At a General Assembly of the State of North Carolina, begun and held in the City of Raleigh, on Monday, the twentieth day of November, Anno Domini, one thousand eight hundred and fifty-four, and the seventy-ninth year of the Independence of the United States of America, being the day appointed by law for the meeting of the General Assembly, the following members of the Senate appeared, exhibited their credentials, and were qualified according to law, viz:—

1st District—Pasquotank and Perquimons—

Camden and Currituck—John B. Jones.

Gates and Chowan—Henry Willey.

Tyrrell and Hyde—McEwes

Northampton—

Hertford—

Bertie—Joseph B. Cherry.

Martin and Washington—Asa Biggs.

Halifax—M. L. Wiggins,

Edgecombe—

Pitt—B. F. Eborn.

Beaufort—Joshua Tayloe.

Craven—Council B. Wood.

Carteret and Jones—Richard Oldfield.

Greene and Lenoir—James P. Speight.

New Hanover—Owen Fennell.

Duplin—B. W. Herring.

Onslow—E. W. Fonville.

Bladen, Brunswick, Columbus—T. D. McDowell.

Cumberland—Warren Winslow.

Sampson—Thos. I. Faison.

Wayne—C. H. Brogden.

Johnston—L. B. Sanders.

Wake—G. H. Wilder.

Nash—
26th District—Franklin—James Collins.
27th "    Warren—Wm. Eaton, Jr.
28th "    Granville—
29th "    Person—J. W. Cunningham.
30th "    Orange—Wm. A. Graham.
31st "    Alamance and Randolph—Wm. B. Lane.
32d "    Chatham—
34th "    Richmond and Robeson—Thos. J. Morisey.
35th "    Anson and Union—Thos. S. Ashe.
36th "    Guilford—John A. Gilmer.
37th "    Caswell—J. A. Graves.
38th "    Rockingham—Geo. D. Boyd.
39th "    Mecklenburg—John Walker.
40th "    Stanly and Cabarrus—A. C. Freeman.
41st "    Rowan and Davie—Charles F. Fisher.
42d "    Davidson—Thomas
43d "    Stokes and Forsyth—J. J. Martin.
44th "    Ashe, Surry, Watauga and Yadkin—George Bower.
45th "    Wilkes, Iredell and Alexander—Anderson Mitchell.
46th "    Burke, McDowell and Caldwell—C. T. N. Davis.
48th "    Rutherford and Cleveland—Columbus Mills.
49th "    Buncombe and Henderson, &c.—David Coleman.
50th "    Haywood, Macon, Cherokee, &c.—

A quorum consisting of a majority of the whole number of members being present, Mr. Bower nominated Warren Winslow, of Cumberland County, for Speaker.

On motion of Mr. Mitchell, the name of Joseph B. Cherry, was added to the nomination, and the Senate voted as follows:


Mr. W. Winslow voted for Mr. Biggs.
Mr. Cherry voted for Mr. Mitchell.
Mr. Winslow having received a majority of the votes given, was declared duly elected Speaker of the Senate, and being conducted to the chair by Messrs. Bower and Mitchell, made his acknowledgments in an appropriate address.

H. T. Clark, the Senator elect from the county of Edgecombe, (being the 10th Senatorial district,) and John H. Drake, the Senator elect from the county of Nash, (being the 25th Senatorial district,) appeared, produced their credentials, were qualified and took their seats.

Mr. Boyd nominated John Hill for Principal Clerk, and the Senate proceeded to vote, under the superintendence of Messrs. McDowell and Ashe, as follows:


Mr. Hill having received the whole number of votes cast, was declared duly elected Principal Clerk of the Senate.

On motion of Mr. Graves, Quentin Busbee was duly appointed Assistant Clerk of the Senate.

On motion of Mr. Cunningham, James Page was appointed Principal Doorkeeper of the Senate.

Mr. Coleman nominated John U. Vogler for Assistant Doorkeeper; and, on motion of Mr. Graham, the name of Ler Couch was added to the nomination.

The Senate then voted as follows:


For Mr. Couch:—Messrs. Ashe, Cherry, Christian, Davis, Eborn, Freeman, Gilmer, Graham, Lane, Mitchell, Morisey, Tayloe, Wiggins, and Willey.—14.

Mr. Vogler having received a majority of the votes given, was declared duly elected.
John H. Haughlon, the Senator elect from the county of Chatham, (being the 32d Senatorial district,) appeared, produced his credentials, was qualified and took his seat.

On motion of Mr. Boyd,

Ordered, That a message be sent to the House of Commons informing that body of the due organization of the Senate by the election of Warren Winslow, the Senator from Cumberland county, Speaker; John Hill, Principal Clerk; Quentin Busbee, Assistant Clerk; James Page, and J. U. Vogler, Doorkeepers; and that it is ready to proceed to the dispatch of public business.

On motion of Mr. Hoke,

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.

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

TUESDAY, NOVEMBER 21, 1854.

Received a message from the House of Commons, announcing the due organization of that body by the appointment of Samuel P. Hill, Speaker; James T. Marriott, Principal Clerk; George Howard, Assistant Clerk; Wm. S. Webster, Principal Doorkeeper; and Wm. R. Lovell, Assistant Doorkeeper—and of their readiness to proceed to the dispatch of public business.

On motion of Mr. Boyd,

Ordered, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of two on the part of each House, to wait on 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 to them.

Mr. Bower 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.

On motion of Mr. Clark,

Messrs. Clark, Graham, Boyd, Haughton and Sanders, were appointed a Committee to prepare and report Rules for the government of the Senate.

On motion of Mr. Biggs,
Ordered, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of three on the part of the Senate, and five on behalf of the House, to prepare and report Rules for the government of the intercourse between the two Houses.

Received a message from the House of Commons, concurring in the proposition to raise a Joint Select Committee on the part of each House, to wait upon his Excellency, the Governor, and informing that Messrs. J. C. Badham and Josiah Turner constitute the Committee on the part of the House. Whereupon, Messrs. Boyd and Morisey were appointed the Committee on behalf of the Senate.

Mr. Boyd, from the committee appointed to wait on his Excellency the Governor, reported that the committee had performed the duty assigned them, and received for answer that he would be pleased to make a communication to the two Houses to-morrow at 12 o'clock.

Received a message from the House of Commons, transmitting the following engrossed resolution, in which they ask the concurrence of the Senate, viz:

A Resolution to provide curtains for the two Halls of the General Assembly.

The resolution was read the first time and passed.

On motion of Mr. Cunningham the rules were suspended, and said resolution was read the second and third times, passed, and ordered to be engrossed.

Received a message from the House of Commons, proposing to go into an election for a Solicitor in the fifth judicial circuit to-morrow at 12 o'clock, M., which proposition was agreed to, and Messrs. Faison and Haughton appointed a committee to superintend said election on the part of the Senate, and the House of Commons informed thereof.

Also a message proposing to go into an election for Engrossing Clerk to-morrow at 11 o'clock, A. M. Concurred in; and Messrs. McDowell and Cherry appointed the Senate's branch of the committee to superintend said election, and the House of Commons informed thereof.

Also a message proposing to go into an election for Secretary of State to-morrow at 10½ o'clock. Concurred in; and Messrs.
Cunningham and Willey appointed a committee to superintend said election on behalf of the Senate, and the House of Commons informed thereof by message.

Received a message from the House of Commons, transmitting the following engrossed resolution, in which they ask the concurrence of the Senate, viz:

A Resolution in favor of Stephen D. Pool.

The resolution was read the first time and passed.

On motion of Mr. Graham the rules were suspended, and the resolution read the second and third times, passed, and ordered to enrolment.

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

WEDNESDAY, November 22, 1854.

John W. Thomas, the Senator elect from the county of Davidson, (being the 42d Senatorial district,) and Charles McClees, the Senator elect from the counties of Tyrrell and Hyde, (being the 4th Senatorial district,) appeared, produced their credentials, were qualified, and took their seats.

Mr. Boyd introduced a bill to amend the Constitution of North Carolina, which was read, and on his motion, laid on the table and ordered to be printed.

Mr. Biggs introduced a resolution in favor of Oliver H. Perry, which was read the first time and passed; the said resolution, under a suspension of the rules, was read the second and third times, passed, and ordered to be engrossed.

Received a message from the House of Commons stating that the hour of half past ten o'clock having arrived, they would proceed to the election of Secretary of State, according to the joint agreement of the two houses, and that Messrs. Dortch and Horton form their branch of the committee to superintend the election. Whereupon Mr. Graham nominated Wm. Hill for the appointment.

The Senate, under the superintendence of Messrs. Cunningham and Willey, then voted as follows:

For Mr. Hill:—Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Brogden, Cherry, Christian, Clark, Coleman, Collins, Cunningham, Davis, Drake, Eaton, Eborn, Faison, Fennell, Fisher,
Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Her-
ing, Jones, Lane, McClees, McDowell, Martin, Mills, Morisey, Oldfield, Sanders, Speight, Tayloe, Thomas of Davidson, Walk-
er, Wilder, Wiggins, Willey, and Wood.—42.

Mr Cunningham, from the committee appointed to superintend the election of Secretary of State, reported that Win. Hill having received the whole number of votes given, was duly elected.

Report concurred in.

A message was sent to the House of Commons stating that the Senate have passed the following engrossed resolution, in which they ask the concurrence of that body, to wit:

A resolution in favor of Oliver H. Perry.

Received a message from the House of Commons stating that the hour of 11 o'clock having arrived, they would proceed to vote for Engrossing Clerk, in pursuance of the joint order, and that Messrs. Winston and White (of Gaston) form their branch of the committee to superintend the election.

Mr. Cunningham nominated J. W. Powell for the appointment, and on motion of Mr. Graham, J. T. Wheat, and on motion of Mr. Collins, Wm. H. Joyner were added to the nomination.

The Senate under the superintendence of Messrs. McDowell and Cherry, then voted as follows:


For Mr. Wheat:—Messrs. Ashe, Cherry, Christian, Coleman, Davis, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Tayloe, J. W. Thomas and Willey—15.

For Mr. Powell:—Messrs. Cunningham, Graves, Martin, Morisey, Sanders and Wiggins—6.

Received a message from the House of Commons, concurring in the proposition of the Senate, to raise a Joint Select Committee of three on the part of the Senate, and five on the part of the House, to prepare and report joint rules of order for the government of the intercourse between the two Houses, and informing that Messrs. J. M. Leach, Settle, Carmichael, Jordan and Martin, constitute the committee on the part of the Commons; whereupon,
Messrs. Sanders, Cherry and Biggs, were appointed the committee on the part of the Senate, and the House informed thereof by message.

Mr. Cherry, from the committee appointed to superintend the election of Engrossing Clerk, reported, that no person in nomination having received a majority of the votes given, there is no election.—Report concurred in.

On motion of Mr. McDowell,

Ordered, That a message be sent to the House of Commons, proposing to vote again forthwith for an Engrossing Clerk.

Received a message from the House of Commons, concurring in the proposition of the Senate to vote again forthwith for Engrossing Clerk, and informing that Messrs. Williams, of Warren, and Love, are the House branch of the committee to superintend the election; whereupon, under the superintendance of Messrs. Cherry and McDowell, the Senate voted as follows:


For Mr. Wheat:—Messrs. Ashe, Cherry, Christian, Coleman, Davis, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Morisey, Tayloe, J. W. Thomas, Wiggins and Willey—17.

For Mr. Powell:—Messrs. Cunningham, Graves and Martin—3.

Received a message from the House of Commons proposing to raise a joint select committee of eight on the part of the House, and five on the part of the Senate, on the revision of the Statutes.

On motion of Mr. Graham,

Ordered, That the message be laid on the table.

Mr. McDowell, from the committee appointed to superintend the election for Engrossing Clerk, reported that no one having received a majority of the whole number of votes given, there is no election. Concurred in.

Mr. McDowell nominated Robert Strange for Solicitor of the Fifth Judicial circuit. And on motion of Mr. Cherry, the name of Ralph P. Buxton was added to the nomination. Whereupon a message was sent to the House of Commons informing them thereof.
Received a message from the House of Commons stating that the hour of 12 o’clock having arrived, they would proceed to vote for a Solicitor of the Fifth Judicial circuit, according to the joint order; that Robert Strange and Ralph P. Buxton are in nomination for the appointment, and that Messrs. Shepherd and Bryson form their branch of the committee to superintend the election.

The Senate, under the superintendence of Messrs. Faison and Haughton, then voted as follows:


Mr. Haughton, from the committee appointed to superintend the election of Solicitor of the Fifth Judicial circuit, reported that Robert Strange had received one hundred votes and Ralph P. Buxton sixty votes, and that Robert Strange, having received a majority of the whole number of votes given, was duly elected.

Report concurred in.

On motion of Mr. Hoke the Senate adjourned until to-morrow morning, 11 o’clock.

THURSDAY, NOVEMBER 23, 1854.

Received a message from the House of Commons, transmitting the message of his Excellency, the Governor, and accompanying Documents, with a proposition to print 10 copies of the message, and one copy of the accompanying documents for each member of the Legislature.

The message was read and the proposition to print agreed to, with the exception of the Journal of proceedings of a convention for the purpose of considering the propriety of erecting one or more Monuments in Independence Square, Philadelphia; of which the House of Commons were informed by message.

Mr. Clark, from the committee appointed to prepare and report rules of order for the government of the Senate, reported the following, and recommended their adoption, viz:—
RULE 1st. When the Speaker takes the Chair, each member shall take his seat; and on the appearance of a quorum, the Journal of the preceding day shall be read.

RULE 2d. After the reading of the Journal of the preceding day, the Senate shall proceed to business in the following order, namely:

1st. The receiving petitions, memorials, pension certificates and papers, addressed either to the General Assembly or to the Senate; 2d. The reports of Standing Committees; 3d. The reports of Select Committees; 4th. Resolutions; 5th. Bills; 6th. Bills, resolutions, petitions, memorials, messages, pension certificates and other papers on the table. Then the order of the day; but motions and messages to elect officers shall always be in order.

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

RULE 4th. All bills and resolutions introduced 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, or any member may call him to order; in which case the member so called to order, shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide on the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to: If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the House.

RULE 6th. When a question is under debate, no motion shall be received but to adjourn, to lay 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 shall be put standing. Questions shall be distinctly put in this form: Senators, as many as are of opinion (as the case may be,) say aye,” and after the affirmative voice is expressed; “as many as are of a contrary opinion, say no.” If the Speaker doubt as to the voice of the majority, or a division be called for, the Speaker shall call on those in the affirmative of the question to rise from their seats, and afterwards, those in the negative. If the Speaker still doubt, or a count be required, the Speaker shall name two members, one from each side, to tell the number, in the affirmative; which being reported, he shall then name two others, one from each side, to tell those in the negative; which being also reported, he shall state the division to the House; and announce the division. No member who was without the bar of the Senate when any question was put by 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.

After a member has once voted on any question or in any election, he shall not be permitted to change his vote, unless it has been given under a misapprehension of facts.

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

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 be first read for information, and afterwards paragraph by paragraph, and held open for amendment.

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

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 12 o'clock the succeeding day.

Rule 16th. When an amendment to be proposed to the Constitution is under consideration, a concurrence of two-thirds or three-fifths of the members present shall not be requisite to decide any question for amendment, or extending to the merits, short of the final question.

Rule 17th. When any question may have been decided by the Senate in which three-fifths or two-thirds of the members present are necessary to carry the affirmative, any member who voted on that side which prevailed in the question, may be at liberty to move a reconsideration, and a motion for reconsideration shall be decided by a majority of votes.

Rule 18th. 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 19th. 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, a committee on Education and the Literary Fund, a committee on Corporations, consisting of seven members each, and a committee on Public Buildings, to consist of three members.

Rule 20th. 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 21st. When any petition, memorial, or other paper addressed to the House shall have been referred either to one of the standing or select committees, they shall, in their report on the petition, memorial, or other paper, make a statement in writing of the facts embraced in the case so referred.

Rule 22d. 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 23d. No person except members of the House of Commons, officers and clerks of the two houses of the General Assembly, Judges of the Supreme and Superior Courts, officers of the State resident at the seat of Government, members of Congress, persons particularly invited by the Speaker, and such gentlemen as have been members of either house of the Legislature, shall be admitted within the hall of the Senate.

Rule 24th. Any member dissatisfied with the decision of the Speaker on any question of order may appeal to the House.

Rule 25th. When the House adjourns, the members shall keep their seats till the Speaker leaves the chair.

Rule 26th. On motion of adjournment the question shall be decided without debate.

Rule 27th. 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.

Whereupon said report was concurred in and rules adopted, with the exception of an amendment reported by the committee to section seven of the former rules of the Senate, which, on motion of Mr. Hoke, was ordered to be stricken out.

On motion of Mr. Clark,
Ordered, 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 North Carolina, the rules of order of the Senate, the rules of order of the House of Commons, and the joint rules of the two Houses, one copy for each member of the Legislature, one copy for each of the principal and assistant clerks, and ten for the public library.

The Speaker announced the appointment of the following committees:


On Education and the Literary Fund:—Messrs. Clark, Cunningham, Eborn, Lane, Bower, Martin, and Biggs.

Mr. McDowell presented the petition of sundry citizens of Cumberland county, praying the General Assembly for the incorporation of a bank to be located at Fayetteville, with a bill to incorporate the Bank of Clarendon, at Fayetteville. The bill was read the first time and passed, and, on motion, ordered to be printed, and, with the memorial, referred to the committee on Corporations.

Mr. Bower moved that a message be sent to the House of Commons proposing to go into the election of United States Senator forthwith, for the residue of the term of six years commencing on the 4th of March, 1853, and nominated David S. Reid for the appointment.

Mr. Clark moved to amend the motion of Mr. Bower, by striking out forthwith and inserting to-morrow at 12 o'clock, M., which amendment was agreed to, and the message ordered to be sent accordingly.

Mr. Bower introduced a bill to repeal so much of an act passed
in 1852, as provides for the appointment of a Superintendent of Common Schools, which was read the first time and passed.

Mr. Christian moved that the Senate do now adjourn until tomorrow morning, 11 o'clock, which motion was decided in the negative. Ayes 19, noes 20.

Mr. Bower demanded the yeas and nays.


Those who voted in the negative are:—Messrs. Biggs, Bower, Boyd, Clark, Coleman, Cunningham, Drake, Eaton, Eborn, Faison, Fennell, Graves, Herring, Jones, Martin, Oldfield, Sanders, Speight and Wood—20.

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

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FRIDAY, NOVEMBER 24, 1854.

Mr. Morisey introduced the following resolution, viz:

Resolved, That the Principal Clerks of the two Houses, be authorised and instructed under the direction of the Speakers thereof, to purchase two clocks for the use of the General Assembly; one to be placed in each Chamber, and to draw upon the public Treasurer for the amount necessary to defray the expenses thereof.

The resolution was read the first time and passed. On motion, the rules were suspended, and the resolution read the second time. Mr. Bower, moved that the resolution be laid on the table, which motion was not agreed to; the resolution then passed the second reading, and under a suspension of the rules was read a third time, passed, and ordered to be engrossed.

Mr. Cunningham called up the bill to repeal so much of an act passed in 1852, as provides for the appointment of a Superintendent of Common Schools; when on his motion, the said bill was referred to the committee on Education and the Literary Fund.

Mr. Haughton introduced a bill to incorporate the McIver Coal Mining Company, and for other purposes, which was read the first time, passed, and on motion, referred to the committee on Corporations.
On motion of Mr. Biggs, the vote by which the bill to incorporate the Bank of Clarendon at Fayetteville, was ordered to be printed, was reconsidered, and the motion to print disagreed to.

On motion of Mr. Clark,

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select committee of three members from the Senate, and three from the House of Commons, to take into consideration the general subject of public printing, and of the printing and distribution of bills, documents and other matters ordered by either branch of the General Assembly.

Received a message from the House of Commons, stating, that they concur with the Senate in refusing to print the document accompanying the Governor's message, in relation to the erection of one or more Monuments in Independence Square, Philadelphia.

Also, a message proposing to raise a Joint Select committee of five on the part of the House, and three on the part of the Senate, to take into consideration all matters relating to the Lunatic Asylum. Concurred in; and a message sent to the House of Commons, stating that the committee on the part of the Senate, consists of Messrs. Mills, Cherry and Eaton.

A message was sent to the House of Commons stating that the Senate have passed the accompanying engrossed resolution, viz., a resolution authorizing the purchase of two clocks for the use of the General Assembly, in which they ask the concurrence of the House.

Received a message from the House of Commons stating that they concur in the proposition of the Senate to go into the election of Senator of the United States to represent the State for the residue of the term commencing on the 4th of March, 1853, at 12 o'clock this day, and informing that Messrs. Jordan and Winston constitute the committee on the part of the House, and that Daniel M. Barringer is in nomination for the appointment. Also a message proposing to go into the election of United States Senator for the term of six years from the 4th of March, 1855, on Saturday next at 11 o'clock. Concurred in, and the House of Commons informed thereof, and that the committee on the part of the Senate to superintend the election consists of Messrs. Bowser and Gilmer.
Received a message from the House of Commons proposing to go forthwith into the election for Engrossing Clerk. Concurred in, and the House of Commons informed that Messrs. McClees and Oldfield form the Senate’s branch of the committee to superintend the election.

Received a message from the House of Commons informing that Messrs. Sherrell and Bogle form the committee to superintend the election for Engrossing Clerk, and that they would proceed to vote on the return of the messenger.

The Senate then voted as follows:


For Mr. Wheat:—Messrs. Ashe, Cherry, Christian, Coleman, Davis, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Morisey, Tayloe, Wiggins, and Willey.—17.

For Mr. Powell:—Messrs. Cunningham, Graves, Martin, Sanders, and J. W. Thomas.—5.

On motion of Mr. Cherry,

Ordered, That a message be sent to the House of Commons proposing to appoint a joint select committee of three on the part of the Senate, and five on the part of the House of Commons, to be called the committee on Swamp Lands.

The Speaker announced that the committee on Public Buildings consists of Messrs. Wilder, Morisey, and Sanders.

Received a message from the House of Commons proposing to go into the election of a Solicitor of the Second Judicial circuit this day at half past 12 o’clock.

Concurred in, and a message sent to the House of Commons informing that Messrs. Wood and Wiggins form the Senate’s branch of the committee to superintend the election.

Mr. McClees, from the committee appointed to superintend the election for Engrossing Clerk, reported that no person in nomination having received a majority of the votes given, there is no election. Concurred in.

On motion of Mr. Mills,

Ordered, That a message be sent to the House of Commons proposing to go again forthwith into the election of Engrossing Clerk.
Received a message from the House of Commons stating that the name of Mr. Wheat is withdrawn from the nomination for Engrossing Clerk.

Mr. Graham introduced the following resolution, viz:

Resolved, That the Clerks of the Senate be instructed to procure, from the Library or elsewhere, six full copies of the Public Statutes now in force; for the use of the members and committees of the Senate, one of which shall at all times be kept on the Clerk's table.

Read first time and passed, and under a suspension of the rules, read second and third times, and passed.

Received a message from the House of Commons concurring in the proposition of the Senate, to go forthwith into the election of Engrossing Clerk, and announcing that Messrs. Rose and Shaw, constitute the committee on their part, to superintend the election.

The Senate, under the superintendence of Messrs. McClees and Oldfield, then voted as follows:


For Mr. Powell:—Messrs. Speaker, Ashe, Cherry, Christian, Coleman, Cunningham, Davis, Eborn, Fennell, Freeman, Gilmer, Graham, Graves, Haughton, Lane, Martin, Mills, Mitchell, Morisey, Tayloe, J. W. Thomas, Wiggins and Willey—23.

A message was sent to the House of Commons, stating that the hour of 12 o'clock having arrived, the Senate would proceed to vote for United States Senator in pursuance of the joint order; that Messrs. Faison and Willey, constitute the committee on the part of the Senate, to superintend the election, and that the Senate would vote upon the return of the messenger.

The Senate then voted as follows:


Mr. Willey voted for Mr. Rayner.

Mr. McClees, from the committee appointed to superintend the election for Engrossing Clerk, reported, that Mr. Joyner received 80 votes, and Mr. Powell 81 votes, that 81 being a majority of the whole number of votes given, Mr. Powell is elected. Con
curred in.

Received from the House of Commons, a message stating that they have adopted the following Joint Rules for the government of the intercourse between the two Houses, and ask the concur-
rence of the Senate in the same, viz:

Rule 1st. Each House shall perfect and finally act on all bills, resolutions and orders, before the same shall be communicated to the other for its concurrence, and if amended in the House to which it is transmitted, it shall be communicated to the House in which it originated, asking the concurrence of that House in the amendment.

Rule 2. In any case of amendment of a bill, resolution or or-
der, agreed to in one House, and disagreed to in the other, if either House shall request a conference, and appoint a committee for that purpose, the other House shall also appoint a committee to confer. Each committee shall consist of an equal number, and they shall meet and state to each other the reasons of their respective Houses for and against the amendment, and confer freely thereon, and make a report in writing to their respective Houses, of the result of their conference.

Rule 3. Messages from one House to the other shall be sent by the Clerk Assistant to each House, unless otherwise ordered.

Rule 4. When a message shall be sent from one House to the other, it shall be announced at the door of the House to which it is sent by the Door Keeper, and shall be respectfully delivered to the Chair, by the person by whom it may be sent.

Rule 5. After a bill shall have passed the House in which it originated, it shall be under the signature of the Clerk, and engrossed under his direction and inspection, before it shall be com-
municated to the other House.

Rule 6. After a bill shall have passed both Houses, it shall be duly enrolled on suitable paper by the Engrossing Clerk, before it shall be presented for ratification.

Rule 7. The two preceding sections shall not apply to the Re-
vised Statutes, so as to require them to be transcribed; but the printed Statutes may be used for engrossment and enrollment, and when amendments are made, such amendments shall be appropriately engrossed and enrolled upon the printed Statutes, or upon suitable paper attached thereto.

Rule 8. When bills are enrolled, they shall be carefully examined by a joint committee of three from the Senate, and five from the House of Commons, whose duty it shall be to carefully compare the enrollment with the engrossed bills, as passed in the two Houses, and to correct any errors that may be discovered in the enrolled bills, and make their report of the said bills to the House.

Rule 9. After examination and report, each bill shall be ratified and signed in the respective Houses; first by the Speaker of the House of Commons, and then by the Speaker of the Senate.

Rule 10. All orders, resolutions, and votes of the Houses, shall be examined, engrossed, and signed in the same manner as bills.

Rule 11. When a bill or resolution, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

Rule 12. The committee in each House shall in all cases make a statement of facts on which their report is founded, which statement, with all other papers on which any bill or resolution may be formed, shall be transmitted to the other House.

Rule 13. The committee of Finance shall be joint, consisting of eight members from each House; the Library committee shall be a joint standing committee, consisting of three members from each House, appointed by the Speakers thereof respectively. There shall also be a joint committee on the Revised Statutes, consisting of eight members of the House of Commons and five members of the Senate, to be appointed by the Speakers of the two Houses respectively, to which committee shall be referred the Statutes reported by the commissioners, except the chapter entitled Revenue, which shall be referred to the committee of Finance.

Rule 14. In all joint committees the member first named on the committee on the part of the House proposing to raise such committee shall convene the same, and when met, they shall choose their own chairman.
Rule 15. Either House may make a reference to any joint committee, and all reports shall be made to the House ordering such reference.

Rule 16. 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 those ordered to be printed by the House of Commons shall be printed as "House Documents," and numbered in regular order, except when communications are made to either House by the Governor, Treasurer, Comptroller, or Secretary of State, and are ordered to be printed: they shall be designated as "Executive Documents;" and said papers and documents 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, and the Public Librarian be required to have them neatly bound.

