolina, was taken up, and read the second time. The amendments proposed by the committee were agreed to. The bill then passed as amended.

On motion of Mr. Shepard, the rules of the Senate were suspended, and the bill was read the third time, amended, on motion of Mr. Elliott, passed as amended, and ordered to be engrossed.

On motion of Mr. Tomlinson, the resolution relating to the Wilmington and Raleigh Rail Road, was taken up, and read the second time, and, on motion of Mr. Reid, informally passed over.

On motion of Mr. Elliott, the engrossed bill, entitled a bill in addition to the Revised Statutes, entitled an act concerning the University of North Carolina, was taken up, and read the third time and passed, and was ordered to be enrolled.

The engrossed resolution in favor of Bryan and Maitland, was taken up, and read the second time and passed.

The Senate then took up the resolutions requesting the Banks to relieve the people; which were read the second time.

Mr. Cooper moved, that the resolutions be indefinitely postponed; which was decided in the negative—19 to 21.

Those who voted in the affirmative, were

Messrs. Arrington,
Allison, (of O.)
Boykin,
Boyd,
Cooper,
Edwards,
Exum,

Messrs. Reid,
Shepard,
Speight,
Stallings,
Swinson,
Tomlinson,
Walker,
Larkins, Jno. W. Williams, 19 yeas.
Melvin, Wm. W. Williams,
Mitchell,

Those who voted in the negative, were

Messrs. Albright, Messrs. Joyner,
Allison, (of I.) Morehead,
Burgin, Moye,
Dobson, Pharr,
Dockery, Rea,
Elliott, Ribelin,
Hester, Rogers,
Howard, Spruill,
Hodges, Stafford,
Jacocks, Worth—21 nays.
Jones,

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Joyner,
Allison, (of I.) Morehead,
Burgin, Moye,
Dobson, Pharr,
Dockery, Rea,
Elliott, Ribelin,
Hester, Rogers,
Howard, Spruill,
Hodges, Stafford,
Jacocks, Worth—21 yeas.
Jones,

Those who voted in the negative, were

Messrs. Arrington, Messrs. Reid,
Allison, (of O.) Shepard,
Boykin, Spight,
Boyd, Stallings,
Cooper, Swinson,
Edwards, Tomlinson,
Exum, Walker,
Mr. Dockery moved, that the vote by which was rejected the resolution for the relief of the people, be re-considered; which was decided in the negative—7 to 29.

Mr. Cooper called for the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Albright, Dobson, Elliott, Hester,

Messrs. Jacocks, Morehead, Pharr—7 yeas.

Those who voted in the negative, were

Messrs. Arrington, Allison (of O.), Allison (of I.), Boykin, Boyd, Brown, Cooper, Dockery, Edwards, Exum, Howard, Hodges, Jones, Joyner, Larkins,

Messrs. Melvin, Mitchell, Moye, Rea, Reid, Ribelin; Rogers, Spruill; Speight, Stafford, Stallings, Swinson, Walker, Jno. W. Williams, 29 nays.

On motion of Mr. Tomlinson, the resolution relating to the Wilmington and Raleigh Rail Road, was taken up, and read the third time, and amended on motion of Mr. Reid.

Pending the question, the Senate, on motion of Mr. Ribelin, adjourned until half past three o'clock, P. M.
HALF PAST 3 O'CLOCK, P. M.

The Senate met according to adjournment.

The Senate took up the unfinished business, to wit: The resolution relating to the Wilmington and Raleigh Rail Road. Mr. Reid moved to amend the resolution, by striking out the word "February," and inserting the word "May," which was agreed to. The resolution then passed by the following vote—26 to 13.

Mr. Tomlinson demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were:

Messrs. Arrington, Messrs. Moye,
Allison (of O.), Rea,
Boykin, Reid,
Boyd, Rogers,
Brown, Shepard,
Cooper, Speight,
Edwards, Stafford,
Exum, Stallings,
Hesse, Swinson,
Hodges, Tomlineon,
Larkin, Walker,
Melvin, Jno. W. Williams,
Mitchell, Wm. P. Williams.

Those who voted in the negative, were:

Messrs. Albright, Messrs. Jacocks,
Allison, (of I.), Joyner,
Burgin, Morehead,
Dobson, Pharr,
Dockery, Ribelin,
Elliot, Spruill—13 nays,
Howard,

Ordered, That said resolution be engrossed.

Mr. Elliott presented the following resolution:

Resolved, That the President and Directors of the Literary Fund be authorized to loan, upon sufficient security, the balance on hand, of the principal of the Literary Fund.
Which was read the first time and passed, and, on his motion, the rules of the Senate were suspended, and the resolution was read the second and third times and passed, and ordered to be engrossed.

Mr. Shepard presented a bill, entitled a bill to incorporate a company of Cavalry, in the county of Wake; which was read the first time and passed.

Received from the House of Commons a message, stating that they have passed the engrossed bill, entitled a bill to amend the 10th section of the 104th chapter of the Revised Statutes, with an amendment; which was read and agreed to.

The engrossed bill, entitled a bill to alter the time of holding the Superior Court of Law and Equity, and the Court of Pleas and Quarter Sessions for the county of Carteret, was taken up, and read the second and third times and passed, and was ordered to be enrolled.

The Senate then took up the engrossed bill, entitled a bill to repeal a part of the second section of the 93d chapter of the Revised Statutes, and for other purposes; which was read the second time and passed, and, on motion of Mr. Spruill, was laid on the table.

The bill, entitled a bill for the improvement of Lumber river, was taken up, and read the third time and passed, and ordered to be engrossed.

On motion of Mr. Shepard, the bill, entitled a bill to incorporate a company of Cavalry, in the county of Wake, was taken up, and read the second and third times and passed, and ordered to be engrossed.

The engrossed bill, entitled a bill for the relief of the purchasers of Cherokee lands, was taken up, and read the third time. Mr. W. P. Williams moved to amend the bill, by striking out the second section thereof; which was agreed to by the following vote—27 to 11.

Mr. Pharr demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Arrington,  Messrs. Reid,
Allison, (of O.)   Ribelin,
Boykin,          Rogers,
Boyd,            Spruill,
Cooper,          Speight,
Edwards,         Stafford,
Mr. Jones then moved to amend the bill, by striking out all after the first section thereof; which was not agreed to. The bill then passed as amended.

The Senate then took up the engrossed bill, entitled a bill for the more speedy administration of justice; which was read the third time and passed, by the following vote—24 to 15.

Mr. Allison (of O.) demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Allison, (of O.)

Those who voted in the negative, were

Messrs. Arrington, Messrs. Melvin, Mitchell, Boykin,
Ordered, That said bill be enrolled.

On motion of Mr. Albright, the Senate adjourned until to-morrow morning ten o'clock.

Saturday, January 21, 1843.

Mr. Arrington presented to the Senate the resignation of William B. Bryant, a Justice of the Peace for the county of Nash; which was read and accepted, and sent to the House of Commons.

On motion of Mr. W. P. Williams,

Ordered, That Mr. Rogers have leave of absence from the service of this House, from and after to-morrow, the balance of the session.

Received from the House of Commons a message, stating that they have passed the following engrossed bills and resolutions, in which they ask the concurrence of the Senate, to wit: A bill to authorize the Superior Courts of Law in this State to allow appeals to the Supreme Court in certain cases, without requiring security; a bill, appointing Clerks and Masters commissioners to take depositions; a resolution in favor of John M. Morehead, Governor of North Carolina; a resolution in favor of Jno. M. Mason; and a resolution concerning the payment of six hundred and nine dollars and ninety cents to the Literary Board. The first named bill was read the first time and passed. On motion of Mr. Morehead, the rules of the Senate were suspended, and the bill was read the second and third times and passed, and ordered to be enrolled. The other named bill was read the first time and passed. The resolution in favor of John M. Morehead, was read the first, second and third times and passed, and ordered to be enrolled. The resolution in favor of Jno. M. Mason, was read the first time and...
And the resolution concerning the payment of six hundred and nine dollars and ninety cents to the Literary Board, was read the first, second and third times and passed, and was ordered to be enrolled.

Received from the House of Commons a message, stating that they have passed an engrossed bill concerning election returns, in which they ask the concurrence of the Senate; a bill to amend the 4th section of the Revised Statutes, entitled an act concerning constables; a bill for the better government and regulation of the town of Hertford, in Perquimans county; a bill to incorporate Swaim's Academy, in Tyrrell county; a bill to increase the pay of jurors for the county of Orange, and for other purposes; a resolution in favor of Priscilla Goodwin; a bill concerning the Swamp lands; a bill to incorporate the Franklin Fire Company, of the Little Rock Fish town, in the county of Cumberland; a bill to amend an act, entitled an act for the better regulation of the town of Tarborough, in Edgecomb county; and a bill to incorporate the Grand Lodge of the State of North Carolina, of the Independent Order of Odd Fellows. The first named bill was read the first time and passed, and, on motion of Mr. Morehead, the rules of the Senate were suspended, and the bill was read the second and third times and passed, and was ordered to be enrolled. The second named bill was read the first, second and third times and passed, and ordered to be enrolled. The third and fourth named bills were read the first second and third times and passed, and were ordered to be enrolled. The resolution in favor of Priscilla Goodwin, was read the first time and passed, and, on motion of Mr. Jacocks, was laid on the table. The bill concerning the Swamp Lands was read the first, second, and third times, and passed, and was ordered to be enrolled. The bill to incorporate the Franklin Fire Company, of Little Rockfish Town, in the County of Cumberland, was read the first time and passed. The bill to amend an act, entitled an act for the better regulation of the town of Tarborough, in Edgecomb County, was read the first, second, and third times, and passed, and ordered to be enrolled. The bill to incorporate the Grand Lodge of the State of North Carolina, of the Independent Order of Odd Fellows, was read the first time and passed.

On motion of Mr. Joyner, the following message was sent to the House of Commons, to wit:

We respectfully remind the House of Commons that the Senate, on the 19th instant, proposed that the Speakers of the two Houses adjourn the present General Assembly, *sine die*, on this day; to which proposition no response has been received.

Upon this question, Mr. Joyner called for the yeas and nays.

Those who voted in the affirmative, were

Messrs. Albright,
  Allison, (of O.]
  Allison, (of I.)
  Burgin,
  Dobson,
  Dockery,
  Elliott,
  Howard,
  Jacocks,
  Jones,

Messrs. Joyner,
  Melvin,
  Morehead,
  Moye,
  Pharr,
  Ribelin,
  Shepard,
  Spruill,
  Speight,
  Tomlinson—20 yeas.

Those who voted in the negative, were

Messrs. Arrington,
  Boykin,
  Boyd,
  Cooper,
  Edwards,
  Exum,
  Hester,
  Larkins,
  Mitchell,

Messrs. Rea,
  Reid,
  Rogers,
  Stafford,
  Stallings,
  Swinson,
  Walker,
  Jno. W. Williams,
  Wm. P. Williams—18 nays.

Mr. Morehead presented a bill, entitled a bill for the relief of purchasers of lands sold for taxes, in the Counties of Haywood and Henderson; which was read the first, second, and third times, and passed, and was ordered to be engrossed.

On motion of Mr. Jacocks, the engrossed resolution in favor of Priscilla Goodwin was taken up and read the second time and rejected by the following vote—6 to 31.

Mr. Cooper demanded the yeas and nays, which are as follows:
Those who voted in the affirmative, were


Those who voted in the negative, were


On motion of Mr. Hester, the resolutions requesting the Banks to relieve the people, were taken up, and read the third time, and rejected by the following vote—18 to 20.

