A quorum consisting of a majority of the whole number of members being present, Mr. Waddell nominated Andrew Joyner, of Halifax, for Speaker, and, on motion of Mr. Cameron, the name of Louis D. Wilson, of Edgecomb, was added to the nomination.

The Senate then proceeded to vote viva voce, and the following Members voted, viz:

FOR MR. JOYNER,


The following members voted.

FOR MR. WILSON,


Mr. Joyner having received a majority of the whole number of votes, and being declared duly elected, was conducted to the Chair by Messrs. Waddell and Cameron, and
made his acknowledgments to the Senate in an appropriate address.

Mr. Patterson moved that the Senate proceed to the election of chief Clerk, and nominated for that appointment Henry W. Miller; whereupon the Senate voted as follows, viz:

FOR MR. MILLER, N

Messrs. Tomlinson, Exum and Ashe voted for William H. Watson.

Henry W. Miller having received a majority of the whole number of votes, was declared duly elected.

On motion of Mr. Francis, H. W. Husted was nominated for Clerk Assistant of the Senate; and, on motion of Mr. Graves, the name of Perrii Busbee was added to the nomination.

The Senate then voted as follows, viz:

FOR MR. HUSTED, N

FOR MR. BUSBEE, S

Mr. H. W. Husted having received a majority of the votes given, was declared duly elected.

On motion of Mr. Poindexter, the Senate proceeded to the election of Principal Door-Keeper, Green Hill and Jas. Page being in nomination. The Senate voted as follows, viz:

FOR Mr. HILL,

FOR MR. PAGE,
Messrs. Stallings, Drake, Hawkins, Thompson, Tomlinson, Wil-
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Mr. Hill having received a majority of the votes, was declared duly elected.

On motion, the Senate then proceeded to the election of assistant Door-Keeper, the following persons being nominated for that appointment, viz. P. McGowan, J. L. Mooring, T. Lovell, Mr. Tharington, Jas. Hester, E. W. Colburn, W. H. Jones, J. D. Royster, A. Gillespie, John C. King, John Drake, and Jehu Crows. The Senate voted as follows, viz.


FOR MR. THARINGTON, Messrs. Speaker, Ehringhaus, Barnard, Halsey, Moody, Cowper, Thomas, Eborn, Daniel, Bogle, 10.

FOR MR. MOORING, Messrs. Waddell, Hogan and Woodfin, 3.

FOR MR. LOVELL, Mr. McMillan, 1
FOR MR. COLBURN, Mr. Patterson, 1
FOR MR. JONES, Messrs. Ward and Russell, 2
FOR MR. ROYSTER, Messrs. Thompson and Carter, 2.
FOR MR. DRAKE, Messrs. Albright and Kelly, 2.
FOR MR. CREWS, Messrs. Poindexter and Kerr, 2.
FOR MR. GILLESPIE, Mr. Gilmer, 1.
FOR MR. KING, Mr. Melchor, 1.

No one having received a majority of the whole number of votes, the Senate, on motion, proceeded to vote again as follows, viz.


FOR Mr. DRAKE, Messrs. Speaker and Albright, 2.
" " JONES, " Ward and Russell, 2
" " KING, Mr. Melchor, 1.
" " LOVELL, Mr. McMillan, 1.
" " MOORING, Messrs. Waddell, Hogan & Woodfin, 3.
" " GILLESPIE, Mr. Gilmer, Poindexter and Patterson, 3.

No person having received a majority of the whole num-
ber of votes given, on motion of Mr. Graves, the Senate proceeded to vote again as follows, viz:


For Mr. THARINGTON, Messrs. Speaker, Ehringhaus, Barnard, Halsey, Moody, Cowper, Thomas, Eborn, Carter, Daniel, Kelly, Hogan, Woodfin, Bogle, 14.

For Mr. MOORING, Messrs. Waddell, Gilmer and Patterson, 3.

For Mr. KING, Messrs. Thompson and Melchor, 2.

" " LOVELL, " Poindexter and McMillan, 2.

" " DRAKE, " Mr. Albright, 1.

" " JONES, " Russell, 1.

No one having as yet received a majority of the whole number of votes, on motion of Mr. Halsey, the Senate proceeded to vote again for Assistant Door-Keeper (the names of Messrs. Moore, Lovell, Drake and Jones having been withdrawn,) which was as follows, viz:


For Mr. THARINGTON, Messrs. Speaker, Eborn, Hogan, Ehringhaus, Barnard, Halsey, Moody, Cowper, Thomas, Carter, Albright, Daniel, Kelly, Waddell, Poindexter, Gilmer, Kerr, McMillan, Woodfin, Patterson, Bogle, 21.

For Mr. KING, Mr. Melchor, 1.

Patrick McGowen having received a majority of the whole number of votes, was declared duly elected assistant Door-Keeper.

Mr. Gilchrist, Senator elect from the 31st senatorial district, composed of the counties of Robeson and Richmond, appeared, and not having the certificate of the sheriffs of his district, on motion of Mr. Waddell, was permitted to qualify and take his seat, under a certificate in writing from W. L. Steele, Esq. a member of the House of Commons, and the oral statement of Messrs. Kelly and Cameron, members of the Senate, that he had been duly elected.

On motion of Mr. Patterson, ordered, that a message be sent to the House of Commons, informing that body of the due organization of the Senate, by the appointment of Andrew Joyner, Speaker; H. W. Miller, Chief Clerk; H. W.
Husted, Clerk Assistant; and Green Hill and Patrick McGowan, Door-Keepers; and that it is ready to proceed to the despatch of public business.

On motion of Mr. Cameron, the Senate adjourned until to-morrow morning, 10 o'clock.

Tuesday, November 17, 1846.

The Senate met according to adjournment.

Received from the House of Commons a message, informing the Senate of the due organization of that body, by the appointment of Edward Stanly, Speaker; Charles Manly, chief Clerk; James R. Dodge, Clerk Assistant; and Samuel J. Finch and William J. Lovell, Door Keepers; and of their readiness to proceed to public business.

On motion of Mr. Halsey,

Resolved, That the Rules of Order for the government of the last Senate be adopted for the government of the present Senate, until otherwise ordered.

Received from the House of Commons a message, proposing to raise a joint Select Committee of two members on the part of each House to wait upon his Excellency the Governor, and inform him of the due organization of both branches of the Legislature, and of their readiness to receive any communication he may have to make; which was concurred in, and Messrs. Waddell and Graves appointed the committee on the part of the Senate, and the House of Commons informed thereof.

Mr. Poindexter presented a communication from the Secretary of State, in relation to the public printing; which was read and ordered to be sent to the House of Commons.

Mr. Halsey moved that a committee of five be appointed to prepare and report rules of order for the government of the Senate, which was agreed to and the following members were appointed, viz: Messrs. Halsey, Wilson, Poindexter, Cameron and Gilmer.

Received from the House of Commons a message, stating that Messrs. Barnes and Courts composed the Committee on their part to wait upon his Excellency the Governor.

Received from the House of Commons a message, propos-
ing to proceed forthwith to the election of one Engrossing Clerk, and stating that the names of Valentine, Garland, Kemp P. Hill, John Cameron, David Lewis, J. F. Hughes and Geo. E. B. Singletary are in nomination; which was concurred in, and Messrs. Stowe and Melchor were appointed the committee on the part of the Senate to superintend the election, and the House of Commons informed thereof.

Received from the House of Commons a message, announcing that Messrs. Puryear and Harris form their branch of the committee to superintend the election of one Engrossing Clerk; and that body would proceed to vote on the return of the messenger.

The Senate then voted as follows, viz.

FOR MR. GARLAND,

For Mr. HILL, Messrs. Speaker, Daniel, Halsey, Hawkins, Hill, Russell, Thomas, Thompson and Ward, 9.

FOR MR. CAMERON, Messrs. Cameron, Ehringhaus, Gavin, Tomlinson, Waddell, Moody and Barnard 7.

FOR MR. LEWIS, Messrs. Gilchrist, Street, Wooten, Ashe and Kelley, 5.


FOR MR. SINGLETARY, Messrs. Carter and Drake, 2.

Mr. Waddell, from the joint select committee appointed to wait on his Excellency the Governor, reported that he would be pleased to transmit a communication to the General Assembly this day at 12 o'clock.

Mr. Wilson, moved that the Journal of yesterday be so amended as to state that John Gilchrist, the Senator elect from the 33rd District, composed of the Counties of Robeson and Richmond, was permitted to qualify and take his seat upon the Certificate, in writing, of W. L. Steele, Esq., a member of the House of Commons, and the oral statement of Messrs. Kelley and Cameron, members of the Senate, that he had been duly elected; and also that the certificate of Mr. Steele be filed; which was agreed to, and the Journal ordered to be amended accordingly.

Mr. Melchor, from the joint committee appointed to superintend the election of Engrossing Clerk, reported that no one having received a majority of the whole number of votes
given, there was no election; which was concurred in.
Received from the House of Commons a message, proposing that the two Houses vote again forthwith for one Engrossing Clerk; which was agreed to, and Messrs. Hill and McMillan appointed a committee to superintend the election on the part of the Senate, and the House of Commons informed thereof.

Received from the House of Commons a message, stating that Messrs. Foy and Kelley formed their branch of the committee to superintend the election of one Engrossing Clerk, and that the name of Mr. Cameron was withdrawn from the nomination. The Senate then voted as follows, viz

FOR Mr. GARLAND, Messrs. Albright, Bogle, Boyd, Cowper, Ferrand, Francis, Gavin, Gilmer, Graves, Hargrave, Hester, Hogan, Kerr, McMillan, Melchor, Mills, Moody, Patterson, Poindexter, Stallings, Stowe, Waddell, Woodfin and Wooten, 24.
FOR Mr. LEWIS, Barnard, Ehringhaus, Gilchrist, Street and Kelley, 5.
FOR Mr. HUGHES, Exum, Wilson and Eborn 3.
FOR Mr. SINGLETARY, Mr. Drake, 1.

Mr. Melchor, from the joint committee to superintend the election of one Engrossing Clerk, reported that Mr. Garland having received a majority of the whole number of votes given, was duly elected; in which report the Senate concurred.

On motion of Mr. Graves, ordered, that a message be sent to the House of Commons, proposing to raise a joint select committee of three, on the part of each House, to report joint rules of order, for the government of the intercourse between the two Houses.

On motion of Mr. Thompson, the Senate then adjourned until to-morrow morning 10 o'clock.

WEDNESDAY November 18, 1846.

James Howard, Esq., Senator elect from the 14th Senatorial District, composed of the counties of Carteret and Jones, appeared, produced his credentials, was qualified and took his seat.
Received from the House of Commons a message, transmitting the message of his Excellency the Governor, and proposing to print, five copies thereof for each member of the Legislature. The message was then read, and the proposition of the House of Commons agreed to, and that body informed thereof.

Received from His Excellency the Governor, a communication stating that in obedience to a Resolution of the last Legislature, he had caused to be purchased a National Flag for the use of the State; which was read, and on motion of Mr. Halsey, sent to the House of Commons.

Mr. Cameron, from the committee appointed to prepare and report Rules of Order for the government of the Senate, made a report, recommending the adoption of the rules of order of the last Session without alteration; which were read and adopted, and are as follows to wit:

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

Rule 2nd. After the reading of the Journal of the preceding day, the Senate shall proceed to business in the following order, viz.

1st. The receiving petitions, memorials, pension certificates and papers addressed either to the General Assembly or to the Senate.

2nd. Reports of standing committees.

3rd. Reports of select committee.

4th. Resolutions.

5th. Bills.

6th. Bills, resolutions, petitions, memorials, messages, pension credentials and other papers on the table; then the order of the day; but motions and messages to elect officers shall always be in order.

Rule 3rd. 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 the Speaker, and shall confine himself to the question under debate, and avoid personalities; 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, standing or passing between him and the chair.
Rule 4th. All Bills and Resolutions of a public nature shall pass as a matter of course the first reading.

Rule 5th. If any member, in speaking or otherwise, transgress, the rules of the House, the Speaker shall, and 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 cause but without debate.

2. 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.

Rule 6th. When a question is under debate, no motion shall be received but to adjourn, to lie on the table, to postpone indefinitely, to postpone to a day certain, to commit, or to amend; which several motions shall have precedence in the order they stand arranged; and the motion for adjournment shall always be in order, and decided without debate.

Rule 7th. Questions may be stated by the Speaker sitting, but they 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. It 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 the row of pillars shall be the bar of the Senate.

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

Rule 9th. 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.

Rule 10th. No member shall depart the service of the House
without leave, or receive pay as a member for the time he is absent.

Rule 11th. 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.

Rule 12th. 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.

Rule 13th. 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.

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

Rule 15th. When a question has been once decided, it shall be in order for any member in the majority to move for a 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; and no bill or resolution of a public nature shall be sent from the Senate until twelve o'clock the succeeding day.

Rule 16th. The Speaker shall examine and correct the Journal before it is read; he shall have the general direction 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.

Rule 17th. 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 Improvements; and a committee on Education and the Literary Fund, consisting of seven members each.

Rule 18th. 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 tem.
Rule 19th. When any petition, memorial or other paper, addressed to the Houses, 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.

Rule 20th. In case of any disturbance or disorderly conduct in the Lobby or Gallery, the Speaker or chairman of the committee of the Whole House, shall have power to have the same cleared.

Rule 21st. 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 bar of the Senate.

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

Rule 23rd. When the House adjourns, the members shall keep their seats until the Speaker leaves the chair.

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

Rule 25th. 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.

ANDREW JOYNER,
Speaker of the Senate.

By order.

HENRY W. MILLER,
Clerk.

Received from the House of Commons a message, announcing their concurrence in the proposition of the Senate to raise a joint select committee of three on the part of each House, to report Joint rules of order for the government of the intercourse between the two Houses, and stating that Messrs. Mebane, Ellis and D. A. Barnes, formed their branch of the committee. Messrs. Graves, Woodfin and Albright were appointed the committee on the part of the Senate, and information thereof sent to the House of Commons.

On motion of Mr. Waddell,

Ordered, that a message be sent to the House of Commons proposing to raise a joint select committee of five on the part of
each House, whose duty it shall be to take under consideration the resolutions and documents transmitted from other States and accompanying and referred to in the message of his Excellency the Governor; and report on the same.

Mr. Graves, from the joint select committee appointed to prepare and report joint rules for the government of the intercourse of the two Houses, reported without alteration the rules of the last Session, and recommended their adoption; which were read, and the report of the committee concurred in.

Mr. Moody introduced the following resolution:

Resolved, That a message be sent to the House of Commons, proposing to print in pamphlet form the Constitution of the United States, the constitution of this State, the Rules of Order of the Senate and the Joint Rules of both Houses, one copy for each member of the General Assembly, and one copy for each of the Clerks, and ten copies for the State Library.

Which was agreed to.

Received from the House of Commons a message, proposing to print in pamphlet form the Joint Rules of Order, the Rules of Order of each House, and the Constitutions of the State and United States, one copy for each member of the Legislature; which was agreed to.

On motion of Mr. Graves, the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, Nov. 19, 1846.

The Senate met according to adjournment.

Received from the House of Commons a message, announcing their concurrence in the proposition of the Senate, to raise a joint select committee of three on the part of each House, whose duty it shall be to consider of and report upon the resolutions from other States, accompanying the Governor's message; and stating that Messrs. Wellborn, Adams, Ferebe, N. Wilson and Murphey form their branch of the committee. Messrs. Waddell, Kerr, Ashe, Thompson and Gilechrist were appointed the committee on the part of the Senate, and the House of Commons informed thereof.
Mr. Halsey introduced the following resolution, viz.

Resolved, That seats be assigned by the Speaker to Stenographers to note the proceedings of the Senate.

Which was adopted.

Received from the House of Commons a message, proposing to refer so much of the Governor's message as relates to Cherokee lands, to a joint select committee of four on the part of each House; which was concurred in, and Messrs. Francis, Graves, Patterson and Hawkins were appointed to form the committee on the part of the Senate, and information thereof sent to the House of Commons.

Received from the House of Commons a message, proposing that the door-keepers shall be directed to raise the national flag upon the capitol when either House meets, and take it down when both Houses adjourn; which was concurred in.

Received from the House of Commons a message, proposing to raise a joint select committee of two on the part of each House, to take into consideration so much of the Governor's message as relates to a suitable enclosure around the capitol square, and that they report by bill or otherwise; which was concurred in; and Messrs. Ehringhaus and Speight appointed to form the committee on the part of the Senate, and the House of Commons informed thereof.

Mr. Waddell moved that a message be sent to the House of Commons, proposing that the two Houses proceed to-morrow at 12 o'clock to the election of a United States Senator, to fill the vacancy occasioned by the resignation of the Hon. Wm. H. Haywood; which was agreed to, and Mr. Waddell then nominated George E. Badger, Esq., for the appointment; and the House of Commons was informed thereof.

Received from the House of Commons a message, stating that the committee on the part of that body, on enclosing the Capitol Square, consists of Messrs. Wilder and Washington.

Received from the House of Commons a message, agreeing to the proposition of the Senate that the two Houses vote to-morrow, at 12 o'clock, for a United States Senator to supply the vacancy occasioned by the resignation of the Hon. W. H. Haywood, and Messrs. Moody and Drake were appointed a committee on the part of the Senate to superintend the election, and information thereof sent to the House of Commons.
A message was then received from the House of Commons, announcing that Messrs. Hawkins and Fagg form their branch of the committee to superintend said election.

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

Friday, Nov. 20.

The Senate met according to adjournment.

The Speaker announced to the Senate the following standing committees, viz:


Committee on Privileges and Elections—Messrs. Francis, Hester, Melchor, Exum, Kelley, Eborn and Ferrand.

Committee on Claims—Messrs. Cameron, Gilchrist, Stowe, Thomas, Street, Daniel and Hargrave.

Committee on the Judiciary—Messrs. Waddell, Graves, Woodfin, Poindexter, Wilson, Hawkins and Gilmer.

Committee on Internal Improvements—Messrs. Patterson, Ashe, Kerr, Hull, Moody, Howard and Thompson.


Mr. Cameron presented a memorial of a number of the Citizens of the town of Fayetteville and county of Cumberland, relative to the emancipation of a slave named Samuel Mackey, the property of John S. Pearson, Esq.; which was read and referred to the Committee on Propositions and Grievances.

Mr. Street introduced a bill entitled a bill to tax the vendors of foreign made riding vehicles; which was read the first time and passed.

On motion of Mr. Wilson,

Ordered, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee on Finance, to consist of five on the part of each House.

On motion of Mr. Graves,

The name of Asa Biggs, Esq., was added to the nomination
for United States Senator, to fill the vacancy occasioned by the resignation of the Hon. W. H. Haywood, and the House of Commons was informed thereof.

Mr. Patterson introduced the following resolutions, viz.:

Resolved, That so much of the Governor's message as relates to the acts passed by the General Assembly of Virginia, at its last session, in regard to those portions of the Portsmouth and Petersburg Rail Road lying within this State, and the failure of the latter company to make reports to the Legislature of this State, be referred to the Committee on Internal Improvements.

Resolved, That so much of the said message as relates to the extension of the Wilmington and Raleigh and Raleigh and Gaston Rail Roads to the South Carolina line, be referred to the Committee on Internal Improvements.

Resolved, That so much of the said message as relates to the re-opening of the Inlet between Albemarle Sound and the Atlantic, the sale and purchase by the State of Club Foot and Harlow Creek Canal, the construction of a Canal between Lumber and Cape Fear rivers, and the improvement of the navigation of Neuse and Yadkin rivers, together with the proposed Turnpike from Raleigh and Fayetteville to the West, be referred to the same committee.

Resolved, That so much of the said message as relates to the public roads of the State and amendments of the laws in relation thereto, be referred to the Committee on the Judiciary.

Resolved, That so much of said message as relates to an Agricultural, Geographical and Mineralogical Survey of the State, be referred to a Joint Select Committee of five on the part of each House.

Resolved, That so much of said message as relates to a change of the time of holding the Autumn Terms of the Superior Courts in the lower sections of the State, and the abolishment of all jurisdiction of Pleas in the County Courts, together with the proposed increase in the number of the Terms of the Superior Courts, be referred to the Committee on the Judiciary.

Resolved, That so much of said message as relates to a revival of the Statutes of the State, be referred to the Committee on the Judiciary.

Resolved, That so much of said message as relates to the Literary Fund, the education of the Deaf and Dumb and the Blind, and improvements in the existing system of Common Schools, be referred to the Committee on Education.

Resolved, That so much of said message as relates to defects in our Militia Code, be referred to the Committee on Military Affairs.

Resolved, That so much of said message as relates to the existing arrangements of Districts, for the election of Members to the House of Representatives of the United States, be referred to a Joint Select Committee.

Which resolutions were read and adopted.
Mr. Waddell moved, that the name of Mr. Cameron, Senator from the county of Cumberland, be added to the Committee on Internal Improvements; which was agreed to.

Mr. Bogle presented the pension certificate of Ann Patterson; which was read and ordered to be countersigned by the Speaker of the Senate and sent to the House of Commons.

John R. Gilliam, Esq., Senator elect from the 7th District, appeared, produced his credentials, and, on motion of Mr. Halsey, was qualified, and took his seat.

Received from the House of Commons a message, stating that the hour of 12 o'clock having arrived, that body would proceed to vote for United States' Senator, on the return of the messenger.

The Senate then voted as follows, viz:  

FOR MR. BADGER,  

FOR MR. BIGGS,  
Messrs. Ashe, Boyd, Cameron, Drake, Exum, Ferrand, Gavin, Graves, Hargrave, Hawkins, Stallings, Stowe, Street, Thompson, Tomlinson, Ward, Wilson and Woolen, 22. (Mr. Gilliam voted for W. A. Graham.)

On motion of Mr. Halsey, a message was sent to the House of Commons, proposing to proceed forthwith to the election of Secretary of State, and informing that body that the name of William Hill is in nomination for the appointment.

Mr. Drake, from the committee appointed to superintend the election of Senator of the United States to supply the vacancy occasioned by the resignation of the Hon. W. H. Haywood, reported that Geo. E. Badger, Esq., having received a majority of the whole number of votes, was duly elected; which was concurred in by the Senate.

Received from the House of Commons a message, agreeing to vote forthwith for Secretary of State, and stating that Messrs. Holden and Adams form their branch of the committee to superintend the election. Messrs. Howard and Hester were appointed on the part of the Senate, and the House of Commons informed thereof.
The Senate then proceeded to vote as follows, viz.

FOR MR. HILL,


Mr. Howard, from the committee superintending the election of Secretary of State, reported that William Hill, having received the whole number of votes given in, was duly elected; in which report the Senate concurred.

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

SATURDAY, NOV. 21, 1846.

The Senate met according to adjournment.

The Speaker announced that Messrs. Halsey, Wilson, Patterson, Cowper, Wooten, Gilliam, Exum and Ward, composed the Senate's branch of the joint committee on Finance.

Received from the House of Commons a message, concurring in the proposition of the Senate to refer so much of the message of his Excellency the Governor, as relates to an Agricultural, Geological and Mineralogical Survey of the State to a joint select committee of five on the part of each House, and stating that Messrs. Chunn, Blount, Ellis, Smith and Shaw, form their branch of said committee.

Received also from the House of Commons a message, agreeing to refer that part of the Governor's message relating to the existing arrangements of the Congressional Districts to a Joint Select Committee of five, and that the said committee, on their part, consists of Messrs. Rayner, Waddell, Gilliam, White and Harrison.

Received from the House of Commons a message, proposing to refer that part of the Governor's message relating to the "Act of the Legislature of Virginia, in regard to the purchase of the Portsmouth and Roanoke Rail Road by the State of North Carolina, or any company incorporated by her," to a Joint Select Committee, to consist of four on the part of each House; an
that said committee be further instructed to inquire and report, if any and what measures are necessary to be adopted to prevent the Petersburg company or any other company incorporated in this State, from interfering with or in any way attempting to frustrate the corporate rights of companies chartered by this State; which was agreed to.

A message from the House of Commons announced that Messrs. Mebane, Puryear, Peebles, Adams, Saunders, Moye, Hall and Austin form their branch of the committee on Finance.

Received from the House of Commons a message, proposing to refer so much of the Governor's message as relates to the re-assessment of lands and a more correct establishment of polls in the State to a Joint Select committee of three members of the part of that House, and two on the part of the Senate; which was concurred in.

A message from the House of Commons, proposing to raise a Joint Select Committee of four on the part of each House to inquire into the propriety of altering the time of holding elections in this State, and that they report by bill or otherwise; which was agreed to.

Mr. Street, presented the pension certificates of John Rhem and Thomas Ewell; which were read ordered to be counter-signed by the Speaker of the Senate, and sent to the House of Commons.

Mr. Patterson, presented the memorial of sundry citizens of Caldwell county, praying aid from the State to construct a public Road from the town of Lenoir to the Tennessee line; which was, on his motion, referred to the committee on Internal Improvements.

On motion of Mr. Street, the bill entitled "a bill to tax the vendors of foreign made riding vehicles," was taken up and referred to the committee on Finance.

Mr. Halsey, introduced the following resolutions, which were read and adopted, viz.

Resolved, That so much of the Governor's message as relates to the Revenue and Finance, be referred to the committee on Finance.

Resolved, That so much of the said message as relates to the bonds of indemnity given to secure the State for liabilities for the Raleigh and Gaston Rail Road, the act of 1839 referred to in said message, and the disposition of said Road, be referred to a Select Committee.

Mr. Mills, introduced a bill entitled "a bill to repeal an act incorporating the town of Shelby in the county of Cleaveland,
and appointing Commissioners therefor;" which was read the
first time and passed.

Mr. Francis, presented the following resolution, viz.

Resolved, That the Speaker of the Senate and Speaker of the
House of Commons be requested to inform Geo. E. Badger, Esq.,
of his election to the United States Senate, to supply the vacancy
occasioned by the resignation of the Hon. W. H. Haywood, and
request his acceptance of the same.

Mr. Cameron moved to amend the resolution, by striking out
the words "and request his acceptance of the same."

After some time spent in the discussion thereof, Mr. Cam-
eron withdrew his motion to amend, and the resolution passed.

Received from the House of Commons a message, propos-
ing that the two Houses proceed at 12 o'clock this day to the
election of United States Senator for the term of six years com-
cerning on the 4th of March next, and stating that the names
of Willie P. Mangum and J. J. McKay are in nomination;
which proposition was agreed to, and Messrs. Mills and Cowper
being appointed the committee on the part of the Senate, and
the House of Commons were informed thereof by message.

A message was received from the House of Commons,
proposing to vote at 11 o'clock this day, for Solicitor of the
2nd Judicial Circuit, and stating that the names of Albert
G. Hubbard and John S. Hawkes are in nomination for the
appointment. The proposition of the House was agreed to,
and Messrs. Carter and Hill were appointed the Senate's
branch of the committee to superintend the election, and
the House informed thereof.

Also a message, proposing to go into an election of Solici-

tor of the 4th Judicial Circuit at 12 o'clock on Monday
next; which was agreed to, and Messrs. Boyd and Hogan
were announced the committee on the part of the Senate to
superintend the election, and information thereof sent to the
House of Commons.

Received from the House of Commons a message, an-
nouncing that Messrs. Brogden and Guion form their branch
of the committee to superintend the election of Solicitor of
the 2nd Judicial Circuit, and that the House of Commons
would vote on the return of the messenger.

The Senate then voted as follows, viz:

FOR MR. HAWKES,

Messrs. Speaker, Ashr, Barnard, Cameron, Carter, Cowper,
Received from the House of Commons a message, proposing that the two Houses vote on Monday next, at 11 o'clock, for Solicitor of the 5th Judicial Circuit, and announcing that the names of John W. Cameron, Thomas S. Ashe, Thomas D. Meares and Robert Strange are in nomination for the appointment. The proposition was agreed to, and Messrs. Eborn and Wooten were appointed the Senate's branch of the committee to superintend the election; and, on motion of Mr. Patterson, the name of John Winslow was added to the nomination, and the House of Commons was informed thereof.

Mr. Hill, from the committee to superintend the election of Solicitor of the 2d Judicial Circuit, reported that no one having received a majority of the whole number of votes, there was no election; in which the Senate concurred.

A message was received from the House of Commons, announcing that Calvin H. Wiley, John Kerr, Henry K. Nash and John F. Poindexter are in nomination for Solicitor of the 4th Judicial Circuit.

Received from the House of Commons a message, stating that as the hour of 12 o'clock had arrived, that body would proceed on the return of the messenger to vote in accordance with the joint order for United States' Senator, for the term of six years, beginning the 4th of March next, and announcing that Messrs. Faucette and Edwards form the committee on their part to superintend said election.

The Senate then proceeded to vote as follows, viz:

FOR MR. MANGUM,

FOR MR. MCKAY,
  Messrs. Ashe, Boyd, Cameron, Drake, Exum, Ferrand, Gavin,
Referred from the House of Commons a message, proposing to vote again forthwith for Solicitor of the 2nd Judicial Circuit; which, on motion of Mr. Halsey, was ordered to lie on the table.

Mr. Mills, from the committee appointed to superintend the election of United States Senator, reported that Willie P. Mangum, having received a majority of the whole number of votes, was duly elected for the term of six years, beginning the 4th of March next; which report was concurred in.

The Speaker announced that the Committee on Military Affairs, on the part of the Senate, consists of Messrs. Hawkins, Ehriinghaus, Daniel, Hogan and Tomlinson.

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

MONDAY, Nov. 23.

The Senate met according to adjournment.

Mr. Exum presented the pension certificate of Theophilus Gardiner; which was read, and, on motion of Mr. Francis, referred to the Committee on Claims.

On motion of Mr. Francis,

Ordered, That a message be sent to the House of Commons, proposing to refer so much of the Governor's message as relates to Cherokee county, to the Committee on Cherokee Lands.

On motion of Mr. Halsey,

Ordered, that a message be sent to the House of Commons, proposing to proceed forthwith to vote again for solicitor of the 2nd Judicial Circuit.

The Speaker announced that Messrs. Gilchrist, Wooten, Stowe and Rarnard, form the Senate's branch of the joint committee, on so much of the Governor's message as relates to the alteration of the time of holding elections in this State, and the House of Commons was informed thereof.

Also, that Messrs. Woodfin and Wilson form the Senate's branch of the committee on so much of the Governor's mes-
sage as relates to the assessment of lands and the more correct enlistment of polls in this State, and the House of Commons informed thereof.

Received from the House of Commons a message, agreeing to the proposition of the Senate to vote again forthwith for Solicitor of the 2nd Judicial Circuit, and announcing that Messrs. Ferebe and Collins form the committee on their part to superintend the election. Messrs. Drake and Gilliam were appointed the committee on the part of the Senate, and the House of Commons informed thereof, and also that the Senate would proceed to vote on the return of the messenger.

The Senate then voted as follows, viz:

FOR MR. HUBBARD,


FOR MR. HAWKES,


Mr. Drake voted for Mr. STEVENSON.

Received from the House of Commons a message, stating that Messrs. Ellis and Street form their branch of the committee to superintend the election of Solicitor of the 5th Judicial Circuit, and also a message, stating that the hour of 11 o'clock having arrived, they would proceed, on the return of the messenger, to said election.

The Senate then voted as follows, viz:

FOR MR. STRANGE,


FOR MR. ASHE,

FOR MR. CAMERON,
Messrs. Albright, Cowper, Eborn, Francis, Gilmer, Gilchrist, Kelly, Russell, 8
For Mr. MEARES—Messrs. Gilliam, Halsey, Howard, Mc-Millan, 4.
For Mr. WINSLOW, Mr. Patterson.

Mr. Drake, from the committee superintending the election of Solicitor of the 2nd Judicial Circuit, reported that Mr. Hawkes having received a majority of the whole number of votes, was declared duly elected. Concurred in.

Mr. Eborn, from the committee superintending the election of Solicitor for the 5th Judicial Circuit, reported that no one having received a majority of the whole number of votes, there was no election; which was concurred in.

Received from the House of Commons a message, announcing that Messrs. Golding and Fleming form their branch of the committee to superintend the election of Solicitor for the 4th Judicial Circuit, under the joint order to that effect.

On motion of Mr. Francis, a message was sent to the House of Commons, announcing that the hour of 12 o'clock having arrived, the Senate would proceed, on return of the messenger, to the election of Solicitor of the 4th Judicial Circuit.

The Senate then voted as follows, viz.

FOR MR. POINDEXTER,
Messrs. Albright, Bogle, Cameron, Carter, Cowper, Daniel, Francis, Gilmer, Halsey, Melchor, Mills, Moody, Patterson, Stowe, Ward and Woodfin, 16.

FOR MR. NASH,

FOR MR. KERR,
For Mr. WILEY, Messrs. Kelly and Russell, 2.
Mr. Boyd voted for D. W. Courts and Mr. Hester for Cad. Jones, jr.

Received from the House of Commons a proposition, to vote
again forthwith for Solicitor of the 5th Judicial Circuit; which was agreed to, and Messrs. Kerr and Hargrave being appointed the Senate's branch of the committee to superintend the election, the House of Commons were informed thereof. A message was thereupon received from that body announcing that Messrs. Shaw and Trull form their branch of the said committee, and that they would proceed to vote on the return of the messenger.

The Senate then voted as follows, viz.

FOR Mr. STRANGE, Messrs. Ashe, Boyd, Cameron, Drake, Exum, Ferrand, Gavin, Graves, Hargrave, Hawkins, Hester, Hill, Mills, Speight, Stowe, Street, Thompson, Ward, Wilson and Wooten, 20.

For Mr. ASHE, Messrs. Barnard; Bogle, Carter, Daniel, Ehringhaus, Hogan, Howard, Kerr, Melchor, Poindexter, Thomas and Woodfin, 12.

For Mr. CAMERON, Messrs. Albright, Cowper, Eborn, Francis, Gilmer, Gilchrist, Kelley and Russell, 8.

For Mr. MEARES, Messrs. Gilliam, Halsey, McMillan, Moody and Patterson, 5.

Mr. Hogan, from the committee superintending the election of the Solicitor for the 4th Judicial Circuit, reported that no one having received a majority of the votes given, there was no election; in which report the Senate concurred.

Mr. Albright moved that a message be sent to the House of Commons, proposing to vote again forthwith for Solicitor of the 4th Judicial Circuit; which was agreed to, and the message sent accordingly.

A message was received from the House of Commons, proposing to vote on Wednesday next at 12 o'clock for Counsellors of State, and informing the Senate that the names of David W. Saunders, of Onslow; John McLeod, of Johnson; John A. Anderson, of Hertford; Nathaniel W. Roane, of Caswell; Absalom Myers, of Anson; Josiah Cowles, of Surry; and James Lowry, of Buncombe, are in nomination for said office; which was concurred in, and information thereof given to the House of Commons.

Received from the House of Commons a message, agreeing to vote forthwith for Solicitor of the 4th Judicial Circuit, and stating that Messrs. Bullock and Hackney form their branch of the committee to superintend said voting. The House of Commons were informed that Messrs. Carter and Ferrand compose the committee on the part of the Senate.

The Senate then proceeded to vote as follows, viz.
FOR MR. POINDEXTER,

FOR MR. NASH,
Messrs. Ashe, Barnard, Ehringhaus, Ferrand, Hargrave, Hawkins, Hill, Speight, Street, Thomas, 10.

FOR MR. KERR,
For Mr. WILEY, Messrs. Kelley and Russell, 2.
For Mr. COURTS, Messrs. Boyd, Drake and Hester, 3.

Mr. Hargrave, from the committee appointed to superintend the election of Solicitor of the 5th Judicial Circuit, reported that no one having received a majority of the whole number of votes given, there was no election; which was concurred in. A message was then received from the House of Commons, proposing to vote again forthwith; which was agreed to, and Messrs. Street and McMillan appointed the committee on the part of the Senate to superintend the election; and the House of Commons was informed thereof.

Mr. Carter, from the committee appointed to superintend the election of Solicitor of the 4th Judicial Circuit, reported that there was no election; in which report the Senate concurred.

Received from the House of Commons a message, informing the Senate that Messrs. Watters and Williams form their branch of the Committee to superintend the election of Solicitor for the 5th Judicial Circuit, and announcing that the Commons would vote on the return of the messenger.

The Senate then proceeded to vote as follows, viz.

FOR MR. STRANGE,

FOR MR. ASHE.
FOR MR. CAMERON,
Messrs. Albright, Cowper, Eborn, Francis, Gilmer, Gilchrist, Kelley and Russell, 8.

FOR MR. MEARES, Messrs. McMillan and Patterson, 2.

On motion of Mr. Woodfin,
ordered, That a message be sent to the House of Commons, proposing to vote again forthwith for Solicitor of the 4th Judicial Circuit.

Received from the House of Commons a message, transmitting the Report of the Public Treasurer, and proposing that the same be printed for the use of the two Houses, and that the same be referred to the committee on Finance. Agreed to.

A message was received from the House of Commons, concurring in the proposition of the Senate to vote again forthwith for Solicitor of the 4th Judicial Circuit, and announcing that Messrs. Leathers and McMullen form their branch of the committee to superintend the election. The House of Commons were informed that the Senate's branch of said committee consists of Messrs. Albright and Halsey, and that the Senate would proceed to vote on the return of the messenger.

The Senate then voted as follows, viz.

FOR MR. POINDEXTER,

FOR MR. KERR,

FOR MR. NASH,
Messrs. Ashe, Ehriinghaus, Ferrand, Hawkins, Hill, Speight and Street, 7.

For Mr. WILEY, Mr. Russell, 1.
For Mr. COURTS, Messrs. Boyd and Drake, 2.

On motion of Mr. Speight, the Senate adjourned until tomorrow morning, ten o'clock.
The Senate met according to adjournment.

The Speaker announced the following committees on the part of the Senate, under the joint order of the two Houses, viz.

On so much of the Governor’s message, as relates to Agricultural, Geological and Mineralogical survey of the State; Messrs. Woodfin, Mills, Kerr, Drake and Gilliam.

On so much of the Governor’s message, as relates to the act of the General Assembly of Virginia, in relation to the Portsmouth and Roanoake Rail Roads, Messrs. Poindexter, Street, Gilmer and Boyd.

Mr. Exum, presented the pension certificate of William Sasser; which was read, and on his motion, referred to the Committee on Claims.

Mr. Halsey, from the committee appointed to superintend the election of Solicitor of the 4th Judicial Circuit, reported that no one having received a majority of the votes given, there was no election; in which report the Senate concurred.

On motion of Mr. Street,

Resolved, That a message be sent to the House of Commons, proposing to raise a joint committee of five, on the part of each House selected from members representing the Eastern part of the State, whose duty it shall be to inquire into the condition of the laws regulating the inspection of Turpentine, and report by bill or otherwise, such amendments or alterations, as they may suppose necessary and proper.

Mr. Hogan introduced a bill, entitled “A bill to incorporate the Cedar Fall Manufacturing Company;” which was read the first time, and passed.

Mr. Cameron introduced a bill to incorporate the North and South Carolina Rail Road Company; which was read the first time and passed, and on his motion, ordered to be printed, and referred to the committee on Internal Improvements.

Mr. Patterson introduced a bill to incorporate a company to construct a Rail Road from some point on the South Carolina Rail Road, to the town of Charlotte, in Mecklenburg county, to be called the “Charlotte and Camden Rail Road company;” which was read and passed the first time, and, on motion of Mr. Patterson, referred to the committee on Internal Improvements.

Received from the House of Commons a message, pro-
posing to vote forthwith for Solicitor of the 5th Judicial Circuit; which was agreed to, and the House of Commons informed that Messrs. Speight and Kelly form the committee on the part of the Senate to superintend the election.

Received also from the House of Commons a proposition to vote again for Solicitor of the 4th Judicial Circuit, to-day, at 12 o’clock; which was concurred in. Messrs. Melchor and Exum were appointed the committee on the part of the Senate to superintend the election, and the House of Commons informed thereof.

A message was received from the House of Commons, announcing that Messrs. Steel and Williamson form their branch of the committee to superintend the election of Solicitor of the 5th Judicial Circuit, and that the House would proceed to vote on the return of the messenger.

The Senate then voted as follows, viz.

FOR MR. STRANGE,

FOR MR. ASHE,

FOR MR. CAMERON,
Messrs. Albright, Eborn, Francis, Gilmer, Gilchrist, Kelly and Russell, 7.

FOR MR. WINSLOW,

Mr. Ehringhaus introduced a bill to incorporate a volunteer corps of Infantry of the line, styled "The Cossacks;" which was read the first time, passed, and referred to the committee on Military Affairs.