Rule 17. All elections requiring a joint vote shall be viva voce, and a select committee of two members in each House shall be appointed to superintend the same in their respective Houses. After the vote shall have been taken, said select committees shall confer together and report the result of the election to their respective Houses.

Rule 18. The foregoing rules shall be permanent joint rules of the Legislature of North Carolina, until altered or amended.

The rules being read,

Mr. Graham moved to amend the 13th section of the same so as to provide for the appointment of six members of the committee on the Revised Statutes on the part of each House. The amendment was concurred in, and the rules adopted as amended:

Whereupon a message was sent to the House of Commons asking their concurrence in the amendment of the Senate.

Received a message from the House of Commons stating that the House branch of the committee to superintend the election of Solicitor for the Second Judicial circuit consists of Messrs. Love and Chadwick, that Messrs. George S. Stevenson and George Green are in nomination for the appointment, and that according to the joint order the House will proceed to vote on the return of the messenger.
The Senate, under the superintendence of Messrs. Wiggins and Wood, then voted as follows:

For Mr. Stevenson:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Sanders, Speight, Walker, Wilder, and Wood.—29.

For Mr. Green:—Messrs. Ashe, Cherry, Christian, Davis, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, Mitchell, Morisey, Tayloe, J. W. Thomas, Wiggins, and Willey.—16.

Mr. Faison, from the committee appointed to superintend the election of United States Senator, reported, that Mr. Reid received 92 votes; Mr. Barringer 65 votes; K. Rayner 1 vote; H. L. Holmes 1 vote; Burton Craig 1 vote, and John Kerr 1 vote. That David S. Reid having received a majority of the whole number of votes given, is duly elected. Report concurred in.

On motion of Mr. Biggs,

Resolved, That H. S. Smith be appointed Engrossing Clerk, and his duty shall be to act as clerk of the joint committee on the Revised Statutes, and attend to the engrossment and enrollment of the said Statutes.

Ordered, That a message be sent to the House of Commons, asking their concurrence in the same.

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

SATURDAY, November 25, 1851.

The Speaker announced that the Senate branch of the Joint committee on the Public Library, consists of Messrs. Brogden, McClees and Fonville; of which the House of Commons were informed by message.

Mr. Wiggins, from the committee appointed to superintend the election of Solicitor of the 2nd Judicial Circuit, reported, that Mr. Stevenson having received a majority of the whole number of votes given, is duly elected. Report concurred in.

Mr. Fisher introduced a bill to provide for the election of a Council of select men in the several counties of the State, and to prescribe the powers and duties of the same, and also for other purposes; which was read the first time, passed, and on motion,
referred to the committee on the Judiciary. On motion of Mr. Cherry, ordered, that said bill be printed.

Received a message from the House of Commons, stating that they concur in the proposition of the Senate, to raise a joint select committee of three on the part of each House, to take into consideration the general subject of the public printing, &c., and that their branch of the committee consists of Messrs. Lancaster, Mann and McMillan.

Whereupon, the House of Commons were informed, that the committee on the part of the Senate consists of Messrs. Clark, Haughton and Cunningham.

Also a message from the House of Commons, announcing that Messrs. Yancy and Stubbs form their branch of the committee to superintend the election of United States Senator.

Received a message from the House of Commons, stating that they concur in the proposition of the Senate to raise a joint select committee of three on the part of the Senate, and five on the part of the House, to be called the committee on the swamp lands; and that the House branch of the committee consists of Messrs. Jordan, Stubbs, Selby, Gilliam and Williams, of New Hanover.

Whereupon, the House of Commons were informed that the committee on the part of the Senate, consists of Messrs. Cherry, Biggs and Jones.

On motion of Mr. Hoke, leave of absence was granted to the Senator from Warren, from and after Monday, until Friday next.

On motion of Mr. Walker,

Resolved, That so much of the Governor's message as relates to increasing the principal of the Literary Fund be referred to the committee on Education and the Literary Fund.

2. Resolved, That so much of the Governor's message as relates to Internal Improvements, be referred to the committee on Internal Improvements.

3. Resolved, That so much of the Governor's message as relates to the election of Judges and Justices of the Peace by the people, be referred to the committee on the Judiciary.

4. Resolved, That so much of the Governor's message as relates to Common Public Highways, be referred to the committee on Propositions and Grievances.

5. Resolved, That so much of the Governor's message as relates to Revenue be referred to the committee on Finance.
6. Resolved, That so much of the message as relates to the Judicial Circuits, Judges and Attorney General, be referred to the committee on the Judiciary.

On motion of Mr. Hoke.

Ordered, That a message be sent to the House of Commons, proposing to raise a joint select committee on Military Affairs, consisting of three members on the part of the Senate and five on the part of the House of Commons.

Received a message from the House of Commons, announcing that Geo. E. Badger, and Thos. L. Clingman are in nomination for United States Senator.

Whereupon, on motion of Mr. Bower, the name of Asa Biggs was added to the nomination.

According to the joint order, the Senate, under the superintendence of Messrs. Bower and Gilmer, voted as follows:


For Mr. Badger:—Messrs. Ashe, Cherry, Christian, Davis, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Morisey, Tayloe, Thomas of Davidson, Wiggins, Willey—17.

Received a message from the House of Commons proposing to raise a joint select committee of five on the part of the House and three on the part of the Senate, to take into consideration that portion of the Governor's message which relates to the Deaf and Dumb and Blind. Concurred in, and the House of Commons informed that Messrs. Sanders, Tayloe, and Speight constitute the Senate branch of the committee on the subject.

Also a message proposing to raise a joint select committee of three on the part of the House and two on the part of the Senate, to take into consideration the recommendation of the Governor in relation to the erection of a monument on the Capitol square. Concurred in, and the House of Commons informed that Messrs. Coleman and Ashe constitute the committee on the part of the Senate.

The Speaker announced that Messrs. Bower, Graham, Biggs,
Wilder, Walker, Ashe, Gilmer, and Clark constitute the Senate branch of the joint committee on Finance, and the House of Commons informed thereof by message.

Mr. Bower, from the committee appointed to superintend the election of United States Senator, reported that the whole number of votes cast was 160, of which Asa Biggs received 91 votes and Geo. E. Badger 69 votes; that Mr. Biggs, having received a majority of the whole number of votes given, is duly elected.

Report concurred in.

Received a message from the House of Commons proposing that the Speakers of the two Houses inform his Excellency Gov. Reid of his election to the United States Senate.

Concurred in.

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

MONDAY, NOVEMBER 27, 1854.

Received a message from the House of Commons, proposing to go into the election of Solicitor of the 4th Judicial Circuit, on Wednesday next at 11 o'clock. Conceded in; and the House of Commons informed that the Senate's branch of the committee to superintend the election, consists of Messrs. Wilder and Freeman.

Also a message, stating that the House of Commons concur in the proposition of the Senate, to raise a joint select committee on military affairs, and informing that their branch of the committee, consists of Messrs. Durgan, Humphrey, Holland, Bryson and Wright.

Whereupon, Messrs. Hoke, Mitchell and Brogden, were appointed the committee on the part of the Senate, and the House of Commons informed thereof.

Received a message from the House of Commons, proposing to print in pamphlet form the Constitution of the United States, the Constitution of North Carolina, the Rules of the Senate, the Rules of the House of Commons, and the Joint Rules of the two Houses; one copy for each member of the General Assembly, and one for each of the clerks, and ten copies to be deposited in the Public Library. Concurred in.

The same message stated, that the House of Commons concur
in the amendment of the Senate, to section 13 of the Joint Rules of the two Houses.

On motion of Mr. Graham,

R. resolved, That the committee on public buildings, be directed to enquire into the expediency of graveling the earth for a distance of thirty feet around the base of the State Capitol, as a means of preserving the building from decay, and likewise into the expediency of further improvements in Union Square, so as to conform the same to the building situated thereon.

William H. Thomas, the Senator elect from the counties of Haywood, Macon, Cherokee and Jackson, (being the 50th Senatorial District,) appeared, produced his credentials, was qualified, and took his seat.

On motion, Mr. Biggs was excused from further service on the joint committee of Finance, and Mr. Boyd appointed a member of said committee in his place.

The Speaker announced that the Senate’s branch of the joint committee on the Revised Statutes, consists of Messrs. Biggs, Graham, Eaton, Ashe, Fisher and Haughton.

On motion, William H. Thomas was added to the standing committee on Internal Improvements.

On motion of Mr. Bower,

Ordered, That a message be sent to the House of Commons, proposing to raise a joint select committee of two on the part of each House, to make the necessary arrangements for counting the votes polled for Governor, at the last August election.

Mr. Thomas of Jackson, introduced a bill to amend an act passed at the session of 1852 and 1853, entitled an act to incorporate the Charleston Blue Ridge and Chattanooga Railroad Company, which was read the first time and passed, and, on motion, referred to the committee on Internal Improvements.

Received a message from the House of Commons, stating that the House branch of the committee on the Lunatic Asylum, consists of Messrs. Dorch, Barringer, Blow, Amis and Shepherd.—Also, that the House branch of the committee on monuments, consists of Messrs. Hill, Johnson and Regan. Also, that the House branch of the committee on the Deaf and Dumb Asylum, consists of Messrs. Jordan, Barringer, Williams of Warren, Phillips and Mebane.
And that the House branch of the committee on the Revised Statutes, consists of Messrs. Shepherd, Dargan, Jordan, Winston, Amis and Dortch.

On motion of Mr. Tayloe,
Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of passing a lien law for the protection of ship carpenters, house carpenters and others.

On motion of Mr. Thomas of Jackson,
Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of adopting a uniform gauge for all Railroads, which may be authorised to be constructed within the limits of the State, and that they report thereon.

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

TUESDAY, NOVEMBER 28, 1854.

The Speaker laid before the Senate the report of the Commissioners appointed to Revise the Statutes of the State of North Carolina, with accompanying documents; which was read.

On motion of Mr. Biggs the report and accompanying documents were ordered to be transmitted to the House of Commons, proposing that the report be referred to the joint committee of the two Houses on the Revised Statutes, and that the documents be placed in the hands of said committee for distribution.

Kenneth Rayner, the Senator from the county of Hertford, (being the sixth Senatorial district,) appeared, produced his credentials, was qualified, and took his seat.

Received a message from the House of Commons announcing that their branch of the joint committee on Finance consists of Messrs. Shepherd, Melane, Cansler, Steele, Patterson, White of Bladen, Smith, and Long.

Also that the House branch of the committee on the Public Library consists of Messrs. Houston, Vance, and Jenkins.

Also that the House branch of the committee on Enrolled Bills consists of Messrs. Bynum of Northampton, Cook, Love, J. H. Headen and Yancey.

Whereupon the House of Commons were informed that Messrs. Clark, Wiggins, and Martin constitute the committee on the part of the Senate.
Received a message from the House of Commons proposing to raise a joint committee of five on the part of the House, and three on the part of the Senate, to take into consideration so much of the Governor's message as relates to the subject of Cherokee lands and the Western Turnpike Road.

The proposition was concurred in, and the House of Commons informed that the Senate's branch of the committee consists of Messrs. Thomas of Jackson, Rayner, and Bower.

Received a message from the House of Commons stating that they have passed the following engrossed bill, in which they ask the concurrence of the Senate, viz., a bill to repeal the 18th section, and part of the 11th section of the act entitled an act for the improvement of Elizabeth City, in the county of Pasquotank.

The bill was read the first time and passed.

On motion of Mr. Cherry the rules were suspended and said bill read the second and third times, passed, and ordered to be enrolled.

Mr. Boyd introduced a bill to make compensation to the Justices of the Peace for taking lists of taxable property, which was read the first time and passed.

On motion of Mr. Jones,

Resolved, That the committee on Education and the Literary Fund inquire into the expediency of amending the provisions of the statute in relation to Common Schools, so as to authorize a poll to be opened in each county, at the next general election, to ascertain the wishes of the people as to an increase of the fund for the support of Common Schools by taxation; and in every county where a majority of votes approve it, the county court to have power by taxation so to increase the fund, as to keep up the schools in that county for twelve months.

Mr. Coleman introduced a bill to incorporate the French Broad Railroad Company, which was read the first time, passed, and on motion referred to the committee on Internal Improvements and ordered to be printed.

On motion, Messrs. Graham and Ashe were excused from further service on the committee on Finance, and Messrs. Rayner and Cherry appointed in their places.

Received a message from the House of Commons proposing to raise a joint select committee of three on the part of the Senate
and five on the part of the House, to be called a committee on the subject of Banking.

Mr. Gilmer moved that the message be laid upon the table, which was disagreed to.

The proposition of the House was then concurred in.

On motion of Mr. Graves,

Ordered, That a message be sent to the House of Commons proposing to go into the election of Comptroller of Public Accounts forthwith.

Received a message from the House of Commons announcing their concurrence in the proposition of the Senate to go forthwith into the election of Comptroller of Public Accounts; that the committee on the part of the House to superintend the election consists of Messrs. Hill and Cotton; and that George W. Brooks is in nomination for the appointment. Whereupon, under the superintendence of Messrs. Graves and Lane, the Senate voted as follows:


For A. J. Terrell:—Messrs. Davis, Gilmer, Lane and Thomas of Davidson.

Mr. Thomas of Davidson introduced a bill to incorporate the Yadkin Plank Road Company; which was read the first time and passed.

Mr. Haughton introduced a bill to authorize the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes; which was read the first time and passed, and, on motion, referred to the committee on Internal Improvements, and ordered to be printed.

Mr. Graves, from the committee appointed to superintend the election of Comptroller of public accounts, reported that George W. Brooks having received a majority of the whole number of votes given, is duly elected. Report concurred in.

Mr. Christian introduced a bill, accompanied by a memorial,
concerning the Fayetteville and Centre Plank Road Company; which was read the first time and passed, and, on motion, said bill and memorial were referred to the committee on Internal Improvements.

On motion of Mr. Cherry, the vote of the Senate concurring in the message of the House of Commons, which proposes to raise a joint select committee of three on the part of the Senate, and five on the part of the House, to be called a committee on the subject of Banking, was reconsidered. Whereupon, on motion, said message was ordered to be laid on the table.

On motion of Mr. Cherry,

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, on the subject of Banking.

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

**WEDNESDAY, NOVEMBER 29, 1854.**

Received a message from the House of Commons, stating that they concur in the proposition of the Senate to raise a joint select committee of two on the part of each House, to make proper arrangements to compare the votes polled for Governor at the election in August last, and that Messrs. Williams of New Hanover and Gorrell form the House branch of said committee.

Whereupon, a message was sent to the House of Commons, stating that the Senate's branch of the committee consists of Messrs. Bower and McClees.

Mr. Christian introduced the following resolution, viz:

Resolved, That the Secretary of State be instructed and required to issue a grant to John Green, upon the production of his receipt from the public Treasurer, for the payment of the purchase money, No. 493, dated the 14th December, 1827, for one hundred acres of land, situated in Montgomery County, and entered by said John Green, as appears by the certificate of the entry taker, No. 9107.

The resolution was read the first time and passed, and the rules being suspended, said resolution was read the second and third times, passed, and ordered to be engrossed.

Mr. Boyd introduced a bill to incorporate the Danville and
Greensborough Railroad Company; which was read the first time and passed, and, on motion, referred to the committee on internal improvement.

Mr. Hoke introduced a resolution in favor of David A. Ray & Co.; which was read the first time and passed, and, on motion, referred to the committee on claims.

Received a message from the House of Commons, transmitting a message from his Excellency, the Governor, and accompanying document, proposing to print the message and the report of the Cape Fear and Deep River Navigation Company. Concluded in; and the House of Commons informed thereof.

Received a message from the House of Commons, concurring in the proposition of the Senate to refer the report of Messrs. Moore and Biggs, with accompanying documents, &c, to the joint committee on the Revised Statutes, &c., to place under the direction of the said committee the distribution of the printed copies.

Also a message stating that the House of Commons concur in the proposition of the Senate to raise a joint select committee on the subject of Banking, and that the committee on the part of the House consists of Messrs. Cansler, Steele, Myers, Green of Craven, and Caldwell of Guilford. Whereupon the House of Commons were informed that Messrs. Wilder, Fisher, Cherry, Gilmer, and McDowell constitute the committee on the part of the Senate.

The message also announced that the committee on the part of the House on Cherokee lands and Western Turnpike Road consists of Messrs. Roland, Patton, Love, Patterson, and Yancey.

A message was received from the House of Commons stating that the hour of 11 o'clock having arrived they would proceed, on the return of the messenger, to vote for a Solicitor of the fourth judicial circuit, according to the joint order of the two Houses; that Messrs. James W. Lancaster, Thomas Ruffin, and A. J. Stedman are in nomination for the appointment, and that Messrs. Norment and Holland form their branch of the committee to superintend said election.

The Senate, under the superintendence of Messrs. Wilder and Freeman, then voted as follows:

For Mr. Ruffin:—Messrs. Speaker, Ashe, Biggs, Bower,

For Mr. Stedman:—Messrs. Cherry, Christian, Freeman, Haughton, Lane, Martin, Thomas of Davidson, and Willey.—S.

For Mr. Lancaster:—Messrs. Brogden, Clark, Collins, Drake, Faison, Wiggins, and Wood.—7.

On motion of Mr. McDowell,

Ordered, That a message be sent to the House of Commons proposing that the two Houses go into the election of a Judge for the fifth judicial circuit this day at 12 o'clock.

Received a message from the House of Commons concurring in the proposition of the Senate to go into an election of Judge of the fifth judicial circuit at 12 o'clock, M., and informing that Messrs. Leach of Davidson, and Dunn will superintend the election on the part of the House.

Mr. Wilder, from the committee appointed to superintend the election for Solicitor of the fourth judicial circuit, reported that Mr. Ruffin received 66 votes, Mr. Stedman 51 votes, and Mr. Lancaster 38 votes; that no person in nomination having received a majority of the whole number of votes given, there is no election. Concluded in.

On motion of Mr. Wilder,

Ordered, That a message be sent to the House of Commons proposing to vote again forthwith for Solicitor of the fourth judicial circuit. The proposition was concurred in, and the Senate informed that Messrs. March and Simmons will superintend the election on the part of the House.

The Senate, under the superintendence of Messrs. Wilder and Freeman, then voted as follows:

For Mr. Ruffin:—Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Clark, Coleman, Cunningham, Davis, Faison, Fennell, Fisher, Fonville, Gilmer, Graves, Herring, Hoke, McDowell, Mills, Mitchell, Morisey, Oldfield, Sanders, Speight, Thomas of Jackson, and Wilder.—26.

For Mr. Stedman:—Messrs. Cherry, Christian, Eborn, Freeman, Haughton, Jones, Lane, McClees, Martin, Thomas of Davidson, Walker, Wiggins, and Wood.—14.
For Mr. Lancaster:—Messrs. Brogden, Collins, and Drake.

The hour of 12 o’clock having arrived, a message was sent to the House of Commons stating that the Senate would, according to the joint agreement of the two Houses, now go into the election of Judge of the fifth judicial circuit, and informing that Messrs. McDowell and Thomas of Davidson, constitute the committee to superintend the election on the part of the Senate, and that the Hon. Samuel J. Person is in nomination for the appointment.

The Senate then voted as follows:


Mr. Graham voted for Wm. A. Wright.

Mr. Wilder, from the committee appointed to superintend the election for Solicitor of the fourth judicial circuit, reported that Mr. Ruffin received 70 votes, Mr. Stedman 55 votes, and Mr. Lancaster 33 votes; that no one in nomination having received a majority of the whole number of votes given, there is no election. Concurring in.

Mr. Wilder introduced the following resolution, viz:

Resolved, That the Clerk of the Senate procure forthwith, for the use of his office adjoining the Senate Chamber, such furniture as may be required for the convenience of the same, and the preservation of the papers belonging thereto.

The resolution was read the first time and passed. On motion the rules were suspended, and said resolution read the second and third times, passed, and ordered to be engrossed.

Mr. Gilmer introduced the following preamble and resolution; which was read and adopted, viz:

Whereas, to-morrow has been recommended by his Excellency, the Governor, as a day of thanksgiving for the many blessings which God has bestowed upon us as a people and a State; and whereas, it is highly becoming in the representatives
of enlightened constituencies to set an example in all christian observances:

Therefore resolved, That when the Senate adjourn to-day, it adjourn to 10 o'clock A. M. on Friday next.

Mr. McDowell, from the committee appointed to superintend the election of Judge for the fifth judicial circuit, reported that Saml. J. Person having received a majority of the whole number of votes given, is duly elected. Report concurred in.

On motion of Mr. Graham,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of providing by law for compensation to sheriffs, in cases where they shall be under the necessity of arresting witnesses or parties, and conveying them to the places where their testimony may be required.

On motion of Mr. Biggs, the Senate adjourned.

FRIDAY, December 1, 1854.

Thomas J Person, the Senator elect from the county of Northampton, (being the 5th Senatorial District,) and Charles H. K. Taylor, the Senator elect from the county of Granville, (being the 28th Senatorial District,) appeared, produced their credentials, were qualified, and took their seats.

Mr. Bower, from the committee appointed to make arrangements for counting and comparing the votes for Governor at the last August election, submitted the following report, viz:

That the two Houses of the General Assembly shall convene in the hall of the House of Commons on Saturday next, the 2d December instant, at 12 o'clock; 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 given for the Governor of the State of North Carolina as they shall be declared by 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 appears that a choice has been made agreeably to the Constitution of the State, which annunciation shall be deemed a sufficient declaration of the person elected, and, together with the list of votes, shall be entered on the Journals of the two Houses; which was read and adopted, and ordered to be sent to the House of Commons for their concurrence.
Received a message from the House of Commons, proposing to go forthwith into an election for Solicitor of the fourth judicial circuit, which was concurred in; and the House of Commons informed, that the Senate's branch of the committee to superintend said election, consists of Messrs. Wilder and Freeman.

The Speaker laid before the Senate a statement of the President of the Bank of Fayetteville.

Mr. Haughton presented a memorial from the Stockholders of the Cape Fear Navigation Company, which on motion, was ordered to be printed.

On motion of Mr. Mitchell,

Resolved, That it be referred to the committee on the judiciary, to inquire into the expediency of requiring the executors named in last wills and testaments, to give bonds and security for the faithful discharge of the duties of said office.

Mr. Bower presented a petition from sundry citizens, in relation to the boundary line between North Carolina and the State of Virginia; which on motion, was referred to the committee on the judiciary.

Mr. Mitchell introduced a bill to expedite the trial of certain suits in Courts of law; which was read the first time and passed, and on motion, referred to the committee on the judiciary.

Also, a bill to amend and continue in force, the act to incorporate the Yadkin Navigation Company, and to authorize a subscription of stock on the part of the State, which was read the first time and passed; and on motion, referred to the committee on internal improvement

Received a message from the House of Commons, stating that according to the joint order, they would on the return of the messenger, proceed to vote for Solicitor of the fourth judicial circuit; and that the committee on their part, to superintend said election, consists of Messrs. J. W. Neal and Eure.

Whereupon, under the superintendence of Messrs. Wilder and Freeman, the Senate voted as follows:

For Mr. RUFFIN:—Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Clay, Coleman, Cunningham, Davis, Eaton, Faison, Gilmer, Graham, Graves, Herring, Hoke, McDowell, Mills, Morrisey, Sanders, Speight, Tayloe, Taylor, Thomas of Jackson, and Wilder—25.
For Mr. Stedman:—Messrs. Cherry, Christian, Eborn, Fennell, Fonville, Freeman, Haughton, Jones, McClees, Martin, Mitchell, Oldfield, Person, Thomas of Davidson, Walker, Wiggins and Willey—17.


Received a message from the House of Commons, concurring in the report of the committee on counting and comparing the vote cast for Governor in August last; and informing that Messrs. Williams of New Hanover, and Steele, are the Tellers on the part of the House.

Whereupon, the House of Commons were informed by Message, that Mr. Cunningham was appointed Teller on the part of the Senate.

Mr. Gilmer introduced a bill to incorporate the McCulloch Copper and Gold Mining Company, which was read the first time, and passed; and on motion, referred to the committee on corporations.

Mr. Graham introduced a bill concerning a Convention, and to amend the Constitution of the State, which was read the first time, and passed; and on motion, ordered to be printed, and made the special order of the day for Thursday next, at the hour of 12 o'clock.

Mr. Wilder, from the committee appointed to superintend the election for Solicitor of the fourth judicial circuit, reported, that Mr. Ruffin received 63 votes, Mr. Stedman 54 votes, and Mr. Lancaster 41 votes; that no person in nomination having received a majority of the whole number of votes given, there is no election. Report concurred in.

Mr. Mills introduced a bill to lay off and establish a county by the name of Polk, which was read the first time, and passed; and on motion, referred to the committee on propositions and grievances.

Mr. Fennell introduced a bill to incorporate Union Academy, in the county of New Hanover, and for other purposes, which was read the first time, and passed; and on motion, referred to the committee on education and the literary fund.

On motion of Mr. Bower,

Ordered, That a message be sent to the House of Commons
proposing to vote again forthwith for Solicitor of the fourth judicial circuit.

On motion of Mr. Biggs,

Resolved, That the committee on the subject of Banking be instructed to inquire into the expediency of providing, in all bank charters that may be hereafter granted, a clause requiring banks to make monthly settlements of their affairs to the Governor, to be by him published, so that the public may be frequently advised of the operation and condition of such institutions.

Mr. Biggs introduced a bill regulating the conduct of banks upon their dissolution, which was read the first time and passed, and on motion referred to the committee on Banking.

Received a message from the House of Commons concurring in the proposition of the Senate to vote again forthwith for Solicitor of the fourth judicial circuit, and informing that the House branch of the committee to superintend the election consists of Messrs. Meares and Waugh.

Whereupon the House of Commons were informed that the Senate’s branch of the committee to superintend said election consists of Messrs. Davis and Peison, and the Senate voted as follows:

For Mr. Ruffin:—Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Coleman, Cunningham, Davis, Eaton, Faison, Fonville, Gilmer, Graham, Graves, Herring, Hoke, Jones, McDowell, Mills, Morisey, Sanders, Speight, Taylor, Tayloe, Thomas of Jackson, Wilder, and Wiggins—27.

For Mr. Stedman:—Messrs. Cherry, Christian, Eborn, Fennell, Freeman, Haughton, Martin, McClees, Oldfield, Person, Thomas of Davidson, Walker, and Willey.—13.

For Mr. Lancaster:—Messrs. Brogden, Clark, Collins, Drake, and Wood.—5.

Mr. Thomas of Jackson introduced a bill to authorize the Nantahala and Tuckasege Turnpike Company to establish a toll bridge over the Tennessee river, in Macon county, which was read the first time and passed.

The bill to make compensation to the justices of the peace for taking lists of taxable property was now taken up, read the second time, and on motion of Mr. Graham, referred to the committee on propositions and grievances.
The bill to incorporate the Yadkin Plank Road Company was read the second time, and on motion of Mr. Eaton referred to the committee on internal improvements.

Mr. Person, from the committee appointed to superintend the election of Solicitor of the fourth judicial circuit, reported that Mr. Ruffin received 63 votes, Mr. Stedman 54 votes, and Mr. Lancaster 39 votes; that no person in nomination having received a majority of the whole number of votes given there is no election. Concurred in.

On motion of Mr. Martin,

Ordered, That a message be sent to the House of Commons proposing to vote again forthwith for Solicitor of the fourth judicial circuit.

Received a message from the House of Commons concurred in the proposition of the Senate to vote again forthwith for Solicitor of the fourth judicial circuit, and informing that Messrs. Whitaker and Perkins form their branch of the committee to superintend said election.