Mr. Melvin called for the yeas and nays:

Those who voted in the affirmative, were


Those who voted in the negative, were

Messrs. Arrington, Allison, (of O.) Messrs. Rea, Reid,
On motion Mr. Jones, the engrossed bill, entitled a bill to arrange the sixth Judicial Circuit, and to appoint the times of holding the several courts therein, was taken up, and read the second and third times, amended, on motion of Mr. Jones, and passed.

Received from the House of Commons a message, stating that they have postponed indefinitely the engrossed bill from the Senate to provide for rendering navigable Colley Swamp.

On motion of Mr. Burgin, the engrossed bill, entitled a bill supplemental to an act, passed by the present General Assembly, entitled an act to lay off and establish a county by the name of McDowell, was taken up, and read the third time and passed, and was ordered to be enrolled.

Mr. Reid presented a bill, entitled a bill for the better regulation of the County Courts of Moore; which was read the first time and passed.

The resolution relating to the President and Directors of the Literary Board, was taken up, and read the third time and passed, and was ordered to be engrossed.

Mr. Jones moved that the vote by which was passed the bill to arrange the sixth Judicial Circuit, and to appoint the times of holding the several courts therein, be re-considered; which was agreed to. The bill was, on motion of Mr. Morehead, laid on the table.

The engrossed resolution in favor of Bryan and Maitland, was taken up, and read the third time, amended, on motion of Mr. Spruill, and passed.

On motion of Mr. Hester, the Senate adjourned until half past three o'clock, P. M.

Half past 3 O'clock, P. M.

The Senate met according to adjournment.

Mr. Reid moved that the vote by which was rejected the
resolution in favor of Thomas L. Lea, late Sheriff of Caswell county, be reconsidered; which was not agreed to.

On motion of Mr. Larkins, the bill, entitled a bill to extend the limits of the town of Wilmington, was taken up, and read the third time. Mr. Allison (of I.) moved that the bill be indefinitely postponed; which did not prevail—18 to 20.

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Joyner,
Allison, (of I.) Morehead,
Burgin, Moye,
Dobson, Pharr,
Dockery, Reid,
Elliott, Ribelin,
Howard, Shepard,
Jacocks, Spruill,
Jones, Walker—18 yeas.

Those who voted in the negative, were

Messrs. Arrington, Messrs. Mitchell,
Allison, (of O.) Rea,
Boykin, Rogers,
Boyd, Speight,
Cooper, Stafford,
Edwards, Stallings,
Exum, Swinson,
Hester, Tomlinson,
Larkins, Jno. W. Williams,
Melvin, Wm. P. Williams—20 nays.

The bill was then put upon its passage; which was decided in the negative.

The resolution in relation to the Justices of the Peace for Lincoln county, was taken up, and read the second time, and, on motion of Mr. Jacocks, was indefinitely postponed.

The engrossed bill, entitled a bill concerning the bond of the Public Treasurer, was taken up, and read the third time and passed, and was ordered to be enrolled.

The Senate then took up the bill, entitled a bill to provide suitable stationery and candles for the Executive Office, Departments of State, and future Legislatures, and for
other purposes; which was read the third time and passed, and was ordered to be engrossed.

The engrossed bill, entitled a bill concerning fishing with seines in Beaufort county, was taken up, and ordered to be enrolled.

On motion of Mr. Jones, the engrossed bill, entitled a bill to arrange the sixth Judicial Circuit, and to appoint the times of holding the several courts therein, was taken up, and read the third time, amended, on his motion, and passed.

The engrossed bill, entitled a bill supplemental to an act, passed by the General Assembly of 1840-'1, entitled an act to lay off and establish a county by the name of Caldwell; and the bill, entitled a bill to amend an act, passed this present General Assembly, entitled an act extending the time for perfecting titles to lands heretofore entered, were taken up, and read the third time and passed, and ordered to be enrolled.

The Senate then took up the engrossed bill, entitled a bill to incorporate Columbus Lodge, No. 102, Pittsboro', Chatham county; which was read the second and third times and passed, and ordered to be enrolled.

On motion of Mr. Shepard, the bill, entitled a bill in relation to the Intendant of Police, or Magistrate of Police of the City of Raleigh, and for other purposes, was taken up, and read the third time, amended and passed, and ordered to be engrossed.

On motion of Mr. Shepard, the engrossed bill, entitled a bill to amend the thirty-ninth chapter of the Revised Statutes, was taken up, and read the second time. Mr. Allison moved that the bill be indefinitely postponed. Pending the question, the bill was, on motion of Mr. Spruill, laid on the table.

On motion of Mr. Morehead, the Senate adjourned until Monday morning ten o'clock.

Monday, January 23, 1843.

Mr. Howard presented a bill, entitled a bill to incorporate the Neptune Fire Company, in the town of Washington; which was read the first time and passed. The rules of the
Senate were suspended, on motion of Mr. Howard, and the bill was read the second and third times and passed, and ordered to be engrossed.

Mr. Joyner moved that a message be sent to the House of Commons, proposing that the Speakers of the two Houses adjourn this General Assembly, *sine die*, on Wednesday, the 25th instant; which was decided in the negative—17 to 17. There being an equal division, the Speaker voted in the negative.

Mr. Joyner called for the yeas and nays, which are as follows:

Those who voted in the affirmative, were

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<thead>
<tr>
<th>Messrs. Albright,</th>
<th>Messrs. Joyner,</th>
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<tr>
<td>Allison, (of L.)</td>
<td>Melvin,</td>
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<tr>
<td>Boyd,</td>
<td>Morehead,</td>
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<td>Burgin,</td>
<td>Pharr,</td>
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<td>Dockery,</td>
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<td>Elliott,</td>
<td>Speight,</td>
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<tr>
<td>Etheridge,</td>
<td>Stafford—17 yeas.</td>
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<td>Howard,</td>
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Those who voted in the negative, were

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<thead>
<tr>
<th>Messrs. Arrington,</th>
<th>Messrs. Rogers,</th>
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<td>Allison, (of O.)</td>
<td>Shepard,</td>
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<tr>
<td>Boykin,</td>
<td>Stallings,</td>
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<td>Cooper,</td>
<td>Swinson,</td>
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<td>Dobson,</td>
<td>Tomlinson,</td>
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<td>Hester,</td>
<td>Walker,</td>
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<td>Larkins,</td>
<td>Jno. W. Williams,</td>
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<tr>
<td>Mitchell,</td>
<td>Wm. P. Williams,</td>
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<tr>
<td>Rea,</td>
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Mr. Reid, from the Committee on Claims, to whom was referred the engrossed resolution in favor of Leslie Gilliam, reported the same to the Senate with an amendment; which was read, and, on motion of Mr. Spruill, was indefinitely postponed.

On motion of Mr. Morehead, the engrossed bill, entitled a bill to amend the 39th chapter of the Revised Statutes, laid on the table on Saturday last, was taken up. The question pending was, the indefinite postponement thereof; which was decided in the negative—18 to 19.
Mr. Larkins called for the yeas and nays.

Those who voted in the affirmative were

Messrs. Allison (of O.) Messrs. Larkins,
Allison, (of I.) Mitchell,
Boykin, Pharr,
Boyd, Rea,
Burgin, Ribelin,
Edwards, Stafford,
Etheridge, Stallings,
Howard, Walker,
Jacocks, Jno. W. Williams,

18 yeas.

Those who voted in the negative, were

Messrs. Albright, Messrs. Moye,
Arrington, Reid,
Cooper, Rogers,
Dobson, Shepard,
Dockery, Spruill,
Elliott, Speight,
Jones, Swinson,
Joyner, Tomlinson,
Melvin, Wm. P. Williams,
Morehead, 19 nays.

Mr. Dockery moved to amend the bill, in the first section, by striking out the word two, and inserting, in lieu thereof, the word four; which was agreed to. The bill was then put upon its passage, and rejected by the following vote—17 to 20.

Mr. Allison, (of I.) called for the yeas and nays.

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Morehead,
Arrington, Moye,
Cooper, Reid,
Dobson, Rogers,
Dockery, Shepard,
Elliott, Speight,
Jones, Swinson,
Joyner, Wm. P Williams,
Melvin, 17 yeas.
Those who voted in the negative, were

Messrs. Allison, (of O.)                Messrs. Mitchell,  
Allison, (of L.)                      Pharr,  
Boykin,                              Rea,  
Boyd,                                Ribelin,  
Burgin,                              Spruill,  
Edwards,                             Stafford,  
Etheridge,                           Stallings,  
Howard,                              Tomlinson,  
Jacoeks,                             Walker,  
Lorkins,                             Jno. W. Williams,  
                                            20 nays.

Mr. Morehead, from the Committee on the Judiciary, to whom was referred the engrossed bill concerning election returns, reported the same to the Senate with the following amendment, to wit: strike out all after the first section thereof; which was agreed to. The bill then passed as amended.

The engrossed resolution in favor of John M. Mason, was taken up and read the second and third times and passed, and ordered to be enrolled.

The Senate then took up the engrossed bill, entitled a bill to incorporate the Franklin Fire Company of Little Rockfish Town, in the County of Cumberland; which was read the second and third times, amended, on motion of Mr. Reid, and passed.

Mr. Jacocks presented a bill, entitled a bill for the relief of the sufferings of the people of sundry Counties within this State, produced by the loss of the last year's crops; which was read the first time and passed, and, on his motion, was referred to the Committee on Education and the Literary Fund.

The engrossed bill, entitled a bill to incorporate the Grand Lodge of the State of North Carolina, of the Independent Order of Odd Fellows, was taken up, and read the second time and passed, and, on motion of Mr. Morehead, was laid on the table.

The bill, entitled a bill for the better regulation of the County Courts of Moore, was taken up, and read the second and third times and passed, and was ordered to be engrossed.

The Senate then took up the engrossed bill, entitled a bill appointing Clerks and Masters commissioners to take depo-
sitions; which was read the second and third times and passed, and was ordered to be enrolled.

The engrossed bill, entitled a bill to extend the provisions of the 75th chapter Revised Statutes, and to amend the same, was taken up and read the second and third times and passed, and was ordered to be enrolled.

The Senate then took up the engrossed bill, entitled a bill to prohibit the levying of executions upon growing crops; which was read the second time. Mr. Elliott moved to amend the bill, by inserting after the words "growing crop," the words "or crop not severed from the freehold." Mr. Jones moved that the bill and amendment be indefinitely postponed; which was decided in the negative—8 to 27.

Mr. Tomlinson called for the yeas and nays:

Those who voted in the affirmative, were

Messrs. Allison, (of I.) Messrs. Melvin,
Boykin, Morehead,
Edwards, Muye,
Jones, Pharr—8 yeas.

Those who voted in the negative, were

Messrs. Arrington, Messrs. Reid,
Allison (of O.) Ribelin,
Boyd, Rogers,
Burgin, Shepard,
Cooper, Spruill,
Dobson, Speight,
Elliott, Stafford,
Hester, Stallings,
Howard, Swinson,
Jacocks, Tomlinson,
Joyner, Walker,
Larkins, Jno. W. Williams,
Mitchell, Win. P. Williams,
Rea, 27 nays.

The question was then taken on the amendment proposed by Mr. Elliott; which was rejected by the following vote—7 to 23.

Mr. Tomlinson called for the yeas and nays:
Those who voted in the affirmative, were

Messrs. Allison, (of O.)
Cooper,
Dobson,
Elliott,

Messrs. Morehead,
Spruill,
Jno. W. Williams,

7 yeas.

Those who voted in the negative, were

Messrs. Arrington,
Allison, (of I.)
Boykin,
Boyd,
Burgin,
Edwards,
Hester,
Howard,
Jacocks,
Jones,
Joyner,
Larkins,
Melvin,
Mitchell,

Messrs. Moye,
Pharr,
Rea,
Reid,
Ribelin,
Rogers,
Shepard,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Wm. P. Williams,

28 nays.