The Speaker announced that Messrs. Howard and Stallings form the committee on the part of the Senate to superintend the election of Counsellors of State, and the House of Commons was informed thereof.

Mr. Woodfin introduced a bill to lay out and establish a Turnpike Road from Raleigh to the line of the State of Georgia; which was read the first time and passed, and, on
motion of Mr. Woodfin, referred to the committee on Internal Improvements.

Mr. Speight, from the committee to superintend the election of Solicitor of the 5th Judicial Circuit, reported that there was no election; which was concurred in.

Received from the House of Commons a message, announcing that Messrs. Smith and Hunt form their branch of the Committee to superintend the election of Solicitor of the 4th Judicial Circuit, and that the House of Commons would proceed to vote on the return of the messenger.

The Senate then voted as follows, viz.

FOR MR. POINDEXTER,

FOR Mr. KERR,

FOR MR. NASH,

For Mr. COURTS, Mr. Drake, 1.

Received from the House of Commons a message, proposing to vote again for Solicitor of the 5th Judicial Circuit; which was agreed to, and Messrs. Howard and Stallings appointed the Senate's branch of the committee to superintend the election, and the House of Commons informed thereof.

A message from that body, announced that Messrs. Regan and Watters form their branch of the committee.

The Senate then proceeded to vote as follows, viz.

FOR MR. STRANGE,

FOR MR. ASHE,
FOR MR. CAMERON,

Mr. Exum, from the committee superintending the election of Solicitor of the 4th Judicial Circuit, reported that there was no election; which report was concurred in.

Received from the House of Commons a message, announcing that their branch of the joint committee on so much of the Governor’s message as relates to the time of holding elections in this State, consists of Messrs. Britton, Charles, Long, Nicholls, and Lemond; and that Messrs. Faucette, Holeman and Courts, form their branch of the joint committee, on so much of the said message as relates to the assessment of lands, and the enlistment of polls, in this State.

Mr. Howard, from the committee appointed to superintend the voting for Solicitor of the 5th Judicial Circuit, reported that there was no election; which was concurred in.

A message from the House of Commons, proposing to vote again forthwith for Solicitor of the 4th Judicial Circuit; which was agreed to, and Messrs. Kerr and Thompson were appointed to superintend said election. And the House of Commons being informed thereof, a message was received from that body, stating that the name of Henry K. Nash is withdrawn from the nomination, and that Messrs. Marshall and Gilliam form their branch of the committee to superintend the said election.

The Senate then voted as follows, viz:

FOR MR. KERR,

FOR MR. POINDEXTER,

Mr. Thompson, from the committee superintending said election, reported that John F. Poindexter having received a majority of the whole number of votes given, was elected
Solicitor of the 4th Judicial Circuit; in which report the Senate concurred.

A message from the House of Commons, proposing to vote again forthwith for Solicitor of the 5th Judicial Circuit; which was agreed to, and the House of Commons informed thereof; and that the name of Mr. Winslow was withdrawn from the nomination, and that Messrs. Ashe and Barnard form the Senate's branch of the committee to superintend said election.

A message was then received from the House of Commons, announcing that Messrs. D. A. Barnes and McMullen form the committee on their part to superintend said election, and that they would proceed to vote on the return of the messenger.

The Senate then voted as follows, viz:

FOR MR. ASHE,

FOR MR. STRANGE,

Received from the House of Commons a message, announcing that the names of the following persons had been added to the nomination of Counsellors of State, viz: Isaac T. Avery, Thomas Bragg, jr., Kimbrough Jones, George D. Baskerville, William Norfleet, Walter F. Leak and John A. Averitt.

Received also from the House of Commons a message, stating that they had ordered the pension certificate of Alexander Taylor to be countersigned by the Speaker, and sent to the Senate; which was read, and ordered to be signed by the Speaker of the Senate. Also a message, stating that the two pension certificates of Capt. John Rhem, and one of Thomas Ewell had been ordered to be countersigned by the Speaker of the House of Commons.

Mr. Halsey moved, that Mr. Patterson be excused from serving on the committee of Internal Improvements; which was not agreed to.
On motion of Mr. Kerr, Mr. Patterson was excused from serving on the committee of Finance.

Mr. Ashe reported from the committee superintending the election of Solicitor of the 5th Judicial Circuit, that Mr. Thomas S. Ashe, having received a majority of the whole number of votes given, was duly elected; which was concurred in.

A message was received from the House of Commons, proposing to vote on to-morrow at 11 o'clock for Attorney General.

On motion of Mr. Moody, the said message was ordered to lie on the table.

A message was sent to the House of Commons, announcing that Messrs. Gilmer, Cameron, Waddell, Halsey and Ashe form the committee on the part of the Senate on so much of the Governor's message as relates to the existing arrangement of the Congressional Districts.

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

Wednesday November 25, 1846.

The Senate met according to adjournment.

A message from the House of Commons, announced that Messrs. Brogden, Ferebee, Golding and Hayes, form their branch of the committee on enrolled bills. Messrs. Daniel and Drake were appointed the committee on the part of the Senate, and information thereof sent to the House of Commons.

Mr. Hogan introduced the following resolution, viz.

Resolved, That the Public Treasurer be authorized to pay James Page one days' compensation at the usual per diem for Door Keeper, and the usual pay for mileage, for his attendance on the Senate.

Which was read the first time and passed.

Mr. Cameron introduced a bill to incorporate the Fayetteville Hotel Company; which was read the first time and passed.
Mr. Halsey introduced a bill to amend the act of the last session, entitled "An act in favor of poor debtors;" which was read the first time, passed, and, on his motion, referred to the committee on Propositions and Grievances.

The Speaker announced that the returns of votes given at the recent election, for and against the establishment of a Penitentiary in this State, had been received, and were at the disposal of the Senate.

On motion of Mr. Wilson, ordered that the same lie on the table.

Mr. Woodfin introduced a bill to provide for holding a Term of the Supreme Court in the Western part of the State; which was read the first time and passed, and ordered to be referred to the committee on the Judiciary.

Mr. Francis presented the memorial of sundry citizens of the county of Cherokee; which, on his motion, was referred to the committee on Cherokee Lands.

Received from the House of Commons a message, stating that Messrs. Rayner, Peebles, Austin and Ellis, form their branch of the committee on so much of the Governor's message as relates to the Legislature of Virginia, touching Rail Roads and incorporated Companies.

A message was received from the House of Commons, proposing to raise a joint select committee to consist of three on the part of each House to investigate the present inspection laws, and revise the same if necessary, and report by bill or otherwise; which was laid on the table, on motion of Mr. Street.

The Speaker announced a communication from the principal Clerks of the two Houses, stating that, under a law of the last session of the Legislature, they had appointed James G. Scott, of Orange, and David Lewis, of Bladen, assistant Engrossing Clerks; which was ordered to be sent to the House of Commons.

Mr. Hogan moved the appointment of a committee on private bills; which was agreed to, and Messrs. Hogan, Hester and Thomas, were appointed by the Speaker.

The bill to incorporate Cedar Fall Manufacturing Company was taken up, and, on motion of Mr. Hogan, was referred to the committee on Private Bills.

The bill to repeal the law incorporating the town of Shelby was taken up, read the second time, and, on motion of Mr. Mills, ordered to lie on the table.

The Senate's branch of the committee on the Library,
consists of Messrs. Russell, Mills and Cowper, and information thereof sent to the House of Commons.

The committee on the part of the Senate, on so much of the Governor's message as relates to the Rail Road bonds, given to secure the State against loss, &c., consists of Messrs. Halsey, Woodfin, Poindexter, Wilson and Ashe.

Mr. Carter moved, that a select committee of three be appointed, to take into consideration so much of the Governor's message as relates to the Swamp Lands, &c.; which was agreed to, and the Speaker appointed Messrs. Carter, Thomas and Thompson.

A message was sent to the House of Commons, announcing that, as the hour of 12 o'clock had arrived, the Senate would proceed, on return of the messenger, to vote for Counsellors of State, and that Messrs. Albright and Hawkins would superintend the election on the part of the Senate.

A message was received from the House of Commons, stating that the committee on their part consists of Messrs. Daney and Washington. The Senate proceeded to vote, when Messrs. Saunders, McLeod, Anderson, Roane, Myers, Cowles and Lowry, received 25 votes each, as follows, viz.


Messrs. Avery, Bragg, Jones, Baskerville, Norfleet, Leak and Averitt, received 20 votes each, as follows, viz.


A message was received from the House of Commons, agreeing to the proposition of the Senate to raise a joint select committee of five on the part of each House, to consider of and report amendments (if thought necessary) to the laws relating to the inspection of Turpentine, and that Messrs. Guion, Williams, Edwards, Watters and Jackson form the committee on their part. Messrs. Street, Eborn, Howard, Ashe and Ferrand, were appointed the committee on the part of the Senate, and information thereof sent to the House of Commons.

Mr. Albright, from the committee appointed to superin-
tend the election of Counsellors of State, reported that Messrs. Saunders, McLeod, Roane, Lowry, Anderson, Myers and Cowles, having each of them received a majority of the whole number of votes, were duly elected.

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

Thursday, November 26, 1846.

The Senate met according to adjournment.

Mr. Patterson presented the petition of sundry citizens of the county of Wilkes, praying that the Legislature will not dismember the Territory of that county; which was referred to the Committee on Propositions and Grievances.

Mr. Patterson, from the committee on Internal Improvements, reported to the Senate the Bill to incorporate the Camden and Charlotte Rail Road Company with sundry amendments; which on his motion, was ordered to lie on the table and be printed.

Mr. Gilchrist introduced a bill to amend an act, entitled "An Act for opening a canal from Cape Fear to Lumber River;" which was read the first time and passed, and on his motion, referred to the committee on Internal Improvements.

Mr. Cowper introduced a bill to incorporate Buck Horn Academy, in the county of Hertford; which was read the first time and passed.

Mr. Ashe introduced a bill to incorporate the North and South Carolina Rail Road company; which was read the first time and passed, and on his motion, referred to the committee on Internal Improvements.

On motion of Mr. Speight,

Ordered, That a message be sent to the House of Commons, proposing that two members be added on the part of each House; to the joint committee on the laws relating to the inspection of Turpentine.

Mr. Patterson presented the memorial of Messrs. Betts, Pusey and Harlen, of the State of Delaware, praying the Legislature to authorize the payment of certain claims they hold a-
against the Raleigh and Gaston Rail Road; which, on motion of Mr. Patterson, was referred to the committee on Claims.

The bill to incorporate the Fayetteville Hotel company, was taken up, read the second time and passed.

On motion of Mr. Wilson,

Resolved, That the communication from the Secretary of State, containing the returns of the Sheriffs of the State for and against the establishment of a Penitentiary, be sent to the House of Commons; and that His Excellency the Governor, be requested to announce officially the result of said returns.

On motion of Mr. Halsey,

Resolved, That a message be sent to the House of Commons, proposing to raise a joint committee on Public Buildings, and that said committee inquire what alterations are necessary in the chimneys, roofs, &c. of the State Capitol, to render the same fire proof; and that they report by bill or otherwise; and also that they inquire into the propriety of permitting beds to be used in any of the rooms of the Capitol.

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

FRIDAY, Nov. 27, 1846.

The Senate met according to adjournment.

Mr. Cameron, from the Committee on Claims, reported in favor of the pension certificate of Theophilus Gardner and William Taylor; which were ordered to lie on the table until tomorrow.

Received from the House of Commons a message, stating that they had passed the engrossed bill "to incorporate the Caldwell Institute, in the town of Hillsborough"; also the engrossed Resolutions, one in favor of certain troops of cavalry, and another "in favor of James H. Wiggins and A. Nicholls"; in which they ask the concurrence of the Senate. The said Bill and resolutions were read the first time and passed; and, on motion of Mr. Graves, the resolution in favor of James H. Wiggins and A. Nicholls, was referred to the committee on Proposi-
tions and Grievances; and, on motion of Mr. Patterson, the resolution in favor of certain troops of cavalry, was referred to the committee on Military Affairs.

Received from the House of Commons a message, agreeing to the proposition of the Senate to add two members on the part of each House to the committee on the laws relating to the Inspection of Turpentine, and announcing that Messrs. J. P. Davis and Swan are the members added on the part of that body. Messrs. Speight and Ward were added to the committee on the part of the Senate, and the House of Commons informed thereof.

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

Saturday, Nov. 28th, 1846.

The Senate met according to adjournment.

Mr. Thompson presented the memorial of John Malone, a free man of color, praying the Legislature to emancipate his wife Cherry and son Edmund; which, together with the certificates of sundry citizens of the city of Raleigh and the recommendation of the Grand Jury of Wake thereto appended, in favor of granting the prayer of the memorialist, were read, and, on motion of Mr. Thompson, referred to the committee on Propositions and Grievances.

Mr. Albright, from the committee on Propositions and Grievances, reported unfavorable to the petition of sundry citizens of the town of Fayetteville, praying the Legislature to emancipate a slave named Samuel Mackey; and the report and memorial were ordered to lie on the table.

Mr. Patterson, from the committee on Internal Improvements, reported to the Senate the bill to incorporate the North and South Carolina Rail Road Company (for the extension of the Raleigh and Gaston Rail Road) with sundry amendments; which were read and ordered to lie on the table; and, on motion of Mr. Cameron, the bill and amendments were ordered to be printed.

Mr. Patterson, from the same committee, reported to the Senate the bill to incorporate the North and South Carolina Rail Road Company (for the extension of the Raleigh and Wilming-
ton rail road) with sundry amendments; which were read, and, on motion of Mr. Ashe, the bill and amendments were ordered to be printed.

Mr. Hogan, from the committee on Private Bills, reported the bill to incorporate Cedar Fall Manufacturing Company, and recommended its passage; and the said bill was ordered to lie on the table.

Mr. Albright, from the committee on Propositions and Grievances, reported the bill to amend an act, entitled “An act in favor of poor Debtors;” also the resolution in favor of James H. Wiggins and A. Nicholls, and recommended their passage; and said Bill and Resolutions were ordered to lie on the table.

Mr. Waddell, from the committee on the Judiciary, reported the bill to provide for holding a Term of the Supreme Court in the Western part of the State, and recommended its passage.

On motion of Mr. Woodfin, the said bill was ordered to be printed, and made the order of the day for Tuesday next.

Mr. Gilmer introduced a bill to amend an act, entitled an act, to amend the Revised Statutes, entitled an act concerning last Wills and Testaments; which was read the first time and passed, and on his motion, referred to the committee on the Judiciary.

Mr. Graves introduced a bill, to incorporate the Trustees of the Dan River Institute in the town of Yancyville; which was read the first time, passed, and referred to the committee of Private Bills.

Mr. Francis introduced the following resolution, viz.

Resolved, That His Excellency the Governor, be requested to transmit to the Senate the report of the Commissioners, appointed under an act of the last Session, entitled “an act to facilitate the collection of Cherokee bonds and other purposes, together with all correspondence had with the Agent on the subject of renting said lands, or any other information in his possession on that subject.

Which was read and adopted.

Mr. Gilmer introduced a bill entitled “a bill, supplemental to an act to secure the State against every and any liability incurred for the Raleigh and Gaston rail road company and for the relief of the same”; which was read the first time and passed, and on his motion, referred to the committee on Internal Improvements.

On motion of Mr. Halsey, the Senate rescinded the order of reference herebefore made of the bonds of indemnity given to secure the State, for liabilities for the Raleigh and Gaston rail road, &c. to a select committee.
Mr. Halsey then introduced the following resolution, viz.

Resolved, That so much of the Governor's message, as relates to the Bonds of indemnity given to secure the State against liabilities for the Raleigh and Gaston rail road, the several acts relating to said Road, together with the disposition of said Road, be referred to a joint select committee of five on the part of each House; and that a proposition to that effect be sent to the House of Commons.

Which was read and adopted.

The Resolution in favor of James Page, was read the second time and passed. Mr. Francis demanded the yeas and nays.

Those who voted in the affirmative, are as follows, viz.


No Senator voted in the negative.

Mr. Francis then moved that the rule be suspended, and that the resolution be read the third time, which was agreed to, and the same having been read, Mr. Francis moved to amend the resolution by adding thereto the following, viz. "and that the Public Treasurer be authorized to pay Samuel J. Finch, for one day's attendance, and mileage at the Session of 1842."

On motion of Mr. Wilson, the resolution and amendment were ordered to lie on the table.

The bill to incorporate Buck Horn Academy, in the county of Hertford, was taken up, read the second time and passed.

The engrossed bill to incorporate the Caldwell Institute in the town of Hillsborough, was taken up and read the second time.

On motion of Mr. Gilmer, ordered that said bill lie on the table.

The pension certificates in favor of Theophilus Gardener and William Sasser, were taken up, read and ordered to be countersigned by the Speaker of the Senate, and sent to the House of Commons.

Received from the House of Commons a message, stating that they had passed the engrossed resolution in favor of Hazzekiah
Turner; which was read the first time, passed, and, on motion of Mr. Patterson, was ordered to be referred to the committee on Claims.

Also a message stating that they had passed the engrossed resolution in favor of William Alexander, and the engrossed bill to repeal an act, entitled an act, to repeal the third section of an act passed in the year 1825, Chap. 1272, entitled an act to direct the manner in which Licenses shall hereafter be issued to retailers of Spirituous Liquors, so far as relates to the counties of New Hanover and Richmond; which were severally read the first time, and passed.

Mr. Ashe introduced a bill to regulate arrests on mesne process 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.

The Speaker announced that Mr. Hogan is added to the committee on Finance, in place of Mr. Patterson, who was excused from serving on the same, by order of the Senate.

The Bill to incorporate the Charlotte and Camden railroad company, and the amendments proposed by the committee on Internal Improvements thereto, were taken up, and on motion of Mr. Street, were made the special order of the day for Monday next.

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

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**Monday, Nov. 30, 1846.**

Senate met according to adjournment.

Mr. Cameron introduced a bill to incorporate the Merchant's Steam Boat company; which was read the first time and passed.

The bill to incorporate Buck Horn Academy in the county of Hertford, was read the third time, passed, and ordered to be engrossed.

The resolution in favor of William Alexander, was read the second time and passed.

Mr. Ehringhaus introduced a bill to incorporate the Perquimons and Pasquotank Guards; which was read the first time, passed, and referred to the committee on Military Affairs.
Mr. Ehringhaus also introduced a bill, to incorporate the Pasquotank Artillerist; which was read the first time, passed, and referred, on his motion, to the committee on Military Affairs.

The bill to amend an act, of the last session, entitled "An act in favor of Poor Debtors," was read the second time, and, on motion of Mr. Halsey, laid on the table.

The report of the committee on Propositions and Grievances, adverse to the memorial of sundry citizens of the town of Fayetteville, was taken up, read, and, on motion of Mr. Waddell, ordered to lie on the table.

The Engrossed Resolution in favor of James H. Wiggins and A. Nicholls, was read the second time and passed.

The bill to incorporate Cedar Falls Manufacturing company was read the second time and passed.

The engrossed bill to repeal an act, entitled an act to repeal the 3rd Section of an act passed in the year 1825, Chap. 1272, entitled an act to direct the manner in which licenses shall hereafter be issued to retailers of Spirituous Liquors so far as regards the counties of New Hanover and Richmond, was read the second time and passed.

A message was received from the House of Commons, concurring in the proposition of the Senate to request his Excellency, Governor Graham, to announce officially the result of the election returns, for and against the establishment of a Penitentiary.

Also a message, stating that Messrs. Fleming, Gambill, George and Harrison form the committee on their part on enrolled bills. Messrs. Cowper and Boyd were appointed on the part of the Senate, and the House of Commons informed thereof.

On motion of Mr. Howard,

 Ordered, That a message be sent to the House of Commons, proposing that the two Houses proceed, at 12 o'clock, on Wednesday next, to the election of Attorney General.

Received from the House of Commons a message, concurring in the proposition of the Senate to raise a joint committee on Public Buildings, who shall enquire what alterations are necessary in the chimneys, roofs, &c., of the Capitol, and report by bill or otherwise; and that the committee on their part consists of Messrs. Walser, Britton, Reid, Long and Holden. The committee on the part of the Senate, consists of Messrs. Halsey, Thompson, Howard and Stowe, and information thereof sent to the House of Commons.
The resolution in favor of James Page was taken up, and the amendment proposed by Mr. Francis, in favor of Sam'l J. Finch, was rejected.

Mr. Graves moved to amend the resolution, by striking out the words "and the usual pay for mileage for his attendance on the Senate"; which was also rejected.

Mr. Hogan called for the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


The resolution then passed the third reading, and was ordered to be engrossed.

The Senate proceeded to the consideration of the order of the day, viz: The bill to incorporate the Camden and Charlotte Rail Road Company, and the amendments proposed thereto by the committee on Internal Improvements. The said amendments were severally agreed to.

Mr. Patterson moved to amend the bill, by adding the following proviso to the 23d section, viz:

Provided, That no depositories or other buildings, authorized by this section, shall be erected within one fourth of a mile of the dwelling house of any individual, without his consent, unless it lie in some town or village either at the terminus or on the line of said road.

Also by adding the following proviso to the 24th section, viz:

Provided further, That the right of condemnation herein granted shall not authorize the said company to invade the dwelling-house, yard, garden, or burial ground of any individual, without his consent.

Which amendments were severally agreed to.
Mr. Francis moved to add to the 24th section, as amended, after the words "right of way," the following, viz:

Provided nevertheless, That if any person or persons whose lands the road may pass, should be dissatisfied with the valuation of said Commissioners, then, and in that case, the person or persons so dissatisfied, may have an appeal to the County or Superior Courts, as in cases of appeal from the judgment of Justices of the Peace.

Also to add the following to the 25th section, viz:

And provided also, That if said road, or any part thereof, should be sold at execution sale for the debt of the said Company or otherwise, then, and in that case, all the right and title to the land which may have been condemned by virtue of this act, shall immediately revert to the original owners; unless the purchaser or purchasers at such sale, shall keep up the road for the use of the public, in the same manner and under the same restrictions as by this act is contemplated the Charlotte and Camden Rail Road Company should do.

Which amendments were severally agreed to.

After several verbal amendments propoposed by Messrs. Patterson, Gilchrist and other Senators, which were agreed to, Mr. Thompson moved to amend the bill, by adding the following section after the 30th section of the original bill, viz:

Be it further enacted, That any Rail Road which shall hereafter be constructed by the State, or by any company incorporated by the Legislature, shall be at liberty to cross the road hereby allowed to be constructed upon a level or otherwise, as may be advantageous.

Provided, That the free passages of the Charlotte and Camden Rail Road is not thereby obstructed.

Which was adopted.

Mr. Thompson also moved to amend the bill, by adding the following after the 34th section, viz:

And be it further enacted, That in case of insolvency of the company hereby created, or ultimate inability on the part of this Corporation to pay, the individual stockholders shall be liable to creditors in sums equal the amount of stock by them respectively held, in said Corporation.
During the consideration and discussion of said amendment, and before the question was taken thereon, the Senate adjourned, on motion of Mr. Tomlinson, until to-morrow morning, ten o'clock.

Tuesday, Dec. 1st, 1846.

The Senate met according to adjournment.

John Walker, Esq., Senator elect from the 39th Senatorial District, composed of the county of Mecklenburg, appeared, produced his credentials, and, on motion of Mr. Stowe, was qualified, and took his seat:

A message was received from the House of Commons, concurring in the proposition of the Senate to refer so much of the Governor's message as relates to the bonds of indemnity to a joint select committee, and that Messrs. Puryear, Hawkins, Washington, Baxter and Bullock, form their branch of the committee. Messrs. Halsey, Woodfin, Wilson, Poindexter and Ashe, form the committee on the part of the Senate, and the House informed thereof.

Also a message, agreeing to the proposition of the Senate to go into an election for Attorney General, on Wednesday, at 12 o'clock, A. M.

Also a message, proposing to raise a joint select committee of three, on the part of each House, to designate the time and manner of comparing the votes cast for Governor at the late August elections; which was agreed to, and Messrs. Graves, Gilliam and Moody, appointed on the part of the Senate, and information thereof sent to the House of Commons.

Received from his Excellency the Governor, a message, transmitting the accounts of Furniture purchased for the Government House; which was, on motion of Mr. Gilmer, ordered to be transmitted to the House of Commons, with a proposition to refer the same to the committee on Finance.

Mr. Patterson presented the memorial of sundry citizens of the county of Wilkes, against the division of said county; which was referred, on his motion, to the committee on Propositions and Grievances.

Mr. Patterson reported from the committee on Internal
Improvements, the bill to amend an act, entitled "an act for a canal from the Cape Fear to Lumber River," and recommending its passage. Ordered to lie on the table.

Mr. Ehringhaus reported from the joint select committee on Military Affairs, the following bills, viz:

A bill to incorporate the Perquimons and Pasquotank Guards; A bill to incorporate a Volunteer Corps of Infantry of the line styled The Cossacs; also a bill to incorporate the Pasquotank Artillery, with sundry amendments; which were read and ordered to lie on the table.

Mr. Halsey, from the committee on Finance, reported that upon a minute and careful examination, said committee found all the accounts in the Treasurer's and Comptroller's Departments correctly stated for the last two fiscal years—and that they had burned the sum of twenty-two dollars and seventy-five cents, in Treasury notes; which were found on hand in the former department.

Mr. Halsey then introduced the following resolution, viz:

Resolved, That Charles L. Hinton, Public Treasurer, be allowed in the settlement of his accounts, twenty-two dollars and seventy-five cents, the amount of Treasury Notes counted and burned by the present committee on Finance.

Which was read the first time, and passed.

Mr. Francis introduced the following resolution, viz.

Resolved, That Samuel J. Finch, principal Door Keeper of the House of Commons, in 1840, and who attended and officiated as Door Keeper for one day at the organization of the House of Commons in 1842, be allowed, his mileage and pay for one days attendance at that Session; which was read the first time and passed.

Mr. Francis also introduced the following resolution, viz.

Resolved, That the Public Treasurer be, and he herein is authorized and required to correspond with the Bank of the State and the Bank of Cape Fear, and ascertain whether they will, at the Principal Banks and at their Branches and Offices of Deposit or agencies, act as Agents for the State, to receive on deposit from the several Sheriffs or Coroners, the amount of Taxes payable yearly (subject to the check of the Public Treasurer) from each of said Sheriffs or Coroners into the Public Treasury; and that said Banks, branches or offices of Deposit, will report to the Treasurer or Comptroller, as the case may be, any default in either of said offi-
ces, under the law now in force, or that may hereafter be enacted for the collection of the Revenue of the State.

Which was adopted.

Mr. Speight introduced a bill to restrain pauper Free Negroes from removing from one county to another; which was read the first time, passed, and on his motion, ordered to be referred to the committee on Propositions and Grievances.

On motion of Mr. Francis,

Ordered, That the committee of Finance inquire into the expediency of destroying all vouchers heretofore passed upon by them now accumulating in the Comptroller's office, and that they report by bill or otherwise.

Mr. Gilmer introduced a bill concerning the trial of causes in the Supreme Court; which was read the first time, passed, and ordered to be referred to the committee on the Judiciary.

Mr. Carter introduced a bill to authorize the laying off and establishing a Turnpike road from Mattimuskeet Lake, in Hyde county, and at the head of Carter and Spencer's canal, to Columbia, in Tyrrell county; which was read the first time, passed, and referred to the committee on Internal Improvement.

Mr. Waddell introduced a bill for declaring the true intent and meaning of an act passed at the Session of the General Assembly, begun and held on Monday the 16th day of November, 1840, entitled "an act to amend the Revised Statutes, entitled "an act for preventing frauds and fraudulent conveyances, and to repeal the third section thereof;" which was the first time, passed and referred to the committee on the Judiciary.

Mr. Street introduced a bill to regulate the appointment of Principal Clerks of the two Houses, and for other purposes; which was read the first time and passed.

The resolution in favor of William Alexander, was read the third time, and, on motion of Mr. Patterson, laid on the table.

On motion of Mr. Halsey,

Ordered, That a message be sent to the House of Commons, proposing that the two Houses proceed to-morrow at half past 11 o'clock, A. M. to the election of Comptroller; and at half past 12 o'clock of the same day, to the election of Public Treasurer; and announcing to that House that William F. Collins is in nomination for the former, and Charles L. Hinton for the latter appointment.
The Senate, on motion of Mr. Francis, then proceeded to the
consideration of the unfinished business of yesterday, viz.—
The bill to incorporate the Camden and Charlotte rail road
company, and the amendment proposed by Mr. Thompson.
The said amendment was rejected, yeas 19, nays 29. Mr.
Speight demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Albright, Barnard, Boyd, Drake, Exum, Ferrand, Gavin,

Those who voted in the negative are,

Messrs. Ashe, Bogle, Cameron, Carter, Cowper, Daniel, Eborn,
Ehringhaus, Francis, Gilliam, Gilmer, Gilchrist, Halsey, Hill,
Hogan, Howard, Kelly, Kerr, McMillan, Melchor, Mills, Moody,
Patterson Poindexter, Street, Thomas, Waddell, Woodfin and Walker, 29.

Mr. Ehringhaus moved to amend the bill by adding the fol-
lowing to the 23rd section, viz.

"Nor without making a draw in any bridge of said road which
may cross a navigable stream sufficient for the passage of ves-
sels navigating said stream; which draw shall be opened by the
company for the free passage of vessels navigating such stream;"
which was adopted.

The bill, as amended, was then read the second time and
passed.

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

WEDNESDAY, DECEMBER 2, 1846.

The Senate met according to adjournment.

A message was received from the House of Commons, stat-
ing that Messrs. Brower, McDowell and Leathers, form their
branch of the committee to designate the time and manner of
comparing the vote cast for Governor at the last election.

Mr. Ehringhaus reported, from the committee on Military Af-
fairs, a bill to regulate the distribution of the Public Arms; which was read the first time and passed.

Mr. Albright reported, from the committee on Propositions and Grievances, against the bill to restrain pauper ‘free negroes from moving from one county to another. Ordered to lie on the table.

Mr Albright, from the same committee, reported to the Senate a bill to lay off and establish a new county by the name of Gaston, with sundry amendments thereto. Ordered to lie on the table.

On motion of Mr. Ehringhans,

Ordered, That the door keeper be instructed to have the outer door of the Senate chamber covered with green baize and place curtains over the windows on the lower floor of the Senate chamber.

Received from the House of Commons a message, agreeing to vote this day at half past 11 o’clock, A. M. for Camptroller; and at half past 12 o’clock P. M. for Treasurer.

Mr. Melchor introduced a bill to enable the people of Stanly county to restore their records and papers, which were lost in the burning of the court house and Clerk’s office of Montgomery county; which was read the first time and passed.

Received from His Excellency the Governor, a message in answer to the call of the Senate, for information relative to the renting of Cherokee lands, &c.; which was read, and, on motion of Mr. Francis, referred to the committee on Cherokee lands.

The resolution in favor of James H. Wiggins and A. Nicholls, and the engrossed bill to repeal an act entitled “an act to repeal the 3rd section of an act, passed in the year 1825, chap. 1272, entitled an act to direct the manner in which licenses shall hereafter be issued to Retailers of Spirituous Liquors, so far as regards the counties of New Hanover and Richmond,” were severally read the third time, passed and ordered to be enrolled.

The bill to incorporate Cedar Fall Manufacturing company, was read the third time, passed and ordered to be engrossed.

The bill to amend an act, entitled “an act for a canal from Cape Fear to Lumber River, was read the second time and passed.

Mr. Waddell moved that a message be sent to the House of Commons, proposing to postpone the election of Attorney General until Friday next; which was not agreed to, yeas 22, nays 25: the yeas and nays were demanded by Mr. Hawkins.
Those who voted in the affirmative are,


Those who voted in the negative are,


On motion of Mr. Wilson, a message was sent to the House of Commons, stating that Spear Whitaker is in nomination for Attorney General; on motion of Mr. Moody, B. F. Moore, and on motion of Mr. Halsey, Edward Stanley, were added to the nomination, and the House of Commons informed thereof.

A message from the House of Commons, stating that the hour having arrived, that body would proceed, on return of the messenger, to vote for Comptroller, and that Messrs. Harrison and Waddell form their committee to superintend said election. Messrs. Howard and Walker were appointed on the part of the Senate, and information given to the House of Commons. The Senate then proceeded to vote as follows, viz.

FOR MR. COLLINS,


Mr. Street voted for Mr. BUSBEE.

Mr. Howard reported that Mr. Collins, having received all the votes given but one, was duly elected Comptroller of the State.

Mr. Waddell, from the committee on the Judiciary, reported the following bills, viz.

A bill to regulate arrests on mesne process in North Carolina, and recommended its rejection. Also a bill supplemental to an act entitled an act to secure the State against liability incurred for the Raleigh and Gaston Rail Road
Company, and for the relief of the same; and a bill to amend an act entitled an act to amend the Revised Statutes, entitled an act concerning last Wills and Testaments, and recommending their passage. The said bills and reports were ordered to lie on the table.

The Senate then proceeded to the consideration of the orders of the day, viz.

A bill to provide for holding a term of the Supreme Court once a year in the Western part of the State; which was read the second time.

Mr. Daniel moved to amend the bill, by striking out the names of "Anson and Montgomery," wherever they occur, and inserting "Union and Stanley," which was agreed to.

The consideration of the bill was then suspended, to receive a message from the House of Commons, stating that the hour having arrived, that body would proceed to the election of Attorney General, and that Messrs. Bullock and Hackney form the committee on their part to superintend it. Messrs. Melchor and Hargrave were appointed on the part of the Senate, and information thereof sent to the House of Commons.

The Senate then proceeded to vote as follows, viz.

**FOR MR. WHITAKER,**

**FOR MR. MOORE,**
Messrs. Speaker, Cowper, Francis, Gilliam, Gilchrist, Hogan, Kelly, Melchor, Moody, and Patterson, 10.

**FOR MR. STANLY,**

Messrs. Albright and McMillan voted for Mr. KERR. Mr. Ehringhaus, for Mr. ELLIOTT. Mr. Gilmer, for Mr. MILLER. Mr. Waddell for Mr. GILMER, and Mr. Woodfin for Mr. WADDELL.

Mr. Melchor then reported that no one having received a majority of the whole number of votes given, there was no election; which was concurred in.
The hour having arrived, the two Houses proceeded to the election of Public Treasurer, Messrs. Holeman and Pe-
gram forming the committee on the part of the House, and and Messrs. Wooten and Gilchrist on the part of the Se-
nate.

The Senate voted as follows, viz.

FOR MR. HINTON,

Messrs. Drake and Street, voted for Mr. BUSBEE.

Mr. Wilson moved that a message be sent to the House of Commons, proposing to vote again for Attorney General; but before the question was taken thereon, on motion of Mr. Francis, the Senate adjourned until to-morrow morning ten o'clock—yeas 24; nays 20.

Mr. Street demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative are


Thursday, December 3, 1846.

The Senate met according to adjournment.

Mr. Albright, from the committee on propositions and Grievances, reported "a bill to authorize John Malone, a
free man of color, to emancipate his wife Cherry, and his son Edmund, upon certain conditions;" which was read the first time and passed.

Mr. Cameron, from the committee on Claims, reported the resolution in favor of Hesekiah Turner, and recommended its adoption. "Ordered to lie on the table.

Mr. Halsey, from the committee on Finance, reported that said committee had compared the accounts exhibited for expenditures for the Government House, with vouchers in the Comptroller's office, and found the same correct; and that the money so paid had been properly applied. Concluded in.

Mr. Gilchrist, from the committee to superintend the election of Treasurer of the State, reported that Charles L. Hinton was duly elected. Concluded in.

Mr. Ehringhaus reported from the committee on Military Affairs, a bill to regulate the appointment of field Officers of Regiments of Volunteers, called into the service of the United States. Ordered to lie on the table.

On motion of Mr. Albright,

Ordered, That the committee on the Judiciary be instructed to enquire into the expediency of so amending the laws as to prevent the deadening of timber within twenty feet of any public road.

Mr. Patterson introduced the following resolutions, viz.

Resolved. That the Public Treasurer be requested to communicate to the Senate, at as early a day as practicable, a condensed statement, exhibiting at one view, the amount of Bank, Rail Road, Turnpike and Navigation Stocks owned by the State, together with their present or last ascertained value, with the average annual dividends (if any) received therefrom for the last three years; also to what particular fund the said stocks belong, and to which the dividends may be appropriated.

Resolved further, That the Public Treasurer be requested to furnish a like statement, showing the amount of liabilities of the State, on account of indorsements for Rail Road Companies, the periods at which these liabilities become due, together with the amount falling due at each specified period.

Which were read and adopted.

Mr. Ehringhaus introduced a bill to regulate the issuing of process in certain cases; which was read the first time and passed.
Mr. Francis presented the memorial of sundry citizens of Cherokee county, praying the Legislature to allow them a small portion of land as a Burial Ground; which was referred to the committee on the Judiciary, with instructions to report a bill in conformity with the prayer of the memorialists.

A message was received from the House of Commons, proposing to vote at 12 o'clock, this day, for Attorney General, which was agreed to, and Messrs. Mills and McMillan were appointed the committee on the part of the Senate to superintend the election, and the House of Commons informed thereof.

Mr. Bogle presented a memorial from the members of the Board of Superintendents of Common Schools for the county of Iredell; which, on his motion, was referred to the committee on Education and the Literary Fund.

Mr. Cowper introduced a bill to repeal an act entitled "an act, passed at the last General Assembly of North Carolina, Session 1844-5, chap. 31, more effectually to prevent the imprisonment of honest debtors; which was read the first time and passed.

Mr. Ashe presented the following resolution, viz.

Resolved, That the joint committee on Finance be instructed to report on the expediency of laying a State tax on all ships and vessels propelled by steam or sail, whether at home or abroad; all public stocks, securities, stocks in Turnpikes, ferries and bridges, and in all moneyed corporations, whether within or without the State; and all monies at interest due the persons to be taxed more than they pay interest for, as due from others to them, whether the money, on which interest is paid, is due either within or without the State.

Mr. Wilson moved to amend the resolution; by inserting the words "owned by citizens of this State," after the words "steam or sail;" which was agreed to, and the resolution, as amended, was adopted.

Received from the House of Commons the resignation of Charles Harrison, a Justice of the Peace for the county of Edgecomb; which was read and accepted.

Also a message agreeing to refer the message of the Governor and the papers of John Nesbitt accompanying the same, to the Joint Select committee on the rail road bonds of indemnity, &c.

Mr. Francis moved to send a message to the House of Commons, proposing to rescind the joint order to vote again.
for Attorney General, this day, at 12 o'clock; which was rejected—yeas 21, Nays 26.

Mr. Hawkins demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


The bill to regulate the distribution of the Public Arms, was read the second time and passed.

The bill to enable the people of Stanly county to restore their records and papers, was read the second time and opened for amendment; but the further consideration thereof was suspended to receive a message from the House of Commons, stating that Messrs. E. P. Miller and Austin form their branch of the committee to superintend the election of Attorney General, and that they would proceed to vote on the return of the messenger.

The Senate voted as follows, viz.

FOR MR. WHITAKER,

FOR MR. MOORE,
Messrs. Speaker, Bogle, Cowper, Ehringhaus, Gilliam, Gilchrist, Kelly, Melchor, Moody and Patterson, 10.

FOR MR. STANLY,

FOR MR. KERR,

Mr. Francis voted for Mr. MILLER.
The Senate then proceeded to the consideration of the order of the day, viz.

The bill to establish a term of the Supreme Court, once a year, in the western part of the State.

Mr. Gilmer moved to amend the bill, by striking out the seventh section; which was agreed to.

Mr. McMillan then moved to amend the bill, by adding the following proviso to the second section, viz.

*Provided however, That all appeals taken from any of said Superior Courts of Law, at the Fall Term thereof, in criminal cases where the defendant shall be confined in prison pending the appeal, shall be returned to, and heard and determined by the Supreme Court holding its sessions at Raleigh, as heretofore.*

Which was adopted.

The bill, as amended, passed its second reading—yeas 25, nays 20.

Mr. Hester demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


Mr. Mills, from the committee superintending the election of Attorney General, reported that there was no election; which was concurred in.

Received from the House of Commons a message, proposing to vote again, on to-morrow, at 12 o'clock, for Attorney General. Concluded in.