Whereupon the House of Commons were informed that Messrs. Person and Davis would superintend the election on the part of the Senate.

The Senate now voted as follows:


For Mr. Stedman:—Messrs. Cherry, Christian, Eborn, Fennell, Freeman, Haughton, McClees, Martin, Oldfield, Person, Thomas of Davidson, Walker, and Willey.—13.

For Mr. Lancaster:—Messrs. Brogden, Clark, Collins, Drake, Jones, and Wood.—6.

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

SATURDAY, December 2, 1854.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed resolutions, in which they ask the concurrence of the House, viz:
A resolution in favor of John Green, and a resolution to furnish the Clerk's office of the Senate.

On motion of Mr. McDowell, leave of absence was granted to the Senator from New Hanover, from and after to-day until Tuesday next.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to make compensation to the justices of the peace for taking the lists of taxable property, reported the same back to the Senate with an amendment, and recommended its passage.

The bill was read the second time, and the amendment reported by the committee agreed to.

Mr. McClees moved further to amend the bill, by striking out so much of the same as requires the presence of a majority, and inserting "seven or the special court;" which amendment was agreed to.

On motion of Mr. Cherry, the vote by which the amendment of Mr. McClees was adopted was reconsidered, and the amendment amended by striking out the words "or special court." The bill then passed its second reading as amended.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill, and recommended its passage, viz:

A bill concerning the abatement of suits; which was read the first time and passed.

Mr. Biggs moved a suspension of the rules, that the bill might be put on its passage the second and third times.

The Speaker announced that the motion was lost, according to the 27th rule of order—two thirds of the Senate not voting in its favor.

Mr. Person, from the committee appointed to superintend the election of Solicitor of the fourth judicial circuit, reported that Mr. Ruffin had received 61 votes, Mr. Stedman 56 votes, and Mr. Lancaster 29 votes, Mr. Gorrell 4 votes, Mr. J. Turner 2 votes, and Mr. J. G. Bynum one vote; that no person in nomination having received a majority of the whole number of votes given, there is no election. Concurred in.

Received a message from the House of Commons, stating that Mr. Singeltary is substituted for Mr. Cansler on the joint select committee on banking.
The same message also proposed that the two Houses go forthwith into the election of Solicitor of the fourth judicial circuit; which proposition was agreed to; and the Senate informed that Messrs. Speight and Mitchell form the Senate’s branch of the committee to superintend the election.

Received a message from the House of Commons, stating that Messrs. Sherrell and Thornburg form the House branch of the committee to superintend the election for Solicitor of the fourth judicial circuit, and that the House would proceed to vote on the return of the messenger. The Senate then voted as follows:

For Mr. Ruffin:—Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Clark, Coleman, Cunningham, Davis, Eaton, Faison, Gilmer, Graham, Graves, Hoke, Jones, McDowell, Mills, Mitchell, Morisey, Person, Sanders, Speight, Tayloe, Taylor, Thomas of Jackson, Walker and Wilder.—28.

For Mr. Stedman:—Messrs. Cherry, Christian, Eborn, Fonville, Freeman, Haughton, Herring, McClees, Martin, Oldfield, Thomas of Davidson, Wiggins, Willey and Wood.—14.

For Mr. Lancaster:—Messrs. Brogden, Collins and Drake. —3.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning agriculture and geology.
A bill concerning the amendment of process, and
A bill concerning appeals and proceedings in the nature of appeals; which bills were severally read the first time and passed.

Received a message from the House of Commons, stating that Mr. Williams of New Hanover is excused from acting as Teller to count the votes for Governor, and that Mr. Martin is appointed in his place.

Mr. Speight, from the committee appointed to superintend the election of Solicitor of the fourth judicial circuit, reported that Mr. Ruffin received 62 votes, Mr. Stedman 62 votes, Mr. Lancaster 28 votes, and Mr. Gorrell 2 votes; that no person in nomination having received a majority of the votes given, there is no election. Concurred in.

A message was received from the House of Commons, stating that the hour agreed upon for counting and comparing the votes cast for Governor in August last had now arrived, and that the
House of Commons were ready to receive the Senate for that purpose.

The Senate repaired to the Commons Hall, and Mr. Speaker Winslow, made the following announcement to the Convention of the two Houses:

*Gentlemen of the Senate and of the House of Commons:*

The two Houses of the General Assembly being here assembled, I will proceed according to the requirements of the Constitution, to open and publish in their presence, the returns of the election for Governor, held on the first Thursday of August. I will commence with the counties in alphabetical order.

WARREN WINSLOW,
Speaker of the Senate.

The returns were then opened, and the vote compared in the presence of the convention of the two Houses, under the inspection of Mr. Cunningham, as Teller on the part of the Senate, and Messrs. Steele and Martin, as Tellers on the part of the House of Commons.

Mr. Cunningham, in behalf of the Tellers, reported the result of the convention as follows, viz:

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<tr>
<th>Counties</th>
<th>For Thomas Bragg</th>
<th>For Alfred Dockery</th>
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<tbody>
<tr>
<td>Alamance</td>
<td>696</td>
<td>597</td>
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<td>Alexander</td>
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<td>Counties</td>
<td>For Thomas Bragg</td>
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<tr>
<td>Mecklenburg</td>
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</tbody>
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COUNTIES.  FOR THOMAS BRAGG.  FOR ALFRED DOCKERY.

Nash,  1,115       95
New Hanover,  1,109       424
Northampton,  641       490
Onslow,  596       238
Orange,  963       1,080
Pasquotank,  331       496
Perquimons,  343       334
Pitt,  725       708
Person,  601       331
Robeson,  782       679
Rockingham,  1,036       317
Rowan,  932       976
Rutherford,  621       1,019
Randolph,  403       1,378
Richmond,  113       708
Sampson,  860       599
Surry,  797       464
Stokes,  636       437
Stanly,  95       874
Tyrrell,  109       275
Union,  729       472
Wake,  1,541       1,167
Warren,  754       163
Washington,  245       388
Watauga,  157       428
Wayne,  1,145       304
Wilkes,  325       1,261
Yadkin,  650       758
Yancey,  639       349

48,705       46,644

The following announcement was made by the Speaker of the Senate to the convention of the two Houses, viz:

Gentlemen of the Senate and of the House of Commons:

The tellers appointed by the two Houses of the General Assembly to compare the returns and make a list of the votes given
at the late election for Governor in this State, report that Thomas Bragg received 48,705 votes, being the highest number of votes given, and that Alfred Dockery received 46,644 votes. No objection being made to this report I declare Thomas Bragg duly elected Governor of the State of North Carolina for two years from and after the first day of January, which shall be in the year of our Lord one thousand eight hundred and fifty-five.

WARREN WINSLOW,
Speaker of the Senate.

The members of the Senate then returned to the Senate chamber.

A message was received from the House of Commons transmitting the report of the Public Treasurer, with a proposition to print one copy of the same for each member of the General Assembly, and that it be referred to the joint committee on Finance. The proposition was concurred in, and the House of Commons informed thereof by message.

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

MONDAY, December 4, 1854.

Received a message from the House of Commons, proposing to print a list of the standing and joint committees of the two Houses. The proposition was concurred in, and the House of Commons informed thereof.

Received a message from the House of Commons, stating that they have passed the following engrossed resolution and bill, in which they ask the concurrence of the Senate, viz:

A resolution in favor of Jeptha Woodard, and
A bill to protect wild fowl in the waters of the county of Currituck.

The resolution was read the first time, adopted, and ordered to be enrolled.

The bill was read the first time and passed.

On motion of Mr. Jones, the rules were suspended, and said bill read the second time and passed.

The bill was then read a third time.

Mr. Hoke moved to amend the same, by striking out the word
ratification” in the fifth line of the first section, and inserting in lieu thereof “ten days after the passage of this bill.”

The amendment was agreed to, and the bill passed its third reading, as amended. Whereupon, a message was sent to the House of Commons, asking their concurrence in the Senate’s amendment.

Mr. Biggs presented the following resolution, viz:

Resolved, That the Treasurer pay to William W. Holden six hundred and one $\frac{23}{160}$ dollars for printing the Revised Statutes; and to John H. Decarteret sixty-six dollars for binding and stitching the said Statutes, under contracts made with the commissioners of revisions.

The resolution was read the first time and passed, and the rules being suspended, the said resolution was read the second and third times, passed, and ordered to be engrossed.

On motion of Mr. Faison,

Resolved, That the engrossing clerks be allowed the use of the room formerly occupied by the supreme court, during the present session of the General Assembly.

On motion of Mr. Wood,

Resolved, That the committee on Revised Statutes inquire into the expediency of providing by law that it shall be indictable for any person to be guilty of any disorderly behaviour, by which the people are disturbed at a place appointed for divine worship during the time they are assembled for such purpose, although at the time of such disturbance not engaged in worship.

Mr. Mitchell introduced a bill to incorporate a plankroad from Mocksville to Wilkesborough, and to provide for a subscription of stock on the part of the State, which was read the first time and passed, and on motion referred to the committee on internal improvements.

Mr. Bower, a bill to increase the capital stock of the Fayetteville and Western Plankroad Company, which was read the first time, passed, and on motion referred to the committee on internal improvements.

Mr. Coleman, a bill, accompanied by a memorial, to lay off and establish a new county by the name of Vernon, which was read the first time and passed, and on motion referred, with the memorial, to the committee on propositions and grievances.
Received a message from the House of Commons proposing to go forthwith into the election of Solicitor of the fourth judicial circuit, which, on motion of Mr. Mills, was ordered to be laid on the table.

On motion of Mr. Bower,

Resolved, That the committee on the Revised Statutes be instructed to inquire into the expediency of amending the statutes concerning entries and grants, so as to restrict the quantity in any one entry or grant to six hundred and forty acres of land, and to prohibit the issue of grants, heretofore made for a larger quantity.

Mr. Biggs introduced a bill to cede to the United States of America certain sites for light-house purposes, which was read the first time and passed, and on motion referred to the committee on the judiciary.

The bill to authorize the Nantahala and Tuckasege Turnpike Company to establish a toll bridge over the Tennessee river, in Macon county, was read the second time, and on motion of Mr. Eaton, referred to the committee on corporations.

The bill concerning the abatement of suits, and

The bill concerning agriculture and geology, were severally read the second time and passed.

Received a message from the House of Commons, stating that they agree to the amendment proposed by the Senate, to the engrossed bill to protect wild fowl in the waters of the county of Currituck;

Whereupon, ordered that the bill be enrolled.

The bill concerning amendment of process, and the bill concerning appeals and proceedings in the nature of appeals, were severally read the second time, and passed.

The bill to make compensation to the justices of the peace for taking the lists of taxable property, was read the third time, passed, and ordered to be engrossed.

On motion of Mr. Boyd, the bill to amend the Constitution of North Carolina, was now taken up, and made the special order of the day for Wednesday next, at the hour of 11 o'clock.

Mr. Thomas of Davidson, introduced a bill to make indictable certain trespasses, which was read the first time, and passed; and on motion, referred to the committee on the judiciary.

On motion of Mr. Gilmer, the Senate adjourned until to-morrow morning 10 o'clock.
TUESDAY, DECEMBER 5, 1854.

The Speaker announced that Messrs. Mitchell, Person and Wig- gins, constitute the committee on enrolled bills for the present week.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning apprentices, and a bill concerning Asylums, which said bills were severally read the first time, and passed.

Mr. Drake, from the committee on claims, to whom was referred a resolution in favor of David A. Ray & Co., reported the same back to the Senate, and recommended its passage. The resolution was read the second time, and passed.

Mr. Hoke, from the committee on the judiciary, to whom was referred so much of the message of his Excellency, the Governor, as relates to the Attorney General residing in Raleigh, and his being relieved from the duties of Solicitor for the third circuit; made an adverse report on the subject; which was concurred in.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to establish a new county by the name of Polk, reported the same back to the Senate, and recommended its passage. The bill was read the second time and passed.

On motion of Mr. Martin,

Ordered That a message be sent to the House of Commons, proposing to go forthwith into the election for Solicitor of the fourth judicial circuit.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to authorise the Nantahala and Tuckasege Turnpike Company, to establish a toll bridge over the Tenne- see river in Macon county, reported the same back to the Senate without amendment, and recommended its passage. The bill was read the second time, and on motion of Mr. Eaton, amended by striking out the words "from and after its ratification."

The bill then passed its second reading, as amended.

Mr. McDowell, from the same committee to whom was referred the bill to incorporate the McIver Coal Mining Company, and for other purposes, reported the same back to the Senate, with the following amendments, viz:

1st. Add to the first section of the bill the words Provided
however, that at all times, at least one of the Directors in said company shall be a citizen of this State; which amendment was agreed to.

2d. Strike out 90 years in the first section, and insert "30 years" in lieu thereof.

Mr. Thomas, of Davidson, moved to insert 50 years; upon which Mr. Clark called for a division; and the question being first taken on striking out, was determined in the affirmative. The motion of Mr. Thomas was determined in the negative. The amendment was then agreed to. Whereupon, on motion of Mr. Eaton, the bill was laid upon the table.

Mr. Coleman, from the committee on the judiciary, to whom was referred so much of the message of his Excellency, the Governor, as relates to the creation of an additional Judge of the supreme court, reported adversely on the same. Report concurred in.

Mr. Hoke presented a memorial, praying that Ephraim M. Lutz be restored to his marital rights; which, on motion, was referred to the committee on the judiciary.

Received a message from the House of Commons concurring in the proposition of the Senate to go forthwith into the election of Solicitor of the fourth judicial circuit, and stating that Messrs. Bryant and Shipp form the House branch of the committee to superintend said election.

Whereupon Messrs. Morisey and Fennell were appointed the committee on the part of the Senate, and the House informed thereof. The Senate then voted as follows:


For Mr. Stedman:—Messrs. Brogden, Cherry, Christian, Drake, Eborn, Freeman, Haughton, McClees, Martin, Oldfield, Thomas of Davidson, Willey, and Wood.—13.

The Speaker laid before the Senate the following communication from his Excellency, the Governor, David S. Reid.
Executive Office, Raleigh, December 5, 1854.

Gentlemen: Your communication of the 25th ultimo, informing me of my election by the General Assembly to the Senate of the United States, to fill the unexpired term commencing on the 4th March, 1853, was duly received. My own sense of duty prompted me to desire to serve out the term of the office previously conferred on me by the people of the State.

Their representatives, however, have assigned me another important position, which relieves me from the obligation of longer continuing in the place I now hold. On to-morrow I shall accept the appointment of Senator. This, under the Constitution of the State, will operate as a disability to the further exercise, on my part, of the duties of the Executive office. Therefore the great seal of the State, together with the records and papers belonging to the office, will then be delivered to the Speaker of the Senate. The voluntary bestowal by the General Assembly of this additional evidence of the kind partiality of the people of the State towards me, does not fail to excite a deep sense of gratitude.

I am, very respectfully, your obedient servant,

David S. Reid.

Hon. Warren Winslow,
Speaker of the Senate.

Hon. Sam'l P. Hill,
Speaker of the House of Commons.

Whereupon Mr. Graham submitted the following resolutions, viz:

Resolved, That by reason of the acceptance of the office of Senator of the United States, by his Excellency, David S. Reid, the Governor for the time being of this State, the office of Governor of North Carolina hath been vacated by the said David S. Reid.

Resolved, further, That the powers of the said office of Governor having, according to the Constitutional provision in such case, devolved on the Hon. Warren Winslow, the Speaker of the Senate for the time being, to be exercised by him, the said Warren Winslow is, to all intents and purposes, Governor of the State, and will so continue until the qualification of the Governor cho-
Passed by the people for the constitutional term commencing on the first day of January next.

Resolved, further, That the office of Speaker of the Senate is thereby vacated, and the Senate do now proceed to the election of Speaker.

On motion of Mr. Hoke the consideration of the resolutions was postponed until to-morrow morning, 10 o'clock.

On motion of Mr. Cherry leave of absence was granted to the Senator from Chatham from the services of this House on and after to-day, until Saturday next.

Mr. Morisey, from the committee appointed to superintend the election for Solicitor of the fourth judicial circuit reported that Thomas Ruffin received 87 votes, and A. J. Stedman 64 votes; that Mr. Ruffin having received a majority of the whole number of votes given is duly elected. Report concurred in.

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

WEDNESDAY, December 6, 1854.

Received a message from the House of Commons, transmitting a communication from the president of the North Carolina Railroad Company, with accompanying documents, with a proposition to print the same; one copy for each member of the General Assembly.

Concurred in; and on motion of Mr. Graham, referred to the committee on Internal Improvements.

Also, a message transmitting a communication from the chairman of the board of commissioners, for building the Lunatic Asylum, and accompanying documents, with a proposition to print one copy of the same for each member of the General Assembly. Concurred in.

The Speaker now announced the special order, viz: The resolutions of Mr. Graham, declaring the Hon. Warren Winslow, of the Senate, Governor of the State for the time being, and that the office of Speaker of the Senate, is thereby vacated, &c.

The Speaker left the Chair, and appointed Mr. Boyd Speaker, pro tempore.

The resolutions being read after some time spent in debate, Mr. Clark moved an adjournment, which was not carried.
The question now recurring on the adoption of the resolutions, Mr. Ashe called for a division of the question, and moved that the question be taken on each resolution separately, which being ordered, the question was then put on the adoption of the first resolution, which was determined in the affirmative, ayes 45, noes, none.

Mr. Graham demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative—none.

The question on the adoption of the second resolution, was determined in the negative: ayes 22, noes 23.

Mr. Graham demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


The question on the adoption of the third resolution, was also determined in the negative, yeas 22, noes 23.

Mr. Graham demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Clark, Coleman, Collins, Drake,

Received a message from the House of Commons, stating that they have passed the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to protect live stock from malicious destruction;

A bill to regulate the floating of timber on the Roanoke river; and

A bill to amend an act of the session of 1850, entitled an act to incorporate the Fayetteville and Northern Plankroad Company.

The Speaker laid before the Senate the following communication, viz:

To the Honorable the General Assembly

of the State of North Carolina:

I hereby accept the appointment of Senator in the Congress of the United States, and in pursuance of notice given on yesterday, I shall now cease to exercise the duties of Executive, and will deliver over the records and papers of the office to the Speaker of the Senate.

D. S. REID.

EXECUTIVE DEPARTMENT, Raleigh, Dec. 6, 1854.

Mr. Thomas of Jackson, offered the following resolution, viz:

Resolved, That the Senate will proceed to elect a Speaker pro tempore, to preside during the period the Speaker elect shall be absent in the discharge of the duties and powers of Governor.

Before any question was taken on said resolution, on motion of Mr. Walker, the Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, DECEMBER 7, 1854.

On motion, leave was granted to Mr. Thomas of Jackson, to withdraw the resolution presented by him on yesterday.

Mr. Rayner introduced a bill to provide for the issue of additional stock for the Seaboard and Roanoke Railroad Company; which was read the first time and passed, and, on motion, referred to the committee on internal improvements.
Received a message from the House of Commons, transmitting a message from the Governor, with a report from the literary board and accompanying documents, with a proposition to print one copy for each member of the General Assembly. Conceded in.

Also a message, transmitting the report of the chief engineer of the North Carolina and Western Railroad route and accompanying documents, &c., with a proposition to print one copy of the same for each member of the Legislature. Conceded in.

Mr. Fisher from the committee on internal improvements, to whom was referred the report of the president of the North Carolina Railroad Company, reported the following resolution, and recommended its passage, viz:

Resolved, That the treasurer of the State be hereby authorized and directed forthwith, or as early as practicable, to pay over to the treasurer of the North Carolina Railroad Company, the balance of the last half million yet due, on the State subscription to the capital stock of said company.

The resolution was read the first time and passed; on motion, the rules were suspended, and said resolution was read the second and third times, passed, and ordered to be engrossed.

Mr. Fennell introduced a bill to re-charter the Bank of Cape Fear, which was read the first time and passed; and, on motion, referred to the committee on banks, and ordered to be printed.

Mr. Jones introduced a bill to incorporate a company to construct a ship canal, to unite the waters of Albemarle, Currituck and Pamlico sounds with the Chesapeake bay, and for other purposes, which was read the first time and passed; and, on motion, referred to the committee on internal improvements, and ordered to be printed.

On motion of Mr. Bower,

Ordered, That a message be sent to the House of Commons, proposing to go forthwith into the election for two trustees of the University.

Mr. Fonville introduced a bill for the improvement of the ship navigation in New river, in the county of Onslow, which was read the first time and passed; on motion, referred to the committee on internal improvements, and ordered to be printed.

Mr. Collins introduced a bill to authorise the trustees of Louisburg female academy, to convey to the Louisburg female college...
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company, certain interests in the female academy ground, which was read the first time and passed; the rules being suspended, the said bill was read the second and third times, passed, and ordered to be engrossed.

Mr. Tayloe introduced a bill to incorporate the Washington savings institution in Beaufort county, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Biggs, from the committee on the Revised Statutes, reported a bill concerning attachments, and recommended its passage, which was read the first time and passed.

Received a message from the House of Commons, concurring in the proposition of the Senate to go, forthwith, into the election of two trustees of the university, and informing that Messrs. Leach of Moore, and Black, form the House branch of the committee to superintend the election, and that Nathaniel Roan, John W. Cunningham, David T. Tayloe, Samuel F. Phillips, John G. Bynum, Wm. T. Dortch and Henry B. Elliott, are in nomination.

Whereupon, the House of Commons were informed by message, that Messrs. Tayloe and Bower constitute the committee to superintend said election, on the part of the Senate, and that the names of Thos. J. Morisey and Jos. B. Cherry, are added to the nomination, and that the Senate would proceed to vote on the return of the messenger.

The Senate then voted by ballot.

Mr. Biggs, from the committee on the revised statutes, reported the following bills, and recommended their passage, viz:

A bill concerning Attorney General and Solicitors;
A bill concerning Attorneys at law;
A bill concerning auctions and auctioneers.
A bill concerning bail; and
A bill concerning bastard children; which said bills were severally read the first time, and passed.

The bill concerning the abatement of suits, was read the third time, and passed, and ordered to be engrossed.

The Speaker announced the special order, viz:

The bill to amend the Constitution of North Carolina.

On motion of Mr. Graham, the consideration of the bill was
postponed until Monday next, and made the special order for that day, at the hour of 11 o'clock.

On motion of Mr. Graham, the bill concerning a convention, and to amend the Constitution of the State, was taken up, and made the special order of the day for Monday next, at the hour of 11 o'clock.

Mr. Hoke offered the following preamble and resolutions, viz:

Whereas, A vacancy has occurred in the office of Governor of the State, and whereas, great doubts have arisen in the constitutional construction, as to the powers and duties of the Speaker of the Senate.

Be it therefore,

1. Resolved, That the several questions be submitted to the supreme court, on their convening in Raleigh, and their opinion upon the points in dispute, be requested in writing.

2. Resolved, That if in the opinion of the court, the Speaker of the Senate cannot exercise the powers of Governor, and at the same time act as Speaker of the Senate, what effect will the exercise of the powers of the two offices by the Speaker of the Senate, have upon the legislation of the session.

3. Resolved, That the Speaker of the Senate appoint two members of the Senate, to lay the several propositions involved, before the supreme court, and to submit an argument on the same, if requested by the court.

The resolutions were read, and on motion of Mr. Eaton, laid on the table.

On motion of Mr. Wilder,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of instituting legal proceedings against all banks or trust or insurance companies in this State, that have issued bills, bonds, notes or certificates of deposit, of a less amount than three dollars, and that they report by bill or otherwise.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning bills, bonds and promissory notes;
A bill concerning boats and canoes; and
A bill concerning book debts; which bills were severally read the first time, and passed.
The engrossed bill to protect live stock from malicious destruction was read the first time, and passed, and on motion of Mr. Eaton, referred to the committee on the judiciary.

The engrossed bill to amend an act of the session of 1850, entitled an act to incorporate the Fayetteville and Northern Plank-road Company was read the first time and passed, and on motion of Mr. Eaton referred to the committee on the judiciary.

A message was sent to the House of Commons stating that the Senate have passed the following engrossed bill and resolution, in which they ask the concurrence of the House, viz:

A bill making compensation to justices of the peace for taking the lists of taxable property; and

A resolution directing the Public Treasurer to pay over to the North Carolina Railroad Company five hundred thousand dollars.

The engrossed bill to regulate the floating of timber on the Roanoke river was read the first time and passed, and on motion of Mr. Eaton referred to the committee on the judiciary.

The bill concerning agriculture and geology; and

The bill concerning the amendment of process, &c., were severally read the third time, passed, and ordered to be engrossed.

The bill to lay off and establish a new county by the name of Polk was read the third time, passed, and ordered to be engrossed.

Mr. Gilmer introduced a resolution concerning the Cape Fear and Deep River Navigation company, which was read and adopted.

Mr. Graham introduced a bill to extend the time for registration of grants, deeds, and other conveyances, which was read the first time and passed.

Mr. Taylor, from the committee appointed to superintend the election for two trustees of the University, reported that John W. Cunningham, having received a majority of the whole number of votes given, is duly elected; and that no other person in nomination having received a majority of the whole number of votes given there is no other election. The report was concurred in.

The bill to authorize the Nantahala and Tuckasege Turnpike Company to establish a toll bridge over the Tennessee river, in Macon county, and

The resolution in favor of David A. Ray, & Co., were severally read the third time, passed, and ordered to be engrossed.
On motion of Mr. Wiggins the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, DECEMBER 8, 1854.

Mr. Boyd introduced the following resolution which was read and adopted, viz:

Whereas, there is a manifest inequality in the present mode of assessing the lands within the State for taxation, for remedy whereof

Be it resolved, That the committee on finance be instructed to inquire whether one or more assessors, to be appointed by the county courts, (at the same court the taxes are laid) whose duty it shall be to act with the justice who takes the tax list as a board of valuation to value all the lands of their county, and certify the same under oath, and in case of disagreement between the assessors and justice, the same to be referred to the committee on finance of their county, subject to an appeal to the county court.

Resolved further, That the finance committee inquire into the propriety of causing the assessment to be made every five years instead of eight, as now provided by law.

Resolved further, That the committee inquire into the propriety of so amending the revised laws, as to provide that the taxes be laid, listed, and collected within the same year.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate the Yadkin Plankroad Company, reported the same back to the Senate, and recommended its passage.

The bill was read the second time and passed.

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

Mr. Thomas, of Jackson, introduced a bill to repeal an act, entitled an act to provide for a geological and agricultural survey of the State, passed at the session of 1850-'51, which was read the first time and passed.

Mr. Wilder, from the committee on the judiciary, to whom was referred the engrossed bill, to amend an act of the session of 1850, entitled an act to incorporate the Fayetteville and Northern Plankroad Company, reported the same back to the Senate, with
sundry amendments; the amendments were agreed to, and the bill read the second time, and passed as amended.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Bank of Clarendon, at Fayetteville, reported the same back to the Senate, and recommended its passage.

On motion of Mr. McDowell, ordered to be laid on the table, and be printed.

Received a message from the House of Commons, proposing to increase the number of the joint select committee on banking, to eight on the part of each House. Not concurred in.

Also a message from the House of Commons, transmitting a statement from the president of the Merchants' Bank of Newbern, in relation to the condition of said bank, with a proposition to print the same. Concurred in.

Also the report of the comptroller of the State, for the year ending 31st October, 1854, with a proposition to print one copy of the same for each member of the legislature. Concurred in.