The bill was then, on motion of Mr. Hester, ordered to lie on the table.

On motion of Mr. Reid, the Senate adjourned until half past 3 o'clock, P. M.

Half Past 3 O'clock, P. M.

The Senate met according to adjournment.

Received from the House of Commons a message, stating that Messrs. Bragg, Barringer, Biggs and Mendenhall form their branch of the Committee on Enrolled Bills for the present week. Whereupon, the Speaker announced to the Senate, that Messrs. Reid and Howard form our branch of the Committee on Enrolled Bills for the present week; and the House of Commons was informed thereof by message.

On motion of Mr. Shepard, the engrossed resolution in favor of William H. Holloman, was taken up, and read the second and third times, amended, and passed.

On motion of Mr. Allison (of O.), the engrossed bill, en-
titled a bill to prohibit the levying of executions upon growing crops, was taken up, and read the second time, and, on motion of Mr. Hester, amended, and passed.

Mr. Morehead moved, that the vote by which was rejected the engrossed resolution in favor of Priscilla Goodwin, be reconsidered; which was not agreed to—8 to 28.

Mr. Larkin called for the yeas and nays:

Those who voted in the affirmative, were:

Messrs. Albright,
Burgin,
Elliott,
Howard,

Messrs. Jacocks,
Joyner,
Moye,
Shepard—8 yeas.

Those who voted in the negative, were:

Messrs. Arrington,
Allison, (of O.),
Allison, (of I.),
Boykin,
Boyd,
Cooper,
Dobson,
Edwards,
Hester,
Jones,
Larkins,
Melvin,
Mitchell,
Morehead,

Messrs. Pharr,
Rea,
Reid,
Ribelin,
Rogers,
Spruill,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Jno. W. Williams,
Wm. W. Williams,

On motion of Mr. Burgin, the Senate adjourned until tomorrow morning ten o'clock.

Tuesday, January 24, 1843.

Mr. Moye presented a memorial from sundry citizens of the County of Pitt, relative to the Fisheries on Tar River; which was, on his motion, referred to the Committee on Propositions and Grievances.
On motion of Mr. Reid, the bill entitled a bill to amend an act of the Revised Statutes, chapter 102, entitled an act to provide for the collection and management of a revenue for this State, was taken up, and read the second time and passed—On his motion, the rules of the Senate were suspended, and the bill was read the third time. Mr. Allison (of I.) moved to amend the bill by striking out all of the latter clause thereof, after the word "Repealed," which was not agreed to. The bill was then put upon its passage and rejected.

Mr. Joyner, from the Committee on Education and the Literary Fund, to whom was referred a bill, entitled a bill for the relief of the sufferings of the people of sundry counties within this State, produced by the loss of the last year's crops, reported the same to the Senate with sundry amendments; which were read and agreed to. On motion of Mr. Edwards, the rules of the Senate were suspended, so as to read then the bill the second time. The bill was read the second time, and, on motion of Mr. Allison (of I.) was indefinitely postponed, by the following vote—26 to 12:

Those who voted in the affirmative, were

Messrs. Arrington, Messrs. Pharr,
Allison (of O.), Rea,
Allison, (of I.) Reid,
Boykin, Ribelin,
Boyd, Shepard,
Cooper, Speight,
Edwards, Stafford,
Hester, Stallings,
Jones, Swinson,
Larkins, Tomlinson,
Melvin, Walker,
Mitchell, Jno. W. Williams,
Morchead, Wm. P. Williams—25 years.

Those who voted in the negative, were

Messrs. Albright,
Burgin,
Dobson,
Dockery,
Elliott,
Etheridge,

Messrs. Howard,
Jacocks,
Joyner,
Moye,
Rogers,
Spruill—12 nays.
Received from the House of Commons a message, therein transmitting to the Senate the report of the Committee of Finance; which was read and concurred in.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, in which the concurrence of the Senate: A bill to repeal an act to prohibit the circulation of Bank notes under five dollars; a bill to amend the charter of the City of Raleigh, by extending its corporate limits; a bill for the relief of Thomas McNeely, James F. Martin, and Robert Foster, securities of Thomas Foster, Sheriff of Davie County; and a bill to authorize the forming of a Fire Engine Company in the town of Salem, Stokes County.

The first named bill was read the first time and passed. On motion of Mr. Edwards, the rules of the Senate were suspended, and the bill was read the second time. Mr. Elliott moved to amend the bill, by adding the following words to the end of the first section.

And that the Bank of the State of North Carolina; the Merchants’ Bank of Newbern, and the Bank of Cape Fear, be authorized to issue bills of the denominations of one and two dollars.

Which was rejected by the following vote—11 to 24.

Mr. Reid demanded the yeas and nays.

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Jacocks,
Allison, (of I.) Jones,
Burgin, Moye,
Dobson, Pharr,
Elliott, Ribelin—11 yea,
Howard,

Those who voted in the negative, were

Messrs. Arrington, Messrs. Reid,
Allison, (of O.) Rogers,
Boykin, Shepard,
Boyd, Spruill,
Cooper, Speight,
Edwards, Stafford,
Etheridge, Stallings,
Joyner, Swinson,
The bill was then put upon its passage, and rejected by the following vote—9 to 27.

Mr. Edwards called for the yeas and nays, which are as follows:

**Those who voted in the affirmative, were**

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<tr>
<th>Messrs. Allenbright</th>
<th>Messrs. Jones</th>
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<td>Albright</td>
<td>Albright (of I.)</td>
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<td>Allison</td>
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<td>Dobson</td>
<td>Ribelin</td>
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<tr>
<td>Elliott</td>
<td>Spruill—9 yeas.</td>
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**Those who voted in the negative, were**

<table>
<thead>
<tr>
<th>Messrs. Arrington</th>
<th>Messrs. Morehead</th>
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<td>Arrington</td>
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<td>Allison (of O.)</td>
<td>Moye</td>
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<td>Boykin</td>
<td>Reid</td>
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<td>Boyd</td>
<td>Rogers</td>
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<td>Etheridge</td>
<td>Stafford</td>
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<td>Howard</td>
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<td>Jacobins</td>
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<td>Joyner</td>
<td>Walker</td>
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<td>Larkins</td>
<td>Jno. W. Williams</td>
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<td>Melvin</td>
<td>Wm. P. Williams</td>
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<td>Mitchell</td>
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<td>27 nays.</td>
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The second named bill was read the first time, and, on motion of Mr. Shepard, was indefinitely postponed, by the following vote—19 to 17.

**Those who voted in the affirmative, were**

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<th>Messrs. Allison (of O.)</th>
<th>Messrs. Moye</th>
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<tr>
<td>Boyd</td>
<td>Reid</td>
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<tr>
<td>Dobson</td>
<td>Ribelin</td>
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<tr>
<td>Edwards</td>
<td>Rogers</td>
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</table>
Those who voted in the negative, were

Messrs. Albright, Arrington, Allison (of I.) Boykin, Burgin, Cooper, Hester, Larkin, Melvin,


The bill to authorize the forming of a Fire Engine Company, in the town of Salem, Stokes county, was read the first, second and third times and passed, and was ordered to be enrolled.

The bill for the relief of Thomas McNeely, James F. Martin and Robert Foster, securities of Thomas Foster, Sheriff of Davie county, was read the first and second times, and rejected.

The Senate then took up the engrossed bill, entitled a bill to prohibit the levying of executions upon growing crops which was read the third time, and on motion of Mr. Elliott, was indefinitely postponed—18 to 17.

Those who voted in the affirmative, were

Messrs. Albright, Arrington, Allison (of I.) Boykin, Boyd, Edwards; Elliott, Howard, Jacocks,

Messrs. Jones, Melvin, Morehead, Moye, Ribelin, Rogers, Speight, Swinson, Wm. P. Williams,

18 yeas.
Those who voted in the negative, were

Messrs. Allison (of O.)  
Burgin,  
Cooper,  
Dobson,  
Etheridge,  
Hester,  
Larkins,  
Rea,

Messrs. Reid,  
Shepard,  
Spruill,  
Stafford,  
Stallings,  
Tomlinson,  
Walker,  
Jno. W. Williams.

17 nays.

On motion of Mr. Allison (of L.)
Ordered, That Mr. Jones have leave of absence from the service of this House, from and after to-morrow, the balance of the session.

On motion of Mr. Morehead, the Senate adjourned until half past 3 o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The Senate met, according to adjournment.

Mr. Ribelin moved, that the vote, by which was rejected the engrossed bill to amend the charter of the city of Raleigh, by extending its corporate limits, be re-considered; which was not agreed to.

Received from the House of Commons a message, stating that they had passed the following engrossed resolutions, in which they ask the concurrence of the Senate:

1. Resolved, That the Legislature of this State have a right to instruct the Senators of this State in Congress, whenever, in the opinion of the Legislature, they misrepresent the wishes of the State, or the magnitude of the occasion shall require such instructions; and that it is the duty of the Senators to obey the instructions given, or to resign their seats: Provided, the instructions to be given and obeyed, require not the Senator to commit a violation of the Constitution, or an act of moral turpitude.

2. Resolved, That while North Carolina, in the opinion of this Legislature, will never object to any amount of taxes, equally apportioned and imposed, for the purpose of raising revenue to support the Government, economically administered, yet this State will never consent to the imposition of taxes, the design and operation of which are to promote the interests of particular occupations, at the general expense.
3. Resolved, That the Tariff Law, passed by the present Congress, is based on protective principles, operating as a bounty to the manufacturing interests, and imposing unjust, unequal, and oppressive burdens upon other branches of industry, and particularly those peculiar to the Southern States; and that, such being the effects of this law, it is unwise in policy, dangerous to public liberty, and a perversion of that free Constitution of Government, which was framed and adopted for the protection and security of all, and which will be best sustained by the equal operation of its laws, and the just dispensation of its benefits, to every American citizen.

4. Resolved, That this law is not only protective in its character, and unequal in its operation; but that it violates the compromise of 1833, unjustly depriving the South of the benefits of that act, precisely at the period when they were to accrue to us, and immediately after we had patiently and patriotically endured all its burdens; and therefore in the name of honor, justice and good faith, the Legislature of North Carolina do protest against this law, and insist that it should be modified, so as to place it on the basis of revenue duties.

5. Resolved, That this Legislature do highly disapprove of the Bankrupt law, passed by the present Congress and desire its immediate repeal, because it impairs the obligation of contracts, destroys confidence and credit, encourages frauds and reckless speculation; and because we believe there is scarcely a division of sentiment among the people of North Carolina in their opposition to this measure.

6. Resolved, That the fine imposed upon General Andrew Jackson, during the late war, by Judge Hall, should, in the opinion of this Legislature, be immediately refunded, with full legal interest, without any proviso or qualification whatever, as an act of justice to a brave, meritorious and distinguished officer.

7. Resolved, That the Executive veto, limited as it is by the wisdom of our fathers, is a conservative and necessary power, of which the President should never be deprived.

8. Resolved, That our Senators in Congress be, and they are hereby instructed, and our Representatives requested, to carry into effect the principles set forth in the foregoing resolutions.

9. Resolved, That the Governor of this State be requested to forward a copy of these resolutions to each of our Senators in Congress, with the request that they lay them before the Senate of the United States.

Which were read the first time and passed.