A message was received from his Excellency the Governor, transmitting the report of the Rev. Doctor Mitchell, the engineer appointed under an act of the last session of the Legislature, to make a survey for a Turnpike Road from Raleigh to the Buncombe Turpikes; which, on motion of Mr. Woodfin, were ordered to be sent to the House of Com-
mons, with a proposition to refer the same to the committee on Internal Improvements, and that they be printed.

The Senate, on motion of Mr. Patterson, took up for consideration the bill to incorporate the Camden and Charlotte Rail Road Company; which was read the third time.

Mr. Wilson moved to amend the bill, by adding thereto the following sections, to wit:

Be it further enacted, That the President and Directors of said Company shall not commence work on said road, until one half the amount of stock hereby authorized to be subscribed shall be actually paid in; and the whole amount of debts due by said company at any one time, shall not exceed twenty-five per cent. of the capital stock paid in.

Be it further enacted, That it shall be the duty of the President and Directors of said Company, to report the amount of stock so subscribed and paid in, and annually on the first Monday of November in each and every year, the amount of debts due by said Company to the Governors of the State of North Carolina and South Carolina respectively, which they shall cause to be published in one or more Newspapers in the Cities of Raleigh and Charleston.

Before the question was taken on said amendment, the Senate, on motion of Mr. Thompson, adjourned until to-morrow morning, ten o'clock.

Friday, Dec. 4, 1846.

The Senate met according to adjournment.

Received from the House of Commons a message, stating that they had ordered the pension certificates of Theophilus Gardiner and William Sasser to be countersigned by the Speaker of that House, and returned to the Senate; also that they had passed the engrossed bill to establish a new county by the name of Gastion, and to annex a part of the county of Catawba to the county of Lincoln; in which they ask the concurrence of the Senate.

Mr. Walker presented the pension certificate of Martha Thompson; which was read and ordered to be countersigned by the Speaker of the Senate, and transmitted to the House of Commons.
Mr. Woodfin presented the petition of William J. Brown, agent and attorney of the Devisors of William Cathcart and others; which, on his motion, was referred to the committee on Claims.

Mr. Street, from the Joint Select Committee on the laws relating to the inspection of Turpentine, reported "a bill to amend the laws relating to the inspection of Turpentine." Ordered to lie on the table.

Mr. Thomas introduced "a bill to incorporate Franklin Institute, in the county of Franklin," which was read the first time and passed.

The bill to regulate the distribution of the Public Arms, was read the third time and passed, and ordered to be engrossed.

Mr. Ehringhaus presented "a bill to regulate the removal of hands liable to work on the public roads from one road to another," which was read the first time and passed.

The Senate then proceeded to the consideration of the unfinished business of yesterday, viz. the amendment introduced by Mr. Wilson to the bill to incorporate the Camden and Charlotte rail road company. Before the question was taken thereon, a message was received from the House of Commons, stating that the hour for the election of Attorney General having arrived, that body would proceed to vote on the return of the messenger, and that Messrs. Nicholls and Austin form their branch of the committee. Messrs. Kerr and Stallings were appointed on the part of the Senate, and the House of Commons informed thereof.

The Senate then voted as follows, viz.

FOR MR. WHITAKER,

FOR MR. STANLY,

For Mr. MOORE, Messrs. Speaker, Cowper and Moody, 3.
Mr. Francis voted for FELIX AXELY, Esq.

Mr. Mills reported from the committee superintending the e-
lection of Attorney General, that no person having received a majority of the whole number of votes given, there was no election; which was concurred in.

A message from the House of Commons was then received, proposing to vote again forthwith for Attorney General; which was concurred in, and Messrs. Stowe and Carter appointed to superintend the election on the part of the Senate. The committee on the part of the House consists of Messrs. Bullock and Fagg; and the Senate proceeded to vote as follows, viz.

FOR MR. WHITAKER,

FOR MR. STANLY,

FOR MR. MOORE,
Messrs. Speaker, Cowper, Francis and Moody, 4.

The Senate then resumed the consideration of the amendment proposed by Mr. Wilson to the bill to incorporate the Camden and Charlotte rail road; and after some time passed thereon, on motion of Mr. Graves, the bill and amendment were ordered to lie on the table until to-morrow.

Mr. Carter, from the committee superintending the election of Attorney General, reported that no one having received a majority of the whole number of votes, there was no election; which was concurred in.

On motion of Mr. Wilson,
Ordered, That a message be sent to the House of Commons, proposing to vote again forthwith for Attorney General.

A message was received, announcing their concurrence in the proposition, and stating that Messrs. W. F. Jones and Stone form their branch of the committee to superintend the election. Messrs. Hogan and Hester were appointed on the part of the Senate, and information sent to the House of Commons.

The Senate then proceeded to vote as follows, viz.

FOR MR. WHITAKER,
Messrs. Ashe, Boyd, Cameron, Drake, Exum, Ferrand, Gavin,
JOURNAL OF THE SENATE.


FOR MR. STANLY,

FOR MR. MOORE,
Messrs. Speaker, Cowper and Moody, 3.

Mr. Francis introduced the following resolution, viz.

Resolved, That so much of the report of the Commissioners of Cherokee lands as gives the amount of sales in 1856 and 1838; the valuation of said lands; also the amount paid and the value of bonds declared to be insolvent, the quantity of lands surrendered under the act of the last Session, together with the amount of insolvent debts now due for Cherokee lands, be printed.

Which was read and adopted.

The bill to provide for the holding a Session of the Supreme Court once a year in the Western part of the State, was read the third time, passed and ordered to be engrossed, yeas 22, nays 22. (The Speaker voting for the bill.) Mr. Hawkins demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


On motion of Mr. Tomlinson, the Senate then adjourned until to-morrow morning, ten o'clock.
Saturday, Dec. 5th, 1846.

The Senate met according to adjournment.

Received from the House of Commons a message, agreeing to the proposition of the Senate to print the message of his Excellency Governor Graham, and the report of E. Mitchell, Engineer, respecting Turnpikes, &c., and to refer the same to the committee on Internal Improvements. Also transmitting to the Senate the annual report of the Bank of Cape Fear, with a proposition that it be printed for the use of the two Houses; which was concurred in.

Also a message, stating that the House of Commons had passed the engrossed bill, entitled "a bill to incorporate a corps of Cavalry in the county of Sampson, and asking the concurrence of the Senate. Ordered to lie on the table.

Mr. Hogan, from the committee superintending the election of Attorney General, reported that no one having received a majority of the whole number of votes given, there was no election.

Mr. Halsey, from the committee on Finance, to whom was referred a resolution instructing them to inquire into the expediency of destroying the old vouchers in the Comptroller's office, reported that it would be inexpedient to destroy the same; in which report the Senate concurred.

On motion of Mr. Stowe, the engrossed bill to establish a new county by the name of "Gaston," and to annex a part of the county of Catawba to the county of Lincoln, was taken up, read the first time and passed, and ordered, on motion of Mr. Cameron, that the rules be suspended, and the bill be read the second time. The bill was then read the second time, and passed. On motion of Mr. Stowe, the bill was read the third time, passed, and ordered to be enrolled.

Mr. Patterson moved to re-consider the vote; which was not agreed to.

The bill to enable the people of Stanly county to restore their records and papers, which were lost in the burning of the Court House and Clerk's Offices of Montgomery county, was read the second time, and passed.

Received from the House of Commons a message, proposing to vote again forthwith for Attorney General; which was concurred in, and Messrs. Street and Ehlinghaus appointed to superintend the election, and information having been sent to the House of Commons, a message was receiv-
ed, stating that Messrs. Skinner and Hall form their branch of the committee.

The Senate then voted as follows, viz.

FOR MR. WHITAKER,

FOR MR. STANLY,

For Mr. MOORE, Messrs. Speaker, Cowper and Moody, 3.
Mr. Ferrand voted for Mr. McRAE.

Mr. Ehringhaus, from the committee that superintended the election of Attorney General, reported that no one having received a majority of the votes, there was no election.

Mr. Francis introduced the following resolution, viz.

Resolved, That the Speaker shall, on this day, open the returns for Governor, and declare to the Senate under the law now in force, who is duly elected Governor, according to such returns.

Which was ordered to lie on the table.

The Senate then proceeded to the consideration of the unfinished business of yesterday, viz: the amendment proposed by Mr. Wilson to the bill to incorporate the "Charlotte and Camden Rail Road Company.

Before the question was taken thereon, the further consideration of the same was suspended to receive a message from the House of Commons, proposing that the two Houses proceed, on Friday next, to vote again for Attorney General; which proposition was not concurred in.

The question was then taken on the amendment proposed by Mr. Wilson, to the bill to incorporate the Charlotte and Camden Rail Road Company, and decided in the negative—yeas 17, nays 28.

Mr. Street demanded the yeas and nays.
Those who voted in the affirmative are,


Those who voted in the negative, are


The bill then passed its third reading, and was ordered to be engrossed.

Received from the House of Commons a message, transmitting a message from his Excellency the Governor, and the report of the President and Directors of the Literary Fund, with a proposition to print the same. Concurred in.

A message was also received from the House of Commons, stating that they had passed the following resolution reported by the joint select committee on the subject of counting and comparing the votes given at the election for Governor; in which they ask the concurrence of the Senate, viz:

Resolved That the two Houses of the General Assembly shall assemble in the hall of the House of Commons, on Monday, the 7th of December, A. D. 1846, at 12 o'clock M.; that one member shall 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 Journals of the two Houses.

Which was concurred in.

The Speaker announced a message from his Excellency the Governor, transmitting a duplicate of the letter of the Secretary of War, containing a requisition from the Presi-
dent of the United States for a Regiment of Volunteer Infantry, to aid in the prosecution of the existing war with Mexico, and a copy of the general order from the Executive Department, in relation to said requisition.

On motion of Mr. Francis, the said message and accompanying documents were ordered to be sent to the House of Commons, with a proposition to refer the same to the committee on Military Affairs.

On motion of Mr. Francis, the Senate adjourned until Monday Morning, 10 o'clock.

Monday, Dec. 7th, 1846.

The Senate met according to adjournment.

The Speaker announced Mr. Patterson as the Teller on the part of the Senate to examine the returns, and make a list of the votes for Governor at the late election; and the House of Commons were informed thereof.

A message was sent to the House of Commons, stating that Messrs. Ehrlinghaus and Ashe form the committee on enrolled bills on the part of the Senate for the week.

On motion of Mr. Patterson,

Resolved, That the committee on Finance be instructed to inquire into the expediency of increasing the Tax on Retailers of Spirituous Liquors by the small measure; and that they report by bill or otherwise.

On motion of Mr. Halsey,

Resolved, That the committee on the Judiciary be instructed to inquire into the necessity of so amending the law relating to landlord and tenant, as to give more expeditious process to landlords for the removal of tenants holding over, after the expiration of their term.

Mr. McMillan introduced the following resolution, viz.

Resolved, That the Secretary of State be directed to issue a Grant to Owen Lizemore, of the county of Wilkes, for seventy-
five acres of land by him entered and paid for in the year 1835, as will appear by Treasurer's receipt, on warrant No. 4875.

Referred to the committee on Claims.

Mr. Graves, from the committee on the Judiciary, to whom the subject was referred, reported "a bill to prevent the deadening of standing trees near the public highways;" which was read the first time and passed.

Mr. Ashe introduced a bill to authorize the Commissioners of the town of Wilmington to borrow two hundred thousand dollars, and for other purposes; which was read the first time and passed. Ordered that said bill, together with the accompanying papers, be referred to the committee on the Judiciary.

On motion of Mr. Ehringhaus, the bill to regulate the appointment of Field Officers of Regiments of Volunteers, called into the service of the United States, was taken up, read the second time, and passed.

The Senate then proceeded, on motion of Mr. Cameron, to the consideration of the bill to incorporate the North and South Carolina Rail Road Company, and the report of the committee on Internal Improvement thereon. The amendments reported by said committee were concurred in.

On motion of Mr. Patterson, the bill was amended, by adding the following proviso to the 14th section, viz.

Provided, That no Work shop, Depot, Water Station, or other building shall be erected within one fourth of a mile of any Dwelling-House, without the owner's consent, unless it be in some City, Town or Village, on the line of said Rail Road.

Mr. Patterson moved further to amend the bill, by adding the following to the 31st section, viz.

Provided, That if any bridge shall be constructed by said Rail Road Company, over any navigable stream, they shall provide a suitable draw in said bridge, of sufficient width to admit, at all times, the free passage of such vessels as may navigate said stream; which draw shall be opened at all times, when required, by some agent of the said Company, and at their expense.

Which was agreed to.

After several additional amendments were agreed to, the
further consideration of the bill was suspended to receive from the House of Commons a message, stating that the hour of 12 o'clock having arrived, the House of Commons were ready to receive the Senate in their Hall, for the purpose of counting and comparing the votes for Governor, as heretofore agreed on, between the two Houses.

The Senate then repaired to the Commons Hall. Mr. Speaker Joyner made the following announcement to the convention of the two Houses:

Gentlemen of the Senate and of the House of Commons:

In fulfilment of the joint agreement of the two Houses, here assembled, and as authorized and required by law—I shall now proceed to open the returns made, by the Sheriffs of the State, of votes given at the last election, in August, for Governor.

The returns were then opened, and the votes counted and compared, in the presence of the convention of the two Houses, under the inspection of Messrs. Nicholls and Courts, Tellers on the part of the House of Commons, and Mr. Patterson, Teller on the part of the Senate. And Mr. Patterson, in behalf of the Tellers, reported the result, as follows, viz:

<table>
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<tr>
<th>Counties</th>
<th>Wm. A. Graham</th>
<th>Jas. B. Shepard</th>
</tr>
</thead>
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<td>332</td>
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<tr>
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<td>Moore</td>
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<td>Nash</td>
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<tr>
<td>Pasquotank</td>
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<td>Perquimons</td>
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<tr>
<td>Pitt</td>
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<td>Rutherford</td>
<td>1269</td>
<td>231</td>
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<tr>
<td>Sampson</td>
<td>504</td>
<td>-692</td>
</tr>
</tbody>
</table>
Whereupon the following announcement was made by the President of the General Convention of the two House, viz.:

"Gentlemen of the Senate and House of Commons: The returns of votes made by the several Sheriffs given at the election held 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 to make a list of the votes given, have performed the duty assigned them, and have reported, through their chairman, that forty-three thousand and four hundred and eighty-six votes were given for William A. Graham, the present Governor of the State, being the highest number of votes given to any person; and that thirty-five thousand six hundred and twenty-seven votes were given for James B. Shepard, of Wake county.

No objection having been made to the said report, I declare that William A. Graham is duly elected Governor of the State of North Carolina for two years from the first of January next.

A. JOYNER,
Speaker of the Senate."

The members of the Senate then returned to the Senate Chamber, and, on motion of Mr. Cameron, the consideration of the bill to incorporate the North and South Carolina rail road company, was resumed. The bill passed the second reading—yeas 25, nays 13. Mr. Drake demanded the yeas and nays.

Those who voted in the affirmative, are

Messrs. Albright, Bogle, Cameron, Cowper, Carter, Daniel, Eborn, Francis, Gilmer, Gilchrist, Halsey, Hogan, Kelly,

Those who voted in the negative are.


On motion of Mr. Francis, the rules were suspended, and the bill was read the third time, passed and ordered to be engrossed.

Received from the House of Commons a message, stating that their branch of the committee on enrolled bills for the week consists of, Messrs. Hackney, Jackson, Gwynn and Kelly.

Received from His Excellency the Governor a message, transmitting the field book and plats of survey of the proposed Turnpike from Raleigh and Fayetteville westward to the Georgia line; which, on motion of Mr. Francis, were ordered to be sent to the House of Commons and referred to the committee on Internal Improvement.

On motion of Mr. Halsey, the Senate adjourned until tomorrow morning, 10 o'clock.

Tuesday, Dec. 8th, 1846.

The Senate met according to adjournment.

The Speaker laid before the Senate a communication from the Board of Directors of the Petersburg rail road company, and a series of resolutions passed by said board, applying for authority to subscribe for stock in the companies, to be formed for the extension of the Wilmington and Raleigh rail road and the Raleigh and Gaston rail road; which were referred, on motion of Mr. Patterson, to the committee on Internal Improvement.

Received from the House of Commons a message, stating that they had ordered the pension certificate of Martha Thompson to be countersigned by the Speaker of that House and returned to the Senate.

Also a message agreeing to the proposition of the Senate to
refer the message of His Excellency, the Governor, enclosing a duplicate of the letter of the Secretary of War containing a requisition of the President of the United States for a Regiment of Volunteer infantry, and also a copy of an order from the Executive Department, issued in consequence thereof, to the joint committee on Military Affairs.

Also a message, stating that the House of Commons had passed the following resolution, in which they ask the concurrence of the Senate, viz,

Resolved, That the 15th joint rule for both Houses be so amended as to read as follows. "Whenever either House shall order any paper or document to be printed, it shall be printed in octavo form, on good paper, and with fair type; and those documents ordered to be printed by the Senate shall be printed as Senate documents, and numbered in regular order; and those ordered to be printed in the House of Commons shall be printed as House documents, numbered in regular order, except when communications are made to either House by the Governor, Treasurer, Comptroller or Secretary of State, and ordered to be printed; they shall be designated as Executive Documents; and said documents or papers shall be distributed in the following manner: One copy thereof to each member of the General Assembly, one copy to the Clerks of each House for the use thereof, and ten copies shall be deposited in the Public Library."

Which was read and concurred in by the Senate.

Mr. Woodfin, from the Committee on the Judiciary, to whom was referred a Resolution instructing them to inquire into the expediency of so amending the law relating to landlord and tenant, as to give more expeditious process to landlords for the removal of tenants in certain cases, reported that the subject did not require further legislation, and asking to be discharged from its further consideration; which report was concurred in and the committee discharged.

Mr. Waddell, from the committee on the Judiciary, to whom was referred "a bill to regulate the issuing of process in certain cases," reported the same without amendment, and recommended its passage; which was ordered to lie on the table.

Mr. Waddell, from the same committee, reported the bill which was referred to them, concerning the trial of causes in the Supreme Court, without amendment, and recommended its passage. The bill and report were ordered to lie on the table.
Mr. Patterson, from the committee on Internal Improvements, to whom was referred a bill to authorize the laying off and establishing a Turnpike road from Mattamustee Lake in Hyde county, and at the head of Carter and Spencer’s canal to Columbia in Tyrrell county, with sundry amendments. The bill and amendments were ordered to lie on the table.

Mr. Bogle introduced “a bill to incorporate the town of Statesville;” Mr. Drake, “a bill for the better regulation of the town of Nashville in Nash county;” Mr. Gilchrist, “a bill to authorize John Rowland to collect arrears of Taxes;” Mr. Kelly, “a bill to appoint Commissioners for the town of Carthage, in the county of Moore, and to incorporate the same;” Mr. Halsey, “a bill to amend an act passed in 1823, entitled an act to exempt certain citizens of Tyrrell county from public duty,” which bills were severally read the first time and passed.

Mr. Kelly introduced a bill to give exclusive jurisdiction to the Superior Courts of Moore county, and for the better regulation of the County Courts of said county; which was read the first time, passed, and ordered to be referred to the committee on the Judiciary.

Mr. Francis introduced the following resolution, viz.

Resolved, That a message be sent to the House of Commons, proposing that the Internal Improvement committee of both Houses be a joint select committee, to whom shall be referred the message received from his Excellency the Governor, containing the report of the Rev. Dr. Mitchell, the engineer appointed by the last Legislature, to make a survey for a Turnpike Road from Raleigh to the Buncombe Turnpike, together with the maps and all other communications on said subject.

On motion of Mr. Ehrlinghaus, the Senate proceeded to the consideration of the “Bill to regulate the appointment of Field Officers of Regiments of Volunteers called into the service of the United States.”

Mr. Waddell moved to amend the bill by striking out of the first section the words “the persons, private soldiers, as well as officers, who compose said regiment,” and inserting the words “Commissioned officers of such Regiment,” which was not agreed to—yeas 9, nays 34. Mr. Walker called for the yeas and nays.
Those who voted in the affirmative, are:

Messrs. Hargrave, Hill, Hogan, McMillan, Melchor, Moody, Patterson, Poindexter and Waddell, 9.

Those who voted in the negative, are:


On motion of Mr. Waddell, the bill was then ordered to lie on the table.

The Senate then proceeded to the consideration of the amendment proposed by the committee on Internal Improvements, to the bill No. 2, to incorporate the North and South Carolina Rail Road Company. The said amendments were agreed to.

Mr. Waddell moved to amend the bill, by striking out all after the enacting clause, and inserting a substitute therefor; which was agreed to, and the bill, as amended, was on motion of Mr. Patterson, re-committed to the committee on Internal Improvements.

On motion of Mr. Mills, the bill to repeal an act, entitled "an act to incorporate the town of Shelby, in the county of Cleveland, and appoint commissioners therefor," was taken up, and referred to the committee on Propositions and Grievances.

A communication was received from the Public Treasurer, giving information required by resolutions of the Senate, on the subject of the value of the stocks in Rail Roads, Turnpikes, &c., belonging to the State, and the liabilities of the State under endorsements for Rail Roads, &c.; which communication, with the accompanying papers, were, on motion of Mr. Halsey, ordered to lie on the table, and be printed.

On motion of Mr. Tomlinson, the Senate adjourned until to-morrow morning, 10 o'clock.
The Senate met according to adjournment.

Received from the House of Commons a message, transmitting a communication from the Public Treasurer, together with the report of the Bank of the State of North Carolina, and of the Merchant's Bank of Newbern, with a proposition to print the same. Which was concurred in.

Mr. Patterson, from the committee on Internal Improvements, to whom was re-committed the bill (No. 2) entitled "a bill to incorporate the North and South Carolina Rail Road Company," together with the amendment proposed as a substitute for said bill; reported the said amendment, and recommended its adoption. Ordered to lie on the table.

Mr. Gilmer introduced a bill to consolidate various acts in favor of poor debtors; which was read the first time and passed.

Mr. Street introduced a bill to increase the school fund in the counties of Buncombe, Craven and New Hanover, by a tax on Billiard Tables. Read the first time and passed.

Mr. Ehringhaus introduced a bill concerning Wrecks and wrecked property; which was read the first time, passed; and referred to the committee on Propositions and Grievances.

The bill to enable the people of Stanly county to restore their records and papers, which were lost in the burning of the Court House and Clerk's Offices of Montgomery county; also the bill to incorporate the Fayetteville Hotel Company, were severally read the third time; passed, and ordered to be engrossed.

On motion of Mr. Halsey,

Resolved, That a message be sent to the House of Commons, proposing to raise a committee of one on the part of the Senate and two on the part of the House, to wait upon his Excellency Will. A. Graham, and inform him of his election as Governor of the State of North Carolina, for two years, from the first 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.

The engrossed Resolution in favor of William Alexander, was read the third time, passed, and ordered to enrolled.
The bill to incorporate the Merchant’s Steam Boat Company, of Fayetteville, was taken up, read the second time, and passed.

The bill to regulate the appointment of the Principal Clerks of the two Houses, and for other purposes, was read the second time, amended and passed.

On motion, the Rules were suspended, and the bill was read the third time, passed, and ordered to be engrossed.

The resolution in favor of Samuel J. Finch, was read the second time.

Mr. Stallings moved to amend the resolution, by striking out the words “his mileage;” which was rejected—yeas 13, nays 29.

Mr. Stallings demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


On motion of Mr. Wilson, the resolution was ordered to lie on the table.

The “bill to regulate the appointment of Field Officers of Regiments of Volunteers called into the service of the United States,” was taken up and read the third time. Mr. Waddell moved to amend the bill, by striking out from the first section the words, “the persons, private soldiers as well as,” and insert the word “commissioned” in lieu thereof; which was not agreed to—yeas 13, nays 29. Mr. Walker demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,


The bill was then, on motion, recommitted to the Committee on Military Affairs.

Mr. Waddell presented the memorial of Abel Payne, a slave; and also the petition of sundry citizens of the town of Fayetteville, praying the Legislature to emancipate the said Abel and his wife, &c.; which were referred, on motion of Mr. Waddell, to the committee on Propositions and Grievances.

On motion of Mr. Exum, the Senate adjourned until to-morrow morning, 10 o'clock.

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Thursday, December 10, 1840.

The Senate met according to adjournment.

Mr. Patterson presented the petition of sundry citizens of the town of Lenoir, praying the Legislature to pass a law incorporating said town; which was referred, on his motion, to the committee on Propositions and Grievances.

Mr. Waddell from the committee on the Judiciary, to whom was referred a bill to give exclusive jurisdiction to the Superior Courts of Moore county, and for the better regulation of the county Courts of said county, reported the same with an amendment. The bill and amendment were ordered to lie on the table.

Mr. Cameron, from the committee on Claims, to whom was referred a resolution in favor of Owen Sizemore, reported the same, and recommended its adoption.

The resolution and report were ordered to lie on the table.

Mr. Albright, from the committee on Propositions and Grievances, to whom was referred "a bill to repeal an act entitled an act to incorporate the town of Shelby, in the county of Cleveland and appoint Commissioners thereof," reported the same, and recommended its passage. Ordered to lie on the table.

Mr. Street introduced a bill to incorporate the Neuse Fire
company, in the town of Newbern; which passed its first reading, and was referred to the committee on Private Bills.

Mr. Hill introduced a bill to prevent the obstructions in Rockfish Creek in Duplin county; which passed the first reading, and was referred to the committee on Propositions and Grievances.

Mr. Waddell, from the committee on the Judiciary, to whom was referred the memorial of certain citizens of the county of Cherokee, praying the passage of a law securing to them a small piece of land as a burial ground, reported a bill in accordance with the prayer of the memorialist; which was read the first time and passed.

Mr. Ehringhaus, from the committee on Military Affairs, to whom was recommitted the bill to regulate the appointment of Field Officers of Regiments of Volunteers called into the service of the United States, reported the same with an amendment. Ordered to lie on the table.

The bill to amend an act, entitled "an act to amend the Revised Statutes, entitled an act concerning last Wills and Testaments," was read the second time and passed. On motion of Mr. Gilmer, the rules were suspended and the bill read the third time, passed, and ordered to be engrossed.

On motion of Mr. Ashe, the Senate proceeded to the consideration of the bill (No. 2) to incorporate the North and South Carolina rail road company, and the amendments recommended by the committee on Internal Improvements; which were agreed to.

The question was then taken on the recommendation of the committee on Internal Improvement to strike out all the title of the bill, except the words "a bill," and insert the words "to charter the Wilmington and Manchester rail road Company," and decided in the affirmative.

The question then recurred on the passage of the bill its third reading, and decided in the affirmative, yeas 30, nays 16. Mr. Thompson demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,


The bill was ordered to be engrossed.

Mr. Tomlinson introduced a bill to incorporate the Neuse River Steam Boat company; which was read the first time, passed and ordered to be referred to the committee on Internal Improvements.

Mr. Patterson introduced a bill supplemental to an act, passed at the present session of the General Assembly, entitled "an act to Charter the Wilmington and Manchester rail road company," Read the first time and passed.

The bill to incorporate the Perquimons and Pasquotank Guards, was read the second time, amended and passed.

The bill to amend the act, entitled an act for a canal from Cape Fear to Lumber River, was read the third time, passed and ordered to be engrossed.

The bill to incorporate the Trustees of the Dan River Institute, in the town of Yancyville, was read the second time and passed.

On motion of Mr. Cowper;

Ordered, That the committee on Finance be instructed to consider the expediency of making it the duty only of the owners of slaves to return them in their list of taxable property.

Mr. Poindexter introduced the following resolution:

Resolved, That the committee on Claims be empowered to send for persons and papers in the case of the claim of William J. Brown, agent, &c.

Which was adopted.

On motion of Mr. Poindexter;

Ordered, That the Hon. the Speaker of the Senate do issue his Subpoena for Thomas P. Deveraux, Esq., requiring his presence before the committee of Claims.

The bill to authorize the laying off and establishing a Turnpike from Mattamuskeet Lake, in Hyde county, and at the head of Carter and Spencer's canal, to Columbia, in Tyrrell
county; was taken up, and the amendments proposed thereto by the committee on Internal Improvements, read and agreed to. The bill, as amended, then passed its second reading.

Received from the House of Commons a message, agreeing to the proposition of the Senate that the Internal Improvement committee of the two Houses be a joint committee; to whom shall be referred the message of His Excellency the Governor and the report, &c. of E. Mitchell, Engineer.

On motion of Mr. Thompson, the Senate adjourned until tomorrow morning, 10 o'clock.

FRIDAY, Dec. 11, 1846.

The Senate met according to adjournment.

A message from the House of Commons, agreeing to the proposition of the Senate to go into an election of Attorney General this day, at 11 o'clock.

Also a message, concurring in the proposition of the Senate 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 Governor Graham, and to inform him of his election, and ascertain when he can appear before the General Assembly, and take the oaths of office.

Also a message, stating that they had passed the following engrossed bills; in which they ask the concurrence of the Senate, viz:

Resolution in favor of Robert B. Davis, late sheriff of Washington county;
Resolution in favor of Joseph Allison;
Resolution in favor of Clinton Moore.
Which were severally read the first time and passed.

Mr. Waddell introduced a bill concerning Clerks and Masters in Equity; which was read the first time and passed.

On motion of Mr. Mills,
Ordered, That the Committee on the Judiciary inquire whether any legislation be necessary to compel witnesses to attend before Commissioners appointed by the Courts of other States, to take depositions in this State to be read in said Courts; and that they report by bill or otherwise.
Mr. Gilchrist introduced the following resolution, viz.

Resolved, That the President and Directors of the Literary Fund be, and they are hereby instructed to lend two thousand dollars of the Literary Fund to the President and Trustees of Flora College, on their giving good and sufficient personal security for the same.

Which was read the first time and passed, and, on motion of Mr. Gilchrist, referred to the committee on Education and the Literary Fund.

Received from the House of Commons the resignation of Arthur Speight, a Justice of the Peace for Greene county, and J. B. Crawford, a Justice of the Peace for Wayne county; which were read and accepted.

Mr. Howard introduced a bill to incorporate the New River and Bear Creek Canal Company, in Onslow county; which was read the first time, passed, and on his motion, referred, with the accompanying memorial, to the committee on Internal Improvement.

Mr. Ehringhaus, from the joint committee to whom was referred the subject of enclosing the Capitol Square, reported a series of resolutions for that purpose; which were read the first time and passed, and the said resolutions and the report ordered to be printed.

Mr. Speight introduced a bill, making compensation to Jurors of Greene county. Read the first time and passed.

Mr. Patterson introduced the following resolution, viz.

Resolved, That Charles J. Fox, James W. Osborne and Greene W. Caldwell, or either one or more of them, be appointed Commissioners, with full power and authority to attend the Legislature of South Carolina, now in session, and respectfully ask that body to enact the act passed by this Legislature, entitled "an act to incorporate the Charlotte and Camden Rail Road Company," or to pass such other act to effect the same object as the said Legislature may deem best, not inconsistent with the provisions of the act aforesaid.

Which was read the first time and passed.

On motion of Mr. Patterson, the Rules were suspended, and the resolution was read the second time and passed.

On motion of Mr. Walker, the resolution was amended
by adding the following proviso, viz: "Provided, That the expense of the foregoing mission shall not be paid by the State."

On motion of Mr. Gilmer, the vote on the adoption of the amendment, was reconsidered. It was then withdrawn by Mr. Walker, and the resolution passed the third reading, and was ordered to be engrossed.

A message was received from the House of Commons, stating that the hour having arrived for the election of Attorney General, as heretofore agreed on, by the two Houses, that body would proceed to vote on the return of the messenger, and that the name of Edward Stanly is withdrawn from the nomination. Messrs. Collins and Britton form the committee on the part of the House, and Messrs. Gavin and Daniel on the part of the Senate, to superintend said election.

The Senate then voted as follows, viz.

FOR MR. WHITAKER,

FOR MR. MOORE,

Mr. Barnard, and Eborn, voted for Mr. Stanly.
Mr. Howard, voted for Mr. Washington.

Mr. Daniel, from the committee superintending said voting, reported that there was no election.

Received from the House of Commons a message, proposing to vote again forthwith for Attorney General, and stating that the names of John Kerr and Duncan K. McRae are added to the nomination. Concurred in, and Messrs. Thomas and Tomlinson appointed the committee on the part of the Senate to superintend the election, and the House of Commons informed thereof.

Mr. Ashe introduced a bill in relation to Rail Road Companies—to provide against obstructions. Read the first time, passed, and referred to the committee on Internal Improvement.
Mr. Speight introduced a bill to authorize the inspection of provisions. Read the first time, passed, and referred to the committee on Propositions and Grievances.

Mr. Albright, from the committee on Propositions and Grievances, reported to the Senate the bill which was referred to them, concerning wrecks and wrecked property, with an amendment. They were ordered to lie on the table.

Mr. Albright, from the same committee, to whom was referred the proposition of sundry citizens of Fayetteville, praying the emancipation of Abel Payne, and wife, slaves, reported a bill for that purpose; which was read and passed the first time.

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

Received from the House of Commons a message, stating that Messrs. Steele and Jackson form their committee to superintend the election of Attorney General, and that the House would proceed to vote on the return of the messenger.

The Senate then proceeded to vote as follows, viz.

FOR MR. KEER,

FOR MR. McRAE,

FOR MR. MOORE,
Messrs. Speaker, Bogle, Cowper, Gilchrist, Halsey, Moody, and Poindexter 7.

Mr. Francis voted for Mr. Axley.

Mr. Tomlinson, from the committee appointed to superintend said election, reported that no one having received a majority of the whole number of votes, there was no election.
On motion of Mr. Albright,

Ordered, That a message be sent to the House of Commons, proposing to vote again forthwith for Attorney General.

On motion of Mr. Moody, the name of B. F. Moore, Esq. was withdrawn from the nomination, and the House of Commons informed thereof.

On motion of Mr. Howard, the Senate granted leave of absence, from and after to-morrow, for the residue of the session, to Mr. Moody, Senator, from the county of Northampton.

On motion of Mr. Kerr, the Senate adjourned until to-morrow morning, 10 o'clock.

Saturday, Dec. 12, 1846.

The Senate met according to adjournment.

Mr. Patterson, from the committee on Internal Improvements, reported the bill to incorporate the Neuse River Steamboat Company, with sundry amendments. Ordered to lie on the table.

Mr. Stowe introduced a bill supplemental to a bill, passed by the present General Assembly, to lay off and establish a county by the name of Gaston; which was read the first time and passed.

Mr. Ashe presented a series of resolutions, passed by the Commissioners of the town of Wilmington; which were referred, on his motion, to the committee on the Judiciary.

The bill to incorporate the Merchant's Steam Boat Company of Fayetteville, was read the third time, passed, and ordered to be engrossed.

The resolution instructing the committee on Finance, to inquire into the expediency of laying a tax on Ships, Vessels propelled by steam or sail, &c., was taken up, read and adopted.

The bill to regulate the appointment of Field Officers of Regiments of Volunteers called into the service of the United States, and the amendment proposed by the committee on Military Affairs, were taken up, and the amendment concurred in; and the bill, as amended, was read the third time, passed, and ordered to be engrossed.

The report of the committee on Propositions and Griev-
ances, to whom was referred the memorial of John S. Pearson and others, to emancipate a slave named Sam'l Mackey, was taken up, and, on motion of Mr. Cameron, re-committed to the same committee.

On motion of Mr. Cameron,

Ordered, That a message be sent to the House of Commons, proposing that the two Houses vote again forthwith for Attorney General.

A message was received from the House of Commons, agreeing to the said proposition, and stating that the name of Bartholomew F. Moore is withdrawn from the nomination, and that Messrs. Hackney and Regan form the committee on the part of the House to superintend said election. Messrs. Cowper and Ferrand were appointed the committee on the part of the Senate, and the House of Commons informed thereof.

The Senate then proceeded to vote as follows, viz.

FOR MR. McRAE,

FOR MR. KERR,

Mr. Howard voted for Mr. GILLIAM, and Mr. Moody for Mr. MANLY.

Mr. Cowper, from the committee superintending said election, reported that no one having received a majority of the whole number of votes given, there was no election.

On motion of Mr. Cameron, the name of Duncan K. McRae was withdrawn from the nomination for Attorney General, and, on motion of Mr. Howard, the name of Edward Stanly, and, on motion of Mr. Ashe, the name of B. F. Moore, were added to the nomination; and the House of Commons informed thereof.

Received from the House of Commons a message, proposing to vote again forthwith for Attorney General. Concurred in, and Messrs. Hill and Melchor appointed on the part of the Senate to superintend the voting.

A message from the House of Commons, announced that
Messrs. Kelly and Reid form their branch of the committee; and the Senate proceeded to vote as follows, viz.

FOR MR. MOORE,
Messrs. Speaker, Ashe, Barnard, Bogle, Cowper, Ehrringhaus, Gilchrist, Halsey, Kelly, Melchor, Moody Patterson, and Drake, 13.

FOR MR. KERR,

FOR MR. STANLY,

For Mr. BUSBEE, Messrs. Gavin, Hawkins, and Stallings, 3.
Mr. Exum, voted for Mr. WHITAKER, Mr. Francis, for Mr. MILLER, and Mr. Gilliam, for Mr. ALLEN.

Mr. Hill, from the committee superintending said election, reported that Edward Stanly, having received a majority of the whole number of votes given, is duly elected Attorney General.

Mr. Carter introduced a bill to authorize the Sheriff of Hyde county to execute any process on any person on board vessels lying in the waters between Ocracoke Island in Hyde county and the Island of Portsmouth in Carteret county, and to increase their fees for such service; which was read the first time, passed, and referred to the committee on Propositions and Grievances.

Mr. Halsey introduced a bill to amend an act, passed by the General Assembly of North Carolina, at its session 1827, chapter 54, entitled "an act to prevent the obstructions of Fish passing up the Roanoke and Cashie Rivers, and their waters. Read the first time and passed.

On motion of Mr. Patterson, the vote on the passage of the "resolution appointing James W. Osborne and others to attend the Legislature of South Carolina, now in session, and request the passage of the bill to incorporate the Camden and Charlotte rail road company," was reconsidered, and the question then being on the passage of the resolution its third reading, on motion of Mr. Patterson, it was ordered to lie on the table.

The bill to authorize the laying off and establishing a Turnpike road from Mattamuskeet Lake, in Hyde county, and at the head of Carter and Spencer's canal, to Columbia, in Tyr-
rell county," was read the third time, amended, on motion of Mr. Patterson, passed, and ordered to be engrossed.

The bill to incorporate the Trustees of Dan River Institute, in the town of Yanceyville, was read the third time, passed and ordered to be engrossed.

The engrossed resolution in favor of Hezekiah Turner, was read the third time, passed and ordered to be enrolled.

The bill to incorporate the Pasquotank Artillerists, was taken up, and the amendment proposed by the committee on Military Affairs agreed to; and the bill, as amended, was read the second time and passed.

The bill to amend the laws regulating the inspection of Turpentine, was read the second time, amended and passed.

The bill to incorporate the Perquimons and Pasquotank Guards, was read the third time, passed and ordered to be engrossed.

On motion of Mr. Cowper, the bill to repeal an act, passed at the last General Assembly of the State of North Carolina, session 1844-5, chap. 31, more effectually to prevent the imprisonment of honest debtors, was taken up and referred to the committee on the Judiciary.

The bill to repeal an act, entitled "an act to incorporate the town of Shelby, in the county of Cleveland and appoint commissioners thereof," was read the second time and passed.

The bill to incorporate the town of Statesville; also the "bill for the better regulation of the town of Nashville, in Nash county," were read the second time and passed.

On motion of Mr. Speight, leave of absence was granted to Mr. Wilson, Senator from Edgecomb, from and after to day.

The Senate then adjourned, on motion of Mr. Mills, until Monday morning, 10 o'clock.

MONDAY, Dec. 14th, 1846.

The Senate met according to adjournment.

A message from the House of Commons, announced that Messrs. Baxter, W. K. Martin, Ribelin, and Person form the committee on enrolled bills for the present week, on the part of the House. Messrs. Poindexter and Mills form the committee on the part of the Senate.
Mr. Cameron presented the memorial of the Grand Jury of Cumberland county, relative to the emancipation of Samuel Mackey; which was, on his motion, referred to the committee on Propositions and Grievances.

Mr. Hogan, from the committee on Private Bills, to whom was referred a bill to incorporate the Neuse Fire company, reported the same and recommended its passage. Ordered to lie on the table.

Mr. Halsey, from the committee on Finance, to whom was referred a resolution requiring them to consider the expediency of making it the duty only of the owners of slaves to return them in their list of taxable property; reported that no further legislation on the subject is required. Report concurred in.