Mr. Faison introduced the following resolution, viz:

Resolved, That the literary board be authorized and required to loan to Clinton female institute in the county of Sampson, out of any moneys belonging to the said board, not otherwise appropriated, the sum of three thousand dollars; on condition that the said institute give good personal security for the payment of the interest, to be paid semi-annually, and the principal at the end of five years from the date of the note.

The resolution was read the first time and passed, and, on motion, referred to the committee on education and the literary fund.

Mr. Walker introduced a bill to compensate the wardens of the poor of Mecklenburg county; which was read the first time and passed, and, on motion, referred to the committee on propositions and grievances.

Mr. Wood introduced a bill, accompanied by a memorial, to emancipate John Good; which was read the first time and passed, and, on motion, the bill and memorial were referred to the committee on propositions and grievances.

On motion of Mr. Cherry,

Resolved, That his Excellency, the Governor of the State, be requested to communicate to the Senate what amount of money
has already been expended in the geological, mineralogical, botanical and agricultural survey of the State, what progress has been made in said survey, what amount of money it is likely to cost, and when it will probably be completed.

The bill concerning apprentices, was read the second time and passed.

Mr. Hoke, from the committee on the judiciary, to whom was referred so much of the Governor's message as relates to the election of the judges and justices of the peace by the people, submitted a report thereon, and asked that the committee be discharged from the further consideration of the subject. Discharged accordingly.

Mr. Hoke, from the same committee to whom was referred the engrossed bill, to protect live stock from malicious destruction, reported the same back to the Senate, with an amendment; the amendment was agreed to, and the bill read the second time, and passed, as amended.

Under a suspension of the rules, the bill was read the third time, and passed; and a message sent to the House of Commons asking their concurrence in the Senate's amendment.

Mr. Hoke, from the same committee, to whom was referred the bill to expedite the trial of certain suits in courts of law, reported the same back to the Senate; when on his motion, the same was referred to the committee on the Revised Statutes.

Mr. Hoke, from the same committee, to whom was referred the bill to cede to the United States of America, certain sites for light-house purposes, reported the same back to the Senate, and recommended its passage.

The bill was read the second time, and passed; and the rules being suspended, said bill was read the third time; passed, and ordered to be engrossed.

The bill concerning Attorney General and Solicitors, and the bill concerning Asylums, were severally read the second time, and passed.

Mr. Hoke, from the committee on the judiciary, to whom was referred a resolution on the subject, reported to the Senate, a bill concerning sheriffs' fees in certain cases; which was read the first time, and passed.

On motion of Mr. Morisey,

Resolved, That the committee on public buildings be instruc-
ted to enquire what arrangements are necessary to warm the two Halls of the Capitol, for the accommodation of the General Assembly, so as to render them more comfortable.

The bill concerning attachments, was read the second time, and passed.

The bill to extend the time for registration of grants, deeds and other conveyances, was read the second time, and on motion referred to the committee on the Revised Statutes.

The bill concerning book debts;
The bill concerning boats and canoes;
The bill concerning attorneys at law;
The bill concerning auctions and auctioneers;
The bill concerning bail;
The bill concerning bastard children, and,
The bill concerning bills, bonds and promisory notes; were severally read the second time, and passed.

The bill concerning appeals and proceedings in the nature of appeals, was read the third time; passed, and ordered to be engrossed.

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

SATURDAY, December 9, 1854.

Mr. Biggs, from the committee on the Revised Statutes reported the following bills, and recommended their passage, viz:
A bill concerning burning woods and hunting;
A bill concerning cattle, horses, and hogs;
A bill concerning charities;
A bill concerning clerks of county and superior courts;
A bill concerning clerks and masters in equity;
A bill concerning commissioners of affidavits and probate of deeds;
A bill concerning common law;
A bill concerning comptroller;
A bill concerning constables; and
A bill concerning coroners;

Which said bills were severally read the first time and passed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to make compensation to the war-
dens of the poor of Mecklenburg county, reported the same back to the Senate and recommended its passage.

The bill was read the second time, amended on motion of Mr. Clark, and passed; the rules were suspended and the bill read the third time, passed, and ordered to be engrossed.

Mr. Clark, from the committee on education and literary fund, to whom was referred the bill to incorporate Union Academy, in the county of New Hanover, reported the same back to the Senate and recommended its rejection.

The bill was read the second time and amended on motion of Mr. Gilmer.

Mr. Cunningham moved further to amend the bill by striking out the second and third sections of the same, or so much thereof as prohibits the sale of spirituous liquors within two miles of the said academy; and the question being taken on striking out was determined in the negative. Ayes 5, noes 34.

The yeas and nays being demanded by Mr. Cunningham,

Those who voted in the affirmative are,

Messrs. Clark, Cunningham, Graves, Martin, and Taylor.—5.

Those who voted in the negative are,


The question now recurring on the passage of the bill its second reading as amended, was determined in the affirmative.

Mr. Mitchell introduced a bill to provide for the construction and repairs of public roads, which was read the first time and passed, and on motion of Mr. Thomas of Jackson, referred to the committee on internal improvements and ordered to be printed.

Mr. Gilmer introduced a bill to charter the Fayetteville and Greensborough Railroad Company, which was read the first time and passed, and on motion referred to the committee on internal improvements and ordered to be printed.

Mr. Bower presented a memorial from sundry persons praying for the construction of a plankroad up the valley of the Yadkin,
which on motion was referred to the committee on internal improvements.

Mr. Walker introduced a bill, accompanied by a memorial, to amend an act, entitled an act to incorporate the trustees of Davidson college, passed at the session of 1838-'9.

The bill was read the first time and passed; and, on motion, referred, with the memorial, to the committee on propositions and grievances.

Mr. Thomas, of Davidson, a bill to incorporate Glen Anna female seminary, in the county of Davidson, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Boyd introduced a bill to incorporate the Dan River and Yadkin Railroad Company, which was read the first time and passed; and, on motion of Mr. Graves, referred to the committee on internal improvements, and ordered to be printed.

Mr. Gilmer introduced a bill to incorporate the Bank of Greensboro', which was read the first time and passed; and, on motion, referred to the committee on banking, and ordered to be printed.

On motion of Mr. Eborn,

Resolved, That the committee on the Revised Statutes, be instructed to enquire into the expediency of amending the 26th section of the chapter, entitled roads, ferries and bridges, by adding a proviso, that in cases where a bridge costs the county $3,000 or more, the county court, a majority of the justices being present, may impose tolls upon persons who are not residents of the county, not exceeding twenty-five cents upon a horse and buggy, and other tolls in proportion thereto, in the discretion of the court.

On motion of Mr. Cherry,

Ordered, That all bills on the subject of banking be referred to the joint committee on banking.

Mr. Biggs offered the following preamble and resolution, viz:

Whereas, the great increase of the number of counties in the State, has imposed upon the judges of the superior courts heavy additional duties and expenses without any corresponding compensation, and for the due and proper administration of justice in said courts,

Resolved, (the House of Commons concurring,) That the State ought to be divided into nine judicial circuits, and that a joint
committee of five on the part of each House be appointed and
instructed to bring in a bill for that purpose.

The resolution was read, and on motion of Mr. Biggs, ordered
to be laid upon the table.

The bill concerning apprentices;
The bill concerning asylums;
The bill concerning attachments;
The bill concerning attorney general and solicitors;
The bill concerning attorneys at law;
The bill concerning boats and canoes;
The bill concerning auctions and auctioneers;
The bill concerning book debts;
The bill concerning bail;
The bill concerning bastard children; and
The bill concerning bills, bonds and promissory notes; were
severally read the third time, passed, and ordered to be engrossed.

The engrossed bill to amend an act of the session of 1850, enti-
titled an act to incorporate the Fayetteville and Northern Plank-
road Company, was read the third time and passed, and a mes-
sage sent to the House of Commons, asking their concurrence in
the Senate's amendment.

A bill to repeal an act entitled an act to provide for a geological
and agricultural survey of the State, passed at the session of 1850-'51, was read the second time, and on motion of Mr. Cher-
ry, ordered to be laid upon the table.

The bill concerning sheriff's fees in certain cases, was read the
second time, and on motion, referred to the committee on the
Revised Statutes.

Received a message from the House of Commons, transmit-
ting the resignation of Henry S. Clark, as trustee of the University of
North Carolina.

Received a message from the House of Commons, transmit-
ting the statement of the Commercial Bank of Wilmington, with a
proposition to print the same. Concurred in.

Mr. Biggs offered the following resolution, viz:

Resolved, (the House of Commons concurring,) That this
General Assembly adjourn on and after 23d, until 30th instant,
and that the members and officers remaining at the Capitol, be
allowed their per diem compensation.
The resolution was read, and on motion of Mr. Biggs, laid upon the table.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolutions, in which they ask the concurrence of the House, viz:

A bill concerning appeals and proceedings in the nature of appeals;
A bill concerning agriculture and geology;
A bill concerning abatement of suits;
A bill concerning amendment of process, &c;
A bill to lay off and establish a county by the name of Polk;
A bill to authorise the trustees of the Louisburg female academy, to convey to the Louisburg female college company, certain interests in the female academy ground.
A bill to authorize the Nantahala and Tuckasege turnpike company, to establish a bridge over the Tennessee river, in Macon county.
A resolution in favor of David A. Ray, & Co., and,
A resolution concerning the Cape Fear and Deep river navigation company.

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

MONDAY, DECEMBER 11, 1854.

The Speaker announced that Messrs. Ashe, Coleman, and Davis constitute the Senate's branch of the committee on enrolled bills for the present week.

A message was sent to the House of Commons stating that the Senate have passed the following engrossed bills, and ask the concurrence of the House therein, viz:
A bill concerning bills, bonds, and promissory notes;
A bill concerning bastard children;
A bill concerning bail;
A bill concerning auctions and auctioneers;
A bill concerning attachments;
A bill concerning boats and canoes;
A bill concerning asylums;
A bill concerning apprentices;
A bill concerning attorneys at law;
A bill concerning attorney general and solicitors;
A bill concerning book debts;
A bill incorporating the Yadkin Plankroad Company; and
A bill ceding to the United States of America certain sites for light-house purposes.

Mr. Clark, from the committee on education and the literary fund, to whom was referred a resolution in relation to public schools, reported that further legislation on the subject is unnecessary, and asked to be discharged from the further consideration of the same. Discharged accordingly.

Mr. Boyd presented two memorials from sundry citizens of the counties of Rockingham and Stokes on the subject of internal improvement, which, on motion, were referred to the committee on internal improvements.

Mr. Thomas of Jackson introduced a bill to authorize the county court of Macon to lay a tax to defray the expenses of obtaining the right of way for railroad, which was read the first time and passed, and on motion referred to the committee on internal improvements.

Mr. Biggs now called up the resolution introduced by him on Saturday last concerning adjournment, which on his motion, was amended by striking out all after the word resolved, and inserting the following as a substitute, viz:

"That the Senate, on and after 23d instant, until 4th January next, will not consider any bill or resolution upon its second or third reading, except private bills and bills reported by the committee on the Revised Statutes."

The question on the adoption of the resolution as amended, was determined in the affirmative, ayes 26, noes 17.

Mr. Mitchell demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,
Mr. Fisher introduced a bill for the completion of the North Carolina Railroad, which was read the first time and passed; and, on motion, referred to the committee on internal improvements, and ordered to be printed.

Mr. Fennell introduced a bill to incorporate the bank of Wilmington, which was read the first time and passed, and referred to the committee on banking.

Mr. Graves introduced a bill to incorporate the Greensboro' and Martin's Lime Kiln Plankroad Company, which was read the first time and passed; and, on motion, referred to the committee on internal improvements.

The hour of 11 o'clock having arrived, the Speaker announced the special orders, viz: "The bill to amend the constitution of North Carolina; and the bill concerning a convention." On motion of Mr. Boyd, the consideration of said bills was postponed until to-morrow 11 o'clock, and made the special order of the day for that hour.

Received a message from the House of Commons, transmitting a communication from the president of the Bank of the State and accompanying statements, with a proposition to print the same.

The proposition was concurred in, and the House of Commons informed thereof by message.

Also a communication from the public treasurer and accompanying bank exhibits, with a proposition to print the same. Concluded in, and the House informed thereof.

Mr. Wood introduced a bill authorizing the county court of Craven to pay wardens of the poor; which was read the first time and passed.

The bill concerning burning woods and hunting;
The bill concerning charities;
The bill concerning cattle, horses and hogs; and
The bill concerning clerks of the county and superior courts, were severally read the second time and passed.

Mr. Hoke introduced a bill concerning the fifth judicial circuit; which was read the first time, and passed.

Mr. Hoke, from the committee on the judiciary, to whom was referred the bill to provide for the election of a council of select men, in the several counties in this State, reported the same back to the Senate, and recommended that the bill do not pass.
On motion of Mr. Biggs, ordered to be laid on the table.
The bill concerning clerks and masters in equity;
The bill concerning commissioners of affidavits and probates of deeds;
The bill concerning common law;
The bill concerning comptroller;
The bill concerning constables, and,
The bill concerning coroners; were severally read the second time, and passed.
The bill to incorporate Union academy in the county of New Hanover, and for other purposes, was read the third time.
Mr. Wilder moved, that the bill be laid on the table; which motion was not carried.
Mr. Thomas of Jackson, moved that the further consideration of the bill be postponed until Wednesday next, at the hour of 12 o’clock.
The motion prevailed, ayes 21, noes 17.
Mr. Thomas called the yeas and nays.
Those who voted in the affirmative, are,
Those who voted in the negative, are,
On motion of Mr. Biggs, the rules were suspended, and the bill concerning burning woods and hunting, was read the third time, passed, and ordered to be engrossed.
On motion of Mr. Mills, the Senate adjourned until to-morrow morning, 10 o’clock.

TUESDAY, DECEMBER 12, 1854.
Mr. Wiggins introduced a bill to amend the 7th section of chapter 17 of the Revised Code, entitled “cattle, horses and hogs;’’ which was read the first time and passed, and, on motion, referred to the committee on propositions and grievances.

On motion of Mr. McDowell,
Resolved, That the committee on finance be instructed to inquire into the expediency of so amending the revenue act, as to compel the hirer to give in slaves subject to taxation.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

- A bill concerning corporations;
- A bill concerning county boundaries;
- A bill concerning county revenue and charges;
- A bill concerning county trustees;
- A bill concerning court houses, prisons, &c.; which were severally read the first time and passed.

A message was sent to the House of Commons, stating that the Senate had passed the following engrossed bills, in which they ask the concurrence of the House, viz:

- A bill concerning burning woods and hunting; and
- A bill to compensate the wardens of the poor of Mecklenburg county.

Mr. Fisher introduced a bill to incorporate the Western North Carolina Railroad Company; which was read the first time and passed, and on motion of Mr. Thomas of Jackson, referred to the committee on internal improvement, and ordered to be printed.

The hour of 11 o'clock having arrived, the Speaker announced the orders of the day.

The bill to amend the constitution of the State of North Carolina being first read and amended on motion of Mr. Boyd, Mr. Graham moved to amend the same by striking out all after the words "A Bill," and inserting the following in lieu thereof, viz:

"Concerning a convention to amend the constitution of the State."

Whereas, divers propositions have been made for amending the constitution of the State, and this general assembly has reason to believe that a large portion of the people of North Carolina are desirous of amending the same; and although the general assembly disclaims all right and power in itself, to ordain and establish amendments of the constitution, it is considered to be its duty to adopt measures for ascertaining the will of the people in the premises, and to carry that will into effect in the most convenient and efficacious manner, when ascertained. Therefore,

Sec. 1. Be it enacted by the General Assembly of the State
of North Carolina, and it is hereby enacted by the authority of the same, That the courts of pleas and quarter sessions of the several counties in the State, at the term thereof to be held next after the first day of April 1855, shall appoint two inspectors to superintend the polls, to be opened at each and every separate election precinct in said counties, for ascertaining, by ballot, the will of the freemen of North Carolina, relative to the calling of a State convention; and if any such court or courts shall fail to make such appointments, or if any person so appointed, shall fail to appear and act as such, at the election hereinafter directed to be held, it shall be the duty of the sheriff of the county, or his deputy, at any precinct, with the advice of one justice of the peace, or if no justice be present, with the advice of three freeholders, to appoint an inspector, when the court shall have failed to make an appointment, or in place of any person who has been appointed and failed to appear and act; and the inspector or inspectors thus appointed, when duly sworn by some justice of the peace faithfully to perform their duties in such election, shall have the same authority as if appointed by a court, as aforesaid.

Sec. 2. Be it further enacted, That it shall be the duty of the sheriff in each and every county in the State, to open polls at the several election precincts in his county, on the first Thursday in August next, when all persons qualified, according to the constitution, to vote for members of the House of Commons, may vote for or against a State convention to amend the constitution; those desiring such convention, to vote with a written or printed ticket, "Convention," and those not wishing a convention, to vote with a like ticket, "No Convention."

Sec. 3. Be it further enacted, That it shall be the duty of the said sheriffs to make duplicate returns of the polls in their respective counties, sworn to before the clerk of the county court, one copy of which shall be deposited in said clerk's office, and the other copy transmitted to the Governor of the State, at Raleigh, within ten days after the holding of said polls.

Sec. 4. Be it further enacted, That it shall be the duty of the Governor, as soon as he shall have received the returns of the sheriffs, in the presence of the secretary of State, public treasurer and comptroller, to compare the votes for and against a convention, and if it shall appear that a majority of the votes polled are in fa-
vor of it, he shall forthwith issue his proclamation, announcing the result in three newspapers, published in the city of Raleigh; and he shall likewise issue a writ of election to every sheriff in the State, requiring him to open polls for the election of delegates to a convention, under the same regulations and penalties that are prescribed for holding other State elections, on the first Thursday in October, A. D. 1855.

Sec. 5. Be it further enacted, That the persons who shall have been inspectors in the election for taking the votes on convention, shall act in the same capacity in the election of delegates; but in case of failure the vacancies shall be supplied in the manner provided as aforesaid.

Sec. 6. Be it further enacted, That the several county courts shall allow the sheriff the same compensation for this as for other elections; and any sheriff or other officer appointed to hold said election, who shall fail in his duty according to the requirements of this act, shall forfeit and pay to the State the sum of one thousand dollars, to be recovered in the name of the State in a suit to be immediately instituted by the solicitor of the circuit before the superior court of the county.

Sec. 7. Be it further enacted, That all persons qualified to vote for members of the House of Commons under the present constitution shall be entitled to vote for members of the said convention; and all free white men, citizens of this State, who shall have resided in the same for two years next before said election, and at the time thereof are eligible to the House of Commons under the present constitution, shall be eligible to a seat in said convention.

Sec. 8. Be it further enacted, That each county in the State shall be entitled to elect and send to said convention the same number of members that it is entitled to in the House of Commons under the apportionment now existing, and if any vacancy shall happen by death or otherwise after such election, and before the meeting of said convention, the Governor shall immediately issue a writ of election to supply such vacancy.

Sec. 9. Be it further enacted, That the delegates so chosen shall convene in the city of Raleigh, on the first Monday of December, A. D. 1855; a majority of all those elected shall constitute a quorum for the transaction of business, and if a quorum
shall not attend on that day, those assembled may adjourn from
day to day until a quorum shall appear and qualify.

Sec. 10. Be it further enacted, That no elected delegate shall
be permitted to take his seat in said convention until he shall have
taken an oath to support the constitution of the United States,
and also the following oath, namely, "I, A. B., do solemnly
swear or affirm (as the case may be) that I will faithfully and
impartially perform my duty in this convention by revising the
constitution of this State, and proposing and supporting amend-
ments to the same in such particulars only as, in my opinion, the
public good shall require. So help me God."

Sec. 11. Be it further enacted, That the public treasurer be,
and he is hereby authorized to pay upon the warrant of the Gov-
ernor, such sums as may be necessary for the contingent charges
of the convention, and also to each member of the convention
two dollars per day for his services in the same, and five cents per
mile for his travelling expenses to and from said convention.

Sec. 12. Be it further enacted, That it shall be the duty of
the Governor, immediately after the passage of this act, to trans-
mitt a copy of the same to each and every clerk of a county court,
to be posted at the door of the court-house of his county, and to
cause the same to be published in at least two newspapers in the
State until the meeting of said convention.

Sec. 13. Be it further enacted, That by the vote of the peo-
ple in favor of a convention, in the manner herein before provid-
ed, this act shall be considered to have been ratified and its pro-
visions ordained by them, and the delegates elected as aforesaid,
in convention assembled, shall have power to consider and pro-
pose such amendments to the constitution of North Carolina as
to them shall seem best suited to establish justice, ensure domes-
tic tranquility, and preserve the blessings of liberty in the present
condition of the people of the State.

Sec. 14. Be it further enacted, That the said convention shall
have power, and it shall be its duty, to adopt ordinances for submit-
ting such amendments as they may propose to the suffrages of the
freemen of the State qualified to vote in the House of Commons,
at such times as shall be designated by itself, and a majority of
their votes shall determine the question of their ratification or re-
jection. And the said convention shall also provide all necessary
ordinances and regulations for carrying into effect the constitution as amended: Provided, the same shall be ratified by the popular votes as aforesaid.

Sec. 15. Be it further enacted, That this act shall be in force from its ratification.

Pending the consideration of which, on motion of Mr. Hoke, the further consideration of the same was postponed until to-morrow, 12 o'clock, M.

Received a message from the House of Commons, proposing to raise a joint select committee, to take into consideration that portion of the Governor's message, which relates to the university of North Carolina, and that said committee consist of five on the part of the House, and three on the part of the Senate.

The proposition was concurred in; and the House of Commons informed by message, that Messrs. Graham, Person, and Ashe, constitute the Senate's branch of the committee on the subject.

Mr. Wilder introduced a bill to authorise the Raleigh and Gaston Railroad Company, to take stock in the Roanoke Valley Railroad Company; which was read the first time, and passed; and on motion, referred to the committee on internal improvements.

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

WEDNESDAY, DECEMBER 13, 1854.

Mr. Walker presented a memorial from sundry citizens of Mecklenburg county in relation to public roads, widow's dower, &c., which on motion, was referred to the committee on the Revised Statutes.

Mr. Sanders presented a memorial from sundry citizens of Johnston county, in relation to common schools, which on motion, was referred to the committee on education and the literary fund.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning courts of equity, and
A bill concerning the supreme court; which bills were severally read the first time, and passed.

Mr. Fisher from the committee on internal improvements, to whom was referred the bill to provide for the issue of additional
stock by the Seaboard and Roanoke Railroad Company, reported
the same back to the Senate and recommended its passage.

The bill was read the second time, and passed.

Mr. Fisher, from the same committee, to whom was referred
the bill to authorise the county court of Macon county to lay a
tax to defray the expenses of obtaining the right of way for rail-
road, reported the same back to the Senate, and recommended
its passage.

The bill was read the second time and passed.

Mr. Fisher, from the same committee to whom was referred
the bill concerning the Fayetteville and Centre Plankroad Com-
pany, reported the same back to the Senate, and recommended
its passage.

On motion of Mr. Fisher, ordered that the bill be laid on the
table, and printed.

Mr. Thomas of Jackson, presented the petition of sundry citi-
zens west of Buncombe, praying the extension of the North Caro-
lina Railroad west, &c.; which, on motion, was referred to the
committee on internal improvements.

Mr. Boyd, from the committee on propositions and grievances,
to whom was referred the bill to emancipate John Good, reported
the same back to the Senate, with sundry amendments.

The amendments reported by the committee were agreed to;
the bill was now read the second time.

Mr. Morisey moved further to amend the same, so as to con-
fine the residence of the said John Good to Craven county; which
amendment was disagreed to.

The question now recurred on the passage of the bill its second
reading, and was determined in the affirmative, ayes 28, noes 17.

Mr. Mills demanded the yeas and nays.

Those who voted in the affirmative, are,
Messrs. Ashe, Bower, Boyd, Brogden, Christian, Coleman, Dav-
is, Eaton, Faison, Fisher, Fonville, Freeman, Gilmer, Gra-
ham, Haughton, Hoke, Lane, McClees, Martin, Mitchell, Ray-
ner, Sanders, Speight, Tayloe, Thomas of Davidson, Thomas of
Jackson, Walker, and Wood.—28.

Those who voted in the negative, are,
Received a message from the House of Commons, transmitting a communication from the acting Governor of the State, informing the General Assembly that there were four vacancies in the board of trustees of the University of North Carolina.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to lay off and establish a new county by the name of Vernon, reported the same back to the Senate, and recommended its passage.

The bill was read the second time; when, on motion of Mr. Rayner, the further consideration of the same was postponed until the 5th day of January next, and made the special order for that day.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the special order, viz: "The bill to amend the constitution of the State of North Carolina."

The pending question being on the amendment proposed by Mr. Graham, pending the consideration of which;

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

THURSDAY, DECEMBER 14, 1854.

Mr. Morisey presented a petition from sundry citizens of Robeson county, praying the passage of a law to prohibit the traffic in all intoxicating liquors; which on motion was referred to the committee on propositions and grievances.

Mr. Sanders, the petition of sundry citizens of Johnston county, praying that W. S. Ballinger be authorised to erect a dam across Neuse river; which on motion, was referred to the committee on propositions and grievances.

Mr. Davis, a petition from sundry citizens of Burke county, praying for the passage of a law prohibiting entirely the traffic in intoxicating liquors; which on motion, was referred to the committee on propositions and grievances.

Mr. McDowell, a memorial from sundry citizens of the county of New Hanover, concerning a marine hospital in the town of Wilmington; which on motion, was laid on the table.

Mr. Tayloe presented a memorial from the citizens of Beaufort county, praying for the passage of a mechanic's lien law; which on motion, was referred to the committee on the judiciary.
Mr. Faison presented a petition for aid to the Fayetteville and Warsaw Plankroad Company; which on motion, was referred to the committee on internal improvements.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to amend the charter of Davidson college, reported the same back to the Senate, and recommended that it do not pass.

Mr. Boyd, from the same committee, to whom was referred a resolution on so much of the Governor's message, as relates to common public highways, reported the same back to the Senate, and asked to be discharged from the further consideration of the subject. Discharged accordingly.

Mr. Boyd, from the same committee, to whom was referred the bill to amend the 7th section of chapter 17th, of the revised code, entitled "cattle, horses and hogs," reported the same back to the Senate, and recommended its passage.

Mr. Biggs, from the committee on the Revised Statutes, reported a bill concerning crimes and punishments, and recommended its passage.

The bill was read the first time, and passed.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Washington Savings Institute in Beaufort county, reported the same back to the Senate, and recommended its passage.

Received a message from the House of Commons, stating that they have passed an engrossed resolution, concerning produce carried on railroads &c., in which they ask the concurrence of the Senate.

The resolution was read, adopted, and ordered to enrollment.

Received a message from the House of Commons, stating that their branch of the select joint committee on that portion of the Governor's message which relates to the University, consists of Messrs. Shepherd, Barringer, Bynum of Rutherford, Outlaw and Lyon.

Also, a message from the House of Commons, stating that Mr. Philips has been excused from serving on the committee on the Deaf, Dumb and Blind Asylum, and Mr. Chadwick appointed in his place.

Received a message from the House of Commons, proposing to
go into the election for four trustees of the University of North Carolina, to-day at 11½ o’clock.

The proposition was agreed to, and the Commons informed by message, that Messrs. Graves and McClees form the Senate’s branch of the committee, to superintend the election; and that the names of Ralph Gorrell and W. H. Oliver, are added to the nomination.

Mr. Wilder introduced a bill to incorporate the Gardner Hill Mining Company, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Thomas of Jackson, called up the bill to authorise the county court of Macon to lay a tax to defray the expenses of obtaining the right of way for railroad.