Mr. Reid then moved that the rules of the Senate be suspended so as to read them the second time; and, upon
this question, Mr. Dockery demanded the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Arrington, Messrs. Reid,
Allison, (of O.) Rogers,
Boykin, Shepard,
'Cooper, Speight,
D. jason, Stafford,
Edwards, Stallings,
Etheridge, Swinson,
Hester, Tomlinson,
Larkin, Walker,
Melvin, Jno. W. Williams,
Mitchell, Wm. P. Williams—
Rea, 23 yeas.

Those who voted in the negative, were

Messrs. Albright, Messrs. Jacocks,
Allison (of I.) Jones,
Burgin, Morehead,
Dockery, Moye,
Elliott, Ribelin,
Howard, Spruill—12 nays.

Two thirds of the votes being required to suspend the rules, consequently the motion did not prevail.

On motion of Mr. Albright, the Senate adjourned until to-morrow morning ten o'clock.

Wednesday, January 25, 1843.

On motion of Mr. Edwards,
Ordered, That Mr. Spruill have leave of absence from the service of this House, from and after to-morrow, the balance of the session.

Mr. Allison (of I.) moved that a message be sent to the House of Commons, proposing that the two Houses adjourn sine die, on Friday next. Mr. Edwards moved that the
motion be laid on the table; which was agreed to, by the following vote—19 to 15.

Mr. Dockery called for the yeas and nays, which are as follows:

Those who voted in the affirmative, were

Messrs. Albright,
Allison, (of O.)
Cooper,
Dobson,
Edwards,
Etheridge,
Hester,
Larkins,
Melvin,
Mitchell,)

Messrs. Rogers,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Jno. W. Williams,
Wm. P. Williams,

19 yeas.

Those who voted in the negative, were

Messrs. Albright,
Allison, (of I.)
Boykin,
Boyd,
Burgin,
Dockery,
Elliott,
Jacocks,

Messrs. Joyner,
Morehead,
Moye,
Pharr,
Rea,
Ribelin,
Shepard—15 nays.

Received from the House of Commons a message, stating that they have rejected the engrossed bill to extend the time for taking stock in the Hickorynut Turnpike Company, and have postponed indefinitely, the bill to provide for the assessment of real estate.

Received from the House of Commons a message, agreeing to our amendment to the engrossed resolution in favor of W. H. Holloman; and also, to our amendment to the bill to incorporate the Franklin Fire Company, of Little Rockfish Town, in Cumberland County.

Received from the House of Commons a message, stating that they have passed the following engrossed bills and resolutions, in which they ask the concurrence of the Senate:

A bill to punish the defaults of returning officers in the election of Electors for President and Vice President; resolution concerning the bonds of the Raleigh and Gaston Rail
Road; a resolution in favor of the Doorkeepers; a bill supplemental to an act, passed by the present General Assembly, entitled an act to lay off a County by the name of Union. The resolution concerning the bonds of the Raleigh and Gaston Rail Road Company, was read the first time and passed. The rules of the Senate were suspended, and the resolution was read the second time, and passed by the following vote—20 to 17.

Mr. Shepard called for the yeas and nays.

Those who voted in the affirmative, were

**Messrs. Albright,**
Allison, (of I.)
Boyd,
Burgin,
Dobson,
Dockery,
Edwards,
Elliott,
Etheridge,
Howard,

**Messrs. Jacocks,**
Jones,
Joyner,
Morehead,
Moye,
Pharr,
Ribelin,
Rogers,
Sprill,
Stafford—20 yeas.

Those who voted in the negative, were

**Messrs. Arrington,**
Allison, (of O.)
Boykin,
Cooper,
Larkins,
Melvin,
Mitchell,
Rea,
Reid,

**Messrs. Shepard,**
Speight,
Stallings,
Swinson,
Tomlinson,
Walker,
Jno. W. Williams,
Wm. P. Williams,

17 nays.

The resolution was then read the third time and passed, by the following vote—21 to 17:

Mr. Cooper called for the yeas and nays.

Those who voted in the affirmative, were

**Messrs. Albright,**
Allison, (of I.)
Boyd,
Burgin,
Dobson,

**Messrs. Jacocks,**
Jones,
Joyner,
Morehead,
Moye,
JOURNAL OF THE SENATE.

Dockery, Pharr,  
Edwards, Ribelin,  
Elliott, Rogers,  
Etheridge, Spruill,  
Hester, Stafford—21 yea.s.  
Howard,  

Those who voted in the negative, were  

Messrs. Arrington, Morehead,  
Allison, (of O.) Moye,  
Boykin, Pharr,  
Cooper, Ribelin,  
Larkins, Rogers,  
Melvin, Spruill,  
Mitchell, Stafford—17 nays.  

Ordered, That said resolution be enrolled.

The Resolution in favor of the Doorkeepers, was read the first, second and third times, and passed, and ordered to be enrolled. The two other named bills above, were read the first time and passed.

Received from the House of Commons a message, stating that they have passed they have passed the engrossed bill from the Senate, supplemental to, and amendatory of, the 53d chapter, Revised Statutes, and 25th chapter of the Statutes passed at the session, 1840, with sundry amendments; which were read and agreed to.

Mr. Joyner presented the following resolution:

Resolved, That the Public Treasurer be, and he is hereby directed, to carry to the credit of the Literary Fund, the sum of twenty-two thousand nine hundred and seventeen dollars and ninety-seven cents, being the amount lately received from the General Government, for the portion to which this State is entitled of the proceeds of the sales of the Public Lands under the act of Congress, entitled an act to appropriate the proceeds of the sales of the Public Lands, and to grant pre-emption rights.

Which was read the first time and passed.

The rules of the Senate were suspended, and the resolution read a second time and passed. It was then read the third time, and passed by the following vote—30 to 5.
Mr. Moye called for the yeas and nays.

Those who voted in the affirmative, were:

Messrs. Albright, Allison, (of O.) Messrs. Melvin, Mitchell,
Allison, (of I.) Morehead,
Boyd, Moye,
Burgin, Pharr,
Dobson, Rea, |
Dockery, Reid,
Elliott, Ribelin,
Edwards, Rogers,
Etheridge, Shepard,
Hester, Spruill,
Howard, Stallings,
Jaccoks, Tomlinson,
Joyner, Jno. W. Williams,
Larkins, Wm. P. Williams—

Those who voted in the negative, were

Messrs. Arrington, ' Speight,
Boykin, Swinson—5 nays.
Cooper,

Ordered, That said resolution be engrossed.

Mr. Dobson asked leave to withdraw from the files of the Senate, certain papers in favor of Jacob Shultz: which was granted.

Mr. Jaccoks asked leave to withdraw from the files of the Senate, certain papers relative to the pension claim of Priscilla Goodwin; which was granted.

Received from the House of Commons a message, stating that they have rejected the engrossed bill from the Senate, extending the time for Sheriffs to settle their accounts with the Comptroller; and that they have postponed indefinitely the engrossed bill from the Senate, to incorporate Alfordsville Cavalry or Dragoons, in the County of Robeson.

On motion of Mr. Reid, the engrossed resolutions of Instruction were taken up, and read the second time, and are as follows:

1. Resolved. That the Legislature of this State have a right to instruct the Senators of this State in Congress, whenever, in the opin-
inn of this Legislature, they misrepresent the wishes of the State, or the magnitude of the occasion shall require such instruction, and that it is the duty of the Senators to obey the instructions given, or to resign their seats: Provided, the instructions to be given and obeyed require not the Senate to commit a violation of the Constitution, or an act of moral turpitude.

Mr. Morehead moved the following amendment therefor:

Resolved, That the People have a right to assemble together to consult for their common good, to instruct their Representatives, and to apply to the Government for redress of grievances.

Which was rejected by the following vote—15 to 22:

Those who voted in the affirmative, were

Messrs. Albright, Allston, (of I.)
Burgin,
Dockery,
Elliott,
Hester,
Howard,
Jacocks,
Messrs. Joyner,
Morehead,
Moye,
Pharr,
Ribelin,
Shepard,
Spruill—15 yeaas.

Those who voted in the negative, were

Messrs. Arrington, Allison (of O.)
Boykin,
Boyd,
Cooper,
Dobson,
Edwards,
Etheridge,
Larkins,
Melvin,
Mitchell,
Messrs. Rea,
Reid,
Rogers,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Jno. W. Williams, 22 nays.

2. Resolved, That while North Carolina, in the opinion of this Legislature, will never object to any amount of taxes equally apportioned and imposed, for the purpose of raising Revenue to support the Government, economically administered; yet this State will never consent to the imposition of taxes, the design and operation of which, are to promote the interests of particular occupations, at the general expense.
Mr. Morehead moved the following amendment therefor:

Resolved, That a resort to direct Taxation by the General Government, in time of peace, for raising revenue, would be impolitic, inexpedient, and oppressive to the people of the United States.

Which was rejected by the following vote:

Those who voted in the affirmative, were

Messrs. Albright,
  Allison, (of I.)
  Burgin,
  Dockery,
  Elliott,
  Howard,
  Jacocks,

Messrs. Jones,
  Joyner,
  Morehead,
  Moyer,
  Pharr,
  Ribelin,
  Spruill—14 yeas.

Those who voted in the negative, were

Messrs. Arrington,
  Allison (of O.),
  Boykin,
  Boyd,
  Cooper,
  Dobson,
  Edwards,
  Etheridge,
  Hester,
  Larkins,
  Melvin,
  Mitchell,

Messrs. Rea,
  Reid,
  Rogers,
  Shepard,
  Speight,
  Stafford,
  Stallings,
  Swinson,
  Tomlinson,
  Walker,
  Jno. W. Williams,
  Wm. P. Williams—
  24 nays.

The third and fourth resolutions were passed over without amendments being proposed thereto.

5. Resolved, That this Legislature do highly disapprove of the Bankrupt law, passed by the present Congress, and desire its immediate repeal, because it impairs the obligation of contracts, destroys confidence and credit, encourages fraud and reckless speculation, and because we believe there is scarcely a division of sentiment of the people of North Carolina, in their opposition to this measure.

To this resolution, Mr. Morehead moved the following as an additional resolution:
Resolved, That in the opinion of this General Assembly, any disposition of a debtor's effects, either by voluntary conveyance, or legal assignment, whereby one class of creditors is preferred to another, is against natural justice and sound morality.

Which was rejected by the following vote—13 to 25.

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Joyner,  
Allison, (of I.) Morehead,  
Burgin, Moye,  
Dockery, Pharr,  
Elliot, Ribelin,  
Howard, Spruill—13 yeas.  
Jones,  

Those who voted in the negative, were

Messrs. Arrington, Messrs. Rea,  
Allison, (of O.) Reid,  
Boykin, Rogers,  
Boyd, Shepard,  
Cooper, Speight,  
Dobson, Stafford,  
Edwards, Stallings,  
Etheridge, Swinson,  
Hester, Tomlinson,  
Jacocks, Walker,  
Larkins, Jno. W. Williams,  
Melvin, Wm. P. Williams,  
Mitchell,  
25 nays.

6. Resolved, That the fine imposed upon General Andrew Jackson, during the late war by Judge Hall, should, in the opinion of this Legislature, be immediately refunded, with full legal interest, without any proviso or qualification whatever, as an act of justice to a brave, meritorious and distinguished officer.

Mr. Morehead moved the following amendment thereto:

Resolved, That the military should be kept under strict subordination to, and governed by the civil power.

Which was read and rejected by the following vote—14 to 24.
Those who voted in the affirmative, were

Messrs. Albright,
Allison, (of I.)
Burgin,
Dockery,
Elliott,
Howard,
Jacocks,

Messrs. Jones,
Joyner,
Morehead,
Moye,
Pharr,
Ribelin,
Spruill—14 yea.