Received from the House of Commons a message, stating that the House had passed the following engrossed bills, viz.

A bill to extend the time for registering grants, mesne conveyances, powers of attorney, bills of sale and deeds of gift; also a bill to protect houses and enclosures from wilful injury; also an engrossed resolution in favor of Ute Sherrell; which were severally read the first time and passed.

Received from the House of Commons a message, stating that they had passed the engrossed bill to provide for holding a session of the Supreme Court once a year in the Western part of the State, with sundry amendments; in which they ask the concurrence of the Senate. The said amendments were concurred in, and the House of Commons informed thereof.

The resignation of Benjamin Freeman a Justice of the Peace for the county of Robeson, was received from the House of Commons, read and accepted by the Senate.

The resignation of John Gainey, a Justice of the Peace for the county of Sampson, was presented by Mr. Gavin, read and accepted.

Mr. Halsey was appointed on the joint committee to wait upon His Excellency the Governor, and know from him at what time he can appear and take the oaths of office.

A message was received from the House of Commons, stating that they had passed the following engrossed bills, in which they ask the concurrence of the Senate, viz.

A bill to incorporate the Cape Fear manufacturing company of Wilmington; a bill to repeal an act, entitled "an act to amend an act, entitled an act for the better regulation of the town of Tarborough, in Edgecomb county," a bill to revive an act, passed in the year 1813, entitled an act for erecting an Academy in the town of Tarborough; also a bill to amend an act for the
relief of certain purchasers of the Cherokee lands; also the following engrossed resolutions, in which they ask the concurrence of the Senate, viz.

Resolution in favor of Benjamin Morris, late Sheriff of Lincoln county; resolution in favor Perrin Busbee; resolution in favor of John C. Knight, late Sheriff of Richmond county; which said bills and resolutions were read the first time and passed.

Received from the House of Commons the resignation of B. Tindell, a Justice of the Peace for the county of Iredell; which was read and accepted.

The bill to repeal an act, entitled "an act to incorporate the town of Shelby; in the county of Cleveland and appoint commissioners thereof," was read the third time, passed and ordered to be engrossed.

The bill for the better regulation of the town of Nashville, in the county of Nash; and also the bill to amend the laws regulating the inspection of Turpentine, were read the third time, passed and ordered to be engrossed.

The bill to regulate arrests on mesne process in the State of North Carolina, was read the second time, and, on motion of Mr. Street, ordered to lie on the table.

A resolution in favor of Charles L. Hinton, Public Treasurer; also a bill to incorporate Franklin Institute, in the county of Franklin, were read the second time and passed.

The bill to regulate the removal of hands liable to work on the public roads from one road to another, was taken up and referred, on motion of Mr. Francis, to the committee on the Judiciary.

The bill to amend an act, passed in 1823, entitled "an act to exempt certain citizens of Tyrrell county from public duty," also the bill to appoint commissioners for the town of Carthage, in the county of Moore, and to incorporate the same, were read the second time and passed.

Mr. Gilliam introduced the following preamble and resolution, viz:

Whereas, by the action of the Executive and the subsequent sanction of Congress, this republic is involved in a foreign war, and our State is called on for volunteers; whereas it is the duty of this State to give all the aid she conveniently can to the operations of the General Government to bring this war to a speedy and honorable termination; and whereas it is desirable to secure the immediate
comfort and support of the soldiers who may volunteer in this State:

Resolved, That the sum of ten thousand dollars be and is hereby appropriated, out of any money in the State Treasury, for the purpose of equipping and paying the expenses to Wilmington of the Regiment of Volunteers requested of this State by the President of the United States; and that the amount be placed at the disposal of the Governor, to be placed by him at different points of the State most convenient for the purposes herein specified.

Which passed the first reading:

The bill to authorize John A. Rowland, late Sheriff of Robeson county, to collect the arrears of taxes due him, was taken up, read the second time, amended, and, on motion of Mr. Gilmer, referred to the committee on the Judiciary.

The bill to consolidate the various acts in favor of poor debtors, was read the second time, amended, and, on motion of Mr. Francis, ordered to lie on the table.

The bill to prevent the deadening of standing trees near the highways, was read the second time, amended, on motion of Mr. Pomlinson, and passed.

The bill supplemental to an act, passed at the present session of the General Assembly, entitled "an act to charter the Wilmington and Manchester rail road company," was read the second time, amended and passed.

The Bill to extend the time for registering grants, mesne conveyances, &c. was read the second time, and, on motion of Mr. Halsey, ordered to lie on the table.

A bill making compensation to the Jurors of Green county; also a bill concerning Clerks and Masters in Equity; also a resolution in favor of Joseph Allison; also a resolution in favor of Clinton Moore; were read the second time and passed.

On motion of Mr. Hawkins, leave of absence was granted to Mr. Ashe, Senator from the county of New Hanover, from and after to day.

The Senate then adjourned, on motion of Mr. Hill, until tomorrow morning, 10 o'clock.
Tuesday, Dec. 16th, 1816.

The Senate met according to adjournment.

A communication from the Public Treasurer, transmitting a correspondence had, in obedience to a resolution of the Senate, with the officers of the Bank of the State and the Cape Fear Bank, on the subject of receiving in deposit at their various branches the taxes collected by the Sheriffs of the State, was read; and, on motion of Mr. Francis, ordered to lie on the table.

Received from the House of Commons a message, stating that Messrs. Waddell and Bullock form their branch of the committee to wait upon His Excellency Governor Graham, and inform him of his election, &c.

Also that they have passed the engrossed resolution in favor of Benjamin Ivey, of Stanly county; in which they ask the concurrence of the Senate. Read the first time and passed.

Mr. Francis, from the committee on Cherokee lands, to whom was referred so much of his Excellency the Governor's message as relates to the subject of the lands surrendered under the act of the last session, &c., reported a bill to provide for the sale of certain lands in Macon and Cherokee counties; which was read the first time and passed.

Mr. Patterson, from the Committee on Internal Improvements, to whom was referred a bill to incorporate the New River and Bear Creek Canal Company, in Onslow county, reported the same with sundry amendments. Ordered to lie on the table.

Also a bill in relation to Rail Road Companies, to prevent obstructions, without amendments, and recommended its passage. Ordered to lie on the table.

Mr. Ehringhaus, from the committee on Military Affairs, to whom was referred a communication from his Excellency Governor Graham, on the subject of the appointment of Field Officers for the Volunteer Regiment, &c., reported that a bill having been introduced to provide for the appointment of such Officers, they prayed to be discharged. Ordered to lie on the table.

The bill to incorporate Franklin Institute, in the county of Franklin; also the bill to incorporate the town of Statesville; were read the third time, passed, and ordered to be engrossed.

Mr. Gilmer introduced a bill to amend an act, entitled
"an act to incorporate a company, styled the Guilford Gold Mining Company." Read the first time and passed.

The bill to consolidate the various acts in favor of Poor Debtors, was taken up, and, on motion of Mr. Woodfin, ordered to be re-committed to the committee on the Judiciary, and be printed.

A resolution in favor of Charles L. Hinton, Public Treasurer; also the bill to amend an act passed in 1823, entitled an act to exempt certain citizens of Tyrrell county from public duty; also a bill, supplemental to an act passed at the present session of the General Assembly, entitled an act to charter the Wilmington and Manchester Rail Road Company; also a bill to appoint Commissioners for the town of Carthage, in the county of Moore, and to incorporate the same; also a bill making compensation to the Jurors of Greene county; also the engrossed resolution in favor of Clinton Moore; were severally read the third time, passed, and ordered to be engrossed, except the resolution in favor of Clinton Moore; which was ordered to be enrolled.

The bill to prevent the deadening of standing timber near the public highways, was read the third time, and, on motion of Mr. Graves, ordered to lie on the table.

The bill to incorporate a volunteer corps of infantry, of the line styled the Cossacks, was read the second time and passed. On motion of Mr. Francis, the rules were suspended, and the bill was read the third time and passed, and ordered to be engrossed.

A bill authorizing John Malone, a free man of color, to emancipate his wife and son, upon certain conditions therein mentioned, was read the second time and passed—yeas 29, nays 7.

Mr. Street demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are

Messrs. Boyd, Drake, Exum, Hargrave, McMillan, Speight and Street, 7.
On motion of Mr. Thompson, the rules were suspended, and the said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Pasquotank Artillerists, was read the third time, passed, and ordered to be engrossed.

The bill to give exclusive jurisdiction to the Superior Courts of Moore county, and for the better regulation of the County Courts of said county, was read the second time, amended as proposed by the Judiciary Committee, and passed.

Mr. Graves introduced the following resolution, viz.

Resolved, That the obligors, their heirs, executors and administrators, in the bonds heretofore given to the State, for rent of Cherokee lands surrendered to the State under the act passed at the last session of the General Assembly, be, and they are hereby absolved and discharged from the payment of the money mentioned in said bonds: Provided, that the resolution shall, in no wise, affect the covenant contained in said bonds, relative to the preservation and subsequent surrender of said lands as therein stipulated.

Which was read the first time, passed, and referred to the committee on Propositions and Grievances.

On motion of Mr. Patterson,

Ordered, That the committee on the Judiciary be instructed to inquire into the expediency of amending the existing law so as to define more particularly the power of the County Court in releasing persons from the payment of a double tax for failing to give in their list of taxables, as now required by law.

The resolution in favor of Owen Sezimore, of Wilkes county, was read the second time and passed.

On motion of Mr. McMillan, the rules were suspended, and the resolution was read the third time, passed, and ordered to be engrossed.

On motion of Mr. Graves, the Senate adjourned until tomorrow morning, 10 o'clock.
Wednesday, December 16, 1846.

The Senate met according to adjournment.

Mr. Gilmer introduced a bill to enforce the State's indemnity against loss, on account of her suretyship for the Raleigh and Gaston Rail Road; which was read the first time and passed.

The bill to give exclusive jurisdiction to the Superior Courts of Moore county, and for the better regulation of the County Courts of said county, was read the third time, passed, and ordered to be engrossed.

On motion of Mr. Francis, the vote on the motion to refer and print the bill to consolidate the laws in favor of poor Debtors, was reconsidered, and so much thereof as requires the bill to be printed, was stricken out, and the bill was referred to the committee on the Judiciary.

The bill to increase the School Fund, in the counties of Buncombe, Craven and New Hanover, by a tax on Billiard Tables, was read the second time. Mr. Daniel moved that the bill be indefinitely postponed; which was decided in the negative—yeas 9, nays 30.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Ehringhaus moved to amend the bill, by adding the counties of Pasquotank and Currituck, so as to extend the provisions of the bill to those counties, and Mr. Hawkins, to add the county of Warren; which motions were agreed to.

Mr. Woodfin moved to amend the bill, by adding a proviso to the first section, prohibiting, under a penalty of five hundred dollars, any person from keeping up any Billiard Table between the first day of November and the first day of June, in each and every year, in the county of Buncombe; which was concurred in.
Mr. Gilmer moved to amend the bill, by adding the following as an additional section, viz:

*Be it further enacted, That it shall not be lawful to bet any money, or other thing of value at any time, on or at any of said Tables; and any person or persons convicted of betting any thing as aforesaid, shall be fined, at the discretion of the court, not less than one hundred dollars.*

Which was decided in the affirmative.

The question was then taken on the passage of the bill its second reading, and decided in the negative.

The bill concerning the trial of Causes in the Supreme Court, was taken up, read the second time, and passed.

The bill to regulate the issuing of process in certain cases, was read the second time, amended on motion of Mr. Graves, and passed.

The bill concerning wrecks and wrecked property, was taken up, the amendment recommended by the committee on Propositions and Grievances concurred in, and the bill, as amended, read the second time and passed.

The bill to incorporate the Caldwell Institute, in the town of Hillsborough, was taken up, and read the second time.

Mr. Gilmer moved to amend the title of the bill, by striking out "Caldwell" and inserting "Wilson." Pending the motion, the Senate adjourned, on motion of Mr. Ehringhaus, until to-morrow morning, 10 o'clock.

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**Thursday, December 17, 1846.**

The Senate met according to adjournment.

Mr. Albright, from the committee on Propositions and Grievances, to whom was referred the bill to authorize the inspection of provisions, reported the same and recommended its rejection. Ordered to lie on the table.

Mr. Albright, from the same committee, to whom was referred a bill to authorize the Sheriff and other officers of Hyde county to execute any process on any person on board vessels
lying in the waters between Ocracoke Island in Hyde county, and the Island of Portsmouth, in Carteret county, and to increase their fees for such service, reported the same and recommended its passage. Ordered to lie on the table.

Mr. Kelly introduced a bill to amend an act, passed at the session of 1844-5, incorporating the Carthage, male and female academies, in the county of Moore; which was read the first time and passed.

Mr. Ehringhaus introduced a bill to incorporate the Atlantic Guards; which was read the first time and passed.

Mr. Halsey, from the committee appointed to wait upon his Excellency the Governor, and learn from him at what time he can appear before the Legislature and take the oaths of office, reported that he would appear before the two Houses of the General Assembly for that purpose, on the first day of January next.

Received from the House of Commons a message, transmitting sundry resignations of Justices of the Peace made to his Excellency Governor Graham; all of which were read and accepted, except the resignation of James Jones; which, on motion of Mr. Halsey, was ordered to lie on the table.

On motion of Mr. Francis, ordered that a message be sent to the House of Commons, proposing that the afternoon of Tuesday next, be set apart for recommending Justices of the Peace.

The bill concerning wrecks and wrecked property, was read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, transmitting a communication from the Public Treasurer, on the subject of the State liabilities for rail roads, and responding to a call for information in reference to the best mode of providing sufficient revenue &c, to meet such liabilities, with a proposition that said communication be printed and referred to a joint select committee of three on the part of the House, and two on the part of the Senate. Concurred in, and Messrs. Wilson and Gilmer appointed on the part of the Senate, to form said committee.

The bill to regulate the issuing of process in certain cases was read the third time and passed, and ordered to be engrossed.

The bill concerning the trial of causes in the Supreme Court, was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Neuse River steam boat company, was read the second time, and the amendment proposed thereto, by the committee on Internal Improvements, concurred in.—
Mr. Thompson moved to amend the bill by adding the following section, viz.

*Be it further enacted*, That nothing herein contained shall be so construed as hereafter to debar the State of North Carolina from navigating, by steam boats or otherwise, the said River Neuse, or any portion thereof, the State first paying to said company any expenses incurred by them in removing obstructions out of the River aforesaid.

Which was concurred in.

Mr. Albright moved to amend the bill, by adding the following as an additional section.

*Be it further enacted*, That in case of the insolvency of the corporation, each individual stock-holder shall be liable as a partner for the debts of the corporation, to the amount of his or her stock subscribed.

Which was rejected, yeas 19, nays 25.

Those who voted in the affirmative are,


Those who voted in the negative are,


The bill, as amended, passed its second reading.

On motion of Mr. Ehrlinghaus, the vote on the third reading of the bill concerning wrecks and wrecked property, was reconsidered, and the same amended on his motion, passed, and ordered to be engrossed.

The Senate then proceeded the consideration of the unfinished business of yesterday, viz: the motion made by Mr. Gilmer, to amend the title of the bill to incorporate the Caldwell Institute by striking out the word "Caldwell" and inserting "Wilson;" which was rejected. The bill then passed its second reading.

Received from the House of Commons a message, stating that Messrs. Mebane, Ellis and Paine form their branch of the
joint committee on the report of the Public Treasurer, on the
liabilities of the State for rail roads, &c.

The resolution in favor of Robert B. Davis, Sheriff of Wash-
ington county, was read the second time and passed.

The bill to amend an act, entitled an act for the relief of cer-
tain purchasers of Cherokee lands, was read the second time
and passed.

The bill to incorporate a corps of cavalry in the county of
Sampson, was read the second time and passed. On motion of
Mr. Gavin, the rules were suspended, and the bill was read the
third time, passed and ordered to be enrolled.

The bill to establish a public burial ground in the county of
Cherokee, was read the second time and passed, and Mr. Francis
moved that the rules be suspended and the bill be read the
third time; concurred in, and the bill was read third time, pas-
sed, and ordered to be engrossed.

The bill to extend the time for registering grants, mesne con-
voyances, &c. was read the second time and passed. On motion
of Mr. Waddell, the rules were suspended, and the bill read the
third time, passed and ordered to be enrolled.

The bill to protect houses and enclosures from wilful inju-
ry, was read the second time and passed; and, on motion of
Mr. Ehringhaus, was referred to the committee on the Ju-

biciary.

The bill supplemental to an act, passed at the present session
of the General Assembly, to lay off and establish a county by
the name of Gaston, was read the second time, amended, on
motion of Mr. Stowe, and passed.

On motion of Mr. Hester, the Senate adjourned until to-mor-
row morning, 10 o'clock.

Friday, Dec. 18, 1846.

The Senate met according to adjournment.

The Speaker being absent, on motion of Mr. Gilmer, Mr.
Graves, Senator from the county of Caswell, was called to the
chair pro tem.

Mr. Albright, from the committee on Propositions and Griev-
ances, to whom was referred the memorial of John S. Pearson
and others, for the emancipation of Samuel Mackey, a slave, reported a bill for that purpose; which was read the first time and passed.

On motion of Mr. Albright,

Resolved, That the Treasurer be instructed to furnish the Senate with a statement showing the amount paid each commissioner appointed more effectually to secure the debts due for Cherokee lands, and the gross amount of bonds taken by said commissioners for the rent of the said land.

On motion of Mr. Thomas,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of requiring all Executors to give bond as is now required of Administrations; and that they report by bill or otherwise.

Mr. Mills introduced a bill to regulate the pay of Jurors and witnesses in the county of Rutherford; which passed its first reading, and was referred to the committee on the Judiciary.

The resolution in favor of Ute Sherrill, was read the second time and passed. On motion of Mr. Francis, the rules were suspended, and the resolution was read the third time, passed and ordered to be enrolled.

Mr. Cameron presented the memorial of sundry citizens and Merchants of the town of Fayetteville, praying the Legislature to amend the laws on the subject of auctions and auctioneers; which was referred, on his motion, to the committee on Propositions and Grievances.

Received from the House of Commons a message, transmitting the report of Robt. W. Haywood, Adjt. General of the State, with a proposition to print the same. Concluded in; and, on motion of Mr. Ehringhaus, the report was referred to the committee on Military Affairs.

On motion of Mr. Francis,

Resolved, That the Treasurer report to the Senate the amount of cash paid into the Treasury of the State for Cherokee lands since the treaty of 1819, made with the Cherokee Indians.

Received from the House of Commons a message, stating that they have passed the engrossed bill to repeal an act, entitled an act to amend an act entitled an act concerning the mode of
Choosing Senators and Representatives in the Congress of the United States, Revised Statutes, chap. 72, and for the purpose of securing a just and proper division of the State into Congressional Districts; in which they ask the concurrence of the Senate. The bill was read the first time and passed.

Mr. Poindexter introduced a bill to repeal in part an act passed in 1844-5, entitled an act to prevent frauds in levying executions issued by a single magistrate, and to encourage and facilitate the practice of taking security for the forthcoming of property seized under execution, and to amend the same. Read the first time, passed and referred to the committee on the Judiciary.

The bill to lay off and establish a county by the name of Gaston, was taken up and read the second time. On motion of Mr. Bogle, the title of the said bill was amended, by striking out the name of "Gaston" and inserting "Alexander." The bill was further amended, on motion of Mr. Patterson, and passed the second reading.

On motion of Mr. Hogan,

*Ordered,* That a message be sent to the House of Commons, proposing that the name of Mr. Halsey, Senator from the counties of Washington and Tyrrell, be added to the joint select committee raised to take under consideration the report of the Treasurer on the subject of the State liabilities for rail roads, &c.

On motion of Mr. Waddell,

*Ordered,* That Mr. Francis, from the 50th Senatorial District, and Mr. Ehringhaus, Senator from the first Senatorial District, be added to the committee on the Judiciary.

On motion of Mr. Francis,

*Ordered,* That a message be sent to the House of Commons, proposing to add the name of Mr. Waddell, Senator from the county of Orange, to the joint select committee on Cherokee lands.

The resolution providing for equipping and paying expenses of the Volunteers to Wilmington, was taken up and read the second time. Mr. Wilson moved to amend the Preamble by striking out the words "by the action of the Executive and the subsequent sanction of Congress."

On motion of Mr. Patterson, the resolution and amendment were ordered to lie on the table.

The resolution from the House of Commons, in favor of Benjamin Morris, late Sheriff of Lincoln county, was read the second time and passed.
The engrossed resolution in favor of Perrin Busbee, was read the second time and passed.

On motion of Mr. Gilmer, the rules were suspended, and the resolution was read the third time, passed and ordered to be enrolled: Mr. Patterson introduced the following resolution, viz.

Resolved, That the Public Treasurer pay to Perrin Busbee twelve dollars for two days services as Clerk of the Senate during the present session.

Which was read the first time and passed.

The engrossed bill to incorporate the Cape Fear Manufacturing Company, of Wilmington, was read the second time and passed.

The engrossed resolution in favor of John C. Knight, late sheriff of Richmond county, was read the second time and passed.

On motion of Mr. Albright,

Resolved, That the joint select committee on the Treasurer's report, relating to finance, be instructed to inquire into the expediency of transferring the Internal Improvement Fund to the Treasury of the State; and that they report by bill otherwise.

The engrossed bill to repeal an act, entitled "an act to amend an act entitled an act for the better regulation of the town of Tarborough, in Edgecomb county, and for other purposes;" also the engrossed bill to revive an act, passed in the year 1813, entitled "an act for erecting an Academy in the town of Tarborough," were read the second time and passed.

The bill to authorize the Sheriff and other officers of Hyde county, to execute any process on any person on board vessels, &c., was read the second time, amended on motion of Mr. Howard, and passed.

Mr. Patterson, from the committee on Internal Improvements, to whom was referred "a bill to provide for laying off and establishing a Turnpike Road from Raleigh to the line of the State of Georgia," reported the same with sundry amendments. Ordered that the bill and amendments lie on the table, and that they be made the special order of the day for Wednesday next.
Received from the House of Commons a message, agreeing to the proposition of the Senate, to set apart the afternoon of Tuesday next, for the purpose of recommending Justices of the Peace; also agreeing to the proposition of the Senate, to add the name of Mr. Halsey, Senator from Washington and Tyrrell, to the joint select committee on the Treasurer's report on Rail Road liabilities, and respecting a scheme of finance; also the resignation of R. G. Snuggs, Justice of the Peace for the county of Stanly; which was read and accepted.

The bill concerning Clerks and Masters in Equity, was read the third time, amended and passed, and ordered to be engrossed.

The bill to incorporate the Neuse River Steam Boat Company, was read the third time, amended on motion of Mr. Patterson, passed, and ordered to be engrossed.

On motion of Mr. Speight, the Senate adjourned until to-morrow morning, 10 o'clock.

Saturday, Dec. 19, 1846.

The Senate met according to adjournment.

Mr. Albright, from the committee on Propositions and Grievances, to whom was referred a bill to prevent obstructions in Rockfish Creek, in Duplin county, reported the same, and recommended its rejection. Ordered to lie on the table.

Mr. Halsey, from the joint select committee on Public Buildings, to whom was referred a resolution instructing them to inquire into the necessity of altering the roof of the Capitol, so as to make the same fire-proof; also to inquire into the propriety of prohibiting, by law, the use of beds in the rooms of the Capitol, reported a series of resolutions on the subject; which were read the first time, and passed.

Mr. Poindexter introduced a bill to repeal in part the 45th chapter of the Revised Statutes, entitled executions and execution sales, and to amend the same; which was read the first time, passed, and ordered to be referred to the committee on the Judiciary.

Mr. Hogan introduced a bill to incorporate the town of
Franklinsville, in the county of Randolph; which was read the first time and passed.

Received from the House of Commons a message, stating that they had passed the engrossed bill to incorporate the Charlotte and Camden Rail Road Company, with an amendment, viz: to strike out the word "Camden," wherever it occurs, and insert "South Carolina," in which they ask the concurrence of the Senate. The amendment was agreed to, and information thereof sent to the House of Commons.

Mr. Mills introduced a bill to establish a new county, to be called La Fayette; which was read the first time, passed, and referred, on his motion, with the accompanying memorials, to the committee on Propositions and Grievances.

Mr. Gilchrist introduced a bill to amend the 20th section of 102nd chapter of the Revised Statutes, which was read the first time, passed, and referred to the committee on Finance.

Mr. Thompson introduced the following resolution:

Whereas there are many articles of property now on hand, since the completion of the Capitol belonging to the State:

Be it therefore resolved, That the keeper of the Capitol be authorized to sell the same, at public auction, due notice of the sale thereof being first given, and the proceeds of the sale aforesaid, be by him paid into the Public Treasury, the expenses attendant on the sale being first paid out of the proceeds thereof.

Which was read the first time and passed.

On motion of Mr. Cameron, the bill to emancipate Sam'l Mackey, was taken up, read the second time, and passed.

The bill to authorize the inspection of provisions, was read the second time, and, on motion of Mr. Speight, ordered to lie on the table.

Mr. Waddell, from the committee on the Judiciary, to whom was referred a bill to authorize the Commissioners of the town of Wilmington to borrow two hundred thousand dollars, and for other purposes, reported the same, with sundry amendments.

On motion of Mr. Wilson, ordered that the report and bill, with the amendments proposed by the committee, be printed.

On motion of Mr. Bogle, the bill to lay off and establish a county by the name of Alexander, was taken up, and, on
motion of Mr. Wilson, the same was re-committed to the committee on Propositions and Grievances, together with a communication which he presented from a citizen of Wilkes.

Mr. Bogle presented sundry memorials on the subject of the establishment of said new county; which were referred, on his motion, to the committee on Propositions and Grievances.

The bill to emancipate Abel Payne and his wife, was read the second time and passed, and, on motion of Mr. Waddell, the rules were suspended, and the bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the New River and Bear Creek Canal Company, was read the second time, and the amendments proposed by the committee on Internal Improvements concurred in. The bill was further amended, on motion of Mr. Howard, and passed its second reading.

On motion of Mr. Albright, the vote on the resolution requiring the Public Treasurer to furnish information on the subject of Cherokee Bonds, &c., was reconsidered, and the resolution was ordered to lie on the table.

On motion of Mr. Gilliam, the Senate proceeded to the consideration of the resolution providing for equipping and paying expenses of Volunteers to Wilmington. After some time spent in the consideration of the amendment proposed by Mr. Wilson, the subject, on motion of Mr. Cameron, was postponed until Monday.

Mr. Gilliam introduced a bill to provide for an Agricultural, Geological and Mineralogical survey of this State; which was read the first time and passed.

On motion of Mr. Thompson, the Senate adjourned until Monday morning, 10 o clock.

MONDAY, December 21, 1846.

The Senate met according to adjournment.

Mr. Albright, from the committee on Propositions and Grievances, to whom was referred a bill to establish a new county, to be called La Fayette, reported the same, and recommended its passage. Ordered to lie on the table.
Mr. Albright, from the same committee, to whom was re-committed a bill to lay off and establish a new county by the name of Alexander, reported the same with an amendment. Ordered to lie on the table.

Mr. Albright, from the same committee, to whom was referred a resolution in relation to the bonds given for rent of Cherokee lands surrendered to the State, reported the same, with an amendment. Ordered to lie on the table.

Received from the Public Treasurer, a communication, responding to a resolution of inquiry passed by the Senate, on the subject of the amount of cash paid into the Treasury since the treaty of 1819, with the Cherokees, for Cherokee lands; which, on motion of Mr. Francis, was ordered to be printed.

Mr. Thomas introduced a bill to extend the authority of the Justices of the Peace for the County Court of Franklin; which was read the first time and passed.

The bill relative to Rail Road Companies, to provide against obstructions, was read the second time, and, on motion of Mr. Francis, ordered to lie on the table.

Mr. Thompson introduced a bill to incorporate the Ringgold Artillery, in the City of Raleigh; which was read the first time and passed.

The bill to incorporate the Neuse Fire Company, in the town of Newbern, was read the second time and passed.

On motion of Mr. Speight, the Senate proceeded to the consideration of the order of the day, viz: The resolution providing for equipping and paying expenses of Volunteers to Wilmington, and the amendment proposed to the preamble thereof by Mr. Wilson.

Mr. Hawkins moved to amend the amendment, by striking out the words, "of the Executive," and inserting the words, "of the Mexican Government;" which was decided in the negative—yeas 23, nays 24.

Those who voted in the affirmative are,

Those who voted in the negative are,


On motion of Mr. Speight, the Senate then adjourned until to-morrow morning, 10 o'clock.

Tuesday, December 22, 1846.

The Senate met according to adjournment.

The Speaker announced Messrs. Bogle and Street to compose the Senate's branch of the committee on Enrolled Bills, for the present week; and the House of Commons were informed thereof.

Mr. Ehiringhaus presented the memorial of J. C. Neilson, on the subject of surveying the coast of North Carolina; which was, on his motion, ordered to be sent to the House of Commons, with a proposition that the same be referred to a joint select committee.

Mr. Waddell, from the committee on the Judiciary, to whom was referred a bill to repeal in part an act passed in 1844-5, entitled an act to prevent frauds in levying executions issued by single magistrates, &c., reported the same, and recommended its passage. Ordered to lie on the table.

Mr. Waddell, from the same committee, to whom was referred a bill to regulate the removal of hands liable to work on Public Roads, from one road to another, reported the same, and recommended its passage. Ordered to lie on the table.

Mr. Waddell, from the same committee, to whom was referred a bill to repeal an act passed at the last General Assembly of the State of North Carolina, session 1844-5, chapter 31, more effectually to prevent the imprisonment of Honest debtors, reported the same, and recommended its rejection. Ordered to lie on the table.

Mr. Waddell, from the same committee, to whom was re-
ferred a bill authorizing John C. Rowland to collect arrears of taxes, reported the said bill, and recommended its rejection. Ordered to lie on the table.

Mr. Waddell, from the same committee, to whom was referred a resolution instructing them to inquire into the expediency of requiring all executors to give bond as now required of Administrators, reported that the subject needed no further legislation. Ordered to lie on the table.

Mr. Halsey, from the Committee on so much of the Governor's message as relates to the bonds of indemnity of the Raleigh and Gaston Rail Road, to whom was referred the claim of John Nesbit, of Pennsylvania, reported against the allowance of said claim. Ordered to lie on the table.

Mr. Ehringhaus, from the committee on Military Affairs, reported a bill for the better regulation of the Militia of the State; which was read the first time and passed.

Mr. Speight presented the resignation of Jesse Jackson, a Justice of the Peace for the county of Lenoir; which was read and accepted.

Mr. Woodfin presented sundry memorials on the subject of establishing a new county, to be called La Fayette; which were, on his motion, referred to the committee on Propositions and Grievances.

On motion of Mr. Gilmer,
Ordered, That a message be sent to the House of Commons, proposing to postpone the recommendation of Justices of the Peace, until Tuesday next, afternoon.

Mr. Patterson introduced a bill to incorporate the town of Wilkesborough, in the county of Wilkes, and for the better regulation thereof; which was read the first time and passed.

Mr. Patterson presented a petition from sundry citizens of the county of Ashe, on the subject of establishing a road from the town of Lenoir, in Caldwell county, to the State line, in the direction of Jonesborough, in Tennessee; which was, on his motion, referred to the committee on Internal Improvements.

On motion of Mr. Mills, the bill to establish a new county to be called "La Fayette," was taken up, and read the second time and passed.

The Senate then proceeded to the consideration of the special order of the day, viz: "the bill to repeal an act, entitled an act to amend an act concerning the mode of choosing Senators and Representatives in the Congress of the United States, Revised Statutes, chap. 72, and for the purpose of securing a just
and proper division of the State into Congressional Districts;''
which was read the second time and passed, yeas 25, nays 22.

Those who voted in the affirmative are,

Messrs. Albright, Barnard, Bogle, Carter, Cowper, Daniel,
Eborn, Ehringhaus, Francis, Gilliam, Gilmer, Gilchrist, Halsey,
Hogan, Howard, Kelly, Kerr, McMillan, Melchor, Patterson,
Poindexter, Russell, Thomas, Waddell and Woodfin, 25.

Those who voted in the negative are

Messrs. Ashe, Boyd, Cameron, Drake, Exum, Ferrand, Gavin,
Graves, Hargrave, Hawkins, Hester, Hill, Mills, Speight, Stallings,

The Senate then took up for consideration the resolution pro-
viding for the equipping and paying expenses of Volunteers to
Wilmington and the amendment proposed by Mr. Wilson; and
after some time thereon, the Senate adjourned, on motion of Mr.
Hawkins, until to-morrow morning, 10 o'clock.

WEDNESDAY, DECEMBER 23, 1846.

The Senate met according to adjournment.
Mr. Albright, from the committee on Propositions and Griev-
ances, to whom was referred the memorial of sundry citizens
of Fayetteville, on the subject of altering the laws in relation to
auctions and actioneers, reported that no legislation was requir-
ed, and asked to be discharged. The committee was discharged.

Received from the House of Commons a message, stating
that Messrs. Hicks, E. P. Miller, Shaw and Stone form their
branch of the committee on enrolled bills for the present
week.

Also a message, concurring in the proposition of the Senate
to rescind the joint order to appoint Justices of the Peace on
this day, and that the afternoon of Tuesday next be set apart
for that purpose.

Received also the resignation of Joseph J. Williams, a Jus-
tice of the Peace for the county of Franklin; which was read and accepted.

On motion of Mr. Russell,

Ordered, That the committee on the Judiciary be instructed to inquire into the expediency of making provision by law for paying Tales Jurors; and that they report by bill or otherwise.

Received from the House of Commons a message, transmitting the report of the Treasurer of the University of the State, and a communication of his Excellency the Governor, accompanying the same, with a proposition to print. Concurred in, and the House informed thereof.

Mr. Cameron introduced a bill to extend the time for perfecting titles to land heretofore entered; which was read the first time and passed.

Mr. Boyd introduced a bill to attach a part of Guilford county to Rockingham county; which was read the first time and passed, and referred, together with accompanying memorials, to the committee on private bills.

Received from the House of Commons a message, stating that they had passed the engrossed bill in favor of the Cherokee Chief Junaluske; which was read the first time and passed.

On motion of Mr. Francis, the rules were suspended, and the bill was read the second time and passed. Also, that they had passed the engrossed bill to authorize the holding the Superior and county Courts of the county of Halifax in the new Court House now about to be erected in the town of Halifax; which bill was read the first time and passed.

Received from the House of Commons a message, stating that the Hon. Edward Stanly, having resigned as Speaker of that body, Robt. B Gilliam had been elected Speaker to supply his place for the remainder of the session.

Received also from the House of Commons a message, stating that they had passed the engrossed bill to amend the Revised Statutes, entitled deeds and conveyances; which passed the first reading and was referred, on motion of Mr. Patterson, to the committee on the Judiciary.

Also an engrossed bill authorizing the Governor to establish a depot of Arms at Newbern; also an engrossed bill to amend the 30th section, chap. 55, of the Revised Statutes, entitled salaries and fees; also an engrossed bill to incorporate the Whitehouse cavalry, in the county of Robeson, commanded by Capt. Edmund P. Ashley; which were severally read the first time and passed.
Received from the House of Commons a message, transmitting sundry resignations of Justices of the Peace; which were read and accepted.

The bill to establish a new County to be called Lafayette, was taken up, on motion of Mr. Mills, read the third time, passed and ordered to be engrossed.

On motion of Mr. Bogle, the bill to lay off and establish a new county by the name of Alexander, was taken up, read the third time, amended, on motion of Mr. Patterson, passed, and ordered to be engrossed, yeas 30, nays 8.

Mr. Hester demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


Mr. Gilmer moved to postpone the order of the day, viz. the resolution providing for the equipping and paying expenses of the Volunteers to Wilmington; which was decided in the negative, yeas 19, nays 24.

Mr. Stallings demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


The Senate then proceeded to the consideration of said reso-
lution; and the question being on the amendment proposed by Mr. Wilson, viz. to strike out from the Preamble the words "by the action of the Executive and the subsequent sanction of Congress," the same was decided in the negative, yeas 19, nays 24.

Mr. Wilson demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The question then being on the passage of the Preamble and resolution the second reading, Mr. Speight called for a division of the question. The chair (occupied pro tem. by Mr. Halsey) decided that it was not susceptible of division; from which decision Mr. Cameron took an appeal to the Senate. The question being, shall the chair be sustained? was decided in the affirmative—yeas 23, nays 19.

Mr. Cameron demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The question then recurred on the passage of the preamble and resolution the second reading; which was decided in the affirmative—yeas 41, nays 2.
Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Ashe and Stowe, 2.

The Senate then adjourned, on motion of Mr. Ashe, until tomorrow morning, 10 o'clock.

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Thursday, December 24, 1846.

The Senate met according to adjournment.

Mr. Cameron presented the following resolution, viz.

Resolved, That the Journal of the Senate of yesterday be amended so as to state, that on the question being taken on the passage of the preamble and resolution providing for equipping and paying expenses of Volunteers to Wilmington, on its second reading, when the names of the following Senators were called, they voted in the affirmative, protesting against the preamble. viz: Mr. Cameron, Senator from the county of Cumberland; Mr. Wilson, Senator from Edgecomb; Mr. Hawkins, Senator from Warren; Mr. Stallings, Senator from Gates and Chowan; Mr. Tomlinson, Senator from Johnston; Mr. Gavin, Senator from Sampson; Mr. Speight, Senator from Greene and Lenoir; and Mr. Thompson, Senator from the county of Wake.

Which resolution was rejected—yeas 20, nays 24.

Mr. Cameron called for the yeas and nays.

Those who voted in the affirmative, are

Messrs, Ashe, Boyd, Cameron, Exum, Ferrand, Gavin, Har
Those who voted in the negative, are


Received from the House of Commons a message, stating that they had passed the engrossed bill, entitled a bill in addition to the Revised Statutes, entitled Mills and Millers; in which they ask the concurrence of the Senate. The said bill was read the first time and passed.

Received also a message, agreeing to the proposition of the Senate to refer the documents connected with the coast survey to a joint select committee of two on the part of each House, and stating that Messrs. Washington and Ferebee form their branch of said committee. Messrs. Ehringhaus and Stallings were appointed on the part of the Senate, and the House of Commons was informed thereof.

Received also a message, proposing that when the two Houses adjourn to day, they adjourn to meet again on Saturday next, at 10 o'clock; which was concurred in, and information thereof sent to the House of Commons.

Received also from the House of Commons sundry resignations of Justices of the Peace; which were read and accepted.

Mr. Carter introduced a bill to amend an act entitled an act to alter the mode of appointing Constables in Beaufort county; which was read the first time and passed.

Mr. Halsey presented the following resolution, to wit:

Resolved, That the Public Treasurer be, and is hereby authorized to borrow from the fund set apart for Internal Improvement, the Literary Fund, or either of the Banks in this State, such sum or sums of money from time to time, at six per cent. interest, as may be necessary to meet the proper charges authorized by law against the State, until the next meeting of the General Assembly: Provided, That the amount so borrowed, shall not exceed one hundred thousand dollars; and provided further, that the sum or sums so borrowed, under the authority of this resolution, shall be paid by
the Public Treasurer, as soon as the Treasury shall be in a condition to enable him to do the same.

Which resolution was read the first time and passed.

Mr. Hogan moved that the Senate proceed to the consideration of the engrossed bill to repeal an act, entitled an act to amend an act, entitled an act concerning the mode of choosing Senators and Representatives in the Congress of the United States, Revised Statutes, chap. 72, and for the purpose of securing a just and proper division of the State into Congressional Districts; which was decided in the affirmative—yeas 23, nays 21.

Mr. Thompson demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


The said bill having been read the third time, Mr. Ashe moved that the Senate take a recess until 3 o'clock this afternoon; which was decided in the negative—yeas 16, nays 26.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

After some time spent in considering the said bill, the Senate, on motion of Mr. Graves, took a recess until half past 3 o'clock.

**Half Past 3 O'clock, P. M.**

Received from the House of Commons a message, proposing to raise a joint select committee of three on the part of each House, whose duty it shall be to visit the School of the Deaf and Dumb in this city, and report by bill or otherwise; which was concurred in.

Also a message, proposing to raise a joint select committee of four on the part of each House, to wait upon his Excellency Governor Graham, and make suitable arrangements for his reception on the 1st day of January next, to take the oaths of office. Concurred in.