The bill was read the third time, and, on motion of Mr. Graham, laid on the table.

Received a message from the House of Commons, stating that the hour having arrived, they would proceed to vote for four trustees of the University, on the return of the messenger; that Messrs. Bryant and Chadwick would superintend the election on the part of the House, and that Messrs. WM. T. Dortch, JAS. H. Dixon, JESSE G. Shepherd, Warren Winslow, JAS. L. Gaines, R. H. Smith, Saml. F. Phillips, Nathaniel Roan, J. G. Bynum, Geo. D. Baskerville, D. T. Tayloe, H. B. Elliott, Joseph B. Cherry and Jno. P. Jordan, are in nomination.

The Senate, under the superintendence of Messrs. Graves and McClees, then voted by ballot.

On motion by Mr. Rayner,

Resolved, That a message be sent to the House of Commons, proposing to raise a joint select committee of three on the part of the Senate, and five on the part of the House of Commons, to whom shall be referred that portion of the Governor’s message, relating to the proposition to erect a monument in Independence Square in Philadelphia, in commemoration of the declaration of independence, and in honor of the signers thereof.

Mr. Haughton introduced the following resolution, which was read, and ordered to be laid on the table, viz:

Resolved, That a select committee, consisting of five members of the Senate, be appointed to take into consideration the present state of the geological survey of the State, the propriety of contin-
using the same, and of publishing the reports of the State geologist that have been, or may hereafter be made.

On motion of Mr. McDowell,

Ordered, That a message be sent to the House of Commons, proposing to raise a joint select committee of two on the part of the Senate, and three on the part of the House, to consider the subject of establishing a marine hospital at the town of Wilmington, and all the memorials and papers relating thereto.

Mr. Thomas of Davidson, presented a memorial from a number of citizens in the county of Davidson, praying an amendment to the liquor laws of this State; which, on motion, was referred to the committee on propositions and grievances.

Received a message from the House of Commons transmitting the following engrossed bills and resolutions, in which they ask the concurrence of the Senate, viz:

A bill to amend an act to define the duties and powers of turnpike and plankroad companies;

A bill to emancipate Jerry, a slave, which was read the first time and passed, and by motion referred to the committee on propositions and grievances;

A resolution concerning the deaf and dumb asylum, which was read and adopted and ordered to be enrolled; and

A resolution to furnish the public treasurer with one hundred copies of his report, which was read the first time and passed.

The hour of 12 o'clock having arrived, the Senate resumed the consideration of the special order, being "the bill to amend the constitution of the State of North Carolina," the pending question being on the amendment proposed by Mr. Graham.

Pending the consideration of which, after debate,

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

FRIDAY, December 15, 1854.

Nathan Winslow, the Senator elect from the 1st Senatorial district, (composed of the counties of Pasquotank and Perquimons,) appeared, produced his credentials, was qualified and took his seat.

Mr. Graves introduced the memorial of Betts, Pusey and Harlan, which, by motion, was referred to the committee on claims.
Mr. Thomas of Davidson presented a memorial from sundry citizens of Forsythe county, on the subject of amending the law granting license to retailers of spirituous liquors, which by motion, was referred to the committee on propositions and grievances.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to authorize the Raleigh and Gaston Railroad Company to take stock in the Roanoke Valley Railroad Company, reported the same back to the Senate and recommended its passage.

Mr. Fisher, from the same committee, to whom was referred the bill to incorporate the French Broad Railroad Company, reported the same back to the Senate without recommending any action thereon.

On motion by Mr. Coleman,

Ordered, That the bill be recommitted to said committee.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill to emancipate Jerry, a slave, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the same committee, to whom the subject was referred, reported a bill to authorize Wm. S. Ballinger, his associates and assigns, to construct a dam across Neuse river, and recommended its passage.

The bill was read the first time, and passed.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred the resolution respecting disorderly conduct at places of divine worship, reported that further legislation on the subject is unnecessary, and asked that the committee be discharged from its further consideration. Discharged accordingly.

Mr. Biggs, from the same committee, reported a bill concerning criminal proceedings, and recommended its passage.

The bill was read the first time, and passed.

Mr. Graves, from the committee appointed to superintend the election for four trustees of the University, reported that John G. Bynum, having received a majority of the whole number of votes given, is duly elected, and that no other person in nomination having received a majority, there is no other election. Report concurred in.
Received a message from the House of Commons, proposing to go into an election for three trustees of the University, to-day at 11 1/2 o'clock; concurred in, and the House of Commons informed by message, that the Senate's branch of the committee to superintend the election, consists of Messrs. Speight and Christian.

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

Resolved, That the public treasurer be directed to furnish to the Senate, a statement showing the several sums received by way of premium, either on the sale of the bonds sold by him, to pay the State's subscription in the North Carolina Railroad Company, the Fayetteville and Western Plankroad Company, or other public works, as well as a statement of the sums received as premium of exchange, on the moneys realized from the sale of such bonds; and that he inform the Senate whether the sums thus received, as premium, either upon sales or exchange as aforesaid, have been set apart, invested, or kept in the treasury as funds to meet the payments of interest on the debts, respectively incurred by the sale of said bonds, or have been devoted to pay the current demands on the treasury; and if they have been devoted to the latter purpose, by what authority of law, they have been so applied.

Resolved, further, That in the event it shall appear that the sums received by way of premium as aforesaid, have been applied to the current expenses of government; what is the amount of indebtedness of the public fund to the premium fund aforesaid at the end of the last fiscal year, and whether there would have been a deficiency in the public fund at that time if all such premiums had been set apart and kept as funds for the payment of interest as aforesaid, and if so, the amount of such deficiency.

Mr. Fisher introduced a bill concerning the salaries of certain officers, which was read the first time and passed, and by motion, referred to the committee on propositions and grievances.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate Glen Anna Female Seminary, in the county of Davidson, reported the same back to the Senate and recommended its passage.

On motion by Mr. Biggs the resolution concerning the judicial circuits was now taken up and made the special order of the day for Monday next, at the hour of 11 o'clock.
Mr. Thomas, of Jackson, now called up the bill to authorize the county court of Macon to lay a tax to defray the expenses of obtaining the right of way for railroad.

The bill was read the third time, amended by motion of Mr. Thomas, passed as amended, and ordered to be engrossed.

The bill concerning the sixth judicial circuit was read the second time, when on motion by Mr. Biggs the further consideration of the same was postponed until Monday next, at the hour of 11 o'clock.

The bill authorizing the county court of Craven to pay wardens of the poor was read the second time, amended by the several motions of Messrs. Drake, Faison, and Martin, by extending its provisions to the counties of Nash, Sampson, Stokes, and Forsythe, and passed its second reading as amended.

The bill concerning county boundaries; and

The bill concerning corporations, were severally read the second time and passed.

The engrossed resolution, to furnish the public treasurer with 100 copies of his report, was read the second time and passed, and the rules being suspended, the resolution was read the third time; passed, and ordered to be enrolled.

Received a message from the House of Commons, stating that the hour having arrived, the House would proceed to vote for trustees on the return of the messenger, and that Messrs. Green of Person, and Simmons, constitute their branch of the committee to superintend the election.

On motion by Mr. Graham, the name of Thos. J. Morrissey, was added to the nomination.

The Senate under the superintendence of Messrs. Speight and Christian, then voted by ballot.

The bill concerning county revenue and charges; and

The bill concerning county trustees, were severally read the second time, and passed.

The hour of 12 o'clock having now arrived, the Senate resumed the consideration of the special order; being "the bill to amend the Constitution of the State of North Carolina."

The pending question being on the amendment proposed by Mr. Graham.

Pending the consideration of which on motion, by Mr. Haughton,
the further consideration of the same, was postponed until to-morrow, 12 o'clock.

Received a message from the House of Commons, transmitting sundry resignations of justices of the peace.

Received a message from the House of Commons, concurring in the proposition of the Senate, to raise a joint select committee, to consider the subject of establishing a marine hospital in the town of Wilmington, and informing that Messrs. Williams of New Hanover, Baxter and Chadwick, constitute the House branch of the committee on the subject.

Whereupon, Messrs. McDowell and Cherry, were appointed the committee on the part of the Senate, and the House informed thereof.

Also, stating that the House of Commons concur in the proposition, to raise a joint select committee to consider that portion of the Governor's message, which relates to erecting a monument in Independence Square, Philadelphia; and that Messrs. Lyon, Wilkins, A. D. Headen, Leach of Moore, and Cofield, constitute the House branch of the committee.

The House of Commons were informed by message, that Messrs. Rayner, Graves, and Oldfield, constitute the committee on the part of the Senate.

The bill concerning charities;
The bill concerning common law;
The bill concerning cattle, horses and hogs;
The bill concerning commissioners of affidavits and probate of deeds;
The bill concerning clerks and masters in equity;
The bill concerning coroners;
The bill concerning constables; and

The bill concerning comptroller; were severally read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill to provide for the issue of additional stock by the Seaboard and Roanoke Railroad Company was read the third time, passed, and ordered to be engrossed.

Mr Christian, from the committee appointed to superintend the election for trustees of the University, reported that no person
in nomination having received a majority of the whole number of votes given, there is no election. Report concurred in.

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

SATURDAY, DECEMBER 16, 1854.

Mr. Jones presented the memorial of sundry citizens in Currituck county in relation to a ship canal to unite the waters of Albemarle, Currituck and Pamlico Sounds with the Chesapeake Bay; which, by motion, was referred to the committee on internal improvements.

Mr. Collins presented a memorial from sundry citizens of Granville and Franklin counties, upon the subject of temperance; which, by motion, was referred to the committee on propositions and grievances.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning currency;
A bill concerning deeds and conveyances; and
A bill concerning descents; which were severally read the first time and passed.

Received a message from the House of Commons, proposing to go into the election for three trustees of the University to-day at 11½ o'clock. Concurred in; and the House of Commons informed by message, that Messrs. Herring and Winston, of Pasquotank, constitute the Senate's branch of the committee to superintend the election.

Also that the name of Ralph Gorrell is withdrawn, and the names of W. W. Holden, and Thomas I. Faison added to the nomination.

Also a message transmitting a communication from the president of the Bank of Cape Fear, and accompanying statements, with a proposition to print the same.

The proposition to print was concurred in, and the House of Commons informed thereof by message.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred the bill to extend the time for registration of grants, deeds and other conveyances, reported a substitute for the same, and recommended its passage.
On motion by Mr. Willey,

Resolved, That the committee on the Revised Statutes be instructed to inquire into the propriety of so amending the 1st section of the Revised Statutes, chapter 40, entitled "an act concerning the draining of low lands," as to provide, instead of the method therein prescribed, an application to a magistrate, who, thereupon, shall summon three freiholders to assess the damages; giving also to the party dissatisfied, an appeal from their decision to the county or superior court.

Mr. Wilder, from the committee on banking, to whom a resolution on the subject was referred, reported the same back to the Senate, and asked to be discharged from its further consideration.

On motion by Mr. Biggs,

Ordered, That the report be laid on the table.

Mr. Wilder, from the same committee, to whom was referred the bill regulating the conduct of banks upon their dissolution, reported the same back to the Senate and recommended that it do not pass.

On motion by Mr. Biggs,

Ordered, That the bill be laid on the table.

Mr. Cherry introduced a bill to amend and continue in force an act to incorporate the Burrowdale Mining and Transportation Company, which was read the first time and passed, and by motion referred to the committee on corporations.

The engrossed bill to amend an act to define the duties and powers of turnpike and plankroad companies, was read the first time and passed, and by motion of Mr. Graham, referred to the committee on the judiciary.

The bill concerning court-houses, prisons, &c.; and

The bill concerning the supreme court, were severally read the second time and passed.

Mr. Hoke submitted the following resolutions, viz:

Resolved, That the agent to be appointed by the Governor to procure documentary evidence of the history of North Carolina, shall in case he deem it necessary to visit London for that purpose, be entitled to receive his travelling expenses and all other necessary expenses for clerk hire, &c., to be ascertained and allowed by the next general assembly.

Resolved, That the Governor be authorized to procure a copy
of "Tryon's North Carolina Papers," now on file in Harvard college, and that the expenses for copying the same be paid out of any moneys in the treasury department not otherwise appropriated.

The resolutions were read and referred to a select committee of three, viz., Messrs. Hoke, Graham, and Wilder.

On motion, Mr. Fisher was excused from further service on the committee of the Revised Statutes.

The engrossed bill to emancipate Jerry, a slave, was read the second time.

Mr. Person moved to amend the same by adding the following proviso to the last section, viz;

Provided, further, That if the said Jerry shall at any time after his emancipation remove himself from the said county of Mecklenburg, and remain out of said county for the space of thirty days he shall forfeit his freedom.

The amendment was rejected.

The question now recurred on the passage of the bill its second reading, and was determined in the affirmative. Ayes 28, noes 15.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


So the bill passed its second reading.

Received a message from the House of Commons stating that the hour having arrived, they will proceed to vote for three trustees on the return of the messenger; that Messrs. Oglesby and Davenport will superintend the election on the part of the House, and that A. J. Dargan is in nomination.

The Senate then proceeded to ballot under the superintendence of Messrs. Herring and Winslow of Pasquotank.
Received a message from the acting Governor of the State, by the hands of his private secretary, S. F. Adams, in answer to a resolution of enquiry concerning the geological survey of the State, accompanied by a report from the State geologist.

Ordered, that the same be printed.

The Speaker laid before the Senate a communication from the magistrate of police of the town of Wilmington, tendering the hospitalities of that town to the members of the general assembly and its officers.

A message was sent to the House of Commons, stating that the Senate has passed the following revised bills, and asks the concurrence of the House therein, viz:

A bill concerning comptroller;
A bill concerning constables;
A bill concerning coroners;
A bill concerning clerks and masters in equity;
A bill concerning commissioners of affidavits &c;
A bill concerning cattle, horses and hogs;
A bill concerning common law, and
A bill concerning charities.

The hour of 12 o'clock having arrived, the Senate resumed the consideration of the special order, being "the bill to amend the Constitution of the State of North Carolina."

The pending question being on the amendment proposed by Mr. Graham.

Pending the consideration of which, after debate,

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

MONDAY, December 18, 1854.

Received a message from the House of Commons, transmitting a communication from the magistrate of police for the town of Wilmington, and accompanying resolutions, proposing to raise a joint select committee of three on the part of the House, and two on the part of the Senate, to consider the same, &c.

The proposition was concurred in, and the House informed by message, that Messrs. Faison and Morisey constitute the Senate's branch of the committee on the subject.

Received a message from the House of Commons, transmitting
a communication from the public treasurer, with accompanying bank exhibits, with a proposition to print the same.

Concurred in; and the House of Commons informed thereof by message.

Mr. Walker presented the resignation of J. M. C. Hunter, a justice of the peace for the county of Mecklenburg, which was read and accepted.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the McCulloch Copper and Gold Mining Company, reported the same back to the Senate, with an amendment, and recommended its passage.

Mr. Herring, from the committee appointed to superintend the election for three trustees of the University, reported that no person in nomination having received a majority of the whole number of votes given, there is no election. Concurred in.

On motion by Mr. Clark, leave of absence was granted to the Senator from Beaufort, from and after to-day, until the first day of January next.

Mr. Sanders introduced a resolution in favor of Bryant R. Hinnant, former sheriff of Johnson county, which was read the first time, passed, and referred to the committee on propositions and grievances.

On motion by Mr. Fennell, the committee on banks was discharged from further consideration of the bill to incorporate the Bank of Wilmington, and leave granted to withdraw said bill from the files of the Senate.

Mr. Tayloe, introduced a bill, accompanied by a memorial, to incorporate the Pamlico Bank; which was read the first time, and passed; referred to the committee on banks, and ordered to be printed.

Mr. Graham introduced a bill accompanied by a memorial, to emancipate James G. Hostler; which was read the first time, and passed, and on motion, referred to the committee on propositions and grievances.

The hour of 11 o'clock having arrived, the Speaker announced the orders of the day; the resolution proposing nine judicial circuits, being first read, Mr. Walker moved to amend the same by striking out nine and inserting eight; which motion prevailed.

Mr. Graham moved to amend the resolution by striking out all
after the word "Resolved," and inserting the following in lieu thereof, viz:

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, to enquire into the expediency of establishing an eighth judicial circuit: which amendment was agreed to; but on motion by Mr. Haughton, reconsidered.

Mr. Jones moved, that the resolution and amendment be indefinitely postponed.

The question on which motion was determined in the negative, ayes 23, noes 24.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

The question now recurred on the adoption of the amendment proposed by Mr. Graham, and was determined in the affirmative, ayes 26, noes 21.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

The bill concerning the sixth judicial circuit, which was also one of the special orders, was now taken up, and on motion of Mr. Gilmer, ordered to be laid on the table.

Mr. Thomas, of Jackson, introduced a bill to cause railroad
companies to fence their tracks in this State; which was read the first time and passed, and by motion, referred to the committee on propositions and grievances.

The bill concerning county boundaries;

The bill concerning court houses, prisons, &c.;

The bill concerning county trustees; and

The bill concerning the clerks of the county and superior courts; were severally read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

Received a message from the House of Commons, transmitting a communication from the acting Governor of the State, accompanied by the annual report of the treasurer of the board of trustees of the University of North Carolina.

On motion by Mr. Graham, ordered that the report be printed.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the special order, viz: "The bill to amend the constitution of the State of North Carolina."

The pending question being on the amendment proposed by Mr. Graham,

On motion by Mr. Brogden, the further consideration of the same was postponed until to-morrow 11 o'clock.

The Senate now took up for consideration the special order, viz: "The bill to incorporate Union Academy in the county of New Hanover, and for other purposes." The bill was read the third time. Mr. Biggs moved to amend the same by striking out the first section; which motion did not prevail. The bill then passed its third reading, and was ordered to be engrossed.

The bill to emancipate John Good was read the third time.

Mr. Faison moved to amend the same, by adding the following as an additional section, viz:

"Be it further enacted, That the said John Good shall not remove his residence or domicil from the county of Craven to any other county in this State, unless by permission from the county court of the county to which he proposes to remove."

The amendment was rejected.

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

The bill concerning revenue and charges, and the bill concern-
ing the Supreme court, were severally read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill to authorise the county courts of Craven, Nash, Sampson, Forsyth and Stokes to pay wardens of the poor, was read the third time, passed, and ordered to be engrossed.

The engrossed bill to emancipate Jerry, a slave, was read the third time, passed, and ordered to be enrolled.

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

The bill to authorise the county courts of Craven, Nash, Sampson, Forsyth and Stokes to pay wardens of the poor, was read the third time, passed, and ordered to be engrossed.

The engrossed bill to emancipate Jerry, a slave, was read the third time, passed, and ordered to be enrolled.

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

The bill to extend the time for registration of grants, deeds, and other conveyances, was read the second time, the substitute reported by the committee agreed to, and the bill passed its second reading.

The bill to amend the 7th section of chapter 17 of the Revised Code, entitled "cattle, horses and hogs," was read the second time and passed.

The bill concerning crimes and punishments;

The bill concerning courts of equity;

The bill to amend an act entitled an act to incorporate the trustees of Davidson College, passed at the session of 1838-'9, were severally read the second time and passed.

The bill to authorise Wm. S. Ballinger, his associates and assigns, to construct a dam across Neuse river, was read the second time, amended, and passed.

The bill to incorporate the Washington Savings Institution, in Beaufort county, and,

The bill to authorise the Raleigh and Gaston Railroad Company to take stock in the Roanoke Valley Railroad Company, were severally read the second time, and passed.

The bill to incorporate Glen Anna Female Seminary, in the county of Davidson, was read the second time, and passed; ayes 30; noes 12.

Mr. Biggs demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,
The bill concerning descents;
The bill concerning currency, and,
The bill concerning criminal proceedings, were severally read the second time, and passed.

Received a message from the House of Commons, concurring in the proposition of the Senate, to raise a joint select committee to enquire into the expediency of establishing an eighth judicial circuit, and informing that Messrs. Shepherd, Baxter, Jordan, Leach of Davidson, and Waugh, form the House branch of the committee.

Received a message from the House of Commons, stating that the House branch of the committee on the invitation from the magistrate of police of the town of Wilmington, consists of Messrs. Williams of New Hanover, Vance and Settle.

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

TUESDAY, DECEMBER 19, 1854.

Mr. Morisey, from the joint select committee to whom was referred the invitation of the magistrate of police, on behalf of the citizens of Wilmington, tendering the hospitalities of their place to the members of the general assembly during the Christmas holidays, submitted a report thereon in favor of the acceptance of the same.

Whereupon Mr. Morisey offered the following resolution, viz:
Resolved, That the two houses of the general assembly, (the House of Commons concurring) do adjourn on Friday, the 22d instant, to meet again on Wednesday, the 27th instant, at 11 o'clock.

Mr. Graham offered the following amendment as a substitute for the resolution submitted by Mr. Morisey, viz:
Resolved, (the House of Commons concurring) That the Speakers of the two houses of the general assembly be directed to inform the magistrate of police of the town of Wilmington, that the members of the two houses will not find it convenient to visit that town during the Christmas holidays, and that they re-
 respectfully decline the invitation to do so, received from said magistrate as the representative of the citizens of Wilmington.

The amendment was agreed to, and the resolution adopted as amended.

Received a message from the House of Commons transmitting a communication from Wm. Murphy, &c., extending an invitation to the members of the general assembly to meet the citizens of Rowan county, at Salisbury, on the 4th day of January, 1855, to celebrate the completion of the central railroad to that place.

On motion by Mr. Cherry,

Ordered, That the Speaker be directed to inform Mr. Murphy, &c., that the members of the general assembly very respectfully decline the invitation so kindly extended to them.

The hour of 11 o'clock having arrived the Senate proceeded to the consideration of the special order, viz:

"The bill to amend the constitution of the State of North Carolina," the question pending being on the amendment proposed by Mr. Graham.

After some time spent in debate,

On motion by Mr. Graham, the further consideration of the subject was postponed until to-morrow, 11 o'clock.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred

The resolution concerning the draining of low lands, and

The resolution concerning entries and grants, reported the same back to the Senate and asked to be discharged from their further consideration. Discharged accordingly.

Received a message from the House of Commons stating that the House has passed the engrossed resolution in relation to the invitation from the citizens of Wilmington to visit that town during the Christmas holidays, with the following amendment, viz: Strike out all after "Resolved, the House of Commons concurring," and insert "That the thanks of this general assembly be returned to the people of Wilmington for their tender of hospitalities to this body, and as many of the members as may find it convenient will accept the invitation," and ask the concurrence of the Senate therein.

The question on concurring with said amendment was determined in the negative. Ayes 20, noes 25.
Mr. Bower demanded the yeas and nays.
Those who voted in the affirmative are,
Messrs. Cherry, Christian, Davis, Drake, Eborn, Faison, Fennell, Freeman, Gilmer, Graves, Haughton, Hoke, Jones, Lane, McClees, McDowell, Martin, Morisey, Sanders, and Thomas of Jackson.—20.
Those who voted in the negative, are,

So the Senate refused to concur.
A message was sent to the House of Commons, stating that the Senate has passed the following engrossed bill, in which it asks the concurrence of the House, viz:
A bill concerning clerks of the county and superior courts;
A bill concerning corporations;
A bill concerning county boundaries;
A bill concerning county revenue and charges;
A bill concerning county trustees;
A bill concerning court houses, prisons &c., and
A bill concerning the supreme court.

On motion by Mr. Boyd, leave of absence was granted to Mr. Person, from and after to-day, until the 4th day of January next.
Mr. Cunningham introduced a bill to incorporate the town of Roxboro', in Person county; which was read the first time, and passed, and by motion, referred to the committee on corporations.
Mr. Cherry introduced a bill to authorise the president and directors of the literary fund, to appoint an agent for the swamp lands; which was read the first time, and passed, and by motion, referred to the committee on swamp lands.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:
A bill concerning draining and damming low lands, and
A bill concerning elections of President and Vice President; which said bills were severally read the first time, and passed.
A message was sent to the House of Commons, informing that Messrs. Biggs, Graham, Ashe, Hoke and Brogden, constitute the
Senate's branch of the committee to enquire into the expediency of establishing an eighth judicial circuit.

Received a message from the House of Commons, transmitting a communication from the treasurer of the State.

Also, an engrossed "resolution, giving the treasurer authority to borrow $100,000, to meet the demands on the treasury," in which they ask the concurrence of the Senate.

On motion by Mr. Graham,

Ordered, That the communication be printed.

The resolution was read the first time, and passed.

On motion by Mr. Bower, the rules were suspended, and said resolution read the second and third times; passed, and ordered to enrollment.

Received a message from the House of Commons, stating that it insists on its amendment to the resolution, relative to the invitation to Wilmington.

Mr. Hoke moved that the Senate do now recede; which motion prevailed, ayes 25, nays 19.

Mr. Walker demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


On motion by Mr. Hoke, leave of absence was granted to the Senators from Granville and Person, from the 23d to the 30th inst.

On motion by Mr. Mitchell, leave of absence was granted to the Senator from Bertie, from and after Saturday next, until the 4th of January 1855.

On motion by Mr. Freeman, the Senate adjourned until to-morrow 10 o'clock.

WEDNESDAY, DECEMBER 20th, 1854.

On motion by Mr. Boyd, leave of absence was granted to the
Senator from Currituck, for Monday, Tuesday and Wednesday next.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the town of Roxboro', in Person county, reported the same back to the Senate, and recommended its passage.

The bill was read the second time, and passed.

On motion by Mr. Cunningham, the rules were suspended, and the bill read the third time, passed, and ordered to be engrossed.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Gardner Hill Mining Company, reported the same back to the Senate, with an amendment.

Received a message from the House of Commons, proposing to go forthwith into an election for seven councillors of State, which was concurred in.

Whereupon, on motion by Mr. Faison, the following persons were put in nomination, viz: Wm. Badham, O. R. Kenan, M. T. Hawkins, Benjamin Trollinger, Owen D. Holmes, Larkin Stowe, and Saml. R. Love; and Messrs. Faison and Christian appointed the Senate's branch of the committee to superintend the election, and the House of Commons informed thereof by message.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills and recommended their passage, viz:

A bill concerning entries and grants;
A bill concerning divorce and alimony;
A bill concerning estates;
A bill concerning evidence; and
A bill concerning executors;

Which said bills were severally read the first time and passed.

Received a message from the House of Commons transmitting a communication from the acting Governor of the State, with an accompanying report from the superintendent of common schools, with a proposition to print the same.

Concurred in; and the House of Commons informed thereof by message.

Received a message from the House of Commons stating that they would proceed to vote for councillors of State on the return of the messenger; that Messrs. Wm. Foy, Wm. M. Shipp, Jas.
A. Long, Thomas J. Speller, Charles L. Partee, and L. B. Carmichael are in nomination, and that Messrs. Meares and Oglesby will superintend the election on the part of the Commons.

The Senate, under the superintendence of Messrs. Faison and Christian, then voted as follows:


For Mr. Trollinger:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Cunningham, Collins, Drake, Eaton, Faison, Fisher, Fennell, Fonville, Graves, Haughton, Herring, Hoke, Jones, Lane, McClees, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Thomas of Davidson, Walker, Wilder, Willey and Wood.—35.

For Mr. Holmes:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Cunningham, Collins, Drake, Eaton, Faison, Fisher, Fennell, Fonville, Graves, Haughton, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Walker, Wilder, Willey and Wood.—33.

For Mr. Stowe:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Cunningham, Collins, Drake, Eaton, Faison, Fisher, Fennell, Fonville, Graves, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Walker, Wilder, Willey and Wood.—32.
For Mr. Love.—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Davis, Drake, Eaton, Faison, Fisher, Fennell, Fonville, Graves, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Thomas of Davidson, Walker, Wilder, Willey and Wood.—32.