Those who voted in the negative, were

Messrs. Arrington,
Allison (of O.)
Boykin,
Boyd,
Cooper,
Dobson,
Edwards,
Etheridge,
Hester,
Larkins,
Melvin,
Mitchell,

Messrs. Rea,
Reid,
Rogers,
Shepard,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Jno. W. Williams,
Wm. P. Williams,

24 nays.

The 7th and 8th resolutions were read without any amendment being proposed thereto.

Mr. Morehead moved the following as an additional resolution between the 8th and 9th resolutions:

Resolved, That as the States have ceded to the Government of the United States the monied power, it is the imperative duty of Congress to furnish a uniform medium of exchange for the fiscal prosperity of the Government, and for the interest of the community at large.

Which was read and rejected by the following vote—14 to 24.

Those who voted in the affirmative, were

Messrs. Albright,
Allison (of I.)
Burgin,
Dockery,

Messrs. Joyner,
Jones,
Morehead,
Moye,
Those who voted in the negative, were

Messrs. Arrington, Messrs. Rea,
Allison, (of O.) Reid,
Boykin, Rogers,
Boyd, Shepard,
Cooper, Speight,
Dobson, Stafford,
Edwards, Stallings,
Etheridge, Swinson,
Hester, Tomlinson,
Larkins, Walker,
Melvin, Jno. W. Williams,
Mitchell, Wm. P. Williams,

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Joyner,
Allison, (of I.) Jones,
Burgin, Morehead,
Dockery, Moye,
Elliott, Pharr,
Howard, Ribelin,
Jacocks, Spruill—14 yea.

Those who voted in the negative, were,

Messrs. Arrington, Messrs. Rea,
Allison, (of O.) Reid,
Boykin, Rogers,
Boyd, Shepard,
Cooper, Speight,
Dobson, Stafford,
Edwards, Stallings,
Etheridge, Swinson,
Hester, Tomlinson,
Hester, Walker,
Melvin, Jno. W. Williams,
Mitchell, Wm. P. Williams,
24 nays.

The question then recurred on the passage of the resolutions the second time, and upon this question, Mr. Reid called for a division, so as to take the vote on each resolution separately; whereupon, the first resolution was read and passed by the following vote—24 to 14.
Mr. Reid called for the yeas and nays.

Those who voted in the affirmative, were

Messrs. Arrington,
Allison, (of O.)
Boykin,
Boyd,
Cooper,
Dobson,
Edwards,
Etheridge,
Hester,
Larkins,
Melvin,
Mitchell,

Messrs. Rea,
Reid,
Rogers,
Shepard,
Speight,
Stafford,
Stallings,
Swinson,
Tomlinson,
Walker,
Jno. W. Williams,
Wm. P. Williams—
24 yeas.

Those who voted in the negative, were

Messrs. Albright,
Allison (of I.)
Burgin,
Dockery,
Elliott,
Howard,
Jacocks,

Messrs. Jones,
Joyner,
Morehead,
Moye,
Pharr,
Ribelin,
Spruill—14 nays.

The second resolution was then read the second time and passed by the following vote—32 to 5.
Mr. Reid called for the yeas and nays.

Those who voted in the affirmative, were

Messrs. Arrington,
Allison, (of O.)
Boykin,

Messrs. Mitchell,
Moye,
Pharr,
Boyd, Rea,
Cooper, Reid,
Dobson, Ribelin,
Dockery, Rogers,
Edwards, Shepard,
Etheridge, Speight,
Hester, Stafford,
Howard, Stallings,
Jacocks, Swinson,
Jones, Tomlinson,
Joyner, Walker,
Larkins, Jno. W. Williams,
Melvin, Wm. P. Williams.

Those who voted in the negative, were

Messrs. Albright,
Allison, (of I.)
Burgin,
Messrs. Morehead,
Spruill—5 nays.

The third resolution was then read the second time, and passed by the following vote—24 to 14.

Those who voted in the affirmative, were

Messrs. Arrington,
Allison (of O.)
Boykin,
Boyd,
Cooper,
Dobson,
Edwards,
Etheridge,
Hester,
Larkins,
Melvin,
Mitchell,

Messrs. Rea,

Reid,
Rogers,
Shepard,
Speight,
Stafford,
Swinson,
Tomlinson,
Walker,
Jno. W. Williams,
Wm. P. Williams,
24 yeas.

Those who voted in the negative, were

Messrs. Albright,
Allison, (of I.)
Burgin,
Dockery,
Elliott,

Messrs. Jones,
Joyner,
Morehead,
Moye,
Pharr,
The fourth resolution was then read the second time, and passed by the following vote—24 to 14.

Those who voted in the affirmative, were

Messrs. Arrington, Alliston (of O.), Boykin, Boyd, Cooper, Dobson, Edwards, Etheridge, Hester, Larkins, Melvin, Mitchell,


Those who voted in the negative, were

Messrs. Albright, Alliston, (of L.), Burgin, Dockery, Elliott, Howard, Jacocks,


The fifth resolution as follows, was read the second time:

Resolved, That this Legislature do highly disapprove of the Bankrupt law passed by the present Congress, and desire its immediate repeal, because it impairs the obligation of contracts, destroys confidence and credit, encourages frauds and reckless speculation, and because we believe there is scarcely a division of sentiment among the people of North Carolina, in their opposition to this measure.

Mr. Elliott called for a division of the resolution, so as to take the question on the first branch thereof, down to the word "repeal;" which was decided in the affirmative—ayes 33, noes 5.
Those who voted in the affirmative, were

Messrs. Albright,
  Arrington,
  Allison, (of O.)
  Boykin,
  Boyd,
  Cooper,
  Dobson,
  Dockery,
  Edwards,
  Elliott,
  Etheridge,
  Hester,
  Howard,
  Jones,
  Larkins,
  Melvin,
  Mitchell,

Messrs. Morehead,
  Moye,
  Pharr,
  Rea,
  Reid,
  Ribelin,
  Rogers,
  Shepard,
  Speight,
  Stafford,
  Stallings,
  Swinson,
  Tomlinson,
  Walker,
  Jno. W. Williams,
  Wm. P. Williams—
  33 yea.s.

Those who voted in the negative, were

Messrs. Allison, (of I.)
  Burgin,
  Jacocks,

Messrs. Jones,
  Spruill—5 nays.

The question then recurred on the second branch of the resolution; which was carried by a vote of 24 to 14.

Those who voted in the affirmative, were

Messrs. Arrington,
  Allison (of O.)
  Boykin,
  Boyd,
  Cooper,
  Dobson,
  Edwards,
  Etheridge,
  Hester,
  Larkins,
  Melvin,
  Mitchell,

Messrs. Rea,
  Reid,
  Rogers,
  Shepard,
  Speight,
  Stafford,
  Stallings,
  Swinson,
  Tomlinson,
  Walker,
  Jno. W. Williams,
  Wm. P. Williams—
  24 yea.s.
Those who voted in the negative, were

Messrs. Albright, Messrs. Jones,  
  Allison, (of I.)  Joyner,  
  Burgin, Morehead,  
  Dockery, Moye,  
  Elliott, Pharr,  
  Howard, Ribelin,  
  Jacocks, Spruill—14 nays.

The sixth resolution was read as follows:

Resolved, That the fine imposed upon General Andrew Jackson, during the late war by Judge Hall, should, in the opinion of this Legislature, be immediately refunded, with full legal interest, without any proviso or qualification whatever, as an act of justice to a brave, meritorious and distinguished officer.

Mr. Howard called for a division of the resolution, so as to take the question on the first part thereof to the word interest; which was decided in the affirmative—ayes 27—noes 11.

Those who voted in the affirmative, were

Messrs. Arrington, Messrs. Mitchell,  
  Allison, (of O.) Rea,  
  Boykin, Reid,  
  Boyd, Rogers,  
  Cooper, Shepard,  
  Dobson, Speight,  
  Edwards, Stafford,  
  Etheridge, Stallings,  
  Hester, Swinson,  
  Howard, Tomlinson,  
  Jones, Walker,  
  Joyner, Jno. W. Williams,  
  Larkins, Wm. P. Williams—  
  Melvin, 27 yeas.

Those who voted in the negative, were

Messrs. Albright, Messrs. Morehead,  
  Allison (of I.) Moye,  
  Burgin, Pharr,
Dockery,  
Elliott,  
Jacocks,  
Ribelin,  
Spruill—11 nays.

The question then recurred on the second branch of the resolution; which was decided in the affirmative—ayes 24—noes 14.

Those who voted in the affirmative, were

Messrs. Arrington,  
Allison, (of O.)  
Boykin,  
Boyd,  
Cooper,  
Dobson,  
Edwards,  
Etheridge,  
Hester,  
Larkins,  
Melvin,  
Mitchell,  
Messrs. Rea,  
Reid,  
Rogers,  
Shepard,  
Speight,  
Stafford,  
Stafford,  
Swinson,  
Tomlinson,  
Walker,  
Jno. W. Williams,  
Wm. P. Williams—24 yea's.

Those who voted in the negative, were

Messrs. Albright,  
Allison, (of I.)  
Burgin,  
Dockery,  
Elliott,  
Howard,  
Jacocks,  
Messrs. Jones,  
Joyner,  
Moiehead,  
Moye,  
Pharr,  
Ribelin,  
Spruill—14 nays.

The seventh resolution was read and passed by the following vote—ayes 24—noes 14:

Those who voted in the affirmative, were

Messrs. Arrington,  
Allison, (of O.)  
Boykin,  
Boyd,  
Cooper,  
Dobson,  
Edwards,  
Messrs. Rea,  
Reid,  
Rogers,  
Shepard,  
Speight,  
Stafford,  
Stallings,
Etheridge,  Swinson,
Hester,  Tomlinson,
Larkins,  Walker,
Melvin,  Jno. W. Williams,
Mitchell,  Wm. P. Williams,

Those who voted in the negative, were

Messrs. Albright,  Messrs. Jones,
    Allison, (of I.)  Joyner,
    Burgin,  Morehead,
    Dockery,  Moye,
    Elliott,  Pharr,
    Howard,  Ribelin,
    Jacocks—14 nays.

The eighth resolution was then read the second time and, passed by the following vote—24 to 14:

Those who voted in the affirmative, were

Messrs. Arrington,  Messrs. Rea,
    Allison, (of O.)  Reid,
    Boykin,  Rogers,
    Boyd,  Shepard,
    Cooper,  Speight,
    Dobson,  Stafford,
    Edwards,  Stallings
    Etheridge,  Swinson,
    Hester,  Tomlinson,
    Larkins,  Walker,
    Melvin,  Jno. W. Williams,
    Mitchell,  Wm. P. Williams,

Those who voted in the negative, were

Messrs. Albright,  Messrs. Jones,
    Allison, (of I.)  Joyner,
    Burgin,  Morehead,
    Dockery,  Moye,
    Elliott,  Pharr,
    Howard,  Ribelin,
    Jacocks—14 nays.
The ninth resolution was read the second time and passed—Mr. Reid withdrawing his call for the yeas and nays. Whereupon, Mr. Jacocks moved the indefinite postponement of the resolutions; which motion was withdrawn. Whereupon Mr. Joyner moved that the resolutions should be put upon their passage.

Mr. Reid here raised a question of order, declaring that the Senate could not entertain the motion, as the resolutions had passed their second reading, and were not now before the Senate, inasmuch as a vote had been taken on each resolution separately. The Speaker decided the motion out of order. Mr. Joyner took an appeal therefrom. And upon this question Mr. Arrington called for the yeas and nays. The Speaker's decision was sustained by the following vote—25 to 7. Messrs. Albright, Elliott and Howard were excused from voting.