The Senate then resumed the consideration of the unfinished business of the morning, viz: "The engrossed bill to repeal an act, entitled an act to amend an act entitled an act concerning the mode of choosing Senators and Representatives in the Congress of the United States, Revised Statutes, chap. 7, and for the purpose of securing a just and proper division of the State into Congressional Districts." The question being on the passage of the bill its third reading, was decided in the affirmative—yeas 24, nays 20. Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


The said bill was ordered to be enrolled.

Mr. Speight moved that the Senate adjourn until Saturday morning, 10 o'clock; which was decided in the negative—yeas 17, nays 27.
Mr. Ehringhaus demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


Mr. Cameron moved that the Senate adjourn until Saturday morning, 10 o'clock; which was decided in the affirmative—yeas 29, nays 14.

Mr. Hogan demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


Saturday, Dec. 26, 1846.

The Senate met according to adjournment.

The Speaker announced that Messrs. Patterson, Cameron and Bogle, are appointed the committee on the part of the Senate to visit the School of the Deaf and Dumb, in this
city, and report by bill or otherwise; and information there-
of was sent to the House of Commons.

The Speaker also announced, that Messrs. Wilson, Gil-
mer, Ashe, and Poinl Dexter, are appointed the Senate's
branch of the committee, to make suitable arrangements for
the reception of his Excellency William A. Graham, on the
first day of January next, to take the oaths of office; and
the House of Commons were informed thereof.

Mr. Halsey, from the committee on Finance, to whom
was referred a bill to tax the vendors of foreign made Ri-
ding Vehicles, reported the same, and recommended its pas-
sage. Ordered to lie on the table.

Mr. Wilson introduced the following resolution, viz.

Resolved, That the Public Treasurer pay to John K. Brooks,
Sheriff of Caswell county, sixty-eight dollars and seventy-six cents,
being the amount of tax on insolvents for the years A. D. 1842, and
1843, in the county of Caswell, which was not allowed him in
his settlement with the Comptroller of public accounts.

Which was read the first time, passed, and referred to
the committee on Propositions and Grievances.

Received from the House of Commons a message, propos-
ing that the two Houses proceed, on Tuesday next, at 11
o'clock, A. M., to the election of six trustees for the University
of North Carolina; which was, on motion of Mr. Francis,
ordered to lie on the table.

Also a message, stating that the House of Commons had
passed the engrossed bill, entitled "a bill extending the time
of perfecting titles to lands heretofore entered;" also the
engrossed resolution in favor of E. S. Moore, Sheriff of
Caldwell county; in which they ask the concurrence of the Senate. The said bill and resolution were read the first time
and passed.

On motion of Mr. Francis, the bill, on its third reading,
in favor of the Cherokee Chief, Junoluske, was taken up,
and referred, on motion of Mr. Graves, to the committee on
the Judiciary.

Mr. Thomas presented the resignation of Allen C. Perry,
a Justice of the Peace for the county of Franklin. Read
and accepted.

Mr. Albright, from the committee on Propositions and
Grievances, to whom were referred sundry memorials for and against the establishment of a new county out of a part of the county of Rutherford, reported the same back to the Senate, and asked to be discharged from their further consideration. The committee were accordingly discharged.

Mr. Ashe introduced a bill for the better regulation of the County Courts; which was read the first time, passed, and referred to the committee on the Judiciary.

Mr. Howard introduced the following resolution, viz.

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of improving the Clubfoot and Harlow Creek Canal, or disposing of the same, in accordance with the recommendation of the Governor, in his message; and that they report by bill or otherwise.

Which resolution was adopted.

Mr. Carter introduced a bill to authorize the Court of Pleas and Quarter sessions for the county of Hyde to lay a tax for the purpose of purchasing the Mattimuskeet canal, and Rose Bay Turnpike and the Turnpike from Rose Bay and Swan Quarter; which was read the first time and passed.

Mr. Woodfin, from, the joint select committee raised on so much of the Governor's message as relates to the bonds of indemnity given by the stockholders of the Raleigh and Gaston rail road company, to whom was referred a bill to enforce the State's indemnity against loss on account of her securityship for the Raleigh and Gaston rail road company, reported the same with sundry amendments. Ordered to lie on the table, and that the bill, amendments and report be printed.

Mr. Speight presented the following Resolution, viz.

The General Assembly of North Carolina, have heard with pride and pleasure of the gallant conduct of her sons who were engaged in the memorable actions which took place on the 21st, 22nd, and 23rd of Sept. last, at Monterey, Mexico, between the forces commanded by Gen’l. Z. Taylor and the Mexican Army; that among those who distinguished themselves on that occasion was Capt. Richard C. Gatlin of the county of Lenoir.

Be it therefore resolved, by the General Assembly, that the thanks of this body be, and the same are hereby tendered to Capt. Richard C. Gatlin; and that the Speakers of the two Houses be requested
to inform Capt. Gatlin of the same, and present him with a copy of this resolution.

Mr. Cameron moved to insert in the resolution the name of Capt. Theo. Holmes; which was agreed to. The resolution was then, on motion of Mr. Halsey, referred to a select committee of three, with instructions to report, if possible, at 12 o'clock M., this day. The Speaker appointed Messrs. Speight, Halsey and Patterson to compose said committee.

On motion of Mr. Eringhaus, the Senate took up for consideration the resolution for enclosing the Public Square on which the State House is erected.

After some time spent in the discussion of said resolution, and the adoption of sundry amendments thereto, the Senate, on motion of Mr. Stallings, adjourned until Monday morning, 10 o'clock.

Monday, December 28, 1846.

The Senate met according to adjournment.

The Speaker announced Messrs. Gilmer and Ferrand to compose the committee, on the part of the Senate, on enrolled bills for the present week, and the House of Commons were informed of the same.

Mr. Gilmer introduced a bill to authorize the county court of Guilford to elect two additional Constables; which was read the first time and passed.

Mr. Cameron introduced a bill to incorporate the Donaldson Academy, in the county of Cumberland; which was read the first time and passed.

Received from the House of Commons a message, stating that Messrs. Puryear, Holden, Hargrave and Brogden form their branch of the committee on enrolled bills for this week.

Received also a message, stating that the House of Commons had passed the following engrossed bills and resolutions, viz.

A bill to amend an act entitled "an act to authorize the court of pleas and quarter sessions of Beaufort county, to appoint special Justices of the Peace, and making compensation to such Justices in certain cases."

A bill to incorporate the town of Wilkesboro', in the county of Wilkes;
A bill to protect the public bridges within this State;
A bill to repeal an act, entitled an act to give to the county of Stanly two Jury Terms;
A bill to incorporate the Atlantic fire company, in the town of Newbern;
A resolution in favor Ezekiel Dowdle and West Truitt;
A resolution in favor of James W. Doak, former Sheriff of Guilford county;
A resolution in favor of John H. Wheeler;
Which bills and resolutions were severally read the first time and passed.

Mr. Speight, from the committee to whom was referred a resolution on the subject of the battle of Monterey, voting thanks to Capts. Gatlin and Holmes, reported the following preamble and resolutions, as a substitute, and recommended their adoption, viz.

Whereas the General Assembly of North Carolina have heard with pride and pleasure of the gallant conduct of her sons who were engaged in the memorable actions which took place on the 21st, 22nd, and 23rd of September last, at Monterey, in Mexico, between the forces of the United States, commanded by General Zachery Taylor, and the Mexican Army; and whereas it is proper that some expression should be made of the high sense which this Legislature entertains of the important services and good conduct of the sons of the State of North Carolina on the occasion referred to:

Be it therefore resolved, That the thanks of the General Assembly are due, and are hereby tendered to the gallant officers and soldiers, natives of North Carolina, who were engaged in the memorable capture of Monterey, in Mexico, in the month of September last, for the bravery, skill and courage displayed by them on that trying occasion.

Resolved further, That His Excellency the Governor be requested to make known to the officers and soldiers aforesaid the adoption by this General Assembly of the foregoing resolution, in such manner as he may deem most proper.

Resolved further, That this General Assembly have heard with unfeigned sorrow of the death of Lieutenant Charles Hoskins, a native of this State, who was killed at the siege of Monterey, in Mexico, while gallantly fighting the battles of his country; and that this General Assembly hereby tenders to the bereaved family of Lieutenant Hoskins its deepest sympathy and condolence on this afflictive event.
Resolved further, That a copy of this resolution be transmitted by his Excellency the Governor to the family of the late Lieutenant Hoskins.

Which resolutions passed their first reading.

On motion of Mr. Speight, the rules were suspended, and the resolutions were read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. Waddell,

Ordered, That a message be sent to the House of Commons, proposing that the joint select committee on the Treasurer's report and the Finances be increased by adding four on the part of each House.

The Senate then proceeded to the consideration of the resolutions in favor of John C. Knight, late Sheriff of the county of Richmond; which were read the third time, passed and ordered to be enrolled.

Also the resolution in favor of Benjamin Morris, late Sheriff of Lincoln county; which was read the third time and passed.

The resolution in favor of Robert B. Davis, late Sheriff of Washington county, was read the third time and passed.

The engrossed bill supplemental to a bill, passed by the present General Assembly, entitled a bill to lay off and establish a new county by the name of Gaston, and to annex a part of the county of Caldwell to the county of Lincoln, was read the third time, passed and ordered to be enrolled.

The bill to authorize the inspection of provisions, was taken up, read the second time and passed.

The bill to emancipate Samuel Mackey, a slave, was read the third time, passed and ordered to be engrossed.

On motion of Mr. Woodfin, the bill to provide for laying out and establishing a Turnpike road from Raleigh to the line of the State of Georgia, was taken up and made the order of the day for Wednesday next.

The bill to incorporate the Cape Fear manufacturing company of Wilmington, was taken up and read the third time.—Mr. Thompson moved to amend the bill by adding the following as an additional section, viz.

Be it further enacted, That to secure the creditors of the company, in addition to the property of said corporation, each stockholder shall be liable to the creditors of said company in such sum as is equal to the stock subscribed or owned by him, and each credi
itor may have an action of debt against all or any of the stockholders.

On motion of Mr. Waddell, the said bill and amendment were ordered to lie on the table.

Mr. Graves moved that the Senate disagree to the proposition of the House of Commons, and that Thursday 11 o'clock be set a part to elect Trustees of the University of the State. Agreed to.

Mr. Graves moved that the Senate adjourn until to-morrow morning, 10 o'clock; which was agreed to—yeas 18, nays 16. The yeas and nays were demanded by Mr. Halsey.

Those who voted in the affirmative, are


Those who voted in the negative, are

Messrs. Albright, Bogle, Boyd, Eborn, Francis, Gilmer, Gilchrist, Halsey, Howard, Kelly, Melchor, Patterson, Poindexter, Waddell, Woodfin, and Walker, 16.

TUESDAY, December 29, 1846.

The Senate met according to adjournment.

Mr. Street presented a resolution in favor of R. D. Spaight and others; which was read the first time and passed.

Mr. Woodfin introduced a bill to incorporate the Davidson River manufacturing company, in Henderson county; which was read the first time and passed.

Mr. Ehringhaus presented a memorial on the Coast Survey; which was referred, on his motion, to the joint select committee on that subject.

Mr. Gilchrist introduced a bill to authorize the Sheriffs of this State to collect arrears of of taxes; which was read the first time and passed.
Received from the House of Commons a message, stating that they had passed the following engrossed bills, in which they ask the concurrence of the Senate, viz.

A bill concerning courts of Haywood and Macon counties; which was referred, on motion of Mr. Francis, to the committee on the Judiciary.

Also a bill to alter the mode of electing Constables in the counties of Iredell and Wilkes;

A bill to amend an act, passed in 1842 and 3, entitled an act to incorporate a Mutual Insurance company in the State of North Carolina;

A bill to revive the act of incorporation of Richmond Academy;

A bill to prevent the obstructions in Town Creek, Edgecomb county;

A bill making compensation to Tales Jurors in the county of Union;

A bill for the regulation of the town Mocksville, in Davie county;

A bill to incorporate Thadeus Lodge No. 5, of the Independent Order of Odd Fellows, in the town of Clinton, Sampson county;

A bill to incorporate Manteo Lodge No. 8, in the City of Raleigh, of the Independent Order of Odd Fellows;

A bill concerning Dryesborough, in the county of Craven;

A bill to incorporate the town of Windsor, in the county Bertie;

A bill to abolish the "Jury trials in the county courts of Rutherfordford county;

A bill making compensation to Jurors who may hereafter be summoned to serve on Coroner's Inquests, in the county of Northampton;

A bill to amend an act, entitled act to incorporate the Neptune Fire company, in the town of Washington, ratified January 25th, 1843:

Also the following resolutions, viz.

A resolution in favor M. H. Hill;

A resolution in favor of the widow of Gen'l. J. J. Pasteur;

Resolution in favor of Leslie Gilliam;

Resolution in favor of Matthew McBee;

Resolution for the relief of Jacob Siler;

Resolution in favor of R. S. McDonald, Clerk of the county court of Richmond;

Resolution in favor of John H. Pearson;
Resolution for the relief of Mary D. Moore;
Resolution in favor of Thomas D. Angel;
Resolution in favor of the representatives of the late A. H. Van Bocklen;
Which bills and resolutions were read the first time and passed.

On motion of Mr. Ehringhaus, the Senate proceeded to the consideration of the resolution for enclosing the Public Square on which the State House is erected, the question being on the amendment proposed by Mr. Gilmer, to strike out from the fifth section the following words: "That the contract for building the said fence be given to Messrs. Burns and Stronach of the City of Raleigh," and insert in lieu thereof the following, viz: "That the said Board of Public Buildings advertise for six weeks, in two or more newspapers in the City of Raleigh, for bids therein, including a description of the fence; and that they accept the lowest bid, should the same be less than eleven thousand five hundred dollars, provided he or they making said bid enter." The said amendment was rejected, yeas 15, nays 23.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Cameron moved to postpone the further consideration of said resolutions until this day week; which was decided in the negative, yeas 19, nays 22.

Mr. Cameron demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Ashe, Bogle, Cameron, Drake, Francis, Gavin, Halsey, Hargrave, Hester, Howard, Mills, Patterson, Speight, Stallings, Stowe, Thompson, Ward, Wooten and Walker, 19.
Those who voted in the negative are,


The said resolutions then passed their third reading, and were ordered to be engrossed, yeas 27, nays 16.

Mr. Drake demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are


The bill to incorporate the New River and Bear Creek canal company, in Onslow county, was read the third time, passed and ordered to be engrossed.

Mr. Waddell presented a bill to incorporate the Oxford manufacturing company; which was read the first time and passed.

The engrossed resolution in favor of Joseph Allison, was read the third time, passed and ordered to be enrolled.

The engrossed bill to amend an act, entitled "an act for the relief of certain purchasers of Cherokee lands," was read the third time, and, on motion of Mr. Patterson, ordered to lie on the table.

On motion of Mr. Speight, the bill to restrain pauper free negroes from removing from one county to another, was taken up, read the second time, and rejected.

On motion of Mr. Ehringhaus, the Senate took a recess until 3 o'clock.
Afternoon, 3 O'clock.

The session of the Senate this afternoon was passed in the recommendation of Justices of the Peace.

Wednesday, December 30, 1846.

The Senate met according to adjournment.
Mr. Cameron presented the pension certificate of Martha Spears; which was read, and ordered to be signed by the Speaker of the Senate, and sent to the House of Commons.

On motion of Mr. Halsey,
Ordered, That the Senate take a recess from half past one o'clock, until three o'clock each day.

Mr. Russell presented a bill to change the time of electing superintendents of Common Schools, and the school committee in the county of Granville; which was read the first and second times. Mr. Thompson moved to amend the bill, by adding the county of Wake; which was agreed to, and the said bill was passed the second time.

Mr. Bogle presented a memorial on the subject of electing Justices of the Peace of Iredell county; which was referred, on his motion, to the committee on the Judiciary.

Mr. Tomlinson presented the resignation of Joseph Rentfrow, as a Justice of the Peace for the county of Johnston; which was read and accepted.

Mr. Patterson presented a bill to annex a portion of the county of Wilkes to the county of Caldwell; which was read the first time and passed.

Received from the House of Commons a message, stating that the following persons are nominated for the appointment of Trustees of the University, viz: Alexander Wilson, Richard S. Mason, Daniel W. Courts, Richard Hines, Anderson Mitchell, Walter F. Leak, Gen'l J. C. B. Ehringhaus, John A. Gilmer, Hezekiah G. Spruill, D. James, F. E. Hardy, Giles Mebane, Dr. Kiah P. Harris, W. W. Avery, John Kerr, Will. B. Rodman, William F. Collins, James W. Osborne, Henry T. Clark, Jesse R. Siler, Thomas J.

The said message also proposed that the two houses vote by ballot, and not *viva voce* for the said Trustees; which proposition was not agreed to by the Senate—yeas 18, nays 23.

Mr. Cameron demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


On motion of Mr. Graves, the name of the Rev'd J. J. James was added to the nomination for trustees of the University, and the House of Commons were informed thereof.

The bill to authorize the inspection of provisions, was read the third time, amended, and ordered to lie on the table.

Mr. Francis introduced a bill to consolidate, in part, the laws now in force regarding the State Library and keeper of the Capitol; which was read the first time and passed.

Mr. Waddell, from the committee on the Judiciary, to whom was referred a bill to amend the Revised Statutes, entitled "deeds and conveyances," reported the same, and recommended its passage. Ordered to lie on the table.

The bill to authorize the Sheriff and other officers of Hyde county, to execute processes, &c., was read the third time, passed, and ordered to be engrossed.

Mr. Francis introduced the following resolution, viz.

Resolved, That the Senate of North Carolina, now in session, desire to express their thanks to one of their body, who, they are informed, has, by his efforts, reported a company from the county of Edgecomb, to meet the enemy of our common country, during the war with Mexico: It is therefore resolved, that a select com-
committee, consisting of Messrs. Patterson, Speight and Halsey, be, and they are hereby appointed and instructed to report, by bill or resolution, such expression of thanks to the Senator from Edgecomb, as, in their opinion, would befit this body, of whom he has been, for years, a distinguished member.

Which resolution was unanimously adopted.

The bill to incorporate the Caldwell Institute, was read the third time, amended, and ordered to lie on the table.

The bill to provide for laying out and establishing a Turnpike Road from Raleigh to the line of the State of Georgia, was taken up, and read the second time. The question was on the passage of said bill its second reading.

The Senate then took a recess until 3 o'clock this afternoon.

**Afternoon, 3 O'clock.**

The bill to incorporate the Neuse Fire Company, at Newbern, was read the third time, passed, and ordered to be engrossed.

The resolution in relation to the borrowing of money by the Public Treasurer, was taken up, on motion of Mr. Halsey, and read the second time. and, on motion of Mr. Cameron, ordered to lie on the table.

The bill to regulate the removal of hands liable to work on public roads from one road to another, was read the third time, amended and passed, and ordered to be engrossed.

The resolution relating to the State Capitol was taken up, read the first time, and passed.

The report of the committee on the Judiciary, upon the resolution on the subject of requiring executors to give bond as administrators are now required to do, was taken up, and concurred in.

The Senate then proceeded to the consideration of the unfinished business of the morning, viz:

The bill to provide for laying out and establishing a Turnpike road from Raleigh to the line of the State of Georgia; and, after some time spent in the consideration of the same on its second reading, and the adoption of an amendment thereto, requiring said road to be extended to the town of Smithfield, the said bill was rejected—yeas 15, nays 24.
Those who voted in the affirmative are,

Messrs. Ashe, Bogle, Cameron, Daniel, Francis, Gilmer, Hargrave, Hogan, Kelly, Kerr, Mills, Patterson, Street, Waddell and Woodfin 15.

Those who voted in the negative are,


The Senate then adjourned, on motion of Mr. Ashe, until to-morrow morning, 10 o clock.

Thursday, December 31, 1846.

The Senate met according to adjournment.

Mr. Wilson, from the committee appointed to make arrangements for the qualification of the Governor elect, reported, and the said report was concurred in.

Mr. Waddell, from the Judiciary Committee, to whom was referred a bill in favor of the Cherokee Chief, Jnopoluskee, reported the same, and recommended its adoption.

Mr. Albright moved to amend the bill, by striking out the third section thereof; and, upon that question, called for the yeas and Nays.

Before the question was taken thereon, a message was received from the House of Commons, stating that the hour had arrived for the election of Trustees of the University, under the joint order of the two Houses, and that Messrs. Watters and Dancy are appointed the committee on their part to superintend said election, and also that the name of J. F. E. Hardy is withdrawn from the nomination, and the name of Mr. W. Woodfin is added thereto.

On motion of Mr. Waddell, the name of Mr. Woodfin was withdrawn from the nomination, and, on motion of Mr.
Francis, the name of Mr. Hardy was re-nominated; and the House of Commons were informed thereof.

The House of Commons were also informed that Messrs. Stowe and McMillan form the committee on the part of the Senate, to superintend the election of trustees.

The Senate then proceeded to vote as follows, viz:

For Mr. MASON, Messrs. Speaker, Barnard, Cameron; Ehringhaus, Gavin, Gilliam, Graves, Patterson, Waddell, Howard, Wooten and Thompson, 12.

For Mr. HINES, Messrs. Speaker, Albright, Cameron, Carter, Eborn, Ferrand, Gilliam, Gilmer, Hill, Hogan, Kerr, McMillan, Melchor, Patterson, Speight, Stallings and Howard, 17.

For Mr. GILMER, Messrs. Speaker, Albright, Barnard, Bogle, Boyd, Carter, Cowper, Daniel, Eborn, Ehringhaus, Gilliam, Gilchrist, Halsey, Hester, Hogan, Kelly, Kerr, McMillan, Mills, Patterson, Poindexter, Russell, Stallings, Street, Thomas, Woodfin, Wilson, Howard and Francis, 29.


For Mr. JAMES, Messrs. Speaker, Cameron, Cowper, Daniel, Eborn, Exum, Ferrand, Gavin, Graves, Halsey, Hargrave, Kelly, Kerr, McMillan, Mills, Patterson, Stallings, Stowe, Thomas, Tomlinson, Wooten and Thompson, 22.


For Mr. MEBANE, Messrs. Albright, Barnard, Ehringhaus, Gilmer, Hogan, Kelly, Melchor, Poindexter, Russell and Waddell, 10.

For Mr. HARRIS, Messrs. Albright, Bogle, Carter, Daniel, Hargrave, McMillan, Melchor, Stowe and Walker, 9.

For Mr. EHRLINGHAUS, Messrs. Ashe, Barnard, Bogle, Carter, Cowper, Daniel, Exum, Gilmer, Gilchrist, Halsey, Hester, Poindexter, Russell, Speight, Stallings, Street, Thomas, Tomlinson, Wilson, Woodfin, Ward and Francis, 22.
Mr. Thompson introduced a bill to impose taxes on transient Merchants and Pedlars, in Raleigh; which was read the first time and passed.

Mr. Ehringhaus introduced a bill to incorporate the Rough and Ready Light Dragoons, in the county of Pasquotank; which was read the first time and passed.

Mr. McMillan introduced a bill to open and improve the road leading from Council's Store, in Anne county, to Bedford Wiseman's, in Yancy county; which was read the first time and passed.

The Senate then proceeded to the consideration of the amendment proposed by Mr. Albright, to the bill in favor of the Cherokee Chief, Junoluskee, viz: to strike out the third section thereof; which was rejected—yeas 10, nays 31.

Mr. Albright called for the yeas and nays.
Those who voted in the affirmative, are

Messrs. Albright, Boyd, Drake, Eborn, Exum, Hester, Stowe, Street, Tomlinson and Wooten, 10.

Those who voted in the negative, are


Mr. Street moved to amend the bill, by striking out the words, "in fee simple," and inserting in lieu thereof the words, "during his natural life," which was rejected.

The bill was then read the second time and passed—yeas 30, nays 10.

Mr. Drake demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Drake, Albright, Boyd, Eborn, Exum, Stowe, Street, Tomlinson and Wooten, 10.

The Rules of the Senate were suspended, and said bill passed its third reading, and was ordered to be enrolled.

On motion of Mr. Francis, leave was granted to the Cherokee Chief, Junoluskeee, to appear before the Senate, and return his thanks for the passage of the foregoing bill; which he did, in the language of his tribe: and said speech was interpreted by Mr. Hayes, the member of the House of Commons from the county of Cherokee.

Leave of absence was granted to Mr. Wilson, Senator from the county of Edgecomb, from and after to-day.

Mr. Francis, from the select committee, to whom was referred a resolution on the subject of Mr. Wilson's volunteer-
ing in the North Carolina Regiment for Mexico, reported the following preamble and resolution, to wit:

Whereas the Senate has been informed that one of its members is about to leave the Halls of Legislation in North Carolina, to assume the more arduous and perilous duties of the camp and the battlefield, as the commander of the Volunteer Companies from the county of Edgecombe. And whereas no difference of opinion as to the commencement of the existing war between the United States and the Republic of Mexico, should induce members of this Body to withhold an expression of the opinion they entertain, of the self-sacrosificing and patriotic conduct of the Senator referred to:

Be it therefore resolved unanimously by the Senate of North Carolina now in session, That in separating from their fellow member, the Honorable Louis D. Wilson, Senator from the county of Edgecomb, with whom many members of this Body have been associated for years in the Senate Chamber, they cannot withhold the expression of their high sense of his able, dignified and patriotic services as a member of the Senate, and further to express the conviction that, in the more arduous and hazardous duties of the tented field, he may be no less distinguished for patriotism, courage, and never failing devotion to the cause of the country.

Be it further resolved, That the Speaker of the Senate communicate a copy of the foregoing resolution to the Senator of Edgecomb.

Which resolutions were unanimously adopted.

Mr. Gilmer called for the yeas and nays; which were ordered.

Those who voted in the affirmative, are


The resolution in relation to the borrowing of money by the Public Treasurer, was read the second time and passed—yeas 38, nays 5.

Mr. Gilliam called for the yeas and nays.
Those who voted in the affirmative, are


Those who voted in the negative, are

Messrs. Exum, Speight, Stallings, Street and Tomlinson, 5.

The rules of the Senate were suspended and said resolution was read the third time, passed and ordered to be engrossed.

Mr. McMillan, from the committee superintending the voting for Trustees, reported that D. W. Courts and John A. Gilmer, having received a majority of the whole number of votes, are duly elected.

On motion of Mr. Howard, the vote on the rejection of the bill to provide for laying out and establishing a Turnpike road from Raleigh to the line of the State of Georgia, was reconsidered, and said bill being on its second reading, was ordered to lie on the table.

The engrossed bill making compensation to Jursors who may hereafter be summoned to serve on Coroners Inquests in the county of Northampton, was read the second time and passed.

The Senate then took a recess until 3 o'clock, P. M.

Afternoon, 3 o'clock.

The following engrossed bills and resolutions, were read the second time and passed, and the rules of the Senate were suspended, and said bills were likewise read the third time, passed, and ordered to be enrolled, viz.

A bill concerning Drysborough in the county of Craven;
Resolution in favor of John H. Pearson;
Resolution in favor of Mark H. Hill;
Resolution in favor of Matthew McBee;
Resolution in favor of the widow of General J. J. Pasture.

The following bills and resolutions were read the second time and passed, viz.
A bill to incorporate the town of Windsor, in the county of Bertie;
A bill to amend an act entitled an act to incorporate the Neptune Fire company, in the town of Washington, ratified January 25th, 1843.
A bill to incorporate Manteo Lodge No. 8, in the City of Raleigh, of Independent Order of Odd Fellows;
A bill to incorporate Thadens Lodge, No. 5, of the Independent Order of Odd Fellows, in the town of Clinton, Sampson county;
A bill for the regulation of the town of Mocksville, in Davie county;
A bill to revive the act of incorporation of the Richmond Academy;
A bill to alter the mode of electing Constables in the counties of Iredell and Wilkes, (which bill was amended;)
A bill making compensation to Tales Juiors in the county of Union;
A bill to amend an act, passed in 1842-3, entitled an act to incorporate a Mutual Insurance company in the State of North Carolina;
Resolution for the relief of Jacob Siler;
Resolution in favor of R. S. McDonald, Clerk of the county court of Richmond;
Resolution in favor of Leslie Gilliam.
The bill to incorporate the Oxford manufacturing company, was read the second time and passed.
The engrossed bill to abolish Jury trials in the county courts of Rutherford and Cleveland counties, was read the second time, amended and passed.
Mr. Mills presented sundry memorials, before the reading of the aforesaid bill, from a number of the citizens of Rutherford, against the passage of the same into a law; which were, on his motion, ordered to lie on the table.
The bill for the better regulation of the Militia of this State, was taken up, read the second time, laid on the table, and ordered to be printed, together with the report of the committee on Military Affairs on said bill.
Messrs. Cameron and Mills were appointed on the committee to wait upon his Excellency the Governor, and make arrangements for his inauguration; in place of Messrs. Wilson and Ashe, who were excused from serving on the same.
On motion of Mr. Halsey, the rules were suspended and the resolution relating to the borrowing of money by the
Public Treasurer, passed this day, was ordered to be engrossed forthwith, and transmitted to the House of Commons.

The Senate then, on motion of Mr. Speight, adjourned until to-morrow morning, 10 o'clock.

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**Friday, Jan. 1, 1847.**

The Senate met according to adjournment.

Mr. Carter, from the select committee on redeemed swamp lands, reported a resolution entitled "a resolution concerning public and swamp lands in Hyde county;" which was read the first time and passed.

Mr. Halsey, from the committee on Finance, to whom was referred a bill to amend the 20th section of 102nd chapter of the Revised Statutes, reported the same to the Senate. Ordered to lie on the table.

Mr. Halsey, from the same committee, to whom was referred a Resolution instructing them to inquire into the expediency of increasing the tax on the retailers of spirits, reported the same back to the Senate, and asked to be discharged. Ordered to lie on the table.

Mr. Boyd presented the following preamble and resolution, viz.

Whereas applicants for law-license are subjected to many inconveniences and hardships in having to come to Raleigh to be examined by the Judges of the Supreme Court:

*Therefore resolved,* That the Judiciary committee be instructed to inquire into the expediency of conferring upon any one of the Judges of the Supreme Court, in vacation, or to the Judges of the Superior Courts of Law and Equity, to make such examination; and grant license: And that they report by bill or otherwise.

Which was adopted.

Mr. Woodfin presented a bill to repeal an act entitled "an act for the relief of purchasers of lands sold for taxes in the counties of Haywood and Henderson, ratified the 26th day
of January 1843; which was read the first time and passed.

A resolution in favor of Perrin Busbee, was read the second time, amended, on motion of Mr. Patterson, and passed.

Mr. Patterson moved to suspend the rules of the Senate, and that said resolution be read the third time; which was concurred in, and said resolution, as amended, passed its third reading, and was ordered to be engrossed.

A bill to amend an act entitled "an act to incorporate a company styled the Guilford gold mining company," was read the second time and passed.

The bill to incorporate the town of Franklinville, in the county of Randolph, was read the second time and passed.

Mr. Thompson presented a resolution for transferring the bonds known as Cherokee bonds and the surplus now in the hands of the Public Treasurer, as Treasurer to the fund for Internal Improvement, into the State Treasury; which was read the first time, passed, and referred, on motion of Mr. Ashe, to the committee on Internal Improvements.

On motion of Mr. Cameron, the Senate took up for consideration the resolution providing for equipping and paying expenses of the volunteers to Wilmington. The resolution was amended, on motion of Mr. Waddell, by adding the words "and Charlotte" after the word "Wilmington."

Mr. Ashe moved to amend the preamble by striking out all thereof after the word "whereas," and inserting the following, viz:

"A state of war exists between the United States and Mexico; and whereas the national honor and the interests of the people require that the war be prosecuted with energy and brought to a close as speedily as practicable; and whereas the President of the United States has made a requisition on the State of North Carolina for one regiment of volunteers, to serve during the war with Mexico."

Which was rejected—yeas 20, nays 23.

Mr. Ashe demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Messrs. Albright, Barnard, Bogle, Carter, Cowper, Eborn, Eh-
tringhaus, Gilliam, Gilmer, Gilchrist, Halsey, Hogan, Howard, Kelly, Kerr, McMillan, Melchor, Patterson, Poindexter, Russell, Thomas, Waddell and Woodfin, 23.

Mr. Speight moved a division of the question, and that the
same be first put on the preamble; which was decided in the
negative—yeas 20, nays 25.

Mr. Thompson demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Ashe, Boyd, Cameron, Drake, Exum, Gavin, Graves;
Hargrave, Hester, Mills, Speight, Stallings, Stowe, Street, Thomp-

Those who voted in the negative, are

Messrs. Albright, Barnard, Bogle, Carter, Cowper; Daniel,
Eborn, Ehringhaus, Francis, Gilliam, Gilmer, Gilchrist, Halsey,
Hogan, Howard, Kelly, Kerr, McMillan, Melchor, Patterson, Poin-
dexter, Russell, Thomas, Waddell and Woodfin, 25.

The said preamble and resolution were then read the third
time and passed—yeas 40, nays 4.

Mr. Ashe demanded the yeas and nays.

Those who voted in the affirmative, are

Messrs. Albright, Barnard, Bogle, Boyd, Carter, Cowper, Daniel,
Eborn, Ehringhaus, Exum, Ferrand, Francis, Gilliam, Gilmer,
Gilchrist, Graves, Halsey, Hargrave, Hester, Hill, Howard, Kelly,
Kerr, McMillan, Melchor, Mills, Patterson, Poindexter, Russell,
Speight, Stallings, Thomas, Thompson, Tomlinson, Waddell, Ward;
Woodfin, Wooten and Walker, 40.

Those who voted in the negative, are

Messrs. Ashe, Drake, Gavin and Stowe, 4.

On motion of Mr. Francis, the rules were suspended, and
said preamble and resolution were ordered to be forthwith en-
grossed and sent to the House of Commons.

Received from the House of Commons a message, proposing
that the two Houses vote again at 3 1-2 o'clock this afternoon, for four Trustees of the University, and stating that the names of Anderson Mitchell, Hezekiah G. Spruill, Kiah P. Harris, Thomas J. Lemay, Evander McNair, and William J. Clark are withdrawn from the nomination; which proposition was concurred in, and a message sent to the House of Commons, announcing the same.

Received from the House of Commons a message, stating that the hour of 12 having arrived, at which time, by a joint resolution of the two Houses, the inauguration of his Excellency Governor Graham is to take place, and that body is ready to receive the Senate in their Hall for that purpose.

The members of the Senate passed into the Hall of the House of Commons; and when the ceremonies of the inauguration of Governor Graham were over, they returned to the Senate Hall.

On motion of Mr. Stallings, a recess was taken until 3 o'clock this afternoon.

Afternoon, 3 O'clock.

A bill to change the time of electing superintendents of Common Schools and the school committee, in the counties of Granville and Wake, was read the third time, and, on motion of Mr. Francis, referred to the committee on Education and the Literary fund.

On motion of Mr. Halsey, the bill to amend an act, passed by the General Assembly of North Carolina, at its session 1827, chap. 54, entitled an act to prevent the obstruction of fish passing up the Roanoke and Cashie rivers and their waters, was taken up, read the second time, and on motion of Mr. Cowper, ordered to lie on the table.

The following engrossed resolutions, viz.

Resolution for the relief of Jacob Siler;
Resolution in favor of R. S. McDonald, Clerk of the county court of Richmond;
Resolution in favor of Leslie Gilliam;
Also the engrossed bill to amend an act, passed in 1842-3, entitled an act to incorporate a Mutual Insurance company in the State of North Carolina; were each read the third time, passed and ordered to be enrolled.

On motion of Mr. Waddell, the bill to authorize the Com-
missioners of the town of Wilmington to borrow two hundred thousand dollars, and for other purposes, was taken up and made the special order of the day for to-morrow, at 11 o’clock.

The hour having arrived for the election, under the joint order of the two Houses, of four Trustees of the University, a message was sent to the House of Commons, announcing that Messrs. Cowper and Walker form the Senate’s branch of the committee to superintend the said election, and that the Senate would proceed to vote on the return of the messenger. Messrs. Russell and Holden were announced by message from the House of Commons, as the committee on the part of that body.

The Senate then proceeded to vote as follows, viz.

For Mr. MASON, Messrs. Speaker, Cameron, Gilliam, Howard, Patterson, Woodfin, 6.
For Mr. HINES, Messrs. Speaker, Albright, Barnard, Carter, Eborn, Gilliam, Gilmer, Halsey, Hogan, Howard, Kerr, McMillan, Melchor, Patterson, Speight and Waddell, 16.
For Mr. JAMES, Messrs. Speaker, Cameron, Eborn, Graves, Mills, Stallings, Thompson, Wooten and Exum, 9.
For Mr. KERR, Messrs. Speaker, Albright, Barnard, Carter, Cowper, Eborn, Ehringhaus, Gilliam, Graves, Halsey, Hill, Kelly, Kerr, McMillan, Mills, Russell, Street, Thompson, Waddell and Ferrand, 20.
For Mr. EHRINGHAUS, Messrs. Albright, Barnard, Bogle, Carter, Cowper, Eborn, Francis, Gilmer, Gilchrist, Graves, Halsey, Hester, Hogan, Kelly, McMillan, Melchor, Patterson, Poindexter, Russell, Stallings, Stowe, Street, Thomas, Tomlinson, Ward, Woodfin, Exum and Ferrand, 28.
For Mr. MEBANE, Messrs. Albright, Barnard, Ehringhaus, Gilmer, Melchor, Poindexter, Russell and Waddell, 8.
For Mr. LEAK, Messrs. Bogle, Cameron, Drake, Gavin, Gilmer, Gilchrist, Hargrave, Kelly, McMillan, Poindexter, Russell, Speight, Stowe, Tomlinson, Wooten and Walker, 16.
For Mr. WRIGHT, Messrs. Bogle, Francis, Hill, Kerr, Thompson, Ward, Wooten, Walker and Exum, 9.
For Mr. CAMERON, Messrs. Bogle, Carter, Cowper, Drake, Francis, Gavin, Gilchrist, Graves, Halsey, Hargrave, Hester, Hill, Hogan, Howard, Kelly, Kerr, Mills, Patterson, Poindexter, Speight, Stallings, Stowe, Street, Thomas, Thompson, Waddell, Ward, Woodfin, Wooten, Walker, Exum, and Ferrand, 33.
For Mr. HARDIE, Messrs. Cameron, Ehringhaus, Francis, Woodfin and Ferrand, 5.
For Mr. CLARK, Messrs. Drake, Ehringhaus, Gavin, Gilchrist, Hargrave, Hester, Speight, Stallings, Street, Thomas, Tomlinson and Ward, 12.
For Mr. COLLINS, Messrs. Drake, Hill, Thomas and Cowper, 4.
For Mr. AVERY, Messrs. Gavin, Hargrave, Hogan, Melchior, Mills, Stowe, and Walker, 7.
For Mr. GILLIAM, Mr. Howard, 1.

Received from the House of Commons a message, concurring in the amendment proposed by the Senate to the engrossed bill, entitled a bill extending the time of perfecting titles to lands heretofore entered.

The bill making compensation to Tales Jurors in the county of Union, was read the second time, amended, on motion, by adding thereto the county of Columbus. The rules of the Senate were suspended, and said bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

The following engrossed bills were read the third time, passed, and ordered to be enrolled, viz:
A bill to incorporate Maateo Lodge, No. 8, in the city of Raleigh, of the Independent Order of Odd Fellows;
A bill to revive the act of incorporation of the Richmond Academy;
A bill to incorporate Thadeus Lodge, No. 5, of the Independent order of Odd Fellows, in the town of Clinton, Sampson county;
A bill for the regulation of the town of Mocksville, in Davie county;

The vote on referring the bill to change the time of electing superintendents of common schools and the school committee in the counties of Granville and Wake, was reconsidered, and, on motion of Mr. Francis, referred, with the amendments proposed by him, to the committee on Education and the Literary Fund.

The bill to alter the mode of electing constables in the counties of Iredell and Wilkes, was read the third time, passed, as amended, and sent to the House of Commons, asking their concurrence in said amendment.

On motion of Mr. Street, the Senate adjourned until tomorrow morning, 10 o'clock.
The Senate met according to adjournment.

Mr. Cowper, from the committee superintending the election of four Trustees of the University, reported that Messrs. Leak and Kerr, having received a majority of the whole number of votes given, are duly elected.