For Mr. Speller :—Messrs. Ashe, Cherry, Christian, Davis, Eborn, Freeman, Gilmer, Haughton, McClees, Mitchell, Tayloe and Wiggins.—12.

For Mr. Shipp :—Messrs. Cherry, Christian, Davis, Graham, Mitchell, Morisey and Wiggins.—7.


For Mr. Carmichael :—Messrs. Cherry, Davis, Eborn, Gilmer, Mitchell and Wiggins.—6.

For Mr. R. H. Cowan :—Messrs. Cherry, Eborn, Gilmer and Thomas of Davidson.—4.


For Geo. Davis :—Messrs. Freeman, Graham, Morisey and Winslow of Pasquotank.—4.


For Jas. W. Osborne :—Messrs. Ashe, Freeman, Graham and Winslow of Pasquotank.—4.

For Mr. Roan :—Messrs. Freeman, Graham, Winslow of Pasquotank.—3.

For T. R. Caldwell :—Messrs. Ashe, Davis and Morisey.—3.

For J. B. Cherry.—Messrs. Lane, Morisey, and Winslow of Pasquotank.—3.

For Wm. Murphy :—Messrs. Davis, and Thomas of Davidson.—2.

For A. Erwin :—Messrs. Freeman, and Winslow of Pasquotank.—2.

For J. L. Gains :—Messrs. Ashe and Haughton.—2.
For Andrew Joyner:—Messrs. Graham and Winslow of Pasquotank—2.

For C. Jones:—Messrs. Ashe and Haughton—2.

For R. T. Paine:—Messrs. Ashe and Freeman—2.

Mr. Ashe voted for Jas. P. Leake.

Mr. Morisey voted for Thomas S. Ashe, R. C. Troy and John Baxter.

Mr. Cunningham voted for David Coleman.

Mr. Lane voted for J. W. Cunningham and A. Mitchell; J. W. Thomas, J. H. Haughton and John F. Hoke; and Mr. Haughton voted for W. Leake.

The hour of 11 o'clock having now arrived, the Senate proceeded to the consideration of the special order, viz:

"The bill to amend the constitution of the State of North Carolina."

The pending question being on the amendment proposed by Mr. Graham,

Mr. Lane called for a division, and moved that the question be first taken on striking out, which was ordered, and upon the question to strike out, the vote stood, yeas 16, nays 31.

Mr. Boyd demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Cherry, Christian, Davis, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Morisey, Rayner, Thomas of Davidson, Wiggins, Willey and Winslow of Pasquotank—16.

Those who voted in the negative, are,


So the Senate refused to strike out.

Mr. Gilmer, now moved to amend the bill by adding the following as section 2nd, viz:

"Be it further enacted, (three fifths of the whole number of members of each House concurring;) That the third section of the fourth article of the amended Constitution, ratified by the vote of the people on the second Monday of November, A. D. 1835, be repealed, and that the following be inserted in its stead:
“Taxation shall be equal and uniform throughout the State, and all property other than slaves, shall be taxed in proportion to its value, which shall be ascertained in such manner as may be prescribed by law.

Every slave who has attained the age of twelve years, shall be assessed with a tax equal to, and not exceeding that assessed on land, of the value of three hundred dollars.

Slaves under that age shall not be subject to taxation; and other taxable property may be exempted from taxation by the vote of a majority of the whole number of members elected to each House of the General Assembly.

A capitation tax equal to the tax assessed on land of the value of three hundred dollars shall be levied on every white male inhabitant between the ages of twenty-one and forty-five years; but nothing herein contained shall prevent exemption of taxable polls, in cases of bodily infirmity, or prevent taxes on incomes, salaries and licenses.”

The question on which said amendment was determined in the negative, yeas 11, noes 35.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Christian, Davis, Freeman, Gilmer, Graham, Haughton, Lane, Morisey, Rayner, Thomas of Davidson, and Winslow of Pasquotank—11.

Those who voted in the negative, are,


So the amendment was rejected.

Mr. Person now moved to amend the bill by striking out all after the words “as follows” in the 9th line of the 1st section of the printed bill, and inserting the following in lieu thereof, viz:

“All free white men of the age of twenty-one years, who are citizens of this State, and who have been inhabitants of the same for one year immediately preceding the day of any election, and who have paid public taxes within the same time, shall be enti-
tled to vote for a member of the Senate, in the district in which they reside."

The amendment was rejected, yeas 22, nays 25.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


Mr. Haughton, now moved to amend the bill by adding the following proviso, viz:

"Provided, That no foreigner, unless a naturalized citizen, shall be entitled to vote for a member of either branch of the General Assembly of this State."

The question on which, said amendment was determined in the negative, yeas 20, nays 26.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


Mr. Mitchell, now moved to amend the bill, by striking out all after the word "A bill," and inserting the following in lieu thereof, viz:

"Concerning a convention to amend the constitution of the State."

Sec. 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of
the same, (two thirds of the whole number of each House of the general assembly concurring,) That the court of pleas and quarter sessions of the several counties in this State, at the term thereof to be held next after the first day of April, 1855, shall appoint two inspectors to superintend the polls to be opened at each and every separate election precinct in said counties, for ascertaining by ballot the will of the freemen of North Carolina, relative to the calling of a State convention; and if any such court or courts shall fail to make such appointment, or if any person so appointed shall fail to appear and act as such at the election hereinafter directed to be held, it shall be the duty of the sheriff of the county or his deputy at any precinct, with the advice of one justice of the peace, or if no justice be present, with the advice of three freeholders to appoint an inspector, when the court shall have failed to make an appointment, or in place of any person who has been appointed and failed to appear and act; and the inspectors thus appointed, when duly sworn by some justice of the peace faithfully to perform their duties in said election, shall have the same authority as if appointed by a court as aforesaid.

Sec. 2. Be it further enacted, That it shall be the duty of the sheriff in each and every county in the State, to open polls at the several election precincts in his county, on the first Thursday in August next, when all persons qualified according to the constitution to vote for members of the House of Commons, may vote for or against a convention to amend the constitution. Those desiring such convention to vote with a written or printed ticket "convention," and those not wishing a convention to vote with a like ticket "no convention."

Sec. 3. Be it further enacted, That it shall be the duty of the said sheriffs to make duplicate returns of the polls in their respective counties, sworn to before the clerk of the county court, one copy of which shall be deposited in said clerk's office, and the other copy transmitted to the Governor of the State, at Raleigh, within ten days after the holding of said polls.

Sec. 4. Be it further enacted, That it shall be the duty of the Governor, as soon as he shall have received the returns of the sheriffs, in the presence of the secretary of State, public treasurer, and comptroller, to compare the votes for and against a convention; and if it shall appear that a majority of the votes polled
are in favor of it, he shall forthwith issue his proclamation announcing the result, in three newspapers published in the city of Raleigh, and he shall likewise issue a writ of election to every sheriff in the State, requiring him to open polls for the election of delegates to a convention, under the same regulations and penalties that are now prescribed for holding other State elections, on the first Thursday in October, A.D. 1855.

Sec. 5 Be it further enacted, That the persons who shall have been inspectors in the election for taking the vote on convention, shall act in the same capacity in the election of delegates; but in case of failure the vacancies shall be supplied in the manner provided as aforesaid.

Sec. 6. Be it further enacted, That the several county courts shall allow the sheriffs the same compensation for this as for other elections, and any sheriff or other officer appointed to hold said election, who shall fail in his duty according to the requirements of this act, shall forfeit and pay to the State the sum of one thousand dollars, to be recovered in the name of the State in a suit to be immediately instituted by the solicitor of the circuit before the superior court of the county.

Sec. 7. Be it further enacted, That all persons qualified to vote for members of the House of Commons under the present constitution, shall be entitled to vote for members of the convention; and all free white men, citizens of this State, who shall have resided in the same for two years next before said election, and at the time thereof are eligible to the House of Commons under the present constitution, shall be eligible to a seat in said convention.

Sec. 8. Be it further enacted, That each county in this State shall be entitled to elect and send to said convention the same number of members that it is entitled to in the House of Commons under the apportionment now existing; and if any vacancy shall happen by death or otherwise after such election and before the meeting of said convention, the Governor shall immediately issue a writ of election to supply such vacancy.

Sec. 9. Be it further enacted, That the delegates so chosen, shall convene in the city of Raleigh on the first Monday of December, A.D., 1855; a majority of all those elected shall constitute a quorum for the transaction of business; and if a quorum
shall not attend on that day, those assembled may adjourn from
day to day, until a quorum shall appear and qualify.

Sec. 10. Be it further enacted, That no elected delegate shall
be permitted to take his seat in said convention, until he shall
have taken an oath to support the constitution of the United
States, and also the following oath, namely, I, (A. B.), do
solemnly swear or affirm, (as the case may be) that I will faith-
fully and impartially perform my duty in this convention, by re-
vising the constitution of this State, and proposing and support-
ing amendments to the same, in such particulars only as, in my
opinion, the public good shall require, so help me God."

Sec. 11. Be it further enacted, That the public treasurer be,
and he is hereby authorized to pay, upon the warrant of the
Governor, such sums as may be necessary for the contingent
charges of said convention, and also to each member of the con-
vention two dollars per day for his services in the same, and five
cents per mile for his travelling expenses to and from said con-
vention.

Sec. 12. Be it further enacted, That it shall be the duty of
the Governor, immediately after the passage of this act, to trans-
mit a copy of the same to each and every clerk of a county court,
to be posted at the door of the court house of his county, and to
cause the same to be published in at least two newspapers in the
State, until the meeting of said convention.

Sec. 13. Be it further enacted, That by the vote of the peo-
ple in favor of a convention, in the manner hereinbefore provid-
ed, this act shall be considered to have been ratified, and its pro-
visions ordained by them; and the delegates elected as aforesaid,
in convention assembled, shall have power to consider and pro-
pose such amendments to the constitution of North Carolina, as
to them shall seem best suited to establish justice, ensure domes-
tic tranquility, and preserve the blessings of liberty in the present
condition of the people of the State.

Sec. 14. Be it further enacted, That the said convention shall
have power, and it shall be its duty to adopt ordinances for sub-
mittin such amendments as they may propose to the suffrages of
the freemen of the State qualified to vote in the House of Com-
mons, at such time as shall be designated by itself; and a majori-
ty of their votes shall determine the question of their ratification
or rejection: And the said convention shall also provide all necessary ordinances and regulations for carrying into effect the constitution as amended; Provided, the same shall be ratified by the popular vote as aforesaid.

Mr. Cherry moved to amend the amendment of Mr. Mitchell, by adding the following as an additional section, viz:

Be it further enacted, That no delegate elected shall be permitted to take a seat in the convention called by the provisions of this bill, until he shall have taken and subscribed the following oath or affirmation: I, (A. B.) do solemnly swear, (or affirm, as the case may be,) that I will in no manner whatever, alter, change or amend, the basis of representation in the General Assembly of the State of North Carolina, as it now exists.

The question on which said amendment to the amendment, was determined in the negative; yeas 17; nays 31.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Cherry, Christian, Cunningham, Eaton, Freeman, Graham, Graves, Haughton, McClees, McDowell, Morrissey, Person, Rayner, Speight, Willey and Winslow of Pasquotank—17.

Those who voted in the negative, are,


So the amendment to the amendment was rejected.

The question now recurring on the amendment proposed by Mr. Mitchell,

Mr. McClees called for a division of the question, and demanded that the question should first be taken on striking out.

Mr. Clark raised a point of order, and insisted that the motion to strike out was not in order; a similar motion having heretofore been rejected by the Senate.

The chair decided that the motion is in order, from which decision Mr. Clark appealed; and the question being put, shall the decision of the chair stand as the judgment of the Senate, the same was decided in the affirmative; yeas 41, nays 7.

Those who voted in the negative are, Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, and Fennell.—7.

So the chair was sustained.

And the question recurring on striking out, was decided in the negative. Yeas 17, nays 31.

Mr. McClees demanded the yeas and nays. Those who voted in the affirmative are, Messrs. Ashe, Cherry, Christian, Davis, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Morisey, Rayner, Thomas of Davidson, Wiggins, Willey, and Winslow of Pasquotank.—17.


So the amendment was lost.

Mr. Ashe moved to amend the bill by adding the following as section 2d, viz:

*Be it further enacted, (three-fifths of each House concurring)* that the following be inserted as an additional amendment to the constitution: "That no tax shall be imposed and levied by the General Assembly on real estate, which shall exceed the proportion to the capitation tax of six cents on the hundred dollars value of land to twenty cents on each poll."

The amendment was rejected. Ayes 19, noes 29.

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

Those who voted in the negative are,


The question now recurred on the passage of the bill its first reading, and was determined in the affirmative, three-fifths of the whole number of Senators having voted in its favor.

Mr. McClees demanded the yeas and nays,

Those who voted in the affirmative are,


Those who voted in the negative are,


On motion by Mr. Wilder the bill was now taken up and made the special order of the day for Monday, the 8th day of January next, at the hour of 12 o'clock.

On motion by Mr. Person,

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

On motion by Mr. Person,

Resolved, That a message be sent to the House of Commons,
proposing to raise a joint select committee consisting of four members on the part of each House, whose duty it shall be to make suitable arrangements for the reception of his Excellency, Thomas Bragg, at such time as he may designate to take the oaths of office.

Mr. Faison, from the committee appointed to superintend the election for councillors of State, reported that William Badham, O. R. Kenan, M. T. Hawkins, Benj. Trollinger, Owen D. Holmes, Larkin Stowe, and Samuel R. Love, having each received a majority of the whole number of votes given, are duly elected. Report concurred in.

A message was sent to the House of Commons, stating that the Senate has passed the following engrossed bills, and asks the concurrence of the House therein, viz:

A bill to emancipate John Good;
A bill to incorporate Union Academy in the county of New Hanover, and for other purposes, and
A bill to authorise the courts of pleas and quarter sessions of the counties of Craven, Nash, Sampson, Stokes, and Forsyth, to pay the wardens of the poor.

Mr. Christian presented the petition of sundry citizens of the town of Fayetteville, praying the general assembly for the passage of an act to emancipate Handy, a slave, and others.

Which on motion, was referred to the committee on propositions and grievances.

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

THURSDAY, DECEMBER 21, 1854.

Mr. Wilder, from the committee on banking, to whom was referred the bill to recharter the Bank of Cape Fear, reported the same back to the Senate, with amendments.

Ordered, That the amendments be printed, and that the bill be made the special order of the day for Tuesday, the 9th day of January next.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Bank of Clarendon, at Fayetteville, reported the same back to the Senate, with amendments.
Ordered, That the bill be made the special order of the day for the 9th day of January next.

Mr. Brogden moved that a message be sent to the House of Commons, proposing to go forthwith into the election of three trustees of the University.

The motion was disagreed to.

Mr. Hoke, from the select committee to whom was referred the resolution to procure documentary evidence of the history of North Carolina, reported the same back to the Senate, with amendments.

The resolution was read the second time, the amendments proposed agreed to, and the resolution passed its second reading, as amended.

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

Mr. Thomas of Jackson, introduced a resolution to authorize the Literary Board to loan the Franklin Female Academy, in the county of Macon, $2,000; which was read the first time, passed, and by motion, referred to the committee on education and the literary fund.

On motion by Mr. Wilder, leave of absence was granted to the Senator from Onslow, from and after to-day, until the first day of January next.

Mr. Rayner, from the select committee, to whom was referred so much of the Governor's message as relates to the erection of a monument in Independence Square, Philadelphia, &c., submitted a detailed report thereon, accompanied by a bill to aid the erection of a monument commemorative of the declaration of American independence.

The bill was read the first time and passed.

Received a message from the House of Commons, concurring in the proposition of the Senate to raise a joint committee of two on the part of the Commons, and one on the part of the Senate, to wait on his Excellency, Thomas Bragg, Governor elect, to inform him of his election, and ascertain when it will suit his convenience to appear before the two Houses, to take the oaths of office.

And that the committee on the part of the House of Commons, consists of Messrs. Singeltary and Baxter.
Whereupon, Mr. Person was appointed the committee on the part of the Senate, and the House of Commons informed thereof.

Received a message from the House of Commons, agreeing to raise a joint select committee of four on the part of each House, to make suitable arrangements for the reception of his excellency Thomas Bragg, at such time as he may designate to take the oaths of office, and announcing that Messrs. Yancy, Patterson, Martin and Shipp, form their part of the committee on the subject.

Whereupon, Messrs. Person, Morisey, Sanders and Ashe, were appointed the committee on the part of the Senate, and the House of Commons informed thereof by message.

Mr. Wilder introduced a bill to establish the Central Bank of North Carolina, which was read the first time, and passed, and referred to the committee on banking, and ordered to be printed.

Mr. Martin introduced a bill to incorporate the Salem and Clemmons Plankroad Company, which was read the first time, and passed, and referred to the committee on internal improvements.

Mr. Mills introduced a bill to incorporate the Howard's Gap Turnpike Company, which was read the first time, passed, and referred to the committee on corporations.

On motion by Mr. Cunningham, leave of absence was granted to the Senator from Caswell, from and after to-morrow, until the first day of January next.

On motion by Mr. Cherry, leave of absence was granted to the Senator from Anson, from and after to-morrow, until the first day of January next.

On motion by Mr. Eaton, leave of absence was granted to the Senator from Halifax, from and after to-morrow, until the first day of January next.

On motion by Mr. Biggs, leave of absence was granted to the Senator from Bladen, from and after to-morrow, for five days next ensuing.

On motion by Mr. Wilder, leave of absence was granted to the Senator from New Hanover, from and after to-morrow, until the first day of January next.

Mr. Thomas of Jackson, moved that a message be sent to the House of Commons, proposing to adjourn, from and after to-morrow, until Tuesday next.
Which was agreed to; yeas 27, nays 17.

Those who voted in the affirmative, are,
Messrs. Ashe, Cherry, Christian, Clark, Collins, Drake, Faison, Fennell, Fonville, Gilmer, Haughton, Herring, Jones, Lane, McClees, McDowell, Martin, Morisey, Oldfield, Rayner, Sanders, Speight, Thomas of Davidson, Thomas of Jackson, Wiggins, Willey, and Wood—27.

Those who voted in the negative, are,

On motion by Mr. Hoke, leave of absence was granted to the Senators from Carteret, and Greene, from and after to-morrow, until the first day of January next.

Received a message from the House of Commons, transmitting a report from the committee of finance, with a proposition to print the same.

Concurred in, and the House of Commons informed thereof by message.

Received a message from the House of Commons, proposing to go into an election of public treasurer to-day at 1 o'clock.

Concurred in, and the House of Commons informed, that Messrs. Herring and Willey form the Senate's branch of the committee to superintend the election.

Received a message from the House of Commons, proposing to increase the number of the joint select committee on monuments, to five members on the part of the House, and three on the part of the Senate, and that said committee be directed to take into consideration the propriety of erecting monuments to the North Carolina heroes and patriots of the revolution, &c., &c.

Concurred in, and the House of Commons informed that Mr. Herring is appointed a member of the committee on the part of the Senate.

On motion by Mr. Graves, leave of absence was granted to Mr. Fisher, from and after to-day, until the first day of January next.

The bill to incorporate a company to construct a ship canal to unite the waters of Albemarle, Currituck and Pamlico Sounds, with the Chesapeake Bay, and for other purposes, was now taken
The bill to extend the time for the registration of grants, deeds and other conveyances, and
The bill to authorise the Raleigh and Gaston Railroad Company to take stock in the Roanoke Valley Railroad Company, were severally read the third time, passed, and ordered to be engrossed.

The bill to amend an act entitled an act to incorporate the trustees of Davidson College, passed at the session of 1838-'9, was read the third time, amended by motion of Mr. Coleman passed as amended, and ordered to be engrossed.

The bill to amend the 7th section of chapter 17, of the revised code, entitled "cattle, horses and hogs," was read the third time.

Mr. Eaton moved to amend the same, by striking out all after the enacting clause, and inserting the following as a substitute, viz:

"That when any cattle or other live stock shall be killed or injured by the engines or cars running upon any railroad, it shall be prima facie evidence of negligence on the part of the company; in any suit for damages against such company: Provided, however, that no person shall be allowed the benefit of this act, unless he shall bring suit within six months after his cause of action shall have accrued."

The amendment was adopted, and the bill passed its third reading as amended, and was ordered to be engrossed.

The bill concerning courts of equity, was read the third time, passed, and ordered to be engrossed under the 7th joint rule.

The bill to authorise Wm. S. Ballinger, his associates and assigns, to construct a dam across Neuse river, was read the third time.

On motion by Mr. Wilder, the bill was amended by adding the following proviso to the first section, viz:

"Provided, That no dam shall be authorised to be constructed under this act, unless the said Wm. S. Ballinger and his associates, shall construct and erect a cotton factory near said dam, within five years from the passage of this act."

The bill was further amended, on motion by Mr. Sanders, by adding the following proviso to the 2nd section, viz:
"Provided, That nothing herein contained, shall prevent the Neuse River Navigation Company, or any other company which may hereafter be incorporated, from constructing a lock in said dam, if at any time, such lock should be necessary for the navigation of said river."

The bill now passed its third reading as amended, and was ordered to be engrossed.

A message was received from the House of Commons, stating that the hour having arrived, they would proceed to vote for public treasurer on the return of the messenger, and that Messrs. Love and White of Gaston, will superintend the election on the part of the House.

The Senate, under the superintendence of Messrs. Herring and Willey, then voted as follows:


The bill concerning currency, and,

The bill concerning descents,

Were severally read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

Mr. Thomas of Jackson, by leave, introduced a bill to amend an act, entitled an act to incorporate the Ocanalufa and Quallatown Turnpike Company, passed at the session of 1850-'51, which was read the first time, passed, and referred to the committee on internal improvements.

Mr. Herring, from the committee appointed to superintend the election for public treasurer, reported that Daniel W. Courts having received a majority of the whole number of votes given, is duly elected. Report concurred it.

On motion by Mr. Wilder, the Senate adjourned until to-morrow morning 10 o'clock.
FRIDAY, DECEMBER 22, 1854.

Mr. Thomas, of Jackson, presented a petition in relation to the construction of sundry turnpike roads, which was referred to the committee on internal improvements.

Received a message from the House of Commons concurring in the proposition of the Senate to adjourn from to-morrow until Tuesday next.

Received a message from the House of Commons stating that they concur in the amendment proposed by the Senate to the bill to protect live stock from malicious destruction.

Also in the amendment proposed to the bill to amend an act of the session of 1850, entitled "an act to incorporate the Fayetteville and Northern Plankroad Company," ordered that said bill be enrolled.

Received a message from the House of Commons transmitting the recommendation of sundry justices of the peace for Lenoir county. Concurred in.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill and recommended its passage, viz:

A bill concerning executors and administrators, which was read the first time and passed.

Mr. Eaton, from the committee on the judiciary, to whom was referred the bill to make indictable certain trespasses, reported the same back to the Senate and recommended that the same do not pass.

Mr. Hoke, from the committee on the judiciary, to whom was referred the bill to amend an act to define the powers and duties of plankroad companies, reported the same back to the Senate with amendments.

Mr. Hoke, from the same committee, to whom was referred the bill to regulate the floating of ton timber on the Roanoke river, reported the same back to the Senate with amendments.

Mr. Hoke, from the same committee, to whom was referred a resolution in relation to the passage of a lien law for ship and house carpenters, &c., reported the same back to the Senate and asked to be discharged from the further consideration of the same. Discharged accordingly.

Mr. Hoke, from the same committee, to whom was referred so much of the Governor's message as relates to the formation of
two additional judicial circuits, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Hoke, from the same committee, to whom was referred a petition to restore Ephraim Lutz to his marital rights, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly, and the memorial ordered to be laid on the table.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to amend and continue in force, an act to incorporate the Burrowdale Mining and Transportation Company, reported the same back to the Senate, with an amendment.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate Howard's Gap Turnpike Company, reported the same back to the Senate, and recommended its passage.

On motion by Mr. Bower, leave of absence was granted to the Senator from Warren, from and after to-morrow, until the first day of January next.

Mr. Graham introduced a bill to incorporate Gillis Copper Mining Company; which was read the first time and passed, and referred to the committee on corporations.

Mr. Hoke, from the committee on the judiciary, to whom was referred the resolution to inquire into the expediency of requiring executors named in last wills and testaments to give bond and security, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Rayner introduced a resolution, authorizing a loan by the Literary Board to the Wesleyan Female College; which was read the first time and passed, and by motion, referred to the committee on education and the literary fund.

A message was sent to the House of Commons, stating that the Senate has passed the following engrossed bills, and asks the concurrence of the House therein, viz:

A bill concerning descents;
A bill concerning currency; and
A bill concerning courts of equity.

The bill to incorporate the McCulloch Copper and Gold Mining
Company, was read the second time; the substitute reported by the committee agreed to, and the bill passed its second reading as amended.

Received a message from the House of Commons, stating that they have passed the engrossed resolution, authorising the treasurer to pay the balance of the State's subscription to the North Carolina Railroad Company, with an amendment, in which they ask the concurrence of the Senate.

The amendment proposed is as follows:

Strike out all after the word "Resolved," and insert the following, viz:

"That the treasurer of the State be authorised to pay to the North Carolina Railroad Company, the sum of two hundred and eighty thousand dollars, either in cash or bonds of the State, at par, in settlement of the balance due on the last instalment of the State's subscription."

The question on concurring in said amendment was determined in the affirmative: yeas 36, nays—none.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative, are,


So the amendment was unanimously concurred in.

On motion of Mr. Thomas of Jackson, the Senate adjourned until Tuesday, 12 o'clock, M.

TUESDAY, December 26, 1854.

The speaker took the chair at 12 o'clock, and no quorum being present,

On motion by Mr. Walker,

The Senate adjourned until to-morrow 12 o'clock, M.

WEDNESDAY, December 27, 1854.

The Speaker took the chair, according to adjournment, and no quorum being present,
On motion by Mr. Rayner,
The Senate adjourned until to-morrow 12 o'clock, M.

THURSDAY, DECEMBER 28, 1854.
The Speaker took the chair, according to adjournment, and no quorum being present,
On motion by Mr. Graham,
The Senate adjourned until to-morrow 11 o'clock, A. M.

FRIDAY, DECEMBER 29, 1854.
The Speaker took the chair at 11 o'clock, and no quorum being present,
On motion by Mr. Wilder,
The Senate adjourned until to-morrow 10 o'clock, A. M.

SATURDAY, DECEMBER 30, 1854.
The Speaker took the chair at 10 o'clock, and no quorum being present,
On motion by Mr. Walker,
The Senate adjourned until Monday morning 10 o'clock.

MONDAY, JANUARY 1, 1855.
A message was sent to the House of Commons stating that Messrs. Davis and Faison are substituted on the committee of arrangements to receive the Governor elect, in the place of Messrs. Ashe and Person.
The Speaker announced that Messrs. Gilmer, Herring and Taylor constitute the Senate's branch of the committee on enrolled bills the present week.
A message was received from the House of Commons transmitting the following report of the committee to superintend the reception of the Governor, viz:
"The committee appointed to make arrangements for the inauguration of the Governor elect, ask leave to make the following report:
"That the Speakers of the two houses will occupy the place at the Speaker's table in the Commons Hall, and that the Governor elect and the chief justice of the supreme court will occupy the place at the clerk's table, the remaining judges of the supreme
court will occupy the seats directly in front of the clerk's table, and the committee of arrangements those immediately in front of the judges of the supreme court; the members of the Senate will sit on the right of the Speaker's chair in the Commons hall, which will be set apart for that purpose, and after the Governor elect shall have taken and subscribed the oath of office in the presence of the members of both branches of the General Assembly, the Speaker of the Senate will announce that the Senators will retire to the Senate chamber, and thereupon the Governor, judges, and committee of arrangements will first retire, and then the Speaker of the Senate will retire at the head of the members of the Senate."