Those who voted in the affirmative, were

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<tr>
<th>Messrs. Arrington,</th>
<th>Messrs. Pharr,</th>
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<td>Allison, (of O.)</td>
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<td>Melvin</td>
<td>Jno. W. Williams,</td>
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<td>Mitchell</td>
<td>Wm. P. Williams—</td>
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<td>Morehead</td>
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25 yeas.

Those who voted in the negative, were

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<th>Messrs. Allison (of I.)</th>
<th>Messrs. Joyner,</th>
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<td>Burgin</td>
<td>Moye,</td>
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<td>Jacocks</td>
<td>Spruill—7 nays.</td>
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<td>Jones</td>
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On motion of Mr. Reid, the Senate adjourned until half past 3 o'clock, P. M.
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Journal of the Senate. [1843]

Half Past 3 O’clock, P. M.

The Senate met according to adjournment.

On motion of Mr. Wm. P. Williams,

Ordered, That Mr. Etheridge have leave of absence for the balance of the session, from and after to-morrow.

On motion of Mr. Reid,

Ordered, That Mr. Rogers have leave of absence for the balance of the session, from and after to-morrow.

On motion of Mr. Howard,

Ordered, That Mr. Dockery have leave of absence for the balance of the session, from and after to-morrow.

Tr. Shepard presented the following resolutions:

Resolved, That the people have a right to assemble together to consult for their common good, to instruct their representatives, and to apply to the Government for redress of grievances.

Resolved, That a resort to direct taxation by the General Government in time of peace, when no urgent necessity exists for raising revenue, would be impolitic, inexpedient and oppressive to the people of the United States.

Resolved, That in the opinion of this Legislature, the States have ceded to the Government of the United States the power to collect, keep safe and disburse the public revenue of the General Government; and, in the discharge of this duty, they should regard the welfare and interests of the whole people.

Which were read the first time and passed.

Received from the House of Commons a message, informing the Senate that they had passed the engrossed bill to amend an act, entitled an act for the better regulation and government of Common Schools, with sundry amendments; which were read and agreed to. Received from the House of Commons a message, transmitting a substitute for the engrossed bill from the Senate, to alter the electoral districts of this State, and for other purposes; which was read and adopted.

On motion of Mr. Stallings,

Ordered, That Mr. Moye have leave of absence for the balance of the session, from and after Friday next.

Mr. Joyner moved that the resolutions accompanying the Governor’s Message be referred to the Committee on the
Judiciary. Mr. Edwards moved to lay the motion on the table; which was agreed to.

On motion of Mr. Dockery,

Ordered, That Mr. Melvin have leave of absence for the balance of the session, from and after Friday next.

On motion of Mr. Albright, the Senate adjourned until tomorrow morning ten o'clock.

THURSDAY, JANUARY 26, 1813.

Mr. Morehead, from the Committee on the Judiciary, to whom was referred a bill, entitled a bill to prevent the selling of growing crops, reported adversely thereto, and asked to be discharged from its further consideration. They were discharged accordingly; and the bill was, on his motion, ordered to lie on the table.

Mr. Morehead, from the same committee, to whom was referred the bill, entitled a bill to amend the Execution law, reported adversely thereto; which was read, and, on his motion, was laid on the table.

Mr. Cooper, from the Committee on Propositions and Grievances, to whom was referred the memorial of sundry citizens of the county of Pitt, relative to the Fisheries on Tar river, reported adversely thereto; which was read, and the committee was discharged from its further consideration.

Received from the House of Commons a message, proposing that the two Houses of this General Assembly adjourn sine die, on Friday, the 27th inst.; which was read, and, on motion of Mr. Dobson, was laid on the table by the following vote—21 to 10.

Mr. Allison (of L.) called for the yeas and nays:

Those who voted in the affirmative, were

Messrs. Allison, (of O.)
Boykin,
Boyd,
Burgin,
Cooper,
Dobson,

Messrs. Mitchell,
Rea,
Reid,
Shepard,
Speight,
Stafford,
Those who voted in the negative, were

Messrs. Albright,            Messrs. Joyner,
 Allston, (of I.)            Morehead,
Dockery,                     Moye,
Elliot,                      Pharr,
Jacoaks,                     Ribelin—10 nays.

Received from the House of Commons a message, stating that they have postponed indefinitely the following engrossed bills from the Senate: A bill for the relief of Richard Cox, of Surry county; a bill to amend the Revised Statutes, concerning crimes and punishments; and a bill to amend the Revised Statutes, chapter 115, entitled an act concerning the Treasurer of the State.

Received from the House of Commons a message, stating that they have passed the engrossed bill from the Senate, concerning the Commissioners of Navigation for the Port of Washington, with an amendment; which was read and agreed to.

Received from the House of Commons a message, stating that they have passed the following engrossed bills from the Senate, with sundry amendments: A bill to contract the limits of the town of Wadesboro'; a bill to amend the charters of the several Rail Roads in this State; a bill to incorporate the Cape Fear Lodge, No. 2, of the Independent Order of Odd Fellows; a preamble and resolutions to authorize the printing of Indexes to the Colonial Documents of North Carolina; and a resolution in favor of Green Hill; which were severally read and agreed to.

Received from the House of Commons a message, proposing to go into an election on to-morrow, at 12 o'clock, for Colonel Commandant of Cavalry, attached to the 8th Brigade of the 9th Division of North Carolina Militia—and that John McLean is in nomination for Col. Commandant, J. M. Cunningham for Lieut. Colonel, and John D. Scott for Major; which was read and agreed to.

On motion of Mr. Reid, the engrossed resolutions of in-
struction were taken up and read the third time. Mr. Morehead moved the following amendment after the fourth resolution:

Resolved, That in the opinion of this General Assembly, the opinions of Gen. Washington, Thomas Jefferson and James Madison, upon Constitutional power and construction, are entitled to profound respect and great weight.

which was read and rejected, by the following vote—12 to 20:

Those who voted in the affirmative, were

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<tr>
<th>Messrs. Albright,</th>
<th>Messrs. Jacocks,</th>
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<tr>
<td>Allison, (of I.)</td>
<td>Joyner,</td>
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<td>Burgin,</td>
<td>Morehead,</td>
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<td>Dockerty,</td>
<td>Meye,</td>
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<td>Elliott,</td>
<td>Pharr,</td>
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<td>Howard,</td>
<td>Ribelin—12 yea.</td>
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Those who voted in the negative, were

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<tr>
<th>Messrs. Allison (of O.)</th>
<th>Messrs. Rea,</th>
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<tbody>
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<td>Boykin,</td>
<td>Reid,</td>
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<td>Boyd,</td>
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<td>Larkins,</td>
<td>Walker,</td>
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<td>Melvin,</td>
<td>Jno. W. Williams,</td>
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<tr>
<td>Mitchell,</td>
<td>Wm. P. Williams,</td>
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20 nays.

The seventh resolution was read. Mr. Morehead moved the following preamble and resolution as an amendment thereto:

That, whereas the Constitution of the United States has intrusted to Congress exclusively the power of creating and regulating a currency of equal value, credit and use, throughout the States,

Resolved, therefore, That it is the duty of Congress to create and regulate such a currency, both for the purposes of the Treasury and for the interest of the community at large, and that, in the opinion of
this General Assembly, the same cannot be effected in any way better than by the creation of a Bank of the United States.

Which was read and rejected by the following vote—12 to 20.

Those who voted in the affirmative, were

Messrs. Albright,
Allison, (of I.)
Burgin,
Dockery,
Elliott,
Howard,

Messrs. Jacocks,
Joyner,
Morehead,
Moye,
Pharr,
Ribelin—12 yea.

Those who voted in the negative, were

Messrs. Albright,
Allison, (of O.)
Boykin,
Boyd,
Cooper,
Dobson,
Exum,
Hester,
Larkins,
Melvin,
Mitchell,

Messrs. Rea,
Reid,
Shepard,
Speight,
Stafford,
Stallings,
Tomlinson,
Walker,
Jno. W. Williams,
Wm. P. Williams,

Mr. Joyner then moved the following proviso to the second resolution:

Provided, That under the terms, never consent, used in this resolution, rendered emphatic by being underscored, no countenance whatever be given to the odious and dangerous doctrines of nullification, advocated by a particular description of politicians in this country.

Which was read and rejected by the following vote—12 to 19.

Those who voted in the affirmative, were

Messrs. Albright,
Allison, (of I.)
Burgin,
Dockery,
Elliott,
Howard,

Messrs. Jacocks,
Joyner,
Morehead,
Moye,
Pharr,
Ribelin—12 yea.
Those who voted in the negative, were

Messrs. Allison (of O.) Messrs. Reid,
Boykin, Shepard,
Boyd, Speight,
Cooper, Stafford,
Dobson, Stallings,
Exum, Tomlinson,
Hester, Walker,
Larkins, Jno. W. Williams,
Melvin, Wm. P. Williams,
Mitchell, 19 nays,

The resolutions then passed the third time by the following vote—20 to 12.
Mr. Cooper called for the yeas and nays.

Those who voted in the affirmative, were

Messrs. Allison (of O.) Messrs. Rea,
Boykin, Reid,
Boyd, Shepard,
Cooper, Speight,
Dobson, Stafford,
Exum, Stallings,
Hester, Tomlinson,
Larkins, Walker,
Melvin, Jno. W. Williams,
Mitchell, Wm. P. Williams—20 yeas.

Those who voted in the negative, were

Messrs. Albright, Messrs. Jacocks,
Allison, (of I.) Joyner,
Allison, Morehead,
Burgin, Moye,
Dockery, Pharr,
Elliott, Ribelin—12 nays.
Howard,

Ordered, That said resolutions be enrolled.

Mr. Wm. P. Williams presented the following resolution:

Resolved, That, in the opinion of this General Assembly, the opinions of General Washington, Thomas Jefferson, and James Ma-
dison, upon Constitutional powers and constructions, are entitled to profound respect and great weight.

Which was read the first time and passed.

Received from the House of Commons a message, proposing to go forthwith into an election for Colonel-Commandant, Lieutenant-Colonel, and Major of Cavalry attached to the 8th brigade of North Carolina Militia, and that Messrs. McLean and Scales form their branch of the Committee to superintend the election. Whereupon the Speaker announced to the Senate, that Messrs. Burgin and Dobson form our branch of the Committee to superintend said election, and the House of Commons was informed thereof by message.

The Senate then voted as follows:

FOR MR. McLEAN, AS COLONEL,

Messrs. Speaker, Albright, Allison, (of O.) Allison (of I.) Boykin, Boyd, Burgin, Cooper, Dobson, Dockery, Elliott, Exum, Hester, Howard, Jacocks, Joyner,


FOR MR. CUNNINGHAM, AS LIEUT.-COLONEL,

Messrs. Speaker, Albright, Allison, (of O.) Allison (of I.) Boykin, Boyd, Burgin, Cooper,
Mr. Dobson, from the Joint Select Committee, on the part of the Senate, to superintend the election of Cavalry officers attached to the 8th brigade of North Carolina Militia, reported that Messrs. McLean, Cunningham, and Scott, having each received a majority of the votes given, were duly elected; in which report the Senate concurred.

Received from the House of Commons a message, stating that they have passed the following engrossed bills and resolutions, in which they ask the concurrence of the Senate: A bill regulating the time of holding the Courts of Pleas and Quarter Sessions, in the Counties composing the 7th Judicial Circuit; a bill to incorporate the Mecklenburg Monumental Association; a bill to revive an act passed in the year 1779, entitled an act to lay off and establish a town near Chatham Court-House, on the plantation and lands formerly the property of Ambrose Edwards, now entered in the land office by Ambrose George, in said County; a bill to amend the third section of an act passed by the Geneal As-
sembly of this State, at the session of 1834, entitled an act to appoint commissioners for the town of Clinton, and for other purposes; a bill for the better regulation of the offices in the Capitol, and for other purposes; a bill to facilitate recoveries in suits on official bonds; a resolution in favor of Thomas J. Lemay; a resolution, rescinding a resolution passed in 1841, in favor of James Erwin; and a resolution in favor of J. N. Crosby. Said bills were severally read the first, second, and third times and passed, and ordered to be enrolled. The resolution in favor of Thomas J. Lemay was read the first time and passed, and, on motion of Mr. Morehead, was referred to the Committee on Claims. The other named resolutions 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 indefinitely postponed the engrossed resolutions of the Senate relating to the President and Directors of the Literary Board.