Received from the House of Commons a message, proposing to vote forthwith for two additional trustees of the University yet to be elected, and stating that the names of H. T. Clark, W. A. Wright and J. T. Hardy, are withdrawn from nomination; which was concurred in, and a message sent to the House of Commons, announcing that Messrs. Gilchrist and Wooten form the Senate's branch of the committee to superintend the election.

A message was then received from the House of Commons, stating that Messrs. Scott and Pegram form their branch of the committee, and that they would proceed to vote on return of the messenger.

The Senate then proceeded to vote as follows, viz.

For Mr. HINES; Messrs. Speaker, Albright, Barnard, Cameron, Carter, Eborn, Ehringhaus, Gilmer, Kerr, McMillan, Patterson, Speight and Thompson, 14.

For Mr. CAMERON; Messrs. Speaker, Ashe, Bogle, Boyd, Carter, Cowper, Drake, Ferrand, Gavin, Gilliam, Gilchrist, Graves, Halsey, Hargrave, Hawkins, Hester, Hill, Kelly, Kerr, Mills, Patterson, Poindexter, Russell, Speight, Stallings, Stowe, Street, Thompson, Waddell, Ward, Woodfin, Wooten, Walker and Exum, 34.

For Mr. MEBANE, Messrs. Albright, Ehringhaus, Gilmer, McMillan, Melchor, Poindexter and Waddell, 7.

For Mr. EHRINGHAS, Messrs. Ashe, Barnard, Bogle, Boyd, Cameron, Eborn, Ferrand, Gavin, Gilchrist, Graves, Halsey, Hargrave, Hester, Kelly, Melchor, Mills, Russell, Stallings, Stowe, Street, Woodfin, Wooten, Walker and Exum, 24.

For Mr. COLLINS, Messrs. Cowper, Drake, Hawkins, Hill and Ward, 5.

Mr. Albright, from the committee on Propositions and Grievances, to whom was referred a resolution in favor of John K. Brooks, Sheriff of Caswell county, reported the same with an amendment. Ordered to lie on the table.
Mr. Albright, from the same committee, to whom was referred a bill to annex a portion of the county of Wilkes to the county of Caldwell, reported the same, and recommended its passage. Ordered to lie on the table.

Mr. Cameron introduced a bill to incorporate the Henrietta Steam Boat Company. Read the first time, passed and referred, on his motion, to the committee on Propositions and Grievances.

The Senate then proceeded to the order of the day, viz: A bill to authorize the Commissioners of the town of Wilmington to borrow two hundred thousand dollars and for other purposes, and the amendment proposed by the Judiciar y committee thereto. Said amendments were concurred in, and the bill, as amended, passed its second reading.

Received from the House of Commons a message, stating their concurrence in the amendment proposed by the Senate to the engrossed bill to abolish the Jury trials in the County Courts of Rutherford and Cleveland. Said bill was ordered to be enrolled.

Mr. Russell presented the following resolution, viz:

Resolved, The House of Commons concurring, that the two Houses adjourn sine die on Saturday the 9th instant.

On motion of Mr. Graves, the said resolution was made the special order of the day for the 9th instant—yeas 33, nays 9.

Mr. Cowper demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


Mr. Drake introduced a bill to incorporate the trustees of the Nashville Male and Female Academy, in the town of
Nashville, in Nash county; which was read the first time and passed.

Mr. Gilchrist, from the committee superintending the election of two trustees of the University, reported that Mr. Cameron, having received a majority of the votes given, is duly elected.

Received from the House of Commons a message, proposing that the two Houses proceed this afternoon, at half past 3 o’clock, to the election of one trustee of the University. Concurred in, and Messrs. Albright and Exum appointed the Senate’s branch of the committee, and information thereof sent to the House of Commons.

On motion of Mr. Gilmer, the Senate proceeded to the consideration of the bill to enforce the State’s indemnity against loss on account of her suretyship for the Raleigh and Gaston Rail Road Company, and the amendments proposed thereto by the committee to whom it was referred. The said amendments were agreed to, and the bill, as amended, was read the second time and passed. Mr. Graves moved that said bill be made the special order of the day for Tuesday next, at 12 M.; which was agreed to.

On motion of Mr. Patterson, the committee appointed to visit the Deaf and Dumb School, have leave to sit during the session of the Senate.

On motion of Mr. Graves, the bill to authorize the Commissioners of the town of Wilmington to borrow two hundred thousand dollars, and for other purposes, was made the order of the day for Wednesday next.

The engrossed bill to amend an act, entitled an act to incorporate the Neptune Fire Company, in the town of Washington, ratified January 25, 1843, was read the third time, passed, and ordered to be enrolled.

A bill to provide for the sale of certain lands in Macon and Cherokee counties, was read the second time, passed, and, on motion of Mr. Woodfin, made the special order of the day for Monday next.

Mr. Gilmer introduced a bill to revive and re-establish the Raleigh and Gaston Rail Road, and for other purposes; which was read the first time, passed, and ordered to be referred to the committee on Internal Improvement.

The resolution in relation to the bonds given for rent of Cherokee lands surrendered to the State, was taken up, on motion of Mr. Graves, and made the order of the day for Monday next.
A bill to repeal in part an act, passed in 1844-5, entitled "an act to prevent frauds in levying executions issued by a single magistrate, and to encourage and facilitate the practice of taking security for the forthcoming of property seized under executions," and to amend the same, was read the second time and passed.

The resolution concerning Public and Swamp Lands, in the county of Hyde, was read the second time, and, on motion of Mr. Thompson, postponed indefinitely.

The Senate then took a recess until 3 o'clock this afternoon.

**Three O'clock, P. M.**

The bill to incorporate the town of Windsor, in the county of Bertie, was read the third time, passed, and ordered to be enrolled.

A bill making compensation to Jurors who shall hereafter be summoned to serve on Coroner's Inquests, in the county of Northampton, was read the third time, passed, and ordered to be enrolled.

The bill to incorporate the town of Franklinsville, in the county of Randolph, was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Oxford Manufacturing Company, was read the third time, passed, and ordered to be engrossed.

Mr. Halsey introduced the following resolution, viz.

Resolved, That the President and Directors of the Literary Fund, be directed to make sale, either privately or at public auction, of such portions of the reclaimed swamp lands belonging to said fund, and upon such terms, as they may deem compatible with the public interest.

Which was read the first time and passed.

Received from the House of Commons a message, stating that Messrs. McMullen and Guion are the committee on the part of that body to superintend the election of one trustee of the University, and that the hour having arrived appoint.
ed under the joint order, they will proceed to vote on the return of the messenger.

The Senate then proceeded to vote as follows, viz:


For Mr. MEBANE, Messrs. Albright, Boyd, Drake, Gilchrist, Graves, Melchor, Mills, Poindexter, Wooten, McMillan, Ward and Gilmer, 12.

For Mr. HINES, Messrs. Speaker and Hawkins, 2.

Mr. Exum, from said committee, reported that Mr. Mebane, having received the majority of all the votes given, is duly elected a trustee of the University.

Received from the House of Commons a message, stating that they have passed the following engrossed resolution and bills, viz:

Resolution in favor of Alsey Bevers;
A bill to amend an act, passed in 1844-45, entitled an act relative to notaries;
A bill to incorporate Eureka Lodge, No. 7, of the Independent Odd Fellows;
Which resolution and bills were read the first time and passed.

The bill to amend an act, entitled an act to incorporate a company, styled the Guilford Gold Mining Company, was read the third time, 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, viz:

A bill to incorporate the town of Hendersonville, in the county of Henderson;
A bill to amend an act to reduce into one the several acts concerning Pilots and Commissioners of Navigation, Revised Statutes, chap. 88, section 32nd;
A bill to alter the time of holding the Superior Courts of Law and Equity in the second Judicial District of this State, and of the Courts of Pleas and Quarter Sessions for the counties of Onslow, Jones, Craven, Beaufort and Hyde;
Which bills were read the first time and passed, and the last named, on motion of Mr. Speight, was made the order of the day for Friday next.

Received also from the House of Commons a message, stating that they have passed the engrossed bills and resolutions following, in which they ask the concurrence of the Senate, viz:

A bill to incorporate the trustees of the Loretz Centenary Institute;

A bill to improve the navigation of the Yadkin River;

Resolution in favor of Duncan McFarland, of Richmond county;

A resolution in favor of Jacob Silcr and Joseph Cathey.

Received from the House of Commons a message, transmitting copies of the correspondence between his Excellency Governor Graham and the War Department, in reference to the North Carolina Volunteer Regiment, to serve in the existing war with Mexico, and proposing that the same be printed, for the use of the two Houses; which was concurred in.

Received from the House of Commons a message, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to make real estate Assets;

A bill to provide for the opening and clearing out of Third and Fourth Creeks, and Witherow and Back Creeks, in the counties of Rowan and Iredell.

Which were read the first time and passed.

Mr. Exum moved that the Senate adjourn until Monday morning, 10 o’clock; which was not agreed to—yeas 15, nays 18.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are

The bill to incorporate Wilkesborough, in the county of Wilkes, and for the better regulation thereof, was read the second time and passed.

On motion of Mr. Patterson, the rules were suspended, and the bill was read the third time and passed, and ordered to be engrossed.

The bill to amend an act passed at the session of 1844-5, incorporating the Carthage Male and Female Academy in the county of Moore, was read the second time and passed.

On motion of Mr. Kelly, the rules were suspended, and said bill was read the third time, passed, and ordered to be engrossed.

Mr. Speight moved that the Senate adjourn until Monday morning, 10 o'clock; which was rejected—yeas 9, nays 24.

Mr. Stallings demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The engrossed resolution in favor of E. S. Moore, Sheriff of Caldwell county, was read the second time; also a bill to incorporate the Whitehouse Cavalry, in the county of Robeson, commanded by Capt. Edward P. Ashly.

On motion of Mr. Patterson, the rules were suspended, and said bill and resolution were read the third time, passed, and ordered to be enrolled.

The bill to protect the Public Buildings within the State, was read the second time and passed.

On motion of Mr. Thompson, the rules were suspended, and said bill was read the third time, passed, and ordered to be enrolled.

The Senate then adjourned, on motion of Mr. Graves, until Monday morning, 10 o'clock.
The Senate met according to adjournment.

Received from the House of Commons a message, stating that their branch of the committee on enrolled bills for the week, consists of Messrs. Bond, McDowell, Chunn and Smith. Messrs. Hogan and Kerr were appointed on the part of the Senate, and the House of Commons informed thereof.

A bill to incorporate the town of Lenoir, in the county of Caldwell, and for the better regulation thereof, was reported by Mr. Albright, from the committee on Propositions and Grievances, to whom was referred a memorial from sundry citizens of the town of Lenoir; which bill was read the first time and passed.

Mr. Patterson, from the committee on Finance and State liabilities, reported a bill to provide for a re-assessment of the lands of this State, and a more accurate enlistment of the taxable polls; which was read the first time and passed. Ordered to be printed.

Mr. Francis presented a memorial from sundry citizens of Haywood and Macon counties, relating to certain Indians in that section of the State, and, on his motion, said memorial was ordered to be transmitted to the House of Commons, with a proposition to refer the same to a joint select committee of five on the part of each House.

On motion of Mr. Woodfin,

Ordered, That a message be sent to the House of Commons, proposing to discharge the joint select committee, raised on the subject of the re-assessment of lands, and the more accurate enlistment of taxable polls from its further consideration.

Mr. Patterson introduced the following preamble and resolution, viz.

Whereas owing to some defect or omission in the act of the General Assembly, authorizing the appointment of an agent to superintend the collection of the Cherokee Bonds, no provision is made whereby an account of such collections should be rendered to the Comptroller's office; and whereas for want of such returns, the accounts with the purchasers of Cherokee lands, opened in the books of the Comptroller's office, have not been credited with the payments made by such purchasers:
Be it therefore resolved, That the committee of Finance be authorized to inquire into and ascertain what defects exist in the present law in relation to keeping accurate accounts with the purchasers of Cherokee lands, and also what provision is now necessary to have the proper entries made on the Books of the Comptroller's Office, in order to show the actual state of said accounts; and that said committee report by bill or otherwise.

Which was read and adopted.

Mr. Francis presented the following resolution, viz.

Resolved, That the Public Treasurer pay to John B. Allison, Sheriff of Haywood county, the sum of fifty six dollars and forty cents, it being the amount paid by him into the Treasury, by mistake, for land tax, as by the Comptroller's certificate hereto appended, will more fully appear.

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

A bill to extend the authority of the Justices of the county court of Franklin county, was read the second time and passed.

A bill to tax the vendors of foreign made riding vehicles, was read the second time and passed.

Mr. Kelly introduced a bill to incorporate the Swift Island Manufacturing company; which was read the first time and passed.

Mr. Street introduced a bill to amend the 75th section, chap. 34, of the Revised Statutes, entitled "crimes and punishments;" which was read the first time and passed.

Mr. Gilmer introduced a bill regulating the term of service of Volunteers;" which was read the first time, and on motion of Mr. Ehringhaus, referred to the committee on Military Affairs.

Mr. Hogan, from the committee on private bills, to whom was referred a bill to attach a part of the county of Guilford to the county of Rockingham, reported the same, and recommended its passage. Ordered to lie on the table.

The bill to incorporate the Ringgold Artillery, was read the second time and passed.

On motion of Mr. Patterson, the rules were suspended; and said bill was read the third time, passed, and ordered to be engrossed.

The bill to authorize the Petersburg Rail road company to
raise by loan or by an increase of its capital stock a sum not exceeding five hundred thousand dollars, for certain purposes; was read the second time, ordered to be printed, and made the order of the day for Thursday next.

On motion of Mr. Waddell, the consideration of the special order of the day, viz.

The bill to provide for the sale of certain lands in Macon and Cherokee counties, which have been surrendered to the State, was suspended for the present; and, on his motion, the Senate reversed its decision, making the bill to authorize the Commissioners of the town of Wilmington to borrow two hundred thousand dollars, and for other purposes, the order of the day for Wednesday next, and said bill was taken up, read the third time, and after the adoption of sundry amendments, proposed by Mr. Ashe, passed, and ordered to be engrossed—yeas 23, nays 21.

Mr. Stallings demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The Senate then proceeded, on motion of Mr. Halsey, to the consideration of the special order of the day, viz. The bill to provide for the sale of certain lands in Macon and Cherokee counties, which have been surrendered to the State; which bill, after the adoption of various amendments thereto, was read the third time, passed and ordered to be engrossed.

The Senate then took a recess until 3 o'clock, P. M.

Three O'clock, P. M.

Received from the House of Commons a message, concurring in the proposition of the Senate to discharge the joint
select committee on the re-assessment of lands and the more accurate enlistment of taxable Polls, from the further consideration of the same.

Mr. Walker presented the resignation of P. C. Caldwell, a Justice of the Peace from the county of Mecklenburg; which was read and accepted.

The following engrossed bills and resolutions were read the second time and passed, viz.

A bill to amend an act to reduce into one the several acts concerning Pilots and Commissioners of navigation, Revised Statutes, chap. 88; sec. 32; and a resolution in favor of Mary D. Moore.

The engrossed resolution in favor of Benjamin Ivy, of Stanley county, was read the second time passed. On motion of Mr. Patterson, the rules were suspended, and said resolution was read the third time, passed and ordered to be enrolled.

The engrossed resolution in favor of the representatives of the late A. H. Van Bocklen, was read the second time and passed. The rules were suspended, and the resolution was read the third time, passed and ordered to be enrolled.

The engrossed resolution in favor of Thomas M. Angel, was read the second time and passed. On motion of Mr. Patterson, the rules were suspended, and said resolution was read the third time, passed and ordered to be enrolled.

The bill to incorporate the Davidson River Manufacturing company, in Henderson County, was read the second time and passed. The rules were suspended, and said bill was read the third time, passed and ordered to be engrossed.

The engrossed bill to prevent obstructions in Town Creek, in Edgecombe county, was read the second time and passed. On motion, the rules were suspended, and the bill was read the third time, passed and ordered to be enrolled.

The bill to amend an act, entitled an act to alter the mode of appointing Constables in Beaufort county, was read the second time and passed. On motion of Mr. Patterson, the rules were suspended, and said bill was read the third time, passed and ordered to be engrossed. The resolution for the sale of chattels about the Capitol, was read the second time and passed.

The resolution in favor of R. D. Speight and others, was read the second time and passed.

On motion of Mr. Speight, the rules were suspended and the resolution was read the third time, passed and ordered to be engrossed.

A bill to authorize the Sheriffs of this State to collect ar-
A bill to incorporate the Atlantic Guards, was read the second time and passed. The rules were suspended, and said bill was read the third time, passed and ordered to be engrossed.

The engrossed bill to authorize the holding of the Superior and county courts of the county of Halifax in the new Court House now about to be erected in the town of Halifax, was read the second time and passed.

On motion of Mr. Patterson, the rules were suspended, and the bill read the third time, passed and ordered to be enrolled.

A bill to authorize the court of pleas and quarter sessions for the county of Hyde to lay a tax for the purpose of purchasing the Mattimuskeet canal and Rose Bay Turnpike, and the Turnpike from Rosebay to Swan Quarter, was read the second time and passed.

The engrossed resolution in favor of Ezekiel Dowdle and West Truit, was read the second time and passed.

The engrossed resolution in favor of James W. Doak, former Sheriff of Guilford county, was read the second time and passed.

On motion of Mr. Patterson, the rules were suspended, and said resolution was read the third time, passed and ordered to be enrolled.

The bill to incorporate the Neptune Fire company, No. 1, in the town of Newbern, was read the second time and passed. The rules were suspended, and said bill was read the third time, passed and ordered to be enrolled.

The engrossed bill to repeal an act, entitled an act to give
to the county courts of Stanly county two Jury terms, was
read the second time and passed.

On motion of Mr. Patterson, the rules were suspended, and
said bill passed its third reading and was ordered to be en-
rolled.

An engrossed resolution in favor of John H. Wheeler, was
read the second time and passed.

On motion of Mr. Patterson, the rules were sus-
pended, and said bill read the second time and
passed. The rules were then suspended, and said bill read the
the third time, passed, and ordered to be enrolled.

On motion of Mr. Hargrave, the Senate then adjourned un-
til to-morrow morning, 10 o'clock;

TUESDAY, JANUARY 5, 1847.

The Senate met according to adjournment.

Mr. Ehringhaus presented counter memorials on the sub-
ject of extending the limits of the town of Elizabeth city; which
were, on his motion, referred to the committee on Propositions
and Grievances, with instructions to report by bill or other-
wise.

Mr. Cameron from the joint select committee, to whom was
referred the subject of the Deaf and Dumb School, and raised
to visit the same, reported.

On motion of Mr. Speight, said report was ordered to be
printed.

Mr. Patterson, from the committee on Internal Improvement,
to whom was referred a bill to revive and establish the Raleigh
and Gaston rail road company and for other purposes, reported
the same and recommended its passage, with sundry amend-
ments. Ordered to lie on the table.

Mr. Halsey, from the committee on Finance, to whom was
referred a resolution to levy a tax on vessels, &c., reported and
asked that the committee be discharged. The committee were
accordingly discharged from the further consideration of said
resolution.
Received from the House of Commons a message, stating that they had postponed indefinitely the Senate's bill entitled "a bill concerning Clerks and Masters in Equity." Also that they do not concur in the proposition of the Senate, to refer the memorial of the citizens of Haywood and Macon counties concerning the Indians.

The bill to repeal in part an act, passed in 1844 and 45, entitled an act to prevent frauds in levying executions issued by a single Magistrate, and to encourage and facilitate the practice of taking security the forthcoming of property seized under execution, and to amend the same, was read the third time, passed and ordered to be engrossed.

The engrossed resolution in favor of John H. Wheeler, was read the third time, passed and ordered to be enrolled.

The resolution relating to the roof and rooms of the State Capitol, was read the third time, passed and ordered to be engrossed.

Mr. Cameron presented the following preamble and resolution, viz.

Whereas the members of the Senate have heard that, since the adjournment of the last General Assembly, Thomas G. Stone, of the county of Franklin, who for so many years faithfully discharged the duties of Chief Clerk of the Senate, has departed this life:

Be it therefore resolved, That the members of the Senate do hereby express their deep regret at the death of the said Thomas G. Stone.

Be it further resolved, That this preamble and resolution be spread on the Journals of the Senate, and that the Speaker of the Senate be requested to transmit a copy of the same to the family of the deceased.

Which preamble and resolutions were unanimously adopted.

The following engrossed resolutions, viz.

Resolution in favor of Ezekiel Dowdle and West Truit;

Resolution for the relief Mary D. Moore; were read the third time, and, on motion of Mr. Patterson, ordered to lie on the table.

The following engrossed bills, viz.

A bill to authorize the Governor to establish a depot of arms at Newbern;

A bill in addition to the Revised Statutes entitled Mills and Millers;
A bill to amend an act to reduce into one the several acts concerning Pilots and Commissioners of navigation, Revised States, chap. 88, sec. 32; were read the third time, passed and ordered to be enrolled.

The bill to authorize the courts of pleas and quarter sessions for the county of Hyde to levy a tax for the purpose of purchasing the Mattimuskeet canal and Rose Bay Turnpike, and the Turnpike from Rose Bay to Swan Quarter, was read the third time, passed and ordered to be engrossed.

The resolution in relation to the sale of the chattels about the Capitol, was read the third time, and, on motion of Mr. Thompson, ordered to lie on the table.

Received from the House of Commons a message, stating that they have ordered the certificate in favor of Mrs. Martha Spears, widow of the late John Spears, to be countersigned by the Speaker and returned to the Senate.

The bill for the better regulation of the Militia of this State, was read the second time: After the adoption of various amendments thereto, but before the question was taken on the passage of said bill its second reading, the hour arrived for the consideration of the special order of the day, viz.

A bill to enforce the State's indemnity again loss on account of her suretyship for the Raleigh and Gaston rail road company; which was read the third time, passed and ordered to be engrossed.

The resolution in relation to the bonds given for rent of Cherokee lands surrendered to the State, and the amendment proposed thereto by the committee on Propositions and Grievances, were taken up. The said amendment, viz: to insert the words "one half of" after the words "payment of," in the first resolution, was agreed to—yeas 28, nays 7.

Mr. Albright demand the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are

Messrs. Cameron, Drake, Gilliam, Graves, Hargrave, Stowe and Street, 7.
The question was then taken on the passage of the resolution its second reading, as amended, and decided in the affirmative—yeas 18, nays 18.

The Speaker voted in the affirmative. Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


On motion of Mr. Hogan, the vote on the passage of the bill to provide for the sale of certain lands in Macon and Cherokee counties, which have been surrendered to the State, its third reading, was reconsidered and said bill was ordered to lie on table.

The select committee on the memorial of W. J. Brown, agent &c., consists of Messrs. Graves, Gilmer, Poindexter, Francis and Mills.

The Senate took a recess until 3 o'clock, P. M.

THREE O'CLOCK P. M.

Mr. Albright, from the committee on Propositions and Grievances, to whom was referred a bill to incorporate the Henrietta Steam Boat Company, reported the same, and recommended its passage. Ordered to lie on the table.

The bill to extend the authority of the Justices of the County Court of Franklin county, was read the third time, passed, and ordered to be engrossed.

On motion of Mr. Ehringhaus, the Senate then proceeded to the consideration of the unfinished business of the forenoon, viz: The bill for the better regulation of the militia of the State. Said bill, as amended, passed its second reading.

On motion of Mr. Ehringhaus, the rules were suspended,
and the bill was read the third time, passed, and ordered to be engrossed.

The bill authorising the County Court of Guilford to elect two additional constables, was read the second time and passed.

On motion of Mr. Gilmer, the rules were suspended, and the bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Rough and Ready Light Dragoons, in the county of Pasquotank, was read the second time and passed. The rules were suspended, and the bill passed its third reading, and was ordered to be engrossed.

A bill to open and improve the road leading from Council's Store, in Ashe county, to Bedford Wiseman's, in Yancey county, was read the second time and passed. The rules were suspended, and the bill was read the third time, passed, and ordered to be engrossed.

The bill to amend an act, passed by the General Assembly of North Carolina, at its session 1827, chap. 54, entitled an act to prevent the obstructions of fish passing up Roanoke and Cashie Rivers and their waters, was read the second time and passed. The rules were suspended, and said bill was read the third time, passed, and ordered to be engrossed.

The engrossed resolution in favor of Duncan McFarland, of Richmond county, was read the second time and passed. The rules were suspended, and the resolution was read the third time, passed, and ordered to be enrolled.

The engrossed resolution in favor of Jacob Siler and Joseph Cathey, was read the second time and passed.

The engrossed bill to incorporate the town of Hendersonville, in the county of Henderson, was read the third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate Eureka Lodge, No. 7, of the Independent Order of Odd Fellows, was read the second time and passed.

On motion of Mr. Patterson, the rules were suspended, and said bill was read the third time, passed, and ordered to be enrolled.

The engrossed resolution in favor of Alsey Bevers, was read the second time and passed. The rules were suspended, and said resolution was then read the third time, passed, and ordered to be enrolled.

The engrossed bill to improve the navigation of the Yadkin river, was read the second time and passed.
The bill to incorporate the trustees of Nashville Male and Female Academies, in the town of Nashville, in Nash county, was read the second time and passed.

On motion of Mr. Drake, the rules were suspended, and said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Swift Island Manufacturing Company, was read the second time and passed.

On motion of Mr. Kelly, the rules were suspended, and the bill was read the third time; Mr. Speight moved to amend the bill, by adding the following as an additional section, viz:

*Be it further enacted, That to secure the creditors of the Company, in addition to the property of said corporation, each stockholder shall be liable to the creditors thereof, in such sum as is equal to the stock subscribed or owned by him; and each creditor may have an action of debt against all or any of the stockholders,*

Which was rejected—yeas 16, nays 18.

Those who voted in the affirmative are,


Those who voted in the negative are


The bill then passed its third reading, and was ordered to be engrossed.

On motion of Mr. Street, the Senate adjourned until tomorrow morning, 10 o'clock.
Wednesday, January 6, 1847.

The Senate met according to adjournment.
Mr. Patterson, from the joint select committee on Finance and State liabilities, reported a bill to increase the public revenue; which was read the first time and passed.
Mr. Patterson, from the same committee, reported the following bills, viz:
A bill to provide for the transfer of certain funds from the Internal Improvement Fund to the Public Treasury, and for other purposes;
Also a bill authorizing a loan, to enable the State to redeem certain liabilities.
Which were read the first time, and ordered to be printed.
Mr. Ehringhaus, from the committee on the Coast Survey, reported a bill concerning the survey of the coast of North Carolina; which was read the first time and passed.
Mr. Halsey, from the committee on Finance, to whom was referred a resolution on the subject of the accounts of purchasers of Cherokee lands, reported a series of resolutions in relation thereto; which were read the first time and passed.

Mr. Francis introduced the following resolution, viz.

Resolved, That the Public Treasurer be authorized to pay to John H. Wheeler twenty dollars, which he had to pay the Treasurer in lieu of a twenty dollar spurious note on the Bank of Georgetown, South Carolina, which he received as Treasurer, for entries of vacant lands in January, 1845.

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

Mr. Thomas introduced a bill to incorporate Franklinton Male Academy, in the county of Franklin; which was read the first time and passed.
Mr. Carter introduced a bill to repeal an act, entitled an act to exempt certain citizens of Hyde county from public duty; which was read the first time and passed.
Mr. Gilchrist presented a bill to improve the navigation of Lumber river; which was read the first time and passed.
Received from the House of Commons a message, stating
that they have passed the engrossed bill to incorporate the Roanoke Rail Road Company; in which they ask the concurrence of the Senate.

The said bill was read the first time, passed, and referred, on motion of Mr. Cameron, to the committee on Internal Improvement.

The Senate then proceeded to the consideration of the unfinished business of yesterday, viz: A bill to authorize the Sheriffs of this State to collect arrears of taxes. The question being, on the motion of Mr. Ehringhaus, to strike out all of the bill except the enacting clause; which was determined in the affirmative—yeas 27, nays 14.

Mr. Poindexter demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


Mr. Francis, on his motion, was excused from serving on the select committee on the memorial of W. J. Brown, agent, &c., and Mr. Ehringhaus was substituted in his place.

The Senate then took a recess until 3 o'clock, P. M.

Three O'clock, P. M.

The engrossed resolution in favor of Jacob Siler and Joseph Cathey, was read the third time, passed, and ordered to be enrolled.

On motion of Mr. Gilchrist, the committee to whom was referred a resolution to loan from the Literary Fund to Floral College the sum of two thousand dollars, was discharged from the further consideration of the subject.

The resolution for the sale of chattels about the Capitol, was taken up, amended on motion of Mr. Thompson, and passed its third reading, and ordered to be engrossed.
The resolution respecting the sale of swamp lands, was read the second time and passed.

On motion of Mr. Halsey, the rules were suspended, and the said resolution was read the third time, passed, and ordered to be engrossed.

The engrossed bill to improve the navigation of the Yadkin river, also

The engrossed bill to amend the 30th section of the 105th chap. of the Revised Statutes, entitled salaries and fees, were read the third time, passed, and ordered to be enrolled.

The resolution in relation to the bonds given for rent of Cherokee lands surrendered to the State, was taken up, read the third time, and, on motion of Mr. Francis, laid on the table.

The bill to repeal an act, entitled an act for the relief of purchasers of lands sold for taxation in the counties of Haywood and Henderson, ratified 26th day of January, A. D. 1843, was read the second time and passed.

On motion of Mr. Woodfin, the rules were suspended, and the bill was read the third time, passed, and ordered to be engrossed.

The bill to amend the 75th sec. 34th chap. of the Revised Statutes, entitled "crimes and punishment," was read the second time, and, on motion of Mr. Francis, referred to the committee on the Judiciary.

The bill to impose taxes on transient Merchants and Pedlars, in Raleigh, was read the second time and rejected.

The bill to incorporate the Loretz Centenary Institute, was read the third time and passed, and ordered to be enrolled.

The bill to incorporate the Donaldson Academy, in the county of Cumberland, was read the second time and passed.

On motion of Mr. Cameron, the rules were suspended, and said bill was read the third time, passed, and ordered to be engrossed.

The bill to repeal an act passed at the last General Assembly of the State of North Carolina; (session of 1844 and '45.) chap. 31, more effectually to prevent the imprisonment of honest debtors, was read the second time and rejected—yeas 16, nays 24.

Mr. Halsey demanded the yeas and nays.
Those who voted in the affirmative are,

Messrs. Boyd, Cameron, Cowper, Exum, Gavin, Graves, Hargrave, Hester, Kelly, Melchior, Speight, Stallings, Thompson, Thomas, Wooten and Walker, 16.

Those who voted in the negative are,


The bill authorizing John A. Rowland to collect arrears of taxes, was taken up, and, on motion of Mr. Gilchrist, ordered to lie on the table.

The engrossed bill to provide for the opening and clearing out of Third and Fourth Creeks, Witherow and Back Creeks, in the counties of Rowan and Iredell, was read the second time and passed. The rules were suspended, and the bill was read the third time, amended on motion of Mr. Kerr, and a message sent to the House of Commons, asking their concurrence in the amendments.

Mr. Woodfin introduced a bill supplemental to an act passed at the present session of the General Assembly, entitled an act to provide for holding a term of the Supreme Court once a year, in the western part of the State; which was read the first time and passed.

Mr. Albright presented the following resolution, viz.

Resolved, That the Joint select committee appointed to attend the examination of the mutes in the Deaf and Dumb school, in this place, be instructed to inquire into the expediency of establishing said school upon a more permanent basis; and that they report by bill or otherwise.

Which was read and adopted.

On motion of Mr. Ashe, the Senate adjourned until tommorrow morning, 10 o'clock.
Thursday, January 7, 1847.

The Senate met according to adjournment.

Mr. Patterson, from the committee on Internal Improvement, to whom was referred a bill to incorporate the Roanoke Rail Road Company, reported the same and recommended its passage. Ordered to lie on the table.

Mr. Albright, presented a memorial from sundry citizens of Chatham county, on the subject of altering the laws relative to estates of deceased persons; which was referred to the committee on the Judiciary.

Mr. Albright, from the committee on Propositions and Grievances, to whom was referred a memorial from sundry citizens of Elizabeth City, reported adversely to said memorial. Ordered that the same lie on the table.

Mr. Cameron, from the committee on Claims, to whom was referred a resolution in favor of John B. Allison, Sheriff, reported the same, and recommended its adoption. Ordered to lie on the table.

Mr. Cameron, from the same committee, to whom was referred a resolution in favor of John H. Wheeler, reported the same, and recommended its passage. Ordered to lie on the table.

Mr. Patterson, from the committee on Internal Improvements, to whom was referred a bill to authorize the Board of Internal Improvements to make sale of the Club Foot and Harlow Creek Canal, reported the same, and recommended its passage. Ordered to lie on the table.

Mr. Waddell, from the Judiciary committee, to whom was referred the following bills, viz:

A bill to regulate the pay of Jurors and Witnesses in the county of Rutherford;

A bill to amend an act passed in 1844 and '45, entitled an act relative to wharves;

A bill to repeal in part the 45th chapter of the Revised Statutes, entitled executions and execution sales, and to amend the same;

A bill concerning courts of Haywood and Macon counties—Reported the same and recommended their passage. Ordered to lie on the table.

Mr. Patterson presented the petition of Joseph H. Rice
and others: which was, on his motion, referred to the committee on Claims.

Mr. Halsey presented a bill to provide for the transfer of the bonds of the Raleigh and Gaston Rail Road Company, endorsed by the State; which was read the first time, passed, and referred to the committee on Finance and State liabilities.

Mr. Carter presented a bill to authorize the Court of Pleas and Quarter Sessions of Hyde county to appoint Commissioners of Navigation for Hatteras Inlet; which was read the first time and passed.

Mr. Wooten introduced the following resolution, viz.

Whereas the members of the Senate have heard, since the adjournment of the last session of the Legislature, that Robert Melvin, of the county of Bladen, who, for many years, ably represented the same, and afterwards the Senatorial District, composed of the counties of Bladen, Brunswick and Columbus, in the Legislature of North Carolina, has departed this life:

Therefore be it resolved. That in consideration of his sterling worth and his undeviating attachment to the interests of the State, the members of the Senate do deeply deplore the death of the said Robert Melvin.

Be it further resolved. That this preamble and resolution be spread on the Journal of the Senate, and a copy of the same be transmitted by the Speaker of the Senate, to the family of the deceased.

Which was unanimously adopted.

Mr. Speight presented the following resolution, viz.

Resolved, That the Public Treasurer be requested to report to the Senate a statement shewing the amount of money which has been paid by the State, for the Raleigh and Gaston Rail Road Company, and the dates of the several payments; also the amount of money paid by the State, for the Wilmington and Raleigh Rail Road Company, and the date of the several payments; also the amount for which the State is now liable for each of said companies and in what sums, and at what periods the said liabilities severally fall due, according to the existing obligations.

Which was adopted.

On motion of Mr. Waddell, the Senate took up the bill to in-
corporate the Caldwell Institute in the town of Hillsborough; the amendments proposed were adopted, and the bill, as amended, passed its third reading, and a message was sent to the House of Commons, asking concurrence in the amendments.

The engrossed bill to amend an act, entitled an act for the relief of certain purchasers of the Cherokee lands, was taken up, and on motion of Mr. Waddell, referred to the committee on the Judiciary.

On motion of Mr. Cameron, the vote on the passage of the bill to incorporate the Donaldson Academy, in the county of Cumberland, its third reading, was reconsidered; and, on motion of Mr. Cameron, said bill was amended, by striking out the word, "Donaldson," wherever it appears, and inserting the word, "Cumberland," in lieu thereof. The bill, as amended, then passed its third reading, and was ordered to be engrossed.

On motion of Mr. McMillan, the vote by which was rejected the bill imposing taxes on itinerant merchants and pedlars in the City of Raleigh, was reconsidered, and said bill was ordered to lie on the table.

The Senate then proceeded to the consideration of the orders of the day viz: A bill to authorize the Petersburg rail road company to raise, by loan or by an increase of its capital stock, a sum not exceeding five hundred thousand dollars, for certain purposes: Mr. Cameron offered an amendment to the bill; and after some time spent in its consideration, on motion of Mr. Patterson, the amendment and bill were ordered to lie on the table, and be made the special order of the day for tomorrow.

Received from the House of Commons a message, proposing to raise a joint select committee of two on the part of the Senate, and three on the part of the House of Commons, whose duty it shall be to enquire into the expediency of erecting in this City a suitable building for the Institution of the Deaf and Dumb, and the ways and means of doing the same; and also to enquire whether greater facilities than now exist can be given to said Institution, so as to advance still further the benevolent objects contemplated in the establishment of said Institution; and that said committee have leave to report by bill or otherwise. Which was concurred in, and Messrs. Poindexter and Thompson were appointed the committee on the part of the Senate, and the House of Commons were informed thereof.
The engrossed bill to incorporate the Roanoke rail road company, was read the second time and passed.

The bill to annex a portion of the county of Wilkes to the county of Caldwell, was read the second time and passed.—On motion of Mr. Patterson, the rules were suspended, and said bill was read the third time, amended, passed and ordered to be engrossed.

Mr. Poindexter was excused from serving on the committee to be raised by the joint action of the two Houses on the subject of the Deaf and Dumb School, and Mr. Russell was substituted in his place.

The bill to amend an act of the last session, entitled an act in favor of poor Debtors, was read the second time, amended, on motion of Mr. Halsey and Mr. Exum, and passed, and referred to the Judiciary committee.

On motion of Mr. Thompson, the bill to impose taxes on itinerant merchants and pedlars in Raleigh, was referred to the committee on the Judiciary.

The Senate then took a recess until 3 o'clock, P. M.

THREE O'Clock, P. M.

The bill to incorporate the town of Lenoir, in the county of Caldwell, and for the better regulation thereof, was read the second time and passed. On motion of Mr. Patterson, the rules were suspended, and the bill was read the third time, passed, and ordered to be engrossed.

Mr. Francis introduced the following resolution, viz.

Resolved, That the Secretary of State issue a grant to Ralph Hughes for a tract of land in Haywood county, containing one hundred acres, for which, from the plats of survey and Secretary's certificate, the money has been paid into the Treasury in due time, No. 1836.

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

The bill to provide for the sale of certain lands in Macon and Cherokee counties, which have been surrendered to the State, was read the third time and passed. Rules suspended, and the said bill ordered to be engrossed forthwith, and sent to the House of Commons.
The bill to amend the Revised Statutes entitled Deeds and Conveyances, was read the second time and passed. On motion of Mr. Gilmer, the rules were suspended, and said bill was read the third time, 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 entitled "a bill to regulate the issuing of process in certain cases," with an amendment; in which they ask the concurrence of the Senate.

The amendment was agreed to, and the House of Commons were informed thereof.

The bill to improve the navigation of Lumber River, was read the second time and passed. On motion of Mr. Gilchrist, the rules were suspended, and said bill was read the third time, passed and ordered to be engrossed.

The bill to repeal an act, entitled an act to exempt certain citizens of the county of Hyde from public duty, was read the second time and passed. The rules were suspended, and said bill was read the third time, passed and ordered to be engrossed.

The bill to incorporate Franklin Male Academy, in the county of Franklin, was read the third time, passed and ordered to be engrossed.

The bill to attach a part of the county of Guilford to Rockingham county, was read the second time and rejected—yeas 14, nays 15.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are

Messrs. Carter, Cowper, Daniel, Francis, Gilmer, Halsey, Howard, Kelly, Kerr, McMillan, Melchor; Patterson, Poindexter, Speight and Woodfin, 15.

The bill to incorporate the Henrietta Steam Boat company, was read the second time and passed.

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, viz.
A bill to increase the number and pay of Jurors in the county of Anson;
A bill to amend an act entitled an act to incorporate the town of Greensboro', in the county of Guilford;
A bill making compensation to Jurors, of the county of Jones;
A bill for a Road in Yancey: Also the following resolutions, viz.
Resolution for the relief of the Clerk of the county court of Duplin;
Resolution relating to the roof of the State Capitol.
Which bills and resolutions were read the first time and passed.
Received from the House of Commons a message, stating that they have passed the following engrossed bill, viz.
A bill granting a further extension of credit on the bonds endorsed by the State for the Wilmington and Baleigh rail road company, and also on the debts due the State and the Literary fund by said company; in which they ask the concurrence of the Senate. Said bill was read the first time and passed.
On motion of Mr. Halsey, the Senate adjourned until to-morrow morning, 10 o'clock.

Friday, Jan. 8, 1847.