The report was concurred in.

The same message also stated that the House of Commons have passed the engrossed accompanying resolution directing the Speakers of the two houses to reply to the invitation of the citizens of Salisbury to attend a celebration in that town on the 4th proximo, in which they ask the concurrence of the Senate.

The resolution was read and adopted.

Mr. Bower presented a memorial from sundry citizens of Ashe county on the subject of the traffic in ardent spirits, which on motion, was referred to the committee on propositions and grievances.

Mr. Graham presented a memorial from sundry citizens of the town of Hillsborough, &c., praying for the incorporation of a bank in said town, which on motion, was referred to the committee on banking.

Also a memorial in relation to the traffic in ardent spirits, which on motion was referred to the committee on propositions and grievances.

Also a memorial to amend the law granting licenses to retail spirituous liquors, so far as relates to the town of Hillsborough, which on motion was referred to the committee on the judiciary.

Mr. Bower introduced a bill, accompanied by a memorial, to establish and lay off a public road in the county of Ashe, which was read the first time and passed.

Also a memorial asking aid from the State to improve the State road from Readie's river to the Tennessee line, which on motion, was referred to the committee on internal improvements.
Mr. Wood introduced a bill to incorporate the Newbern Mutual Fire Insurance Company; which was read the first time and passed, and on motion, referred to the committee on corporations.

Mr. Walker, a bill to emancipate Creecy, a slave; which was read the first time and passed, and on motion, referred to the committee on propositions and grievances.

Mr. Boyd, a bill to provide for a uniform and equitable valuation of the lands within this State, and that the taxes be listed, levied and collected in the same year, and a perfect enlistment of the same; which was read the first time and passed, and on motion, referred to the committee on finance, and ordered to be printed.

The bill concerning criminal proceedings was read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill concerning divorce and alimony;
The bill concerning draining and damming low lands;
The bill concerning electors of President and Vice President;
The bill concerning estates;
The bill concerning evidence; and
The bill concerning executions; were severally read the second time and passed.

The bill concerning entries and grants, was read the second time, and on motion of Mr. Thomas of Jackson, ordered to be laid on the table.

The bill concerning executors and administrators, was read the second time and passed.

A message was received from the House of Commons, announcing that they are now ready to receive the Senators in their Hall, for the inauguration of the Governor elect.

The members of the Senate then repaired to the hall of the House of Commons, and after the ceremony of inaugurating his Excellency, Thomas Bragg, as Governor of the State, was concluded, they returned to the Senate chamber, and were called to order by the Speaker.

Received a message from the House of Commons, transmitting the resignation of John Furr, a justice of the peace of Stanly county; which was read and concurred in.

Also a message, proposing to raise a joint select committee of
five on the part of the House, and three on the part of the Senate, to take into consideration the state of the public buildings, and report thereon.

The proposition was concurred in, and the House of Commons informed that Messrs. Wilder, Morisey and Sanders, constitute the Senate’s branch of the committee on the subject.

The bill concerning crimes and punishments, was read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill concerning deeds and conveyances, was read the second time and passed.

On motion of Mr. Biggs, the rules were suspended, and the bill concerning draining and damming low lands; the bill concerning electors of President and Vice President; and the bill concerning estates, were severally read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

On motion by Mr. Morisey, the Senate adjourned until to-morrow morning 10 o’clock.

TUESDAY, JANUARY 2, 1855.

A message was sent to the House of Commons, stating that the Senate has passed the following engrossed bills and resolutions, in which it asks the concurrence of the House, viz:

A bill concerning elections of Presidents and Vice Presidents;
A bill concerning draining and damming low lands;
A bill concerning estates;
A bill concerning criminal proceedings;
A bill concerning crimes and punishments;
A Bill to authorise the Raleigh and Gaston Railroad Company, to take stock in the Roanoke Valley Railroad Company;
A bill to extend the time of registration of grants &c;
A bill to authorise W. S. Ballinger and others to construct a dam across Neuse river in Johnston county;
A bill to incorporate the town of Roxboro’ in Person county;
A bill to amend the 7th section, chapter 17th, Revised Statutes, entitled cattle, horses and hogs;
A bill to amend an act, entitled an act, to incorporate the trustees of Davidson College, passed in 1838–9; and,
A resolution to procure documentary evidence of the History of North Carolina.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill and recommended its passage, viz:

A bill concerning Fairs, which was read the first time, and passed.

The bill concerning evidence;
The bill concerning divorce and alimony;
The bill concerning executions;
The bill concerning deeds and conveyances; and,
The bill concerning executors and administrators; were severally read the third time; passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning Fairs, under a suspension of the rules, was read the second and third time; passed, and ordered to be engrossed.

The vote by which the bill concerning criminal proceedings, was passed on yesterday; on motion by Mr. Biggs, was reconsidered, and the bill amended, passed the third time, as amended, and ordered to be engrossed under the 7th joint rule.

On motion by Mr. Bower, Resolved, That a select committee of five be appointed to inquire into an alleged mistake, or fraud in enrolling the act of the last session of the General Assembly, in relation to the 44th and 46th senatorial districts; and into the expediency of correcting any error therein, and that the committee have power to send for persons and papers, and to examine persons on oath.

Mr. Mitchell introduced a bill, accompanied by a memorial, to emancipate Martha, Calvin and others; which bill was read the first time, and passed; and by motion, referred to the committee on propositions and grievances.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning Governor and Council;
A bill concerning forcible entry and detainer;
A bill concerning gaming contracts;
A bill concerning fences; and,
A bill concerning habeas corpus; which said bills were severally read the first time, and passed.
A message was received from the House of Commons, proposing to set apart Saturday evening next, 3 o'clock, for the appointment of justices of the peace &c.

Concurred in, and the House of Commons informed thereof by message.

Received a message from the House of Commons, informing that they have passed the following engrossed bills and resolutions, in which they ask the concurrence of the Senate, viz:

A resolution in favor of William II. High, sheriff of Wake county; which was read the first time, passed, and referred to the committee on claims.

A resolution in favor of Henry Nutt; which was read the first time, passed, and referred to the committee on claims.

A resolution in favor of Jasper Tinnin; which was read the first time, and passed, and the rules being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

A bill concerning public roads in the county of Watauga; which was read the first time, and passed.

A bill declaring what number of the justices of the peace of the counties of Randolph, Alamance and Cumberland, shall constitute a quorum in certain cases; which was read the first time, and passed.

On motion, the rules were suspended, and said bill read the second and third time; amended, on the several motions of Messrs. Wilder and Walker, by extending its provisions to the counties of Wake and Mecklenburg; passed its third reading as amended, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

A bill empowering the county court of Yadkin, to appoint superintendents of common schools &c; which was read the first time, passed, and referred to the committee on education and the literary fund.

A bill to prevent the felling and putting of timbers in Haw river, and the Great Alamance river in the county of Alamance; which was read the first time, and passed.

A bill to pay the wardens of the poor in the counties of Alamance and Duplin; which was read the first time, and passed.

A bill to encourage the killing of wolves in Jackson county;
which was read the first time, passed, and referred to the committee on propositions and grievances.

A bill concerning Haw river in Alamance county; which was read the first time, passed, and referred to the committee on propositions and grievances.

A bill to authorise the county court of Henderson, to sell and convey lands owned by the county, which was read the first time, passed, and referred to the committee on the judiciary.

A bill to incorporate the Wilmington Steam Tug Company, which was read the first time, passed, and referred to the committee on corporations.

A bill for the better regulation of the town of Franklinsville, in the county of Randolph, which was read the first time, passed, and referred to the committee on corporations, and

A bill to amend the several acts chartering the Asheville and Greenville Plankroad Company, which was read the first time, passed, and referred to the committee on internal improvements.

Received a message from the House of Commons, transmitting a communication from the late Governor, relative to the public buildings, which was read, and referred to the committee on public buildings.

Also, a message informing that the House branch of the committee on enrolled bills for the present week, consists of Messrs. Shepherd, Phillips, Bullock, Vance and White of Gaston.

And that the House branch of the select committee on public buildings, consists of Messrs. Whitlock, Mebane, Lyon, Cook and Hill.

The bill to incorporate Glen Anna Female Seminary, in the county of Davidson, was read the third time, passed, and ordered to be engrossed.

A message was received from the House of Commons, informing that the House has passed the following engrossed bills, in which, it asks the concurrence of the Senate, viz:

A bill to amend an act of the session of 1852, entitled an act concerning the place of trial for civil process before justices of the peace, which was read the first time, and passed; and the rules being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

A bill to appoint commissioners to view and lay off a public
road in Rowan county, from Salisbury to the junction of the Statesville and Wilkesboro' road, which was read the first time, and passed.

A bill to provide for the improvement of the road leading from the Wilkes county line, by way of Meat Camp creek, to the Tennessee line, at or near Welsh's Store, which was read the first time, and passed, and referred to the committee on internal improvements, and

A bill to incorporate the town of Newton, in the county of Catawba; which was read the first time, passed, and referred to the committee on corporations.

The bill to incorporate the Gardner Hill Mining Company, was read the second time, the amendment reported by the committee agreed to, and the bill passed its second reading, as amended.

The bill to amend and continue in force an act to incorporate the Burrowdale Mining and Transportation Company, was read the second time, the amendments reported by the committee agreed to, and the bill passed its second reading, as amended.

Received a message from the House of Commons, transmitting a communication from the late Governor, accompanied by the annual report of the board of internal improvements.

On motion, the report was referred to the committee on internal improvements, and ordered to be printed.

The bill to establish and lay off a public road in the county of Ashe, was read the second time and passed, (the rules being suspended,) said bill was read the third time, passed, and ordered to be engrossed.

On motion by Mr. Biggs, the rules were suspended, and the following bills read the second and third time, passed, and ordered to be engrossed, under the 7th joint rule, viz:

The bill concerning fences;
The bill concerning forcible entry and detainer;
The bill concerning gaming contracts;
The bill concerning habeas corpus; and
The bill concerning Governor and council.

On motion by Mr. Christian, the bill concerning the Fayetteville and Centre Plankroad Company was now taken up, and made the special order of the day for the 6th day of January next.
Mr. Ashe presented a memorial in relation to the traffic in ardent spirits; which was referred to the committee on propositions and grievances.

On motion by Mr. Walker, the Senate now adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, JANUARY 3, 1855.

A message was sent to the House of Commons, announcing that the Senate has passed the following engrossed bills, in which it asks the concurrence of the House, viz:

A bill concerning Governor and council;
A bill concerning habeas corpus;
A bill concerning gaming contracts;
A bill concerning forcible entry and detainer;
A bill concerning fences;
A bill concerning evidence;
A bill concerning divorce and alimony;
A bill concerning executions;
A bill concerning deeds and conveyances;
A bill concerning executors and administrators; and
A bill concerning Fairs.

Mr. Herring presented a memorial from sundry citizens of Duplin county, praying for authority to raise funds by lottery to complete certain works of internal improvements, which was referred to the committee on internal improvements.

The Speaker announced that Messrs. Boyd, Graham, Biggs, Ashe and Fisher, constitute the select committee on Mr. Bower's resolution of yesterday.

Mr. Eaton, from the committee on the Revised Statutes, reported the following bills and recommended their passage, viz:

A bill concerning guardian and ward;
A bill concerning husband and wife;
A bill concerning idiots and lunatics;
A bill concerning infamous persons; and
A bill concerning inspections;
Which said bills were severally read the first time and passed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill to encourage the killing
of wolves in Jackson county, reported the same back to the Senate and recommended its passage.

Mr. Boyd, from the same committee, to whom was referred the bill to emancipate Martha, Calvin, and others, reported the same back to the Senate and recommended its rejection.

Mr. Boyd, from the same committee, to whom was referred a petition to emancipate Handy, Polly, and Louisa, reported adversely on the same.

Mr. Boyd, from the same committee, to whom was referred the bill to emancipate James G. Hostler, a slave, reported the same back to the Senate and recommended its passage.

A message was received from the House of Commons transmitting a report from the directors of the deaf, dumb, and blind institute, &c., with a proposition to print the same. Concurred in.

Received a message from the House of Commons transmitting the resignation of D. D. Campbell, a justice of the peace of Columbus county, which was read and accepted.

The same message stated that Mr. Whitlock is excused from serving on the committee on public buildings, and Mr. Rand appointed in his place.

Mr. Mitchell introduced a bill to incorporate the trustees of New Institute, in Iredell county, which was read the first time, passed, and by motion of Mr. Cunningham, referred to the committee on education and the literary fund.

Also a bill to incorporate the town of New Institute in the county of Iredell, which was read the first time and passed.

Mr. Wilder introduced a resolution in favor of Wm. Thompson, which was read the first time and passed, and referred to the committee on claims.

The bill to incorporate the Gardner Hill Mining Company was read the third time, passed, and ordered to be engrossed.

Mr. Hoke introduced a bill in relation to prosecution bonds, which was read the first time, passed, and referred to the committee on the judiciary.

The bill to amend and continue in force an act to incorporate the Burrowdale Mining and Transportation Company was read the third time, passed, and ordered to be engrossed.

The engrossed bill to pay the wardens of the poor in the coun-
ties of Alamance and Duplin was read the second time and passed; the rules being suspended said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to prevent the felling and putting timber in Haw river and the Great Alamance river, in the county of Alamance, was read the second time, and by motion, referred to the committee on the judiciary.

The engrossed bill concerning public roads in the county of Watauga, was read the second time, and passed; under a suspension of the rules, said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to appoint commissioners to view and lay off a public road in Rowan county, was read the second time, and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The rules being suspended, the following bills were read the second and third time, passed, and ordered to be engrossed, under the 7th joint-rule, viz:

- The bill concerning inspections;
- The bill concerning guardian and ward;
- The bill concerning husband and wife; and
- The bill concerning infamous persons.

On motion by Mr. Cunningham,

Resolved, That the committee on the Revised Statutes, be instructed to enquire into the expediency of amending the common school law, by providing that, if after the purchase or condemnation of land for school purposes, the school committee see fit to remove the school, then the original owner of the land, or his vendee, shall have the right to take the land at the original price, with the privilege to the committee of removing the building or other improvements.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill, and recommended its passage, viz:

A bill concerning the General Assembly, which was read the first time, and passed.

On motion, the rules were suspended, and said bill read the second time, and passed.

On motion by Mr. Bower,

Ordered, That the bill be laid upon the table.
Mr. Gilmer introduced a bill to incorporate the Greensborough Mining and Manufacturing Company, which was read the first time, and passed.

On motion by Mr. Mitchell, the Senate now took up for consideration, the bill to emancipate Martha and others; the bill was read the second time, and the question, Shall the bill pass its second reading? was determined in the negative; yeas 3, nays 32.

Mr. Eborn demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

The engrossed bill to encourage the killing of wolves in Jackson county was read the second time and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be enrolled.

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

THURSDAY, January 4, 1855.

A message was sent to the House of Commons announcing that the Senate has passed the following engrossed bills, in which it asks the concurrence of that body, viz:

A bill concerning inspections;
A bill concerning infamous persons;
A bill concerning husband and wife; and
A bill concerning guardian and ward.

Mr. Fennell, from the committee on corporations, to whom was referred the bill to incorporate the town of Newton, in the county of Catawba, reported the same back to the Senate and recommended its passage.

Mr. Fennell presented a memorial on the subject of temperance, which was referred to the committee on propositions and grievances.

Mr. Boyd, from the committee on propositions and grievances,
to whom was referred the bill to emancipate Crecey, a slave, reported the same back to the Senate and recommended its rejection.

On motion by Mr. Eaton, leave of absence was granted to the Senator from Duplin, from and after to-day until Wednesday next.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Wilmington Steam Tug Company, reported the same back to the Senate and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Gillis Copper Mining Company, reported the same back to the Senate and recommended its passage.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, to wit:

A bill concerning internal improvements;
A bill concerning names;
A bill concerning mad dogs;
A bill concerning limitations;
A bill concerning landlord and tenant;
A bill concerning justices of the peace;
A bill concerning mines;
A bill concerning oysters and fish;
A bill concerning overseers;
A bill concerning officers;
A bill concerning oaths;
A bill concerning members of Congress;
A bill concerning militia; and
A bill concerning notaries; which were severally read the first time and passed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill concerning Haw river, in Alamance county, reported the same back to the Senate, and recommended its passage.

Mr. Martin presented the resignation of James Rierson, a justice of the peace for Stokes county; which was read and accepted, and sent to the House of Commons.
Received a message from the House of Commons, transmitting the resignation of sundry justices of the peace; which were read and accepted.

Mr. Mitchell introduced a bill to appoint commissioners to survey and alter the road from Wilkesboro' to Lenoir, in Caldwell county; which was read the first time and passed; under a suspension of the rules, said bill was read the second and third time and passed, and ordered to be engrossed.

The bill to make indictable certain offences, was read the second time and rejected.

Mr. Tayloe introduced a bill to incorporate the Pamlico and Albemarle Insurance Company; which was read the first time and passed, and referred to the committee on corporations.

The bill to incorporate New Institute in the county of Iredell, was read the second time, amended and passed. On motion by Mr. Mitchell, the rules were suspended, and said bill read the third time, passed, and ordered to be engrossed.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning frauds and fraudulent conveyances; and
A bill concerning legacies; which were read the first time and passed; the rules being suspended, said bills were read the second and third time, passed, and ordered to be engrossed, under the 7th joint rule.

The engrossed bill to incorporate the Wilmington Steam Tug Company;

The engrossed bill concerning Haw river in Alamance county; and
The engrossed bill to incorporate the town of Newton in Catawba county, under a suspension of the rules, were severally read the second and third time, passed, and ordered to be enrolled.

The bill to incorporate the Gillis Copper Mining Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

On motion by Mr. Cuningham,

Resolved, That the joint select committee on military affairs, be instructed to enquire into the expediency of abolishing the
militia laws, so far as they relate to the training and mustering of the militia, and of making provision simply for the enrollment of those now liable to muster, and that they report by bill or otherwise.

Received a message from the House of Commons, announcing that they have passed the following engrossed bill and resolutions, in which they ask the concurrence of the Senate, viz:

A bill to authorize gates across the public road in Green River Cove, in Henderson county; which was read the first time and passed, and referred to the committee on propositions and grievances.

A resolution in favor of Darling Rushing, late sheriff of Union county, which was read the first time, passed, and referred to the committee on propositions and grievances.

A resolution in favor of Robert Martm, of Cherokee county, which was read the first time, passed, and referred to the committee on propositions and grievances.

A resolution in favor of E. D. Davis;
A resolution in favor of S. W. Chadwick; and,
A resolution in favor of Thomas I. Judkins, which were severally read the first time, passed, and referred to the committee on claims.

The engrossed bill to regulate the floating of timber on the Roanoke river, was read the second time.

The first amendment reported by the committee was read, and agreed to.

The second amendment, proposing to strike out the last section of the bill, which provides that said bill shall be in force from and after its ratification, being read,

Mr. Biggs moved to amend the bill, by providing that the same shall be in operation from and after thirty days from its ratification, which amendment was agreed to; and the question being taken on striking out the last section of the bill, as recommended by the committee, the same was disagreed to.

So the bill passed its second reading as amended.

Received a message from the House of Commons, concurring in the amendment of the Senate, to the engrossed bill declaring what number of justices of the peace, shall constitute a quorum for business in Alamance, &c; ordered that the bill be enrolled.
Received a message from the House of Commons, stating that they have passed the following engrossed bill with an amendment, in which they ask the concurrence of the Senate, viz:

A bill to authorise the court of pleas and quarter sessions of Craven, Nash, &c., to pay wardens of the poor.

The amendment was agreed to, and a message sent to the House of Commons, informing thereof.

The bill concerning mad dogs;
The bill concerning members of Congress;
The bill concerning landlord and tenant;
The bill concerning names;
The bill concerning mines;
The bill concerning overseers;
The bill concerning officers;
The bill concerning oysters and fish; and,
The bill concerning notaries,

Under suspension of the rules, were severally read the second and third time, passed, and ordered to be engrossed, under the 7th joint rule.

On motion by Mr. Cunningham,

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

FRIDAY, January 5, 1855.

A message was sent to the House of Commons, announcing that the Senate had passed the following engrossed bills, and asks the concurrence of the House therein, viz:

A bill concerning frauds, &c;
A bill concerning legacies;
A bill concerning names;
A bill concerning mines;
A bill concerning officers;
A bill concerning oysters;
A bill concerning notaries;
A bill concerning mad dogs;
A bill concerning members of Congress;
A bill concerning overseers; and,
A bill concerning landlord and tenant.

Mr. Fisher introduced a memorial from sundry citizens of Da-
vie county, concerning the navigation of the Yadkin river; which was referred to the committee on internal improvements.

Mr. Freeman, a memorial on the subject of temperance; which was referred to the committee on propositions and grievances.

Mr. Drake, from the committee on claims, to whom was referred the engrossed resolution in favor of William Thompson; and the engrossed resolution in favor of Saml. W. Chadwick, reported the same back to the Senate, and recommended their passage.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to amend the several acts, chartering the Ashville and Greenville Plankroad Company, reported the same back to the Senate, and recommended its passage.

Mr. Fisher, from the same committee, to whom was referred the bill to incorporate the Salem and Clemmonsville Plankroad Company; reported the same back to the Senate, and recommended its passage.

Mr. Fisher, from the same committee, to whom was referred the engrossed bill to provide for the improvement of the road leading from the Wilkes county line, by way of Meat Camp creek, to the Tennessee line, at or near Welch's Store; reported the same back to the Senate, and recommended its passage.

Mr. Wilder introduced a bill to amend an act, entitled an act, to incorporate the Neuse River Manufacturing Company, at the Great Falls of Neuse, in the county of Wake; which was read the first time, and passed; on motion the rules were suspended, and the bill read the second and third time; passed, and ordered to be engrossed.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Newbern Mutual Insurance Company, reported the same back to the Senate, and recommended its passage.

Mr. Hoke, from the committee on the judiciary, to whom was referred a memorial on the subject, reported a bill for the better regulation of the town of Hillsboro; which was read the first time, and passed.

Mr. Fisher introduced a bill to incorporate the Scotch Ireland Lodge, No. 11, of Ancient York Masons; which was read the first time, passed, and referred to the committee on corporations.

On motion by Mr. Graham, the Senate now took up for con-
consideration, the bill to incorporate the McLever Coal Mining Company; which was read the second time, amended and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning literary fund and common schools;
A bill concerning marriage;
A bill concerning slander of women;
A bill concerning money remaining in the hands of clerks, &c;
A bill concerning public documents;
A bill concerning public printing; and,
A bill concerning mills and millers; which said bills were severally read the first time, and passed; and by motion, the rules were suspended, and said bills read the second and third time, passed, and ordered to be engrossed under the 7th joint rule. Also,
A bill concerning strays;
A bill concerning wrecks;
A bill concerning official bonds;
A bill concerning pensions;
A bill concerning public arms;
A bill concerning pistols;
A bill concerning public library;
A bill concerning quarantine and health; and,
A bill concerning rivers and creeks; which said bills were severally read the first time, and passed.

Mr. Biggs, to whom was referred the resolution to inquire into the expediency of amending the school law, reported that the committee had made the said amendment.

A message was received from the House of Commons, asking the concurrence of the Senate in the following engrossed bills and resolutions, viz:

A bill to amend the act incorporating the town of Plymouth, which was read the first time and passed.
A bill to authorize the collection of arrearages of taxes in Jackson county, which was read the first time and passed, and referred to the committee on propositions and grievances.
A bill to amend an act passed at the session of 1850-'51, entitled an act for the better regulation of the town of Wilson, in
the county of Edgecombe, which was read the first time, passed, and referred to the committee on propositions and grievances.

A bill to amend the charter of the Western Plankroad Company, which was read the first time, passed, and referred to the committee on corporations.

A bill to prevent the ranging of cattle in Yancey county, which was read the first time, passed, and referred to the committee on the judiciary.

A bill to number the west regiment of Madison county, which was read the first time and passed; on motion the rules were suspended, and said bill read the second and third time, passed, and ordered to be enrolled.

A resolution in favor of Warren Winslow, which was read the first time and passed; and the rules being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

The resolution in favor of William Thompson, and

The resolution in favor of Samuel W. Chadwick, were severally read the second time and passed; the rules being suspended, said resolutions were read the third time, passed, and ordered to be enrolled.

The bill to amend the several acts chartering the Asheville and Greenville Plankroad Company was read the second time; and the rules being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The bill to incorporate the Salem and Clemmons Plankroad Company, was read the second time and passed.

The bill to provide for the improvement of the road leading from the Wilkes county line, by way of Meat Camp Creek at or near Welch's store, was read the second time and passed.

A message was sent to the House of Commons informing that the Senate has passed the following engrossed bills, in which it asks the concurrence of that House, viz:

A bill to amend and continue in force an act to incorporate the Burrowdale Mining and Transportation Company;

A bill to incorporate Glen Anna Female Seminary;

A bill to lay off and establish a public road in the county of Ashe;

A bill to incorporate the Garden Hill Mining Company; and
A bill to incorporate the McCulloch Copper and Gold Mining Company.

Mr. Mitchell introduced a bill to appoint commissioners to view and alter the public road between Wilkesborough and Trap Hill, in Wilkes county, which was read the first time and passed.

The hour of 12 o'clock having arrived the Speaker announced the special order, viz:

The bill to lay off and establish a new county by the name of Vernon; after debate, on motion by Mr. Hoke, the further consideration of the bill was postponed, and made the special order of the day for to-morrow 11 o'clock, A. M.

The bill to amend an act to define the duties and powers of plankroad companies was read the second time, the amendments reported by the committee agreed to, and the bill passed its second reading, as amended.

Received a message from the House of Commons, stating that the House has passed the engrossed bill concerning criminal proceedings, with the following amendments, viz:—strike out after the word “dead,” in the 12th line of the 1st section, the words “or hath removed from the State,” in which it asks the concurrence of the Senate; which said amendment was disagreed to, and the House of Commons informed thereof by message.

Received a message from the House of Commons, stating that the House had passed the engrossed bill to incorporate the Yadkin Plankroad Company, with sundry amendments, and asks the concurrence of the Senate therein.

On motion, the bill and amendments were referred to the committee on internal improvements.

The engrossed bill to regulate the floating of timber in the Roanoke river, was read the third time and passed, and a message sent to the House of Commons asking its concurrence in the Senate's amendment thereto.

Mr. Wilder introduced the following resolution, viz:

Resolved, That the sum of four thousand dollars is hereby appropriated to purchase furniture for the Governor's residence, and the improvement of the buildings and enclosures of the same, to be made under the direction of the Governor.

The resolution was read the first time, passed, and referred to the committee on public buildings.
Mr. Drake presented the resignation of John W. Perry, a justice of the peace for the county of Nash; which was read and accepted, and sent to the House of Commons.

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

SATURDAY, January 6, 1855.

A message was sent to the House of Commons, announcing that the Senate has passed the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill concerning literary fund and common schools;
A bill concerning marriages;
A bill concerning slander of women;
A bill concerning money remaining in the hands of clerks, &c.;
A bill concerning public documents;
A bill concerning public printing; and
A bill concerning mills and millers.