Received from the House of Commons a message, stating that they have passed the following engrossed bills and resolutions, in which they ask the concurrence of the Senate: A bill to incorporate Browntown, in Davidson County; a bill to incorporate the Trustees of New Hope Academy, in the County of Edgecomb; a bill to perpetuate the evidence of marriage; a bill to point out the mode of electing Field Officers of Cavalry; a resolution in favor of Robert Cochran; a bill for the better regulation of the Militia of this State; a bill to amend the Revised Statutes, concerning divorce and alimony; a resolution in favor of Charles L. Hinton; and a bill to incorporate the Trustees of Ridgeway Academy, in the County of Warren. The first two named bills were read the first, second and third times and passed, and were ordered to be enrolled. The bill to perpetuate the evidence of marriage, was read the first time and passed, and, on motion of Mr. Morehead, was referred to the Committee on the Judiciary.

On motion of Mr. Albright, the Senate adjourned until half past three o'clock, P. M.

**Half past Three o'clock, P. M.**

The Senate met, according to adjournment. The resolution in favor of Charles L. Hinton was read the
first, second, and third times and passed, and ordered to be enrolled.

Mr. Reid, from the Committee on claims, to whom was referred the engrossed resolution in favor of Thomas J. Lec-

may, reported the same to the Senate, and recommended its passage. Mr. Reid moved that the rules be suspended, so as to read the resolution a second time; which was then read the second and third times, and passed by the following vote — 18 to 12.

Mr. Stallings called for the yeas and nays.

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Joyner,
Allison, (of L.) Morehead,
Burgin, Moye,
Dobson, Pharr,
Dockery, Reid,
Elliott, Ribelin,
Hester, Shepard,
Howard, Stafford,
Jacocks, Wm. P. Williams,

18 yeas.

Those who voted in the negative, were

Messrs. Allison (of O.) Messrs. Melvin,
Boykin, Mitchell,
Boyd, Rea,
Cooper, Speight,
Exum, Stafflins,
Larkins, Jno. W. Williams,

12 nays.

Ordered, That said resolution be enrolled.

Mr. Reid, from the Committee on the Judiciary, to whom was referred the engrossed bill to perpetuate the evidence of marriage, reported the same to the Senate, and recommended its passage. The rules of the Senate were suspend-
ed, and the bill was read the second and third times, amend-
ed, and rejected by the following vote—15 to 15.

Mr. Melvin demanded the yeas and nays:
Those who voted in the affirmative, were

Messrs. Allison, (of O.) Messrs. Larkins,
Allison, (of I.) Mitchell,
Burgin, Pharr,
Cooper, Rea,
Dobson, Reid,
Jacocks, Stafford,
Joyner, Stallings—14 yea.

Those who voted in the negative, were

Messrs. Albright, Messrs. Melvin,
Boykin, Morehead,
Boyd, Moye,
Dockery, Ribelin,
Elliott, Shepard,
Exum, Speight,
Hester, Jno. W. Williams,
Howard, 15 nays.

The bill to incorporate the Trustees of Ridgeway Academy, in Warren county; the resolution in favor of Richard Cochran; the bill to point out the mode of electing field officers of Cavalry; the bill to amend the Revised Statutes, concerning Divorce and Alimony; were severally read the first, second and third times and passed, and were ordered to be enrolled.

The bill for the better regulation of the Militia of this State, was read the first and second times. Mr. Shepard moved that the bill be indefinitely postponed; which was decided in the negative—8 to 21.

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Howard,
Boykin, Melvin,
Cooper, Reid,
Hester, Shepard—8 yea.

Those who voted in the negative, were

Messrs. Allison, (of O.) Messrs. Mitchell,
Allison, (of I.) Moye,
Boyd, Pharr,
Mr. Stallings moved to amend the bill in the second section, by striking out "four times" and inserting "twice," which was agreed to by the following vote—19 to 7:

Those who voted in the affirmative, were

Messrs. Albright,
    Boykin,
    Burgin,
    "Cooper,
    Dobson,
    Elliott,
    Exum,
    Hester,
    Joyner,
    Larkins,
    Rea,
    Ribelin,
    Speight,
    Stafford,
    Stallings

21 nays.

Those who voted in the negative, were

Messrs. Allison, (of O.)
    Allison (of I.)
    Boyd,
    Dockery,
    Jacocks,
    Pharr,
    Ribelin—7 nays.

Mr. Larkins moved to strike out in the 4th section the word "fifty," and insert the word "twenty-five," which was agreed to. Mr. Elliott moved to add the following to the end of the 5th section:

And it shall be lawful for persons subject to be enrolled in the Militia, to join any volunteer company, in a regiment adjoining that in which they reside.

Which was read and agreed to. Mr. Albright then moved to amend the bill by adding the following additional section:
Be it further enacted, That it shall be the duty of the Adjutant General to have one copy of the Militia Laws printed for each Captain in the State, and forward the same.

Which was read and agreed to. The bill then passed as amended. The rules of the Senate were suspended, and the bill was read the third time. Mr. Dockery moved to strike out the last section thereof; which was agreed to.—The bill then passed as amended.

Received from the House of Commons a message, therein transmitting a communication to the Senate from his Excellency Gov. Morehead, with accompanying documents; which was read, and, on motion of Mr. Elliott, the document referred to the Committee on Public Buildings.

On motion of Mr. Stallings, Mr. Elliott was added to the Committee on Public Buildings.

On motion of Mr. Larkins, the engrossed bill to incorporate the Grand Lodge of the State of North Carolina of the Independent Order of Odd Fellows, was taken up, and 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 engrossed bill from the Senate, to incorporate the Nantahalah Turnpike Company in the counties of Macon and Cherokee, with an amendment; which was read and agreed to—and further stating, that they have re-considered the engrossed bill to incorporate the Alfordsville Cavalry or Dragoons, which was, on yesterday, indefinitely postponed, and has been ordered to be enrolled.

Received from the House of Commons a message, stating that they have passed the engrossed resolution from the Senate to authorize the loan of the Literary Fund, with an amendment; which was read and agreed to.

The Senate, on motion of Mr. Dockery, took a recess until half past 7 o'clock, P. M.

Half past 7 O'clock, P. M.

The Senate met according to adjournment.

Received from the House of Commons a message, stating that they have postponed until the 1st of March next, the engrossed resolution from the Senate, relating to the Wilmington and Raleigh Rail Road Company.
Received from the House of Commons a message, stating that they have passed the engrossed bill from the Senate, directing the public Treasurer to carry to the credit of the Literary Fund the sum of twenty-two thousand nine hundred and seventeen dollars and seventeen cents, with an amendment; which was read and concurred in.

Received from the House of Commons a message, stating that they have passed the following engrossed bills and resolutions, in which they ask the concurrence of the Senate: A bill concerning Executors; a resolution in favor of Silas Burns; a resolution in favor of the State Librarian; a resolution concerning the Public Buildings; and a bill to authorize Joseph R. Billups, Esq., Francis White and Joshua White, to stop the ditch or Canal on the south side of Hamilton road, at the middle ridge, where the line of Perquimons and Pasquotank crosses the same.

The first named bill was read the first, second and third times and passed, and ordered to be enrolled. The last named bill was read the first time, and, on motion of Mr. Jacocks, was laid on the table. The first named resolution was read the first, second and third times, amended, on motion of Mr. Moye, and passed. The second named resolution was read the first time and passed, and, on motion of Mr. Morehead, referred to the Committee on Claims. The last named resolution was read the first time and passed, and, on motion of Mr. Elliott, was ordered to lie on the table.

The engrossed bill to amend and suspend certain provisions of an act, ratified on the 7th January, 1839, entitled an act concerning weights and measures, adopted by resolution of Congress, as standard throughout the United States, was read the first, second and third times and passed, and ordered to be enrolled.

Mr. Moye, from the Committee on Public Buildings, to whom was referred a communication from Gov. Morehead, relative to furniture for the offices in the Capitol, reported a bill to authorize the Board of Public Buildings to procure office furniture; which was read the first, second and third times and passed, and ordered to be engrossed.

The Senate took up the engrossed bill, entitled a bill supplemental to an act passed by the General Assembly, entitled an act to lay off and establish a county by the name of Union; which was read the second and third times and passed, and ordered to be enrolled.
The engrossed bill, entitled a bill to punish the defaults of returning officers in the election of Electors for President and Vice President of the United States, was read the second and third times and passed, and ordered to be enrolled.

On motion of Mr. Speight, the Senate adjourned until to-morrow morning nine o'clock.

**Friday, January 27, 1843.**

Mr. Reid, from the Committee on Claims, to whom was referred the engrossed resolution in favor of the State Librarian, reported the same to the Senate, and recommended its passage; which was read the second time. Mr. Stallings moved to amend the resolution by striking out the words one hundred and twenty-five, and inserting the words sixty-eight; which was agreed to. The resolution then passed. It was then read the third time and passed.

Mr. Elliott presented the following resolution:

Resolved, That a message be sent to the House of Commons, with the proposition that the Speakers of the two Houses adjourn this General Assembly, *sine die*, on Saturday, the 28th instant, at 6 o'clock, A. M., and that the Clerks of the two Houses make up their estimates to that day.

Which was read and agreed to.

On motion of Mr. Shepard, the resolutions concerning taxation, revenue, &c. were taken up and read the second time. Mr. Morehead moved the following as an amendment to the last resolution, to wit:

That, whereas, the Constitution of the United States has entrusted to Congress exclusively, the power of creating and regulating a currency, of equal value, credit, and use, throughout the States:

Resolved, therefore, That it is the duty of Congress to create and regulate such a currency, both for the purposes of the Treasury, and for the interest of the community at large; and that, in the opinion of the General Assembly, the same cannot be effects in any way better than by the creation of a Bank of the United States.
Which was read and rejected by the following vote—8 to 19.

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Howard,
    Allison, (of I.) Morehead,
    Burgin, Pharr,
    Elliott, Ribelin—8 yeas.

Those who voted in the negative, were

Messrs. Allison, (of O.) Messrs. Reid,
    Boykin, Shepard,
    Boyd, Speight,
    Cooper, Stafford,
    Dobson, Stallings,
    Exum, Swinson,
    Hester, Tomlinson,
    Larkins, Jno. W. Williams,
    Rea, 19 nays.

The resolutions then passed by the following vote—yeas 27.
Mr. Stallings called for the yeas and nays. 27 yeas.

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Morehead,
    Allison, (of O.) Pharr,
    Allison, (of I.) Rea,
    Boykin, Reid,
    Boyd, Ribelin,
    Burgin, Shepard,
    Cooper, Speight,
    Dobson, Stafford,
    Elliott, Stallings,
    Exum, Swinson,
    Hester, Tomlinson,
    Joyner, Jno. W. Williams,
    Larkins, Wm. P. Williams,
    Mitchell, 27 yeas.

No person voting in the negative.