The Senate met according to adjournment.
Mr. Cameron, from the committee on Claims, to whom was referred a resolution in favor of Ralph Hughes, reported the same and recommend its adoption. Ordered to lie on the table.
Mr. Patterson presented the following preamble and resolution, viz.

Whereas the business of the office of the Secretary of State has increased, and is increasing to such an extent that the said Secretary cannot perform the duties thereof:

Be it therefore resolved, That the said Secretary be authorized
and empowered to employ a Clerk in his office, at an annual salary
of not exceeding—dollars.

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, viz.

A bill exempting certain citizens of Buncombe county from
working on the public road, on the East side of French Broad
River, in said county;

A bill to incorporate the trustees of the Female Institute in
the county of New Hanover;

A bill to extend to the county of Buncombe the provisions of
the act of Assembly, ratified the 26th day of January, A D.
1843, and entitled an act for the relief of purchasers of land
sold for taxes in the counties of Haywood and Henderson;
which bills were read the first time and passed.

Mr. Thomas introduced a bill to incorporate Franklinton
Female Academy, in the county of Franklin; which was read
the first time and passed.

Received from the House of Commons a message, stating
that they have passed the following engrossed bills, in which
they ask the concurrence of the Senate, viz.

A bill to alter the time of holding the Superior courts of law
and equity in the sixth Judicial circuit;

A bill to restore Jury trials to two of the sessions of Mont-
gomery county court;

A bill to provide suitable punishment for owners or occu-
piers of houses burning the same under the circumstances
therein mentioned;

A bill to lay off and sell a portion of the town commons in
the town of Lincoln ton;

A bill to supply omissions in the 42nd chapter of the Revised
Statutes, entitled entries and grants;

A bill to divide consolidated bonds given by purchasers of
Cherokee lands;

A bill concerning orphans and persons non compos mentis;

A bill concerning public roads: Also the following en-
grossed resolutions, viz

Resolution in favor of George D. Boggan, Sheriff of Anson
county;

Resolution in favor of Morgan B. Ounley; which bills and
resolutions were read the first time and passed.

The Senate then proceeded to the consideration of the or-
ders of the day, viz.

A bill to alter the time of holding the Superior courts of law
and equity in the second Judicial District of this State, and in the courts of pleas and quarter session for the counties of Onslow, Jones, Craven, Beaufort and Hyde, on its second reading. The bill was read the second time and passed—yeas 22, nays 21.

Mr. Howard demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Waddell, from the Judiciary Committee to whom was referred the bill to amend the 75th sec. chap. 34, of the Revised Statutes, entitled, "crimes and punishments," reported the same, and recommended its rejection. Ordered to lie on the table.

Also a bill to protect houses and enclosures from wilful injury, and recommended its passage. Ordered to lie on the table.

Also the resolution respecting the power of the county courts to release double taxes—unfavorably thereto. Ordered to lie on the table.

Also a bill for the better regulation of the county courts, and recommended its rejection. Ordered to lie on the table.

Also a bill to consolidate in part the laws now in force regarding the State Library and Keeper of the Capitol, and recommended its rejection. Ordered to lie on the table.

Also a bill to amend an act, entitled an act for the relief of certain purchasers of Cherokee lands, and recommended its passage, with an amendment. Ordered to lie on the table.

Also a memorial from sundry citizens of Chatham county, unfavorably to their prayer. Ordered to lie on the table.

Mr. Waddell, from the same committee, reported unfavorably to the petition of sundry citizens of Iredell county relative to Justices of the Peace. Ordered to lie on the table.

Also, unfavorably to the resolution instructing them to en-
quire into the expediency of enacting some law to compel the attendance of witnesses before Commissioners. Ordered to lie on the table.

On motion of Mr. Speight, the Senate reconsidered the vote, by which, on yesterday, the bill to attach a part of Guilford county to Rockingham county, was rejected, and said bill was ordered to lie on the table.

The bill to authorize the Petersburg rail road company, to raise by loan or by increase of its capital stock, a sum not exceeding five hundred thousand dollars, for certain purposes, was read the second time, as the order of the day, for this day, and the amendment proposed by Mr. Cameron having been modified, was adopted, and the bill, as amended passed.— The rules were suspended, and the Bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Henrietta Steam Boat company, was read the third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate the Roanoke rail road company, was read the third time, passed, and ordered to be enrolled.

The bill to tax the vendors of foreign made riding vehicles, was read the third time, passed, and ordered to be engrossed.

The bill to amend an act of the last session, entitled an act, in favor of poor debtors, was read the third time: Mr. Albright moved the indefinite postponement of the bill; which was decided in the negative—yeas 10, nays 29.

Mr. Exum called for the yeas and nays.

**Those who voted in the affirmative, are**


**Those who voted in the negative, are**


The bill then passed its third reading, and was ordered to be engrossed.

Received from the House of Commons a message, stating
that they concur in the amendment of the Senate to the bill to incorporate the Caldwell Institute, in the town of Hillsboro; also in the Senate's amendment to the bill to provide for opening and clearing out of Third, Fourth, and Back Creeks, &c. in Rowan and Iredell counties. Said bills were ordered to be enrolled.

The Senate then took a recess until 3 o'clock P. M.

**Three O'clock, P. M.**

The resolution in favor of Floral College, was read the second time and passed. On motion of Mr. Gilchrist, the rules were suspended, and the resolution was read the third time, amended on motion of Mr. Halsey, passed, and ordered to be engrossed.

The bill to regulate the pay of Jurors and witnesses in the county of Rutherford, was read the second time and passed. On motion of Mr. Mills, the rules were suspended, and said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill for a road in Yaney, was read the second time and passed. On motion of Mr. Patterson, the rules were suspended, and said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill making compensation for Jurors in the county of Jones; also the engrossed bill to amend an act, entitled an act to incorporate the town of Greensborough, in the county of Guilford, were read the second time and passed. On motion of Mr. Patterson, the rules were suspended, and said bills were read the third time, passed, and ordered to be enrolled.

The engrossed bill to increase the number and pay of Jurors in the county of Anson, was read the second time and passed. On motion of Mr. Daniel, the rules were suspended, and said bill was read the third time, passed, and ordered to be enrolled.

On motion of Mr. Woodfin, the bill supplemental to an act passed at the present session of the General Assembly, entitled an act to provide for holding a term of the Supreme Court, once a year, in the western part of the State, was read the second time, amended, and passed. On motion of Mr. Graves, the said bill was ordered to be made the order of the day for Monday next.
The bill to authorize the Courts of Pleas and Quarter Sessions of Hyde county to appoint Commissioners of Navigation for Hatteras Inlet, was read the second time and passed. On motion of Mr. Patterson, the rules were suspended, and the said bill was read the third time, passed, and ordered to be engrossed.

The engrossed resolution relating to the roof of the State Capitol, was read the second time and passed. On motion of Mr. Patterson, the rules were suspended, and the resolution was read the third time, passed, and ordered to be enrolled.

The engrossed resolution in favor of the Clerk of the County Court of Duplin, was read the second time and passed. On motion of Mr. Patterson, the rules were suspended, and the resolution was read the third time, passed, and ordered to be enrolled.

The resolution in favor of John K. Brooks, Sheriff of Caswell county, was read the second time, amended and passed. On motion of Mr. Graves, the resolution was read, the rules being suspended, the third time, passed, and ordered to be engrossed.

The resolution in favor of John H. Wheeler, was read the second time and rejected.

Mr. Exum presented a bill to incorporate the town of Goldsboro', in the county of Wayne; which was read the first time and passed.

Mr. Bogle introduced a bill to prevent the felling of timber in Hunting Creek; which was read the first time and passed.

On motion of Mr. Waddell, the Senate adjourned until tomorrow morning, 10 o'clock.

Saturday, January 9, 1847.

The Senate met according to adjournment.

Mr. Patterson, from the committee on Internal Improvements, to whom was referred a memorial of sundry citizens of the counties of Caldwell and Ashe, praying aid from the State to open a road from the town of Lenoir, in Caldwell
county, to the Tennessee line, reported a bill to carry out the prayer of the petitioners. The bill was read the first time and passed.

Mr. Patterson introduced a bill to alter the time of holding two of the County Courts of Caldwell county; which was read the first time and passed.

The bill to prevent the felling of timber in Hunting Creek, was read the second time and passed.

The engrossed bill to extend to the county of Buncombe, the provisions of the act of Assembly, ratified the 26th day of January, 1843, and entitled an act for the relief of purchasers of lands sold for taxes, in the counties of Haywood and Henderson, was read the second time, and, on motion of Mr. Francis, ordered to lie on the table.

The engrossed bill, entitled a bill to make real estate assets, was read the second time and passed.

The bill to authorize the Petersburg Rail Road Company, to raise, by loan, or by an increase of its capital stock, a sum not exceeding five hundred thousand dollars, for certain purposes, was read the third time and passed, and ordered to be engrossed.

The bill to amend the 75th section, chap. 34, of the Revised Statutes, entitled crimes and punishments, was passed its third reading and ordered to be engrossed.

The bill to provide for the Agricultural, Geological and Mineralogical survey of this State, was taken up, on motion of Mr. Gilliam, and, after some time spent therein, the Senate took a recess until 3 o'clock P. M.

**Three o'clock, P. M.**

The Senate resumed the consideration of the morning's business, viz: The bill to provide for the Agricultural, Geological and Mineralogical survey of this State. Which bill being on its second reading, was rejected—yeas 18, nays 21.

Those who voted in the affirmative, are

Those who voted in the negative, are


The bill to revive and re-establish the Raleigh and Gaston Rail Road Company and for other purposes, was read the second time, and made the order of the day for Monday, 12 o’clock next.

The resolution in relation to the accounts of the purchasers of Cherokee lands, was read the second time and passed.

The engrossed bill to incorporate the trustees of the Female Institute, in the county of New Hanover, was read the second time and passed. The rules were suspended, and the said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill, exempting certain citizens of Buncombe county from working on the public roads on the east side of French Broad river, in said county, was read the second time and passed. On motion, the rules were suspended, and the said bill was read the third time, passed, and ordered to be enrolled.

The engrossed resolution in favor of Morgan B. Ownley, was read the second time and passed.

The engrossed bill concerning public roads, was read the second time and passed. Ordered that the rules be suspended, and said bill be read the third time. The same was read, passed, and ordered to be enrolled.

The bill concerning orphans and persons non compaus mensis, was read the third time and passed, and ordered to be engrossed.

The bill to amend the 75th section, chap. 34, of the Revised Statutes, entitled crimes and punishments, was read the third time, passed, and ordered to be engrossed.

The engrossed resolution in favor of George D. Boggan, Sheriff of Anson county, was read the second time and rejected.

Received from the House of Commons a message, from his Excellency the Governor, with a proposition to print the same. Which was concurred in.

The bill to incorporate the town of Goldsboro, in the county of Wayne, was read the second time and passed.
The rules were suspended, on motion of Mr. Exum. The bill was read the third time, passed, and ordered to be engrossed.

The vote on the rejection of the resolution in favor of George D. Boggan, Sheriff of Anson county, was reconsidered, and said resolution, on motion of Mr. Daniel, was ordered to lie on the table.

On motion of Mr. Halsey, the bill to provide for re-assessing the lands of the State, was made the order of the day for Monday next.

The engrossed bill to incorporate the Orapeake Canal and Turnpike Company, was read the second time and passed.

The engrossed bill to restore Jury trials at two of the sessions of Montgomery County Courts, was read the second time, amended on motion of Mr. Kelly, and passed.

Mr. Woodfin introduced a bill to incorporate the Philadelphia and North Carolina mining and smelting Company; which was read the first time and passed.

The bill to alter the time of holding two of the County Courts of Caldwell county, was read the second time and passed. The rules were suspended, and the said bill was read the third time, passed, and ordered to be engrossed.

Mr. Albright moved that the Senate adjourn until Monday morning, 10 o'clock; which was agreed to.

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**Monday, January 11, 1847.**

The Senate met according to adjournment.

Received from the House of Commons a message, stating that Messrs. Dancy, Steele, Ferebee and Williams form their branch of the committee on enrolled bills for this week.

Mr. Russell presented the following resolution, viz.

Resolved, The House of Commons concurring, the two Houses adjourn sine die on Monday next, at 6 o'clock A. M.

Which was adopted.
The Speaker announced Messrs. Street and Gilliam to form the Senate's branch of the committee on enrolled bills for this week; and the House was informed thereof.

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, viz:

A bill to incorporate Wentworth Lodge in the county of Rockingham;
A bill to amend the 10th section of chap. 102, of the Revised Statutes;
A bill to incorporate the Velvet Light Infantry of the county of Cabarrus;
A bill for the improvement of the Navigation of New River, in Onslow county;
A bill providing for the proper distribution of the acts of Assembly;
A bill to prevent the citizens of other States from driving their stock into this State, to run at large in the forest range;
A bill to incorporate Eglantine Academy;
A bill relating to the public roads in Henderson county;
Also the following resolutions, viz:
Resolution in favor of Thomas Day and William Day of Carteret county;
Resolution in favor of the Public Treasurer.
Which bills and resolutions were read the first time and passed.

The Senate proceeded to the consideration of the orders of the day, to wit: The bill supplemental to an act passed at the present session of the General Assembly, entitled an act to provide for holding a term of the Supreme Court once a year in the western part of the State.

Mr. Woodfin moved to amend the bill, by adding the following to the third section, viz:

And said Judges shall have power to appoint one of the solicitors elected for, and residing in, one of said counties, to prosecute in said court, at Morganton, whether he may have entered upon the duties of his office or not, at any trial that they may prefer, whether in court or in the recess of the court.

Mr. Graves moved to amend the amendment, by striking out all thereof after the word "and," and inserting the following, viz:
That it shall be the duty of the Attorney General to attend to all the business which may be carried up for adjudication to the session of the Supreme Court of this State, hereafter to be held at Morganton, in the county of Burke, on the first Monday in August in each and every year, wherein the State may be concerned, or in any manner have any interest therein; and for said services, the Attorney General shall receive the same compensation that is now allowed him for the performance of like services at the sessions of the Supreme Court at Raleigh.

Be it further enacted, That should the Attorney General fail to attend the session of the Supreme Court, at Morganton, from sickness or other cause, it shall be the duty of the Judges of said court to appoint some counsellor, learned in the law, to supply the place of the Attorney General during his absence, who shall be subject to the performance of all the duties of such office, and be entitled to receive the same compensation as is allowed to the Attorney General for like services.

Be it further enacted, That so much of the act to provide for holding a session of the Supreme Court, once a year, in the western part of the State, passed at the present session of the General Assembly of the State of North Carolina, as comes in conflict with the provisions hereof, be, and the same is hereby repealed:

Which amendment to the amendment was adopted—yeas 34, nays 13.

Those who voted in the affirmative are,


Those who voted in the negative are


The question was then taken on the amendment as amended, and decided in the affirmative.

The bill, as amended, then passed its third reading, and was ordered to be engrossed.

The Senate then proceeded to the consideration of the bill to provide for a re-assessment of the lands of this State.
and a more accurate enlistment of the taxable polls. After some time spent therein, the Senate took a recess until 3 o'clock P. M.

Three O'clock, P. M.

The Senate resumed the consideration of the bill to provide for a re-assessment of the lands of this State, and a more accurate enlistment of the taxable polls. The said bill was amended, and passed its second reading. On motion of Mr. Halsey, the rules were suspended, and said bill was read the third time, passed, and ordered to be engrossed.

Mr. Walker presented the following resolution, viz.

Resolved, That the Treasurer of the State pay to Thomas N. Alexander, Sheriff of Mecklenburg county, the sum of fourteen dollars, it being an amount that he was overcharged in the Stud-Horse tax of 1846; and that he be allowed the same in the settlement of his public accounts.

Which was read the first time and passed, and referred, on motion of Mr. Walker, to the Committee on Propositions and Grievances.

The following engrossed bills and resolution were read the third time and passed, viz:  
A bill to make real estate assets;  
A bill to restore Jury trials at two of the sessions of 
Montgomery County Court;  
Also a resolution in favor of Morgan B. Ownsley;  
Also a bill to prevent the felling of timber in Hunting Creek.  
The bill to revive and re-establish the Raleigh and Gaston Rail Road Company and for other purposes, was read the third time, and, after sundry amendments proposed thereto, the said bill and amendments were ordered to be printed.  
The bill to provide for the transfer of certain funds from the Internal Improvement fund to the Public Treasury, and for other purposes, was read, and made the order of the day for Tuesday next.  
Received from the Public Treasurer a communication, in response to a resolution of the Senate on the subject of State
liabilities for Rail Roads, &c.; which was ordered to be printed.

Mr. Exum introduced a bill to remove the county seat of Wayne from Waynesboro' to Goldsboro'; which was read the first time and passed.

The bill to provide for laying out and establishing a Turnpike road from Raleigh to the line of the State of Georgia, was made the order of the day for Wednesday next.

Received from the House of Commons a message, proposing that the two Houses adjourn 
sine die on Monday next; which was ordered to lie on the table.

The bill to increase the public revenue, was made the order of the day for Tuesday next.

The following engrossed resolutions, viz:
A resolution in favor of Mary D. Moore;
A resolution in favor of Ezekiel Dowdle and West Truit, were read the third time, passed, and ordered to be enrolled.

Received from the House of Commons a message, stating that they had passed a resolution making an appropriation to purchase a Regimental flag for the Mexican volunteers; which was unanimously concurred in, and said resolution was read the first time and passed.

The bill concerning the survey of the coast of the State of North Carolina, was read the second time and passed.

The bill to prevent rail road companies from obstructing navigable water courses, and for other purposes, was read the third time, and, on motion of Mr. Halsey, ordered to lie on the table.

The vote on the Resolution in favor of George D. Boggan, was reconsidered; the resolution was amended, on motion of Mr. Thompson, and then rejected.

On motion of Mr. Tomlinson, the Senate adjourned until tomorrow morning, 10 o'clock.

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Tuesday, January 12, 1817.

The Senate met according to adjournment.

Mr. Patterson, from the committee on Finance and State
liabilities, to whom as referred a bill to provide for the transfer of the bonds of the Raleigh and Gaston rail road company endorsed by the State, reported the same, and recommended its passage. Ordered to lie on the table.

Received from the House of Commons a message, concurring in the proposition of the Senate to adjourn on Monday next, the 18th inst., at 6 o'clock, A. M.

Received from the House of Commons a message, transmitting a communication from the public Treasurer on the subject of the State liabilities; which was referred, in concurrrence with the proposition of the House of Commons, to the committee on Finance and State liabilities.

Mr. Ehringhaus presented a resolution in relation to the Adjutant General's Office; which was read the first time and passed. On motion, the rules were suspended, and said resolution was read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons a message, stating that they have passed the following engrossed bills; in which they ask the concurrence of the Senate, viz.

A bill supplemental to an act passed at the last session of the General Assembly, entitled act to cede a portion of Rutherford county to the county of Henderson;

A bill to prevent the establishment of a Toll Gate within the corporate limits of the town of Asheville, in the county of Buncombe.

A bill to incorporate Everettsville Female Academy, in the county of Wayne:

Also the following engrossed resolutions viz.

A resolution in favor of Joseph H. Gooch;

Resolution granting a portion of Cherokee lands for a Camp Ground;

Which bills and resolutions were read the first time and passed.

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 incorporate the Mecklenburg Declaration Lodge No. 9, of the Independent Order of Odd Fellows, in the town of Charlotte;

A bill concerning the duties of the Cherokee land agent;

A bill in respect to the payment of the original pannel of Jurors, in the county of Wayne;
A bill to compel the entry taker of Union county to keep his office at the Court House;
A bill to amend the 3rd section of an act, entitled an act to establish and regulate a Turnpike road in the county of Macon, to be called the Tennessee River Turnpike road, passed at the session of 1844-5;
A bill supplemental to an act to incorporate the town of Wilkesborough, in the county of Wilkes;
A bill to amend the 1st section of an act, entitled an act concerning the Pilots and Commissioners of navigation;
A bill to repeal an act, passed in the year 1840, entitled an act to abolish the fair at or near Laurel Hill, in the county of Richmond;
Which bills were read the first time and passed.
The bill to increase the public revenue, was read the second time and passed.
The engrossed bill granting a further extension of credit on the bonds endorsed by the State for the Raleigh and Wilmington rail road company, and also on the debts due the State and the Literary Fund, was read the second time and passed.
The Senate then proceeded to the consideration of the orders of the day, viz:
A bill to provide for the transfer of certain funds from the Internal Improvement Fund to the public Treasury, and for other purposes. After sundry amendments proposed thereto and adopted, the said bill was, on motion of Mr. Woodfin, ordered to lie on the table.
The Senate then proceeded to the consideration of the bill to incorporate the Cape Fear Manufacturing company of Wilmington.
Mr. Thompson moved to amend the said bill, by adding the following as an additional section, viz.

*Be it further enacted, That to secure creditors of the company, in addition to the property of said corporation, each stockholder shall be liable to the creditors of said company in such sum as is equal to the stock subscribed or owned by him; and each creditor may have an action of debt against all and any of the stockholders.*

Which was rejected—yeas 16, nays 22.

Those who voted in the affirmative, are

Those who voted in the negative, are


The said bill was then passed its third reading and ordered to be enrolled.

The engrossed bill to divide consolidated bonds given by purchasers of Cherokee lands, was read the second time and rejected.

The engrossed bill to alter the time of holding the Superior Courts of Law and Equity in the second Judicial District, &c. was read the third time: Mr. Speight moved the indefinite postponement of the bill; which was rejected.

Those who voted in the affirmative, are

Messrs. Cameron, Drake, Exum, Gavin, Hester, Howard, Speight, Stallings, Stowe and Walker, 10.

Those who voted in the negative, are


The said bill then passed its third reading, and was ordered to be enrolled.

The resolution in favor of John B. Allison, was read the third time, 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, viz.

A bill concerning a road in Iredell county;
A bill concerning Chapel Hill;
A bill to incorporate the Washington and New Orleans Telegraph company; which were read the first time and passed.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, viz.

A bill concerning contempts of court;
A bill to incorporate Toisnot Academy, in the county of Edgecomb;
A bill to lay off a road from Asheville, in Buncombe county,
to Burnsville, in Yancy county, and from thence to the Tennessee line;

A bill to alter the times of selling lands and negroes in the county of Richmond;

Also a resolution in favor of Spier Whitaker and James Iredell; which bills and resolutions were severally read the first time and passed.

The Senate then took a recess until 7 o'clock.

Seven O'clock P. M.

The Senate met.

The engrossed bill to amend an act, passed in 1844-5, entitled an act relative to notaries, was read the third time, passed and ordered to be enrolled.

The engrossed bill to incorporate the Orapeake canal and turnpike company, was read the third time, passed and ordered to be enrolled.

The following engrossed bills, viz.

A bill concerning the courts of Haywood and Macon counties.

Also a bill for the improvement of New River in Onslow county; were read the third time. The first was postponed indefinitely, on motion of Mr. Woodfin; and the last passed its third reading, and was ordered to be enrolled.

The resolution in favor of Ralph Hughs, was read the third time, passed and ordered to be engrossed.

The engrossed bill providing for a proper distribution of the acts of Assembly, was read the second time and passed.

The engrossed bill to protect houses and enclosures from wilful injury, was read the third time, passed and ordered to be enrolled.

The bill for the better regulation of the county courts, was read the third time and rejected.

The bill to lay off and establish a public road from the town of Lenoir, in Caldwell county, by way of the Blowing Rock, to the Tennessee line, was read the second time, and, on motion of Mr. Gilchrist, ordered to lie on the table.

The bill to repeal in part the 45th chapter of the Revised Statutes, entitled executions and execution sales, and to amend the same, was read the second time, and, on motion of Mr. Albright; indefinitely postponed.
The bill concerning the survey of the coast of the State of North Carolina, was read the second time and passed, and ordered to be engrossed forthwith and sent to the House of Commons, asking their concurrence.

The engrossed bill to incorporate Wentworth Lodge, in the county of Rockingham, was read the second time and passed. On motion of Mr. Boyd, the rules were suspended, and the said bill was read the third time, passed and ordered to be enrolled.

The bill to incorporate the Franklinton Female Academy, in the county of Franklin, was read the third time, passed, and ordered to be engrossed.

The engrossed resolution in favor of the Public Treasurer, was read the second time and passed, and, on motion of Mr. Halsey, the rules were suspended, and the said resolution was read the third time, passed and ordered to be enrolled.

The engrossed bill to incorporate the Eglantine Academy, was read the second time and passed. On motion of Mr. Halsey, the rules were suspended, and said bill was read the third time, passed and ordered to be enrolled.

The engrossed bill to incorporate the Velvet Light Infantry, in the county of Cabarrus, was read the second time and passed; and on motion, the rules were suspended, and said bill was read the third time, passed and ordered to be enrolled.

The following engrossed bills were read the second and third times, and passed, and ordered to be enrolled, viz.

A bill relating to the public roads in Henderson county;

A bill to prevent the citizens of other States from driving their stock into this State to run at large in the forest range.

The engrossed resolution for the relief of Thomas Day and William Day of Carteret county, was read the second time and passed. On motion of Mr. Halsey, the rules were suspended, and said resolution was read the third time, passed and ordered to be enrolled.

The bill concerning wrecks and wrecked property, was read the first time and passed.

On motion of Mr. Halsey, the Senate adjourned until tomorrow morning, 10 o'clock.
The Senate met according to adjournment.

Mr. Albright, from the committee on Propositions and Grievances, to whom was referred a resolution in favor of Thomas N. Alexander, Sheriff of Mecklenburg county, reported the same with an amendment. Ordered to lie on the table.

Mr. Ehringhaus, from the committee on Military Affairs, to whom was referred a bill regulating the term of service of volunteers, reported the same and recommended its rejection. Ordered to lie on the table.

Mr. Ehringhaus presented the following resolution, viz.

Resolved, That the engrossing Clerks, at and during any session of the General Assembly, be allowed the sum of four dollars per day, and the usual mileage; any law to the contrary notwithstanding.

Which was read the first time and passed.

Mr. Carter introduced a bill to repeal an act entitled "an act respecting Jurors in the county of Hyde;" which was read first time and passed.

Received from the House of Commons a message, stating that they have rejected the engrossed bill from the Senate, entitled "a bill to incorporate the town of Lenoir in the county of Caldwell and for the better regulation thereof."

The engrossed bill granting a further extension of credit on the bonds endorsed by the State for the Wilmington and Raleigh rail road company, and also on the debts due the State and the Literary Fund by said corporation, was taken up.

Mr. Speight moved to amend the bill by adding the following as an additional section to the same, viz.

"Be it further enacted, That before said bonds shall be issued, the individual stockholders of said company shall enter into bonds in a sufficient amount, payable to the State of North Carolina, and approved by the Governor and Attorney General, conditioned to pay a proportion compared with their stock in said road, of any loss or damage that may come to the State in consequence of her endorsement of any bonds for said company by the State, which
bonds may be put in suit at any time when the State shall be compelled to pay any part of the bonds endorsed as aforesaid, and a recovery effected for the amount of the bonds so given by the stockholders as aforesaid."

Which amendment was rejected—yeas 20, nays 26.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Waddell moved to amend the bill by inserting the word "three" after the word "fifty," in the first section; also by inserting the word "five" in lieu of the word "one," in said section; which motion to amend was rejected—yeas 18, nays 27.

Mr. Tomlinson demanded the yeas and nays.

Those who voted in the affirmative are

Messrs. Albright, Ashe, Bogle, Carter, Francis, Gilmer, Gilliam, Gilchrist, Graves, Halsey, Hill, Howard, Kerr, Melchor, Patterson, Poindexter, Waddell and Wooten, 18.

Those who voted in the negative are


The question then recurred on the passage of the bill its third reading, which was decided in the affirmative—yeas 28, nays 17.

Mr. Street demanded the yeas and nays.
Those who voted in the affirmative are,


Those who voted in the negative are


The bill was ordered to be enrolled.

The bill to increase the public revenue, was read the third time, passed, and ordered to be engrossed.

The Senate then proceeded to the consideration of the order of the day, viz:

A bill to provide for laying out and establishing a Turnpike Road from Raleigh to the line of the State of Georgia.

Mr. Francis moved to amend the bill, by striking out the first section, and inserting in lieu thereof the following, viz:

"That there shall be laid out and made a Turnpike Road from the Georgia line, passing through Murphy, in the county of Cherokee in this State, east to the town of Asheville, in Buncombe county."

Mr. Cameron moved to amend the amendment, by striking out the words, "from Asheville, in Buncombe county," and inserting the following, viz: "to the town of Morganton, and a Turnpike road from or near the town of Salisbury to the town of Fayetteville;" which was rejected.

Mr. Woodfin moved to amend the amendment, by striking out the words, from "Asheville, in Buncombe county," and inserting in lieu thereof the words, "from Morganton, in Burke county;" which was rejected.

The question then recurring on the original amendment, it was decided in the affirmative—yeas 22, nays 22, (the Speaker voting in the affirmative.)

Those who voted in the affirmative, are

Messrs. Albright, Ashe, Bogle, Carter, Cowper, Daniel, Fran-

Those who voted in the negative, are


The Senate then took a recess until 3 o'clock, P. M.

Three O'clock, P. M.

The Senate resumed the consideration of the unfinished business of the forenoon, viz: A bill to provide for laying out and establishing a Turnpike Road from Raleigh to the line of the State of Georgia, as amended.

On motion of Mr. Francis, the title of the said bill was amended, and being on its third reading, was rejected—yeas 16, nays 25.

Mr. Thompson called for the yeas and nays.

Those who voted in the affirmative, are

Messrs. Ashe, Bogle, Carter, Daniel, Francis, Gilliam, Gilmer, Graves, Halsey, Hogan, Kelly, Kerr, Melchor, Patterson, Waddell and Woodfin, 16.

Those who voted in the negative, are


The bill to establish and incorporate the Metropolitan Rail Road Company, &c., was read the second time, and, after some time spent in the consideration thereof, the bill was postponed until to-morrow; and made the order of the day at 11 o'clock.

On motion of Mr. Cameron, the Senate adjourned until to-morrow morning, 10 o'clock.
THURSDAY, JANUARY 14, 1847.

The Senate met according to adjournment.

Mr. Gilmer presented the memorial of Edward O. Finney and others, concerning the loss of the Schooner Maria Smith; which was referred to the committee on Propositions and Grievances.

Mr. Halsey introduced the following resolution, viz.

Resolved, That the 15th rule of order for the government of the Senate be suspended for the remainder of the session.

Which was adopted.

Mr. Thompson, from the joint select committee, to which was referred the subject of erecting suitable buildings for the Deaf and Dumb Institute, reported a bill, entitled "a bill to provide suitable buildings for the comfortable accommodation of deaf mutes and blind persons of this State; which was read the first time and passed, and, on motion of Mr. Thompson, ordered to be printed.

Mr. Halsey introduced a bill to increase the revenue of the State; which was read the first time and passed.

The bill to change the time of electing superintendents of Common Schools and the School Committee in the counties of Granville and Wake, was read the third time, passed, and ordered to be engrossed.

Received from the House of Commons a message, stating that they had passed the engrossed bill from the Senate, to regulate the appointment of Field Officers of Regiments of Volunteers, called into the service of the United States, with sundry amendments; in which they ask the concurrence of the Senate. The first and second of said amendments were concurred in. The third amendment as follows, viz:

Be it further enacted, That nothing in this act contained, shall be so construed as to relate to the appointment of Field Officers for the Regiment of Volunteers now required by the General Government, for the existing war with Mexico; but the appointment of said officers shall be made by the Governor of the State.

Was read.
Mr. Cameron moved to amend the amendment of the House of Commons, by adding thereto the following proviso, viz:

Provided, That the Governor make (and he is hereby directed) the appointment of Field Officers, to command the North Carolina Regiment intended for service in the existing war with the Republic of Mexico, from those who are at the time of said selection, volunteers for said service.

Which was rejected—yeas 22, nays 25.

Mr. Stallings demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The question then recurred on the adoption of the amendment proposed by the House of Commons; which was adopted—yeas 26, nays 20.

Those who voted in the affirmative are,


Those who voted in the negative are,


The last amendment proposed by the Commons was also
concurred in, and the House of Commons informed thereof by message.

Mr. Graves, from the committee to whom was referred the petition of Will. J. Brown, agent, &c., reported the following resolution, viz:

Resolved, That the Attorney General be requested to investigate the claim of the devisees of William Cathcart deceased, set forth in the memorial of William J. Brown, agent and Attorney for said devisees, now pending before this General Assembly, and report the result of his investigation thereof, to the next session of the General Assembly.

Which was read the first time and passed.

Mr. Francis introduced the following resolution, viz.

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of removing the Deaf and Dumb Institute from the city of Raleigh, to some suitable and eligible situation, where, until the experiment of their education be fully tested, the State may be able to rent suitable buildings for their accommodation; which, from the report of the select committee, cannot be obtained in the city of Raleigh.

Which was adopted.

Received from the House of Commons a message, stating that they concurred in the amendment of the Senate to the bill to restore Jury trials at two sessions of Montgomery County Court.

Also that they concur in the Senate's amendments to the bill granting a further extension of credit on the bonds endorsed by the State for the Wilmington and Raleigh Rail Road Company.

Said bills were ordered to be enrolled.

Received from the House of Commons a message, stating that they have passed the engrossed bill of the Senate to incorporate the Fayetteville Hotel Company, with the following amendment, viz.

Be it further enacted, That the private property of the Stockholders shall be liable for all debts of said company.

Which amendment was not concurred in by the Senate, and information thereof was sent to the House of Commons.
Received from the House of Commons a message, stating that they have passed the engrossed bill from the Senate, to amend an act passed at the session of 1844-'5, incorporating the Carthage Male and Female Academies, in the county of Moore, with an amendment, viz: to strike out all of said bill except the enacting clause, and inserting a substitute; in which they ask the concurrence of the Senate. Ordered to lie on the table.

Mr. Bogle introduced a 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 Alexander; which was read the first time and passed. On motion of Mr. Bogle, the rules were suspended, and said bill was read the second time, amended, on motion of Mr. Patterson, and passed.

The bill to authorize the removal of the county seat of Wayne county from the town of Waynesboro' to Goldsboro', on certain conditions, was read the second time and passed. On motion of Mr. Exum, the rules were suspended, and the bill was read the third time, passed, and ordered to be engrossed.

The Senate then proceeded to the consideration of the bill to establish and incorporate the Metropolitan Rail Road Company, to indemnify the State against her liabilities for the Raleigh and Gaston Rail Road Company, and for other purposes, on its second reading. After sundry amendments proposed to the said bill, and rejected, Mr. Ashe proposed the following as an amendment to be inserted after the word "assign," in the fourth line of the third section, viz: "residing within the State of North Carolina;" which was rejected—yeas 5, nays 33.

Mr. Ashe demanded the yeas and nays.

Those who voted in the affirmative, are

Messrs. Ashe, Exum, Gavin, Hawkins and Speight, 5.

Those who voted in the negative, are

Mr. Hogan then presented an amendment to the bill; but before the question was taken thereon, on motion of Mr. Waddell, the bill and amendment were ordered to lie on the table until to-morrow, and be made the order of the day for that day at 11 o'clock.

Received from the House of Commons a message, stating that they have passed the engrossed bill from the Senate to authorize the Petersburg Rail Road Company to raise by loan, or by an increase of its capital stock, a sum not exceeding $500,000, for certain purposes, with an amendment; in which they ask the concurrence of the Senate. The amendment was agreed to, and the House of Commons informed thereof.

Mr. Albright presented the following resolution, viz.

Resolved, As the opinion of this General Assembly, that members thereof are allowed to charge mileage only on the most direct public usual road from their places of residence.

Which was read the first time and passed.

The Senate then took up for consideration, on its third reading, the resolution in favor of the Secretary of State. On motion of Mr. Patterson, the blank in said resolution was filled with the sum of "Three Hundred." The resolution was then ordered to lie on the table until to-morrow.

On motion of Mr. Francis, the engrossed bill to extend to the county of Buncombe, the provisions of an act of Assembly, ratified the 26th day of January, 1843, and entitled an act for the relief of purchasers of lands sold for taxes in the counties of Haywood and Henderson, was taken up, and, being on its second reading, was indefinitely postponed.

On motion of Mr. Francis, the Senate took a recess until 7 o'clock P.M.

Seven O'clock, P.M.

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 incorporate the Lumber Bridge Independent Company, in the county of Robeson;
A bill concerning the bonds of the Clerks of the County Courts.

Which bills were read the first time and passed.

Received also from the House of Commons a message, stating that they have passed the engrossed bill to incorporate the Jonathan Creek and Tennessee Mountain Turnpike Company, in the county of Haywood; which was read the first time and passed. On motion of Mr. Francis, the rules were suspended, and said bill was read the second and third times, passed, and ordered to be enrolled.

Received also from the House of Commons a message, stating that they have passed the following engrossed bills, viz:

A Bill to allow Thomas F. Jones, of Perquimons county, to build a bridge across Skinner or Racoon Creek, in said county;

A bill to transfer the funds belonging to the Board of Internal Improvement to the Public Treasury;

Also, resolutions for enclosing the Public Square on which the State House is situate;

Resolution in favor of William Morrison and Samuel Bryson;

Resolution in favor of David Gillespie;

Resolution in favor of Reeder and Lougie;

Resolution in favor of the Raleigh Military Academy;

Resolution disposing of the compendium of the sixth census;

Resolution relating to certain scrip issued by the Raleigh and Gaston Rail Road Company, and endorsed by the State.

Also the following engrossed bills, viz:

A bill in relation to the sale of Fire Wood, in the town of Newbern;

A bill to prevent the obstruction of Fish passing up Fishing Creek;

A bill to perfect titles to lands sold by decree of Courts of Equity.

Which bills and resolutions were read the first time and passed.

Received from the House of Commons a message, stating that they have passed the engrossed bill to provide for the apprehension of runaway slaves in the Great Dismal Swamp and for other purposes: in which they ask the concurrence of the Senate. Said bill was read the first time and passed.
Also a message, stating that they have passed the engrossed bill to elect two additional Constables, in the county of Guilford; which was read the first time and passed. On motion of Mr. Gilmer, the rules were suspended, and said bill was read the second and third times, 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 establish a new county to be called Lafayette, with sundry amendments. On motion of Mr. Mills, the said amendments were postponed until to morrow, and made the order of the day for 12 o'clock on that day.

Received also from the House of Commons a message, stating that they have passed the engrossed bill to alter the mode of electing Wardens of the Poor; in which they ask the concurrence of the Senate. Said bill was read the first time and passed. On motion of Mr. Gilmer, the rules were suspended, and said bill was read the second and third times, passed, and ordered to be enrolled.

Received from the House of Commons a message, stating that they have passed the engrossed bill to alter the time of electing the county Trustee for Guilford county; in which they ask the concurrence of the Senate. The said bill was read the first time and passed. On motion of Mr. Gilmer, the rules were suspended, and said bill was read the second and third times, passed and ordered to be enrolled.

Also the engrossed resolution in favor of Felix Axley; which was read the first time and passed.

On motion of Mr. Boyd, the Senate proceeded to the consideration of the bill to attach a part of the county of Guilford to the county of Rockingham: the question being on the passage of said bill its second reading, which was decided in the affirmative—yeas 18, nays 11.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Received from the House of Commons a message, stating that they have passed the engrossed bill from the Senate, supplemental to a bill to lay off and establish a new county to be called Gaston &c. with sundry amendments, in which they ask the Senate's concurrence. The amendments were concurred in, and information thereof sent to the House of Commons.

Received from the House of Commons a message, stating that they have passed the engrossed bill from the Senate, supplemental to a bill to lay off and establish a new county to be called Gaston &c. with sundry amendments, in which they ask the Senate's concurrence. The said amendments were concurred in, and information thereof sent to the House of Commons.

Received also a message, stating that the House of Commons had passed the engrossed bill to incorporate the Neuse Fire Company, in the town of Newbern, with an amendment; which was concurred in by the Senate, and information thereof transmitted to the House of Commons.

The engrossed bill to alter the times of holding the Superior Courts of Law and Equity in the sixth Judicial circuit, was read the third time, passed and ordered to be enrolled.

On motion of Mr. Francis, the engrossed resolution in favor of Felix Axley, was read the second time and passed. The rules were then suspended, and the resolution was read the third time, passed and ordered to be enrolled.

"The bill to authorize the Inspection of Provisions," was read the third time, passed and ordered to be engrossed.

"The bill to incorporate the Philadelphia and North Carolina mining and smelting company," was read the third time, passed and ordered to be engrossed.