Mr. Drake, from the committee on claims, to whom was referred the engrossed resolution in favor of Thomas I. Judkins, late sheriff of the county of Warren, reported the same back to the Senate, and recommended its passage.

Mr. Drake from the same committee, to whom was referred the memorial of Betts, Pusey and Harlan, reported adversely on the same, and asked to be discharged from the further consideration of the same. Discharged accordingly.

Mr. Mills presented the petition of sundry citizens of Cleveland and Gaston counties, to discontinue a public road, which was referred to the committee on propositions and grievances.

Mr. Biggs, from the joint select committee, to whom was referred a resolution on the subject, reported a joint resolution, to divide the State into eight judicial circuits; which, by motion, was made the order of the day for Monday next, at the hour of 11 o'clock.

Mr. Biggs, from the committee on propositions and grievances, to whom was referred the bill concerning the salaries of certain officers, reported the same back to the Senate, with amendments.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, to wit:

The bill to lay off and establish a new county by the name of
Vernon; and the question recurring on the passage of the bill on its second reading, it was determined in the negative; yeas 16, nays 24.

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

Those who voted in the negative, are,
So the bill was rejected.

On motion by Mr. Wilder, the committee on banking, was discharged from the further consideration of the bill to create a bank in the town of Wilmington.

Mr. Wilder, from the committee on banking, to whom was referred the memorials from the county of Orange, praying for the establishment of a bank in the town of Hillsboro', reported the same back to the Senate, and asked to be discharged from the further consideration of the same. Discharged accordingly.

Mr. Wilder, from the same committee, to whom was referred the bill to incorporate the bank of Greensboro', reported the same back to the Senate, and recommended that it do not pass.

Mr. Lane introduced a bill for the better regulation of the poor of the county of Randolph, which was read the first time, and passed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed resolution in favor of Darling Rushing, reported the same back to the Senate, and recommended its rejection.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate the Greensboro' and Martin’s Lime Kiln Plankroad Company, reported the same back to the Senate, with amendments.

Mr. Gilmer presented a memorial from the citizens of Elizabeth City, in Pasquotank county, praying for the repeal of the 18th section of the act of last session, for the better regulation of that
town, which was referred to the committee on propositions and grievances.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning prisons;
A bill concerning patrol; and,
A bill concerning partition.

Which were severally read the first time, and passed.

Received a message from the House of Commons, transmitting the following engrossed bills and resolution, and asking the concurrence of the Senate therein, viz:

A resolution concerning a flag, which was read the first time, and passed; the rules being suspended, the resolution was read the second time, and passed.

A bill to incorporate two academies in Ashboro', which was read the first time, and passed, and referred to the committee on corporations.

A bill to incorporate the Alamance and Caswell Plankroad Company, which was read the first time, passed, and referred to the committee on internal improvements.

A bill in favor of Wm. N. Brooks, &c., which was read the first time, passed, and referred to the committee on propositions and grievances.

A bill to amend the 7th section of an act, entitled an act to establish a bank in the town of Washington, in the county of Beaufort, which was read the first time, passed, and referred to the committee on banking.

A bill to incorporate the town of Lenoir, &c., which was read the first time, passed, and referred to the committee on corporations.

A bill appointing commissioners in Watauga and Yancey counties, to lay off a public road from the Tennessee line to the line of McDowell county; which was read the first time, passed, and referred to the committee on internal improvements;

A bill to provide for the better regulation of the town of Louisburg, &c; and,

A bill to incorporate a Mutual Insurance Fire Company in the town of Charlotte.

The bill to amend the act incorporating the town of Plymouth, was read the second time, and passed, and referred to the committee on finance.
Mr. Boyd, from the committee on finance, to whom was referred the bill to provide for a more uniform valuation of the lands in the State, and that the taxes be listed, levied and collected in the same year, &c; reported the same back to the Senate, and recommended its passage.

Ordered, That said bill be made the special order of the day for Tuesday next, at the hour of 11 o'clock.

The bill in relation to the town of Hillsboro; and,

The bill to incorporate the Newbern Mutual Insurance Company, were severally read the second time, and passed.

The bill to appoint commissioners to view and alter the road from Wilkesboro to Trap Hill, in Wilkes county; was read the second time, and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:

The bill concerning the Fayetteville and Centre Plankroad Company.

The Senate thereupon proceeded to the consideration of the said bill, and resolved itself into a committee of the whole, Mr. Boyd in the Chair; and after some time spent therein, the Speaker resumed the Chair, and the Chairman reported the said bill to the Senate, with the following amendment, viz:

Insert in section 5th, line 7th, after provided, "that said bonds shall not be sold for less than par," and recommended its passage.

The amendment was adopted, and the bill passed its second reading, as amended.

Mr. Speight moved to reconsider the vote; by which was rejected the bill to lay off and establish a new county by the name of Vernon.

On motion by Mr. Hoke, the motion to reconsider was laid on the table.

The bill concerning the salaries of certain officers, was read the second time.

The question being upon agreeing to the first amendment proposed by the committee, viz:

Strike out semi-annually, in the 5th line of the 1st section.

The same was agreed to.
The second amendment, proposing to strike out fifteen and insert twelve hundred and fifty dollars, as the salary of the comptroller, was also agreed to.

The third amendment, proposing to strike out all in relation to the Judges, was rejected.

The fourth amendment was also disagreed to.

Mr. Fisher moved further to amend the bill, so as to allow the Secretary of State a clerk, at a salary of five hundred dollars, which said amendment was rejected.

Mr. McClees, moved to amend the bill by inserting the following as an additional section, viz:

That the pay of the members of the present General Assembly be increased to $4 per diem, in lieu of $3; and that of Speaker to $6, in lieu of $4.

The question being taken on said amendment, it was decided in the negative; yeas 5, nays 39.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


So the amendment was rejected.

Mr. Christian now moved to amend the bill by striking out all except so much of the same as relates to the public treasurer.

And the question recurring on the adoption of said amendment it was decided in the negative; yeas 18, nays 25.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

So the amendment was lost.

The question now recurring on the passage of the bill, its second reading as amended, it was determined in the negative; yeas 20, nays 23.

Mr. Drake demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

So the bill was rejected.

Received a message from the House of Commons transmitting a memorial from the citizens of the town of Wilmington petitioning for aid to complete the Cape Fear and Deep river improvements, with a proposition to print the same.

Concurred in; and the House of Commons informed thereof by message.

On motion by Mr. Hoke the Senate adjourned until half past three o’clock, P. M.

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Half past three o’clock.

Mr. Faison, who voted with the majority on the question rejecting the bill concerning the salaries of certain officers, moved that the Senate do now reconsider that vote. The question on this motion was decided in the affirmative, and on motion, said bill was made the special order of the day for Friday next, at the hour of 11 o’clock.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills and recommended their passage, viz:

A bill concerning ordinaries and inns, and
A bill concerning poor, which bills were read the first time and passed; and the rules being suspended, said bills were severally read the second and third time, passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning public arms;
The bill concerning official bonds;
The bill concerning pensions;
The bill concerning public library;
The bill concerning rivers and creeks;
The bill concerning strays;
The bill concerning patrol; and
The bill concerning prisoners, were severally read the second time and passed; and the rules being suspended, said bills were severally read the third time, passed, and ordered to be engrossed under the 7th joint rule.

Mr. Thomas of Jackson, introduced a resolution in favor of Walter Gwynn; which was read the first time and passed.

Received a message from the House of Commons, informing that they have passed the engrossed resolution concerning the Cape Fear and Deep River Navigation Company, with an amendment, in which they ask the concurrence of the Senate.

On motion by Mr. McDowell,

Ordered, That the resolution and amendment be laid upon the table.

A message was sent to the House of Commons, announcing that the Senate have passed the following engrossed bills and resolution, and ask the concurrence of the House in the same, viz:

A bill to incorporate the McIver Coal Mining Company;
A bill to amend an act, entitled an act to incorporate the Neuse River Navigation Company, at the Great Falls of Neuse river, in the county of Wake; and
A resolution in favor of William Thompson.

The Senate, in pursuance of the joint order heretofore made, now proceeded to the appointment of justices of the peace for the several counties in the State.

Several recommendations for justices of the peace were read and accepted, and ordered to be transmitted to the House of Commons.

Received a message from the House of Commons, transmit-
ting recommendations for justices of the peace for sundry counties; which were read and accepted.

Also a message from the House of Commons, informing that they had accepted the recommendation of certain persons as justices of the peace for the county of Pitt, and asking the concurrence of the Senate.

Mr. Eborn moved that said recommendations be laid on the table.

This question was decided in the negative; yeas 16, nays 19.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


The question on concurring in the recommendations of the House was now taken up, and determined in the affirmative; yeas 18, nays 16.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


On motion by Mr. Davis, the Senate adjourned until Monday morning 10 o'clock.

MONDAY, JANUARY 8, 1855.

The Speaker announced that the Senate's branch of the committee on enrolled bills for the present week, consists of Messrs. Haughton, Brogden and Oldfield.

Mr. Fonville introduced a resolution concerning white persons congregating with negroes at night, eating, drinking and dancing,
which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Drake introduced a bill to amend the charter of the town of Nashville, which was read the first time, and passed.

The engrossed bill to provide for the better government of the town of Louisburg, in Franklin county; and,

The engrossed bill to incorporate the Mutual Insurance Fire Company, in the town of Charlotte, were severally read the first time, and passed, and the last mentioned bill referred to the committee on corporations.

The hour of 11 o’clock having now arrived, the Speaker announced the special order of the day, viz:

The joint resolution to divide the State into eight judicial circuits; the resolution being read, sundry amendments were proposed thereto.

Whereupon, by motion, the said resolution and amendments were laid upon the table, and ordered to be printed.

On motion by Mr. Biggs, said resolution and amendments, were made the special order of the day for Thursday next, at the hour of 11 o’clock.

A message was received from the House of Commons, informing that they have passed the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to amend the charter of the town of Charlotte, which was read the first time, and passed.

A bill to incorporate the Little River Company; and,

A bill to incorporate the East Fork Turnpike Company.

The bill to incorporate the Howard's Gap Turnpike Company, was read the second time, amended, and passed.

The bill for the better regulation of the poor in the county of Randolph, was read the second time and passed.

The engrossed bill to incorporate two academies in the town of Ashboro', was read the second time, and passed.

The engrossed resolution in favor of Thos. I. Judkins, late sheriff of the county of Warren, was read the second time, and passed, and the rules being suspended, said resolution was read the third time, passed, and ordered to be enrolled.

The engrossed resolution in favor of Darling Rushing, late sheriff of Union county, was read the second time, and rejected.
The bill to incorporate the Washington Savings Institute of Beaufort county, was read the third time, amended and passed.

Ordered, That said bill be engrossed.

Mr. Cherry introduced a bill to repeal an act of the General Assembly, passed at its session of 1848-9, chapter 143; which was read the first time, passed and referred to the committee on propositions and grievances.

Mr. Ashe introduced a bill to incorporate the Anson Institute; which was read the first time, and passed.

The resolution in favor of Walter Gwynn was read the second time, and referred to the committee on claims.

The engrossed resolution concerning a flag, was read the third time, and on motion by Mr. Coleman, referred to a select committee of three.

Whereupon, Messrs. Coleman, Rayner and Ashe, were appointed said committee.

A message was sent to the House of Commons, announcing that the Senate had passed the following engrossed bills, (Revised Statutes,) in which they ask the concurrence of that body, viz:

A bill concerning poor;
A bill concerning public library;
A bill concerning ordinaries and inns;
A bill concerning prisoners;
A bill concerning patrol;
A bill concerning strays;
A bill concerning rivers and creeks;
A bill concerning public arms;
A bill concerning pensions; and,
A bill concerning official bonds.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to amend the constitution of the State of North Carolina—and the same being read the second time,

Mr. Ashe moved the following amendment as a substitute for the first section of the bill, viz:

"Every free white man of the age of twenty-one years, being a citizen of the United States, who has been an inhabitant of the State for twelve months immediately preceding the day of any election, and shall have paid public taxes, shall be entitled to
vote for a member of the Senate for the district in which he resides."

Whereupon the Senate resolved itself into a committee of the whole, Mr Boyd in the chair, to take into consideration the said bill and amendment; and after some time spent therein, the Speaker resumed the chair, and the chairman reported said bill and amendment back to the Senate, and asked to be discharged from their further consideration. Discharged accordingly.

The question now recurred on the amendment of Mr. Ashe, whereupon, the same was withdrawn.

Mr. Haughton now moved to amend the bill by adding the following proviso to the first section of the same, viz:

"Provided, however, That no foreigner, unless he shall have paid public taxes, and shall have been naturalized according to the laws of the United States, now in force, or that may hereafter be passed in pursuance of the constitution of the United States, shall be allowed to vote either for a member of the Senate or House of Commons."

The question on which said amendment was determined in the affirmative; yeas 26, nays 23.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the amendment was agreed to.

Mr. Thomas, of Jackson, moved that the Senate do now adjourn until 4 o'clock P. M.

Mr. Gilmer moved to amend the motion of Mr. Thomas, by striking out 4 o'clock P. M., and inserting to-morrow morning 10 o'clock; which amendment was lost; yeas 4, nays 44.

Mr. Thomas, of Davidson, demanded the yeas and nays.
Those who voted in the affirmative, are,  

Those who voted in the negative, are,  

The question now recurred on the motion of Mr. Thomas of Jackson, that the Senate adjourn until 4 o'clock this evening.

And the question being taken thereon, it was determined in the negative; yeas 2, nays 42.

Those who voted in the affirmative, are,  
Messrs. McDowell and Thomas of Jackson—2.

Those who voted in the negative, are,  

So the Senate refused to adjourn.

Mr. Gilmer now offered the following amendment, as an additional section to the bill, viz:

Be it further enacted, (three-fifths of the whole number of members of each House concurring;) That the third section of the fourth article of the amended constitution, ratified by the vote of the people, on the second Monday of November, A. D. 1835, be repealed, and that the following be inserted in its stead:

Taxation shall be equal and uniform throughout the State, and all property, other than slaves, shall be taxed in proportion to its value, which shall be ascertained in such manner as may be prescribed by law.

Every slave who has attained the age of twelve years, shall be assessed with a tax equal to, and not exceeding, that assessed on land of the value of three hundred dollars; slaves under that age,
shall not be subject to taxation, and other taxable property may be exempted from taxation, by the vote of a majority of the whole number of members elected to each House of the General Assembly.

A capitation tax, equal to the tax assessed on land of the value of three hundred dollars, shall be levied on every white male inhabitant, between the ages of twenty-one and forty-five years; but nothing herein contained, shall prevent exemptions of taxable polls, in cases of bodily infirmity, or prevent taxes on incomes, salaries and licences.

And the question being taken on said amendment, it was determined in the negative; yeas 11, nays 37.

Mr. Thomas, of Davidson, demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Christian, Davis, Freeman, Gilmer, Graham, Haughton, Lane, Morisey, Rayner and Thomas of Davidson—11.

Those who voted in the negative, are,


So the amendment was lost.

The question now recurred on the passage of the bill its second reading as amended, and was determined in the affirmative, three-fifths of the whole number of Senators having voted in its favor.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

On motion by Mr. Boyd the bill was now taken up and made the special order of the day for Wednesday next, at 12 o'clock, M.

Received a message from the House of Commons announcing that their branch of the committee on enrolled bills for the present week consists of Messrs. Phillips, Yancey, Caldwell of Rowan, Meares, and Selby.

By the same message was also transmitted the resignation of John L. Goodwin, a justice of the peace, which was read and accepted.

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

TUESDAY, January 9, 1855.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate the Western North Carolina Railroad Company, reported the same back to the Senate, with sundry amendments.

Ordered, That said bill be made the special order of the day for to-morrow, at the hour of 11 o'clock.

Mr. Fisher, from the same committee, to whom was referred the bill to charter the Fayetteville and Greensboro' Railroad Company, reported the same back to the Senate with amendments.

On motion, said bill was made the special order of the day for Thursday next, at the hour of 12 o'clock, M.

Mr. Fisher, from the same committee, to whom was referred the bill to incorporate the Dan River and Yadkin Railroad Company, reported the same back to the Senate with amendments.

On motion, said bill was made the special order of the day for Monday next, at the hour of 11 o'clock.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial from the citizens of Elizabeth City and others, praying for the repeal of the 18th section of the act of last session, for the better regulation of said town, reported adversely thereon, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Boyd, from the same committee, to whom was referred the engrossed bill to authorise the collection of arrearages of taxes in
Jackson county, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the same committee, to whom was referred the bill to repeal an act of the General Assembly, passed at its session of 1848–'9, chapter 143, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the same committee, to whom was referred a resolution in favor of E. D. Davis of Jackson county, reported the same back to the Senate, and recommended its passage.

Mr. Clark from the committee on education and the literary fund, to whom was referred the resolution authorising a loan by the literary board to the Wesleyan Female College, reported the same back to the Senate, and recommended that it do not pass.

Mr. Clark, from the same committee, to whom was referred the resolution for the loan of money by the literary board, to the Clinton Female Institute in Sampson county, reported the same back to the Senate, and recommended that it do not pass.

Mr. Clark, from the same committee, to whom was referred the resolution to authorise the literary board to loan money to the Franklin Female Academy, in the county of Macon, reported the same back to the Senate, and recommended that it do not pass.

Mr. Hoke, from the committee on the judiciary, to whom was referred the engrossed bill to authorise the county court of Henderson to sell and convey lands owned by the county, reported the same back to the Senate, and recommended its passage.

Mr. Hoke, from the same committee, to whom was referred the bill in relation to prosecution bonds, reported the same back to the Senate, and recommended that it do not pass.

Mr. Hoke, from the same committee, to whom was referred the engrossed bill to prevent the felling and putting timber in Haw river and the Great Alamance in the county of Alamance, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill to authorise gates across the public road in Green River Cove in Henderson county, reported the same back to the Senate, and recommended its passage.

Mr. Wilder, from the committee on public buildings, to whom was referred the resolution in relation to the Governor's residence, reported a substitute for the same, and recommended its passage.
On motion, the Senate now proceeded to consider the same, and after debate,

Mr. Wilder moved that the same be recommitted to the committee on public buildings, with instructions to report a bill making an appropriation for the erection of a new building.

The motion prevailed; ayes 25, noes 20.

The hour of 11 o’clock having now arrived, the Speaker announced the special order, viz:

The bill to provide for the more uniform valuation of the lands within this State, and that the taxes be listed, levied and collected in the same year, and to secure a perfect enlistment of the same.

The bill was read the second time.

Mr. Graham moved to amend the same by adding the following to the 14th section, viz:

“From which determination an appeal may be taken to the superior court, as in other cases of appeal.”

The amendment was adopted.

Mr. Tayloe moved the following amendment, to be inserted after the 17th section, viz:

“Be it further enacted, That justices appointed as aforesaid, to assess the value of lands in the several districts, before returning their lists shall meet, and by comparing and conference, secure as nearly as they conveniently can, uniformity in their valuation.”

The amendment was agreed to.

On motion by Mr. Graham,

Resolved, That the bill be recommitted to the committee on finance, with instructions to inquire whether it is not expedient to adopt a plan for ascertaining the valuation of land and return of taxables generally, analogous to that adopted by Congress in 1814-’15, adopting Senatorial districts instead of Congressional districts for the apportionment of assessors, and requiring the principal assessors to meet for the purpose of equalizing the valuation throughout the State.

Received a message from the House of Commons transmitting a report from the committee on finance on the revenue bill, proposing to print one copy of the same for each member of the Legislature.

The proposition was concurred in.
The hour of 12 o’clock having arrived, the Speaker announced the special order, to wit:

The bill to re-charter the Bank of Cape Fear.

The bill was read the second time.

Mr. Hoke moved the following amendment to the first section of the same, viz., after the word “January,” in the eighth line of the printed bill, strike out “1880” and insert “1875.”

The amendment was agreed to.

Mr. Faison now moved to amend the bill by striking out the second section of the same.

Mr. Graves moved to amend the second section by striking out the same and inserting the following in lieu thereof, viz:

“Be it further enacted, That there shall be added to the capital stock of said bank five thousand shares of $100 each, and it shall be the duty of the president and directors forthwith to cause books to be opened to receive subscriptions for such additional shares, under such rules and regulations as the president and directors shall prescribe.

The amendment was adopted.

The question now recurring on the adoption of Mr. Faison’s amendment, the same was rejected.

The amendment proposed by the committee, viz., strike out the 10th section, was carried.

Mr. Coleman moved to amend the 11th section of the bill so as to make it read as follows, viz:

“That in lieu of the tax now required to be annually paid by the said bank, there shall be paid by said bank to the treasurer of the State three cents on every dollar of dividends of profits declared upon the shares of the individual stockholders by said bank during each and every year.”

The amendment was disagreed to.

The question now being on agreeing to the amendment proposed by the committee as a substitute for the 11th section, viz:

Sec. 11. Be it further enacted, That each share owned by individuals shall be subject to an annual tax of twenty-five cents, which shall be reserved out of the profits of individual stock as they accrue, by the cashier of the principal bank, and paid to the public treasurer, on or before the 1st day of October in each and every year; which tax may be increased at any time, not exceed-
ing fifty cents for each and every share, as the legislature may direct, and the exigency of the State require in equalizing taxation.

Mr. Graves moved to amend the amendment, by striking out twenty-five, and inserting thirty, in lieu thereof.

The amendment to the amendment was agreed to.

The question being now taken on the adoption of the amendment as amended, the same was decided in the affirmative.

Pending the consideration of the bill, on motion by Mr. Clark, the Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, JANUARY 10, 1855.

Mr. Wiggins introduced a bill, accompanied by a memorial, to authorise the building of a toll bridge over the Roanoke river, at the town of Halifax, and to incorporate a company for that purpose; which was read the first time, and passed, and with the memorial, referred to the committee on corporations.

Mr. Fisher, from the committee on internal improvements, to whom was referred the engrossed bill to incorporate the Yadkin Plankroad Company, reported the same back to the Senate, and recommended that the Senate concur in the amendment of the House of Commons.

The amendments were concurred in, and the House of Commons informed thereof by message.

Mr. Mills, from the committee on the Lunatic Asylum, reported a bill for completing, furnishing and enclosing the buildings and grounds of the Lunatic Asylum, which was read the first time, and passed.

Mr. Wilder, from the committee on public buildings, reported a resolution, authorising the purchase of furniture for the Executive mansion, which was read the first time, and passed; the rules being suspended,

The resolution was read the second and third time, passed and ordered to be engrossed.

On motion, Mr. Haughton was excused from serving on the committee on enrolled bills, and Mr. Morisey substituted in his place.

On motion by Mr. Boyd, the following resolution was read and adopted, viz:

WHEREAS, The opinion is entertained that the school law,
prohibiting the school committees from employing teachers, other than those who have a certificate of examination, has operated to increase their salaries to exorbitant rates; for remedy whereof, be it,

Resolved, That the committee on education and the literary fund, be instructed to enquire into the expediency of so modifying the school law, as to permit the school committees to exercise a discretionary power to employ teachers of good moral character, whom they may believe competent to teach, although they may not have a certificate of examination.

Mr. Tayloe introduced a bill, establishing a lien on steam boats, ships, and all other vessels for recovery of debts against them, and directing the proceedings thereon, which was read the first time and passed; referred to the committee on the judiciary, and ordered to be printed.

Mr. Graham introduced a bill to establish a library of documents for each house of the General Assembly, which was read the first time and passed.

Mr. Speight introduced a bill to provide for the payment of jurors in the county of Greene, which was read the first time and passed.

Mr. Wood introduced a bill to confirm a grant of land to Elijah W. Piggot and his heirs, which was read the first time and passed.

Mr. Gilmer introduced a bill to incorporate Pleasant Hill Lodge of Ancient York Masons, in the county of Alamance, which was read the first time and passed and referred to the committee on corporations.

Mr. Haughton presented a memorial on the subject of temperance, which was referred to the committee on propositions and grievances.

Mr. Lane introduced a bill to limit the time of the chairmen of the board of superintendents of common schools, which was read the first time, passed, and referred to the committee on education and the literary fund.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to incorporate the Western North Carolina Railroad Company.
On motion by Mr. Fisher the consideration of the same was postponed, and the bill made the special order of the day for Friday next, at the hour of 12 o'clock, M.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred the resolution to inquire into the expediency of amending the law respecting roads, ferries, and bridges, reported the same back to the Senate and asked to be discharged from further consideration of the subject. Discharged accordingly.

Mr. Biggs, from the same committee, reported the following bills, and recommended their passage, viz:

A bill concerning processioning;
A bill concerning seamen;
A bill concerning public debt;
A bill concerning quo warranto and mandamus;
A bill concerning religious societies;
A bill concerning replevin; and
A bill concerning registers, which said bills were severally read the first time and passed.

The Senate now proceeded to the consideration of the engrossed bill to amend an act entitled an act to define the duties and powers of turnpike and plankroad companies, which on motion by Mr. Biggs, was ordered to be laid on the table.

The engrossed bill to provide for the improvement of the road leading from the Wilkes county line, by way of Meat Camp creek to the Tennessee line, at or near Welch’s Store, was read the third time and passed; yeas 38, nays 5.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Ordered, That said bill be enrolled.
The bill to incorporate the Salem and Clemmonsville Plank-road Company, was read the third time, passed, and ordered to be engrossed.

Received a message from the House of Commons, informing that they have passed the following engrossed resolution and bills, and asking the concurrence of the Senate in the same, viz:

A resolution in relation to public treasurer;
A bill to incorporate the Chapel Hill and Morrisville Plank-road &c. Company;
A bill to enable the wardens of the poor of Pasquotank and Yancy counties to sell a portion of the poor house land;
A bill to amend an act, entitled an act to prevent the obstruction of the passage of fish in the waters of Blount's creek, &c.;
A bill to extend the time for perfecting titles to lands heretofore entered;
A bill to incorporate the Yadkin Institute, in the county of Davidson; and
A bill to amend the statute concerning widows.

The hour of 12 o'clock having arrived, the Speaker announced the special order of the day, viz:

The bill to incorporate a company to construct a Ship Canal to connect the waters of Albemarle, Currituck and Pamlico Sounds with the Chesapeake Bay, and for other purposes; the bill was read the second time.

On motion by Mr. Cherry, the blanks in the 2nd section of the bill were filled by inserting the names of the commissioners in the first part of the same, and the word five, in the thirty-fifth line of the printed bill.

Mr. Biggs moved to amend the 3rd section, by adding, after "Company," in the third line, "provided a majority of the directors shall be resident citizens of North Carolina," and to add, after the word "and" following the word "Company," "The Company." The amendments were agreed to.

Mr. Biggs now moved to strike out the 4th section of the bill.

Mr. Cherry moved to amend the 4th section, by filling the blank in the third line of the same with the word "fifty," and the blank which occurs in the sixth line, with the word "thirty." The amendments were carried.

The question now recurring on Mr. Biggs' motion to strike out
the said 4th section, it was determined in the negative; yeas 12, nays 36.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the Senate refused to strike out.

On motion by Mr. Cherry, further amendments were made to the 7th and 10th sections of the bill.

And the question now recurring on the passage of the bill on its second reading as amended, it was determined in the affirmative; yeas 43, nays 3.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


A message was sent to the House of Commons, informing that the Senate had passed the following engrossed bills and resolutions, and asking the concurrence of the House therein, viz:

A bill to incorporate the Washington Saving’s Institute in Beaufort county.

A bill to appoint commissioners to view and alter the public road between Wilkesboro’ and Trap Hill in Wilkes county; and

A resolution authorising the purchase of furniture for the Executive mansion.
On motion,
The Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, JANUARY 11, 1