The resolutions were then read the third time and passed, and were ordered to be engrossed.
On motion of Mr. Stallings, the resolution relative to the
opinions of Gen. Washington, Thomas Jefferson, and James Madison, was taken up and read the second time. Mr. Morehead moved the following amendment thereto:

Therefore, it is within the Constitutional power of Congress to pass laws countervailing, and incidentally protective in their character, in imposing duties on imports.

Which was read and rejected by the following vote—10 to 17.

Those who voted in the affirmative, were

Messrs. Albright, Messrs. Morehead,
Allison, (of I.) Pharr,
Burgin, Rea,
Elliot, Ribelin,
Joyner, Wm. P. Williams—

Those who voted in the negative, were

Messrs. Morehead,
Allison, (of O.) Pharr,
Boyd, Rea,
Cooper, Ribelin,
Dobson, Stallings,
Exum, Swinson,
Hester, Tomlinson,
Larkins, Ino. W. Williams—
Mitchell, 17 nays.

The resolution then passed by the following vote—28 yeas.

Those who voted in the affirmative, were

Messrs. Albright,
Allison, (of O.) Pharr,
Allison, (of I.) Rea,
Boykin, Reid,
Boyd, Ribelin,
Cooper, Shepard,
Dobson, Speight,
Exum, Stafford,
Hester, Stallings,
Larkins, Swinson,
Mitchell, Tomlinson,
Joyner, Jno. W. Williams, 28 yrs.
Larkins, Wm. P. Williams—
Mitchell,

No person voting in the negative.

The resolution was then read the third time. Mr. Shepard moved the following amendment thereto:

Resolved, That this resolution be forwarded to our Senators and Representatives in Congress.

Which was read and rejected. The resolution then passed, and was ordered to be engrossed.

Received from the House of Commons a message, stating that they have passed the following engrossed bills and resolution, in which they ask the concurrence of the Senate: A bill to amend the Revised Statute, entitled an act for restraining the taking of excessive usury; a bill to make real estate assets in certain cases; and a resolution in relation to the removal of the Cherokee Indians. Said bills were read the first time and passed, and referred to the Committee on the Judiciary. The resolution was read the first time and passed.

Received from the House of Commons a message, stating that they have postponed indefinitely the engrossed bill from the Senate to unite the offices of Superintendent of Public Buildings and Librarian, to provide for the election of the same, and for other purposes; and that they have postponed till the 4th of March next the bill to authorize the Literary Board to issue notes, and to make loans to the people; also have laid on the table without day, resolutions relating to the Bank of the State.

Received from the House of Commons a message, agreeing to our proposition, that the Speakers of the two Houses adjourn this General Assembly sine die, on Saturday, the 28th instant, at 6 o'clock, A. M.; and that the Clerks make up their estimates to that day.

Received from the House of Commons a message, there in transmitting to the Senate a communication from his Excellency Gov. Morehead, concerning sundry resignations of Justices of the Peace; which have been read and accepted by that House. Whereupon, said resignations were severally read and accepted.
Mr. Joyner, from the Committee on Internal Improvements, reported from the minority of said committee; which was read, and, on his motion, ordered to be printed, together with that of the majority.

Received from the House of Commons a message, therein transmitting a communication to the Senate from W. H. Haywood, Jr., accepting the appointment of United States Senator; which was read, and, on motion of Mr. Cooper, laid on the table.

On motion of Mr. Larkins, the Senate adjourned until half past three o’clock, P. M.

HALF PAST 3 O’CLOCK, P. M.

The Senate met, according to adjournment.

Mr. Reid, from the Committee on the Judiciary, to whom was referred the engrossed bill, entitled a bill to make real estate assets in certain cases, reported the same to the Senate; which was read the second time and rejected, by the following vote—10 to 18.

Mr. Shepard called for the yeas and nays:

Those who voted in the affirmative, were

Messrs. Allison, (of O.)
Elliott,
Hester,
Jacocks,
Joyner,

Messrs. Larkins,
Mitchell,
Rea,
Reid,
Stallings—10 yeas.

Those who voted in the negative, were

Messrs. Albright,
Allison, (of 1.)
Boykin,
Boyd,
Borgin,
Cooper,
Dobson,
Exum,
Howard,

Messrs. Morchead,
Pharr,
Ribelin,
Shepard,
Speight,
Stafford,
Tomlinson,
Jno. W. Williams,
Wm. P. Williams,

18 nays.
Mr. Shepard presented the following resolution:

Resolved, That the Public Treasurer be authorized to pay William W. White the sum of ten dollars, and that the Treasurer be allowed the same in the settlement of his accounts.

Which was read the first time and passed. The rules of the Senate were suspended, and the resolution was read the second time, and passed by the following vote—14 to 13.

Mr. Stallings called for the yeas and nays.

Those who voted in the affirmative, were

Messrs. Boyd,
Burgin,
Dobson,
Elliott,
Hester,
Howard,
Jacocks,

Messrs. Joyner,
Morehead,
Pharr,
Reid,
Shepard,
Tomlinson,
Wm. P. Williams—14 yeas.

Those who voted in the negative, were

Messrs. Albright,
Allison (of O.),
Allison, (of I.),
Boykin,
Cooper,
Larkins,
Mitchell,

Messrs. Rea,
Ribelin,
Speight,
Stafford,
Stallings,
Swinson—13 nays.

The resolution was then read the third time and passed, and ordered to be engrossed.

Mr. Elliott, from the Committee on the Judiciary, to whom was referred the engrossed bill to amend the Revised Statute, entitled an act for restraining the taking of excessive usury, reported the same to the Senate, and moved that the rules of the Senate be suspended; which was agreed to, and the bill was read the second time; and Mr. Wm. P. Williams moved to strike out the second section thereof; which was agreed to. The bill then passed as amended, by the following vote—17 to 10:
Those who voted in the affirmative, were

Messrs. Albright,
Allison, (of O.)
Allison, (of I.)
Burgin,
Dobson,
Elliott,
Hester,
Jacocks,
Joyner,

Messrs. Larkins,
Mitchell,
Morehead,
Pharr,
Reid,
Ribelin,
Shepard,
Stallings—17 yeas.

Those who voted in the negative, were

Messrs. Boykin,
Boyd,
Cooper,
Rea,
Speight.

Messrs. Stafford,
Swinson,
Tomlinson,
Jno. W. Williams,
Wm. P Williams,
10 nays.

The bill was then read the third time and passed, as amended.

Received from the House of Commons a message, stating that they have passed the engrossed bill in relation to the State Library; and the engrossed resolution to authorize the transcribing and preserving Legislative Documents: in which they ask the concurrence of the Senate. Said resolution was read the first and second time, and, on motion of Mr. Albright, was indefinitely postponed. The bill was read the first and second times. Mr. Wm. P. Williams moved to amend the bill, by striking out “three” in the second section, and inserting “two” which was agreed to—1S to 11.

Mr. Allison (of O.) called for the yeas and nays.

Those who voted in the affirmative, were

Messrs. Allison. (of O.)
Allison, (of I.)
Boykin,
Boyd,
Dobson,
Exum,
Hester,

Messrs. Rea,
Reid,
Shepard,
Speight,
Stafford,
Stallings,
Swinson.
Larkins, Jno. W. Williams, 18 yea.
Mitchell, Wm. P. Williams,

Those who voted in the negative, were

Messrs. Albright, Messrs. Joyner,
Burgin, Mochead,
Cooper, Pharr,
Elliott, Ribelin,
Howard, Tomlinson—11 nays.
Jacocks,

The bill was then read the third time and passed, as amended.

Received from the House of Commons a message, stating that they unanimously disagree to the amendment proposed by the Senate to the engrossed resolution in favor of the State Librarian; which was read, and the Senate insist upon their amendment to said resolution, Whereupon, on motion of Mr. Joyner, a Committee of Conference was proposed. Thereupon, the Speaker announced to the Senate, that Messrs. Elliott and Stallings constitute said committee.

Ordered, That Mr. Larkins have leave to withdraw from the files of the Senate certain papers, relative to the appointment of Commissioners for the town of Wilmington.

On motion of Mr. Reid, the Senate adjourned until half past 7 o'clock, P. M.

Half Past 7 O'clock, P. M.

The Senate met according to adjournment.
The engrossed resolution in relation to the removal of the Cherokee Indians, was taken up and read the second time, and, on motion of Mr. Allison (of O.,) was laid on the table.

Received from the House of Commons a message, stating that they have postponed to the 3d Monday in 1844, the engrossed resolutions from the Senate; and have postponed to the 1st March next, the engrossed resolutions concerning taxation, revenue, &c.

Received from the House of Commons a message, stating that they have passed the following engrossed bills and reso-
lations: A bill to amend an act, entitled an act concerning the Seat of Government and the Public Buildings; a resolution making disposition of Congressional Documents; and a resolution in favor of the New York Historical Society; in which they ask the concurrence of the Senate. Said bill and resolutions were severally 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 resolution, to wit: A resolution directing the Board of Public Buildings to sell the old railings around Union Square; in which they ask the concurrence of the Senate. Said resolution was read the first, second and third times and passed, and was ordered to be enrolled.

Received from the House of Commons a message, agreeing to our proposition to raise a Committee of Conference on the engrossed resolution in favor of the State Librarian—and that Messrs. Barringer and Walker form their committee.

Mr. Elliott, from the Committee of Conference, on the disagreement of the two Houses on the Senate's amendment to the resolution of the House of Commons, in favor of the State Librarian, reported that they recommend that the Senate recede from its amendment to said resolution; which was read and concurred in.

Mr. Joyner asked that the Joint Select Committee, to whom was referred so much of the Governor's message as relates to the Raleigh and Gaston Rail Road Company, be discharged from the further consideration of the subject. They were discharged accordingly.

Received from the House of Commons a message, stating that they agree to our amendment of the engrossed bill to amend the Revised Statutes, entitled an act restraining the taking of excessive usury—and further stating that they have rejected the engrossed resolution in favor of Mr. W. W. White.

Received from the House of Commons a message, stating that they have passed the engrossed bill concerning the Public Printing; in which they ask the concurrence of the Senate. Said bill was read the first, second and third times and passed, and was ordered to be enrolled.

On motion of Mr. Stallings, the Senate adjourned until to-morrow morning six o'clock.
Saturday, January 28, 1843.

Received from the House of Commons a message, stating that they disagree to the amendment proposed by the Senate to the engrossed bill in relation to the State Library; which was read. Mr. Elliott moved that the Senate recede from their amendment; which was agreed to—14 to 12.

Mr. Allison (of O.,) called for the yeas and nays, which were as follows:

Those who voted in the affirmative, were

Messrs. Albright,
Allison, (of I.)
Burgin,
Cooper,
Elliott,
Howard,
Jacocks,

Messrs. Joyner,
Morehead,
Pharr,
Reid,
Ribelin,
Tomlinson,
Jno. W. Williams,

14 yeas.

Those who voted in the negative, were

Messrs. Allison, (of O.)
Boykin,
Boyd,
Dobson,
Hester,
Larkins,

Messrs. Mitchell,
Rea,
Speight,
Stafford,
Stallings
Swinson—12 nays.

Received from the House of Commons a message, stating that they have despatched all the business before them, and are now ready, in pursuance of the former joint order of the two Houses to adjourn sine die. Whereupon, on motion of Mr. Joyner, a message was sent to the House of Commons agreeing thereto.

Mr. Joyner presented the following resolution, to wit:

Resolved, That the thanks of the Senate are due, and are hereby tendered to the Honorable Louis D. Wilson, for the able, faithful and impartial manner, in which he has presided over its deliberations during the present session.
The question on the resolution being put by Mr. Joyner, it was adopted unanimously.

The Speaker then made an appropriate address to the Senate, and adjourned the same without day.

LOUIS D. WILSON, S. S.

By order,
Thos. G. Stone, C. S.