The resolution in favor of the engrossing Clerks, was read the second time, amended, on motion of Mr. Francis, and passed—yeas 17, nays 15.

Those who voted in the affirmative, are

Messrs. Ashe, Barnard, Bogle, Cowper, Daniel, Eborn, Ehringhaus, Francis, Gilmer, Gilchrist, Kerr, Mills, Patterson, Russell, Street, Waddell and Woodfin, 17.

Those who voted in the negative, are

Messrs. Albright, Boyd, Drake, Exum, Halsey, Hawkins, Hes-
The engrossed bill in respect to the payment of the original pannel of Jurors for the county of Wayne, was read the second time and passed. On motion of Mr. Exum, the rules were suspended, and the bill was read the third time, passed and ordered to be enrolled.

The engrossed bill to incorporate the Mecklenburg Declaration Lodge No. 9, of the Independent Order of Odd Fellows, in the town of Charlotte, was read the second time and passed. On motion, the rules were suspended, and the bill was read the third time, passed and ordered to be enrolled.

The bill to repeal an act, passed in the year 1840, entitled an act to abolish the Fair at or near Laurel Hill in the county of Richmond, was read the second time and passed. On motion of Mr. Patterson, the rules were suspended, and said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill supplemental to an act to incorporate the town of Wilkesboro', in the county of Wilkes, was read the second time and passed. On motion of Mr. Patterson, the said resolution was read the third time, and ordered to lie on the table.

The engrossed bill supplemental to an act, passed at the last session of the General Assembly, entitled an act to cede a portion of Rutherford county, to the county of Henderson, was read the second time and passed.

The engrossed resolution in favor of William Morrison and Samuel Bryson, was read the second time and passed. On motion of Mr. Francis, the rules were suspended, and said resolution was read the third time, passed, and ordered to be enrolled.

The resolution in favor of Thomas N. Alexander, Sheriff of Mecklenburg county, was read the third time and passed, and ordered to be engrossed.

The engrossed resolution granting a portion of Cherokee lands for a campground, was read the second time and passed. On motion of Mr. Patterson, the rules were suspended, and said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate Everettsville Female Academy, in the county of Wayne, was read the second and third times, passed, and ordered to be enrolled.
The engrossed resolution in favor of Joseph H. Gooch, was read the second time and passed. On motion of Mr. Russell, the rules were suspended, and the resolution was read the third time, passed, and ordered to be enrolled.

The rules were suspended, and the following engrossed bills were read the second and third times, passed, and ordered to be enrolled, viz.

A bill concerning the duties of the Cherokee land agent;

Also a bill concerning a road in Iredell county.

The engrossed bill to compel the entry taker of Union county to keep his office at the Court House, was read third time, and, on motion of Mr. Walker, indefinitely postponed.

The engrossed bill to alter the times of selling lands and negroes, in the county of Richmond, was read the second and third times, passed, and ordered to be enrolled.

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

On motion of Mr. Albright, the Senate adjourned until to-morrow morning, 10 o'clock.

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Friday, Jan. 15, 1847.

The Senate met according to adjournment.

Mr. Street presented the following resolution, viz.

Resolved, That the Engrossing Clerks be, and they are hereby authorized to employ one or more additional clerks as may be needed for the present General Assembly.

Which was read the first time and passed.

On motion of Mr. Street, the rules were suspended, and the resolution was read the second time. On motion of Mr. Walker, the rules were suspended, and the resolution was read the third time. On motion of Mr. Ehringhaus, the resolution was amended, by adding the following thereto, viz: "and that they be paid as the other clerks are now
paid by law." The resolution then passed its third reading, as amended, and was ordered to be engrossed.

Mr. Tomlinson presented two pension certificates in favor of Jacob Peacock, of Johnston county; which were read and ordered to be countersigned by the Speaker, and sent to the House of Commons.

The resolution in favor of the Engrossing Clerks, was read the third time, passed, and ordered to be engrossed.

The engrossed bill to provide for the proper distribution of the Acts of Assembly, was read the third time and rejected.

The Senate then proceeded to the consideration of the order of the day, viz: the amendments proposed by the House of Commons to the engrossed bill from the Senate, entitled a bill to establish a new county, to be called "La Fayette." The first and second amendments were concurred in, and, on the reading of the third amendment, upon motion of Mr. Francis, a message was sent to the House of Commons, proposing to raise a committee of conference upon the said amendment.

The Senate then proceeded to the consideration of the second order of the day, viz: The bill to establish and incorporate the Metropolitan Rail Road Company, to indemnify the State against her liabilities of the Raleigh and Gaston Rail Road Company, and for other purposes, and the amendment proposed thereto on yesterday by Mr. Hogan. The said amendment was withdrawn by Mr. Hogan, and another introduced by him; which was adopted by the Senate. The bill was then rejected, on its third reading—yeas 17, nays 23, the yeas and nays being demanded.

Those who voted in the affirmative, are


Those who voted in the negative, are


Mr. Cameron introduced a bill concerning the Raleigh
and Gaston Rail Road; which was read the first time and passed.

Mr. Ashe introduced a bill authorizing the Governor to sell the Raleigh and Gaston Rail Road; which was read the first time and passed.

The Senate then proceeded to the consideration of the bill to provide for the transfer of the bonds of the Raleigh and Gaston Rail Road Company, endorsed by the State, on its second reading. The bill passed its second reading, and, on motion of Mr. Gilmer, the rules were suspended, and the bill was read the third time, passed, and ordered to be engrossed.

On motion of Mr. Bogle, the Senate took up the bill supplemental to an act passed by the General Assembly, entitled an act to lay off and establish a new county by the name of Alexander. On motion of Mr. Bogle, the bill was amended, and then passed its third reading, and was ordered to be engrossed.

Received from the House of Commons a message, stating that they have passed the engrossed resolution making an appropriation to purchase a regimental flag for volunteers to serve during the Mexican War; which was read the first time and passed. On motion of Mr. Ashe, the rules were suspended, and the said resolution was read the second and third times, passed, and ordered to be enrolled.

Received also from the House of Commons a message, agreeing to the proposition of the Senate to raise a committee of Conference on the third amendment proposed to the engrossed bill from the Senate, entitled a bill to establish a new county to be called La Fayette, and proposing that said committee consist of four on the part of each House; which was concurred in by the Senate, and the House of Commons informed thereof, and also that the committee on the part of the Senate is composed of Messrs. Francis, Graves, Halsey and Street.

The Senate then took a recess until 3 o'clock, P. M.

**Three O'clock, P. M.**

The following engrossed bills were read the second time and passed, viz:

A bill to amend the first section of an act, entitled "an
aet concerning the Pilots and Commissioners of Navigation;"

Also, a bill to amend the third section of an act, entitled "an act to establish and regulate a Turnpike road in the county of Macon, to be called the Tennessee River Turnpike Road," passed at the session of 1844-5.

Received from the House of Commons a message, stating that their branch of the committee of Conference, on the bill establishing the county of La Fayette, consists of Messrs. Washington, J. H. White, Hall and Puryear.

The following engrossed bills, viz:

A bill to incorporate the Lumber Bridge Independent Company, in the county of Robeson;

A bill to prevent the obstruction of Fish passing up Fishing Creek;

Were read the second time and passed, and, on motion of Mr. Halsey, the rules were suspended, and said bills were read the third time, passed, and ordered to be enrolled.

On motion of Mr. Gilmer, the vote on the indefinite postponement of the bill to compel the entry taker of Union county to keep his office at the Court House, was reconsidered, and said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the town of Washington, from the House of Commons, was read the first time and passed. On motion of Mr. Carter, the said bill was read the second and third times, under a suspension of the rules of the Senate, passed, and ordered to be enrolled—yeas 22, nays 3.

Mr. Howard demanded the yeas and nays on the third reading of the bill.

Those who voted in the affirmative, are


Those who voted in the negative, are

Messrs. Howard, Russell and Speight, 3.

Mr. Francis introduced a bill for the preservation of the Raleigh and Gaston Rail Road; which was read the first time and passed.
The engrossed bill to establish the Commercial Bank at Wilmington, was read the first time and passed.

Received from the House of Commons a message, stating that they insist upon their amendment to incorporate the Fayetteville Hotel Company. On motion of Mr. Cameron, ordered that a message be sent to the House of Commons, proposing that the two Houses appoint a committee of Conference on said amendment, to consist of four on the part of each House.

The bill extending the time of perfecting title to lands heretofore entered, was read the second time and passed. On motion, the rules were suspended, and said bill was read the third time, passed, and ordered to be engrossed.

On motion of Mr. Albright, the engrossed bill to transfer the funds belonging to the Board of Internal Improvement to the Public Treasury, was made the order of the day for to-morrow.

The engrossed bill concerning Chapel Hill, was read the second time and passed.

The engrossed bill to incorporate the Washington and New Orleans Telegraph Company, was read the second time, amended on motion of Mr. Patterson, by the adoption of a substitute therefor, and passed. On motion of Mr. Patterson, the rules were suspended, and the said bill was read the third time, passed, and ordered to be sent to the House of Commons, asking their concurrence in the amendment.

Received from the House of Commons a message, concurring in the proposition of the Senate to raise a Conference Committee of four on the part of each House, upon the amendment proposed to the bill to incorporate the Fayetteville Hotel Company, and stating that Messrs. D. A. Barnes, Smith, Stone and Skinner form their branch of said committee. Messrs. Cameron, Waddell, Hill and Woodfin, were appointed the committee on the part of the Senate, and the House of Commons were informed thereof.

Received from the House of Commons a message, stating that they have passed the engrossed bill for cutting a navigable Canal from the waters of the Yadkin to the waters of the Cape Fear in this State; which was read the first time and passed. On motion of Mr. Cameron, the bill was read the second time and passed, the rules of the Senate being suspended.
On motion of Mr. Ashe, the Senate took up for its second reading, the engrossed bill to establish the Commercial Bank at Wilmington. The said bill was read the second time, passed, and, on motion of Mr. Cameron, made the order of the day for to-morrow, at 11 o'clock.

The Senate then took a recess until 7 o'clock P. M.

Seven o'clock P. M.

Received from the House of Commons a message, stating that they have have passed the engrossed bill to legalize the sale of certain lots in the town of Shelby, Cleveland county:

Also the engrossed bill concerning the Treasurer of public buildings of Cleveland county; which were read the first time and passed. On motion of Mr. Mills, the rules were suspended, and the said bills were read the second and third times, passed, and ordered to be enrolled.

Received also from the House of Commons a message, stating that they have passed the engrossed bill to regulate the height of fences in the county of Pasquotank and for other purposes; in which they ask the concurrence of the Senate. Said bill was read the first time and passed.

Also, that they have passed the engrossed resolution relating to the Inlets on the coast of North Carolina; which was read the first time and passed. On motion of Mr. Stallings, the rules were suspended, and the said resolution was read the second and third times, passed, and ordered to be enrolled.

The engrossed bill from the House of Commons, to revive the Hewassee Turnpike company, and to extend the charter of the same, was read the first time and passed.

Also the engrossed bill to protect from injury the lots belonging to the State in the city of Raleigh, was read the first time and passed.

The Engrossed bill to annex a part of New Hanover to the county of Sampson, from the House of Commons, was read the first time and passed. On motion of Mr. Gavin, the rules were suspended, and the bill was read the second time and passed.

The engrossed bill to prevent further trading with slaves, was read the first time and passed. The rules were suspended, and the said bill was read the second and third times, passed, and a message sent to the House of Commons, asking their concurrence in the amendment made thereto, on motion of Mr. Poindexter and Mr. Halsey.
An engrossed resolution in relation to the payment of the State tax by the Cape Fear Bank, was read the first time and passed.

An engrossed bill for cutting a navigable canal from the waters of the Yadkin to the waters of the Cape Fear, in this State, was taken up, and, on motion of Mr. Cameron, read the second and third times, and passed and ordered to be enrolled.

The engrossed bill to provide for the apprehension of runaway slaves in the Great Dismal Swamp and for other purposes, was read the second time, amended, on motion of Mr. Ehringhaus, and passed. The rules were suspended, and the bill, as amended, was read the third time, passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

The resolution in relation to the bonds given for rent of Cherokee lands surrendered to the State, was read the third time and passed.

Received from the House of Commons a message, concurring in the amendments proposed by the Senate to the bill to incorporate the Washington and New Orleans Telegraph Company.

The resolution relative to the claims of the Devisees of William Cathcart, deceased, was read the second time and passed. On motion of Mr. Graves, the rules were suspended, and the resolution was read the third time, passed and ordered to be engrossed.

The resolution in relation to the accounts of the purchasers of the Cherokee lands, was read the third time, passed and ordered to be engrossed.

The engrossed bill supplemental to an act to incorporate the town of Wilkesboro, in the county of Wilkes, was read the third time, amended, on motion of Mr. Patterson, and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

Mr. Woodfin introduced a resolution in favor of Jacob Peck and William H. Maxwell; which passed its first reading, and was referred to the Judiciary Committee.

A message from the House of Commons, stated that they have passed the following engrossed bills, viz.

A bill to make a road from Plymouth in Washington county and to bring into market the Swamp Lands of the State;

A bill in favor of the uniform company, in Yancy county;

A bill to authorize William F. Sutton to build a draw bridge across Salmon Creek, in the county of Bertie;
A bill to extend the corporate limits of the town of Morgan-
ton, in the county of Burke;
A bill to repeal an act, passed in the year A. D. 1821; en-
titled an act to prevent fire hunting of fowls in Carteret
county;
A bill to amend an act to reduce into one the several acts
concerning Pilots and Commissioners of navigation, Revised
Statutes, chap. 88, sec. 40;
A bill for the better regulation of the hiring, renting and
sales of Wards' property in the county of Pasquotank;
A bill to appoint Commissioners to view and lay off a road
from J. L. Carson's, in the county of McDowell, to intersect
the road leading from the town of Morganton to Burnsville, in
the county of Yancey;
Also the following engrossed resolutions, viz.
Resolution for the relief of Zelpha Crocker;
Resolution in favor of the Door Keepers;
Resolution in relation to the Public Arsenal in the City of
Raleigh;
Which bills and resolutions were read the first time and
passed.
The engrossed bill from the House of Commons, entitled a
bill to form and establish a new Regiment out of the Militia of
the county, of Catawba and for other purposes, was read the
first time and passed. On motion of Mr. Halsey, the rules were
suspended, and the bill was read the second and third times,
passed and ordered to be enrolled.
Received from the House of Commons a message, stating
that they have ordered the pension certificates in favor of Jacob
Peacock to be countersigned by the Speaker and returned to
the Senate.
On motion of Mr. Cowper, the Senate adjourned until to-
morrow morning, 10 o'clock.
The Senate met according to adjournment.

Mr. Patterson, from the Committee on Internal Improvements, to whom was referred a resolution for transferring the bonds known as Cherokee bonds, and the surplus now in the hands of the Public Treasurer, as treasurer for the fund for Internal Improvement, into the State Treasury, reported the same, and asked to be discharged from its further consideration. The committee was discharged.

A bill to attach a part of Guilford county, to Rockingham county, was read the third time. Mr. Gilmer moved that the bill be indefinitely postponed; which was decided in the negative—yeas 12, nays 19.

Mr. Boyd demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


The question then recurring on the passage of the bill its third reading. The bill passed, and was ordered to be engrossed—yeas 18, nays 13.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are

The bill to consolidate in part the laws now in force regarding the State Library and Keeper of the Capitol, was read the third time, and on motion of Mr. Waddell, postponed indefinitely.

Mr. Albright, from the committee on Propositions and Grievances, to whom was referred memorial of E. Finney and others, in relation to the Schooner Maria Smith, reported and asked to be discharged from its further consideration. The committee was discharged.

Mr. Cameron, from the committee on Claims, to whom was referred a claim and accompanying memorial of Betts, Pusey and Hewlan, of Wilmington, Delaware, against the Raleigh and Gaston rail road company, and praying the State to pay the same, reported adversely to said prayer, and asked to be discharged. The report was concurred in.

The engrossed bill to annex a part of the county of New Hanover to the county of Sampson, was read the third time, passed and ordered to be enrolled.

Also the engrossed bill to amend the first section of an act, entitled an act concerning the Pilots and Commissioners of navigation, was read the third time, passed and ordered to be enrolled.

Mr. Waddell, from the joint select committee to whom was referred so much of the Governor's message as relates to the resolutions and communications from other States, received at the Executive Department of the State, reported that there was no necessity for the Legislature's expressing any opinion upon the various subjects embraced in said resolutions and communications, and asked to be discharged. The report was concurred in.

The Senate then proceeded to the consideration of the special order of the day, viz.

The engrossed bill to transfer the funds belonging to the board of Internal Improvement to the Public Treasury—being on its second reading. Mr. Woodfin moved to amend the first section, by striking out the word "transferred," and inserting the word "loaned." The amendment was rejected—yeas 13, nays 28.

Mr. Woodfin demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Ashe, Bogle, Cameron, Gilmer, Halsey, Hogan, Kerr, McMillan, Mills, Patterson, Street, Waddell and Woodfin, 13.
Those who voted in the negative are,


Mr. Graves then moved that the bill be laid on the table for the present, which was decided in the affirmative—yeas 23, nays 17.

Mr. Albright demanded the yeas and nays.

Those who voted in the affirmative, are

Messrs. Ashe, Bogle, Cameron, Carter, Eborn, Gilmer, Graves, Halsey, Hargrave, Hester, Hogan, Howard, Kelly, Kerr, McMillan, Patterson, Poindexter, Speight, Stallings, Street, Thompson, Waddell and Woodfin, 23.

Those who voted in the negative, are


On motion of Mr. Graves, the Senate then took up for consideration the bill to provide for the transfer of certain funds from the Internal Improvement Fund to the Public Treasury and for other purposes; which was read the second time and passed. On motion of Mr. Graves, the rules were suspended and the bill was read the third time. Mr. Thompson moved to amend the bill, by adding the following after the fourth section, viz.

Be it further enacted, That the balance in the hands of the Public Treasurer, as Treasurer of the Fund for Internal Improvement, as shown in the report of the Public Treasurer submitted to this Legislature, be, and the same is hereby directed to be transferred to the Treasury proper, to be used as other public funds.

Which was decided in the negative—yeas 6, nays 34.

Mr. Francis called for the yeas and nays.
Those who voted in the affirmative are,


Those who voted in the negative are


The question then recurred on the passage of the bill its third reading, and was determined in the affirmative, and ordered to be engrossed—yeas 37, nays 5.

Mr. Albright demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Albright, Gilchrist, Speight, Thompson and Woodfin, 5.

Mr. Stallings presented the following resolution, viz.

Resolved, That the Governor of the State be requested to transmit to the Governor of the commonwealth of Virginia a copy of an act passed at the present session of this General Assembly, entitled an act to provide for the apprehension of runaway slaves in the Great Dismal Swamp, and for other purposes, with a request that he bring the subject thereof to the attention of the Legislature of said commonwealth, and ask their co-operation in the subject matter of said act.

Which was read the first time and passed.

On motion, the rules were suspended, and the said resolution
was read the second and third times, passed and ordered to be engrossed.

Mr. Cameron, from the Committee on Claims, to whom was referred the claim of Hezekiah Rice, reported the following resolution, viz.

*Resolved*, That the Secretary of State be, and he is hereby directed to deliver to the heirs of Hezekiah Rice the land warrant heretofore issued for the services of said Rice, as a captain in the Revolutionary War, to the Trustees of the University of North Carolina.

Which resolution passed its first reading.

The engrossed bill to amend the first section of an act entitled an act concerning the Pilots and Commissioners of navigation, was read the third time and passed, and ordered to be enrolled.

The Senate then proceeded to the consideration of the orders of the day, viz. A bill to incorporate the Commercial Bank of Wilmington, on its third reading. Mr. Waddell moved to amend the bill, by striking out all thereof after the enacting clause, and inserting therefor a substitute, providing for the increase of the capital stock of the Bank of the State of North Carolina and the Bank of Cape Fear. Pending the question on said amendment, on motion of Mr. Gilmer, the subject was postponed to enable him to introduce the following resolution, viz.

*Resolved*, That it be a rule of this House, until the end of the present session, that no member shall speak at any one time more than twenty minutes.

Which resolution was adopted, and the Senate then took a recess until 3 o'clock, P. M.

**THREE O'CLOCK, P. M.**

Mr. Halsey introduced the following resolution, viz.

*Resolved*, That the Rules of the Senate, requiring bills and resolutions to be read three several days in succession, be suspended during the remainder of the session.

Which was adopted.
The Senate then resumed the consideration of the unfinished business of the morning, viz: the amendment proposed by Mr. Waddell, to the engrossed bill to establish the Commercial Bank, at Wilmington. The said amendment was rejected—yeas 5, nays 37.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Melchor moved to amend the second section of the bill by striking out the words "or their equivalent;" which was rejected.

The question then recurred on the passage of the bill its third reading; which was decided in the affirmative—yeas 28, nays 16.

Mr. Francis demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Albright, Boyd, Cameron, Daniel, Drake, Eborn, Exum, Hawkins, Hester, Hogan, Patterson, Speight, Stallings, Thompson, Waddell and Ward, 16.

The said bill was ordered to be engrossed.

The bill to provide suitable buildings for the comfortable accommodation of Deaf Mutes and blind persons of this
State, was read the second and third times, passed, and ordered to be engrossed.

The engrossed bill to make a road from Plymouth in Washington county, and to bring into market the Swamp Lands of the State, was read the second time and passed. On motion of Mr. Halsey, the bill was read the third time and rejected—yeas 13, nays 21.

Mr. Woodfin demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


On motion of Mr. Cameron, the Senate took up for consideration the bill concerning the Raleigh and Gaston Rail Road; which was read the second time and rejected—yeas 15, nays 15. (The Speaker voted in the negative, the Senate being equally divided.)

Those who voted in the affirmative, are


Those who voted in the negative, are

Messrs. Albright, Ashe, Cowper, Eborn, Francis, Gavin, Gilchrist, Graves, Hargrave, Hawkins, Hogan, Howard, Street, Thompson and Woodfin, 15.

The bill for the preservation of the Raleigh and Gaston Rail Road, was read the second and third times, passed, and ordered to be engrossed.

Received from the House of Commons a message, stating that they have passed the engrossed resolution for pay of contingent expenses of this Assembly; which was read the
first, second and third times, passed, and ordered to be enrolled.

Also a message from the House of Commons, concurring in the amendment of the Senate to the engrossed bill to provide for the apprehension of runaway slaves in the Great Dismal Swamp and for other purposes. Said bill was ordered to be enrolled.

Also a message, concurring in the amendment of the Senate, to the engrossed bill supplemental to an act to incorporate the town of Wilkesboro', in the county of Wilkes. The said bill was ordered to be enrolled.

Received also from the House of Commons a message, concurring in the report of the committee of Conference, upon the bill to establish a new county, to be called La Fayette, and reeding from their amendment, number three.

Received from the House of Commons a message, stating that they have passed the Senate's engrossed bill to authorize the removal of the county seat of Wayne from the town of Waynesboro' to the village of Goldsboro', in said county, on certain conditions, with an amendment; in which they ask the concurrence of the Senate. The said amendment was concurred in, and information sent to the House of Commons.

Received from the House of Commons a message, stating that they refuse to concur in the report of the committee of Conference, on the bill to incorporate the Fayetteville Hotel Company, and refuse to recede from the amendment to said bill. On motion of Mr. Cameron, the Senate receded from its disagreement to the said amendment, and concurred in the same, and the House of Commons were informed thereof.

Received from the House of Commons a message, stating that they have rejected the following engrossed bills from the Senate, viz:

A bill to attach a part of Guilford county to Rockingham county;
A bill to authorize the Commissioners of the town of Wilmington to borrow $200,000, and for other purposes;
A bill for the better regulation of the Militia of the State;
A bill concerning the trial of causes in the Supreme Court;
A bill to incorporate the Neuse River Steam Boat Company;
Also a resolution in favor of Engrossing Clerks.

The Senate then took a recess until 7 o'clock P. M.
SEVEN O'CLOCK, P. M.

Mr. Graves, from the committee on the Judiciary, reported the bill which had been referred to them to impose taxes on transient Merchants and Pedlars, in the City of Raleigh, with sundry amendments requiring the taxes raised under said bill to be collected and accounted for as public taxes. The amendments were concurred in, and the bill was read the second time and passed—yeas 18, nays 17.

Mr. Hogan demanded the yeas and nays.

Those who voted in the affirmative, are

Messrs. Albright, Ashe, Cameron, Carter, Cowper, Drake, Ehringhaus, Gilchrist, Graves, Halsey, Hester, Kelly, Poindexter, Speight, Street, Thompson, Tomlinson and Wooten, 18.

Those who voted in the negative, are


The bill was then read the third time and rejected—yeas 18, nays 23.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Albright, Boyd, Cameron, Carter, Cowper, Drake, Eborn, Exum, Gilchrist, Graves, Halsey, Hester, Patterson, Poindexter, Speight, Street, Thompson and Wooten, 18.

Those who voted in the negative are


The bill to authorize the Board of Internal Improvement to make sale of the Club Foot and Harlow Creek Canal, was read the second and third times, passed, and ordered to be engrossed.
On motion of Mr. Francis, the vote by which was rejected the engrossed bill from the House of Commons, on its third reading, to make a road from Plymouth, in Washington county, and to bring into market the Swamp Lands of the State, was reconsidered, and said bill passed its third reading; and a message was sent to the House of Commons, asking their concurrence in the amendment thereto.

The engrossed bill to establish a public road in Buncombe;
Also a bill to amend the third section of an act, entitled an act to establish and regulate a Turnpike road in the county of Macon, to be called the Tennessee River Turnpike Road, passed at the session of 1844–5;
Also a bill concerning Chapel Hill;
Were read the third time, passed, and ordered to be enrolled.

The bill to amend the 20th section, chap. 102, of the Revised Statutes, was read the second time and postponed indefinitely.

The bill to prevent Rail Road Companies from obstructing navigable water courses, and for other purposes, was read the third time, passed and ordered to be engrossed.

Received from the House of Commons a message, stating that they have passed the engrossed bill, supplemental to an act passed at the present session, entitled an act to lay off and establish a county by the name of Polk; in which they ask the concurrence of the Senate. The said bill was read the first, second and third times, passed and ordered to be enrolled.

The bill regulating the time of service of Volunteers, was read the third time, and, on motion of Mr. Ehringhaus, postponed indefinitely.

The bill to consolidate various acts in favor of Poor Debtors, was read the second time. Mr. Stallings moved that said bill be postponed indefinitely; which was decided in the negative—yeas 12, nays 24.

Mr. Gilmer called for the yeas and nays.

Those who voted in the affirmative, are

Those who voted in the negative, are
Messrs. Cameron, Cowper, Daniel, Drake, Eborn, Exum, Gil
The bill then passed its second reading, and was read the third time, passed, and ordered to be engrossed—yeas 22, nays 12.

Mr. Stallings demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


The bill authorizing John A. Rowland to collect arrears of Taxes, was read the third time and postponed indefinitely.

A bill authorizing a loan, to enable the State to reduce certain liabilities, was read the second time and passed, and the third time and rejected—yeas 12, nays 23.

Mr. Exum called for the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


The following engrossed bills were read the second and third times, passed, and ordered to be enrolled, viz:

A bill in relation to the sale of Fire-Wood in the town of Newbern;

A bill to amend an act, entitled an act for the relief of certain purchasers of the Cherokee lands;
A bill to supply omissions in the 42d chapter of the Revised Statutes, entitled entries and grants;
A bill to amend the 10th section of chapter 1021 of the Revised Statutes;
The engrossed bill to provide suitable punishment for owners or occupiers of houses burning the same, under the circumstances therein mentioned, was read the third time and rejected.
The engrossed bill to prevent the establishment of a Toll Gate within the corporate limits of the town of Asheville, in the county of Buncombe, was read the second time, and laid on the table.
The engrossed resolution in favor of Spier Whitaker and James Iredell, was read the second and third times, passed, and ordered to be enrolled.

Mr. Halsey introduced the following resolution, viz.

Resolved, That the sum of twenty dollars and ten cents be paid to Henry D. Turner, out of any money in the Treasury, not otherwise appropriated, for stationery furnished by him for the two Houses of this General Assembly:

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

Received from the House of Commons a message, stating that they do not concur in the amendment of the Senate to the engrossed bill, entitled a "bill to make a road from Plymouth, in Washington county, and to bring into market the Swamp Lands of the State." The Senate then receded from said amendment, and said bill was ordered to be enrolled.
The following engrossed bills were read the second and third times, passed, and ordered to be enrolled, viz:
A bill concerning contempts of court;
A bill to lay off a road from Asheville, in Buncombe county, to Burnsville, in Yancy county, and from thence to the Tennessee line.
The bill to increase the revenue of the State, was read the second time and indefinitely postponed.
The engrossed bill concerning wrecks and wrecked property, was read the second time and postponed indefinitely.
The engrossed resolution for enclosing the Public Square,
on which the State House is situated, was read the second time and passed—yeas 19, nays 13.

Mr. Francis demanded the yeas and nays.

Those who voted in the affirmative, are

Messrs. Ashe, Barnard, Boyd, Cameron, Cowper, Eborn, Ehringhaus, Gulmer, Gilchrist, Halsey, Hogan, Howard, Kelly, Melchor, Patterson, Poindexter, Russell, Street and Woodfin, 19.

Those who voted in the negative, are


The bill to protect from injury the lots belonging to the State, in the City of Raleigh, was read the third time, and postponed indefinitely.

The bill to perfect titles to land sold by decrees of Courts of Equity;

Also the resolution relating to certain scrip issued by the Raleigh and Gaston Rail Road Company, and endorsed by the State;

Also a resolution in favor of the Raleigh Military Academy;

Also a resolution disposing of the compendium of sixth census;

Also a resolution in favor of Reeder and Longie;

Also a bill to allow Thomas F. Jones, of Perquimons county, to build a bridge across Skinner or Raccoon creek in said county;

Resolution in favor of David Gillespie;

A bill concerning the bonds of the Clerks of the County Courts;

A bill to amend an act, passed at the last session of the General Assembly, entitled "an act more effectually to secure the debts due for Cherokee lands, and to facilitate the collection of the same;"

A bill to repeal an act, passed in the year A.D. 1821, entitled an act to prevent fire-hunting of fowl in Carteret county;

A bill regulating the height of fences in the county of Pasquotank, and for other purposes;
A bill for the better regulation of the hiring, renting and sales of ward's property in the county of Pasquotank;
A bill in favor of a Uniform Company in Yancy county;
A bill to authorize William F. Sutton to build a Draw Bridge across Salmon Creek, in the county of Bertie;
A bill to extend the corporate limits of the town of Morganton, in the county of Burke;
Resolution in relation to the payment of the State tax by the Cape Fear Bank;
A bill to appoint Commissioners to view and lay off a road from J. L. Carson's, in the county of McDowell, to intersect the road leading from Morganton to Burnsville, in the county of Yancy.

Said bills and resolutions were severally read the second and third times, passed, and ordered to be enrolled.

Received from the House of Commons a message, stating that they have postponed indefinitely the engrossed bill from the Senate to consolidate various acts in favor of poor debtors.

Also stating that they concur in the amendment, of the Senate to the engrossed bill entitled a bill supplemental to an act, passed at the last session of the General Assembly, entitled an act to cede a portion of Rutherford county to the county of Henderson.

The following engrossed bills and resolutions were read the second and third times, passed and ordered to be enrolled.

A bill to revive the Hiwassee Turnpike Company and to extend the charter of the same;
A resolution in relation to the Public Arsenal in the City of Raleigh;
Resolution in favor of the Door Keepers;
Resolution for the relief of Zelphia Croker;
A bill to amend an act to reduce into one, the several acts concerning Pilots and Commissioners of navigation, Revised Statutes, chap. 88, section 40;
A bill to restore the third section of an act, passed in the year 1825, chapter 1272, entitled an act to direct the manner in which licenses shall be hereafter issued to retailers of Spirituous liquors, so far as Wilmington, in the county of New Hanover is concerned;

The resolution on mileage, was read the second time, and on motion, ordered to lie on the table.

The engrossed bill to incorporate the Caldwell and Ashe
Turnpike Company, was read the second and third times, passed, and ordered to be enrolled.

On motion of Mr. Waddell, a message was sent to the House of Commons, proposing to rescind the joint order of the two Houses to adjourn "sine die" on Monday at 6 o'clock, A. M.; and also proposing that the two Houses adjourn sine die on Tuesday morning at 6 o'clock, A. M.

Received from the House of Commons a message, stating that they have passed the engrossed resolution entitled a resolution to sell the State lot adjoining John Hutchins, was read the first time and passed, and having been read the second time, was, on motion of Mr. Gilmer, postponed indefinitely.

The engrossed bill to amend an act, entitled an act extending the time for perfecting titles to lands heretofore entered, passed at the last session of the General Assembly, was read the first, second and third times; passed and ordered to be enrolled.

Mr. Cameron then moved that the Senate adjourn until Monday morning, 4 o'clock.

Mr. Russell demanded the yeas and nays.

Those who voted in the affirmative, are


Those who voted in the negative, are


The Speaker announced the Senate as adjourned until Monday morning, 4 o'clock.

Monday, 4 O'clock A. M. January 18, 1847.

The Senate met according to adjournment.

The Speaker announced that Messrs. Cameron, Mills, Kelly
and Albright form the Senate's branch of the committee on enrolled bills for the week, and information was sent to the House of Commons.

A message was received from the House of Commons, stating that Messrs. Scott, Skinner, Whitaker, Hargrave, Sanders, Britton, Regan and Person form the committee on enrolled bills on the part of that House.

On motion of Mr. Patterson,

Ordered, That a message be sent to the House of Commons, proposing to suspend for the residue of the session the 6th Joint Rule of Order, so far as relates to private bills and private resolutions in respect to enrollment.

Which proposition was concurred in by the House of Commons.

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, viz.

A bill supplemental to an act to incorporate the Yadkin and Cape Fear Canal Company;

A bill to incorporate a Turnpike road from Morganton, in the County of Burke, to the fork of the road near the sixteen mile post on the road leading to Yorkville, South Carolina;

Resolution in favor of J. E. Lumsden;

A bill concerning surplus money from the sale of town lots, in Marion;

A bill to appoint commissioners to view and lay off and improve the State Road from Wilkesboro' to Peyton Colvard's;

A bill on Common Schools;

A bill to authorize the President and Directors of the Literary Fund to transfer to the Public Treasury certain notes, bonds and judgments, and for other purposes;

Resolution to furnish certain records to Harvard University;

A bill to incorporate the Philadelphia and North Carolina mining and smelting company:

Which bills and resolutions were read the first, second and third times, passed and ordered to be enrolled, except the last named, which, on motion, was laid on the table.

Received from the House of Commons a message, stating that they do not concur in the proposition of the Senate that the joint resolution to adjourn sine die on this morning at 6 o'clock, A. M., shall be rescinded, and that the two Houses adjourn on Tuesday morning 6 o'clock, A. M.; but proposing that the joint resolution to adjourn sine die at 6 o'clock A. M. be rescinded,
and that the two Houses adjourned finally at 8 o'clock this morning.

Received from the House of Commons a message, stating that they have passed an engrossed resolution relating to door keepers, in which they ask the concurrence of the Senate; which was read the first, second and third times, passed and ordered to be enrolled.

Mr. Woodfin, from the Judiciary Committee, to whom was referred a resolution in favor of Jacob Peck and W. H. Maxwell, reported and asked to be discharged. The Committee were accordingly discharged.

The engrossed resolution relating to the publication of documents illustrative of the history of the State, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill from the House of Commons, to impose taxes on transient merchants in incorporated towns in the State, was read the first, second and third times, amended, on motion of Mr. Thompson, and passed—yeas 21, nays 7.

The yeas and nays were demanded by Mr. Woodfin.

Those who voted in the affirmative are,


Those who voted in the negative are,


The bill, as amended, was sent to the House of Commons, asking their concurrence in the amendment; and a message was received announcing their concurrence therein, and the bill was ordered to be enrolled.

The engrossed resolution relative to the mode of printing the Journals of the Legislature of the State, was read the first, second and third times, passed and ordered to be enrolled.

On motion of Mr. Patterson, a message was sent to the House of Commons, proposing to increase the committee on enrolled bills, by adding two on the part of the Senate, and four on the part of the House; which was concurred in by the House of Commons, and Messrs. Patterson and Speight were appointed on the part of the Senate.
Received from the House of Commons a message, stating that they had passed the engrossed resolution in favor of the Assistant Engrossing Clerks; which was read the first, second and third times, passed and ordered to be enrolled.

Mr. Ashe presented the following resolution, viz.

Resolved, That the act, passed by the present General Assembly to annex a part of New Hanover to Sampson county, be and the same is hereby repealed.

Which was read the first time, and, on motion of Mr. Thompson, ordered to lie on the table.

Received from the House of Commons a message, stating that they have passed the engrossed resolution making appropriation for volunteers; which was read the first, second and third times, passed and ordered to be enrolled. On its second reading, the yeas and nays were demanded by Mr. Woodfin, and were as follows, viz.

Those who voted in the affirmative are,


Mr. Albright voted in the negative.

The following protest was offered and ordered to be entered at large on the Journal of the Senate, viz.

The undersigned, Senators in the present General Assembly of the State of North Carolina, in the exercise of a constitutional right, demand that their dissent against the act of the Senate entitled a resolution providing for equipping and paying the expenses of the volunteers to Wilmington, and the reasons which compelled them to vote against the said act, be entered on the Journal of the Senate.

The undersigned Senators consider the present war which is in existence between our beloved country and the government of Mexico, as having been commenced by the Government of Mexico, when they made an invasion of the Territory of the State of Texas; and that after the annexation of Texas to the Union, it was the constitutional duty of our government to extend over the State of Texas our national Aegis; and we further consider that the President of the United States would have
been recreant to his trust, if he had not promptly and energetically responded to the requisition made upon him by the Government of Texas, to afford them aid and assistance in repelling this Mexican Invasion.

The undersigned Senators would rejoice to see the whole Military power of the United States brought to bear immediately upon the Government of Mexico, and in the emphatic language of the President "to conquer a peace" with the least possible delay; and under the influence of this patriotic feeling, would most gladly have voted for the above recited resolution, had not the present majority in the Senate attached to the resolution a preamble, which, in their opinion, is a misrepresentation of the manner in which the war was commenced.

In that preamble and in the exposition of its meaning and intention, as explained by its advocates, a charge is made against the President, that he, the President, by obeying the above mentioned requisition of the State of Texas, did violate the constitution of the United States, and actually made our country the aggressor upon the Territory of Mexico.

To these propositions we, the undersigned Senators, cannot subscribe, and we, in common with all the members of the Democratic party, did make urgent and repeated efforts to have the preamble so amended as to make it declare what we conceived to be the truth; but the majority in the Senate refused to adopt these amendments, and determined, by strict party votes, either to coerce the minority to vote for the preamble unamended, or to vote against the whole resolution. In this dilemma, we, the undersigned, could not do otherwise than adopt the latter alternative.

The undersigned Senators are compelled by a sense of duty, to protest solemnly against the adoption, by a majority in the Senate, of a Legislative movement, by which they endeavored to place the Democratic party in a false position before their country; and it is with a view of counteracting this improper expedient that the undersigned demand that this their protest should be entered upon the Journal of the Senate,

EDW'D. C. GAVIN,
W. H. ASHE,
LARKIN STOWE.

A message was then received from the House of Commons, stating the hour fixed on by the joint resolution for the adjournment of the two Houses sine die having arrived,
and that body having disposed of all the business before it, is ready to adjourn without day.

A message was returned to the House of Commons, announcing that the Senate is also prepared to adjourn without day, having disposed of all the business before it.

Mr. Graves called up the following resolution, which he had, on a day previous introduced, and requested to lie on the table, without being read; viz:

Resolved, That the thanks of the Senate are due, and are hereby tendered to the Honorable Andrew Joyner, Speaker of the Senate, for the able, dignified and impartial manner in which he has performed the duties of his station during this session.

The Speaker having retired from the Chair, and the same being occupied by Mr. Graves, the said resolution was read and unanimously adopted.

The Speaker then resumed the Chair, and responded to the said resolution in an eloquent, appropriate, and touching farewell address to Senators, and concluded by declaring the Senate adjourned without day.

ANDREW JOYNER,
Speaker of the Senate.

By order,
HENRY W. MILLER,
Clerk of the Senate.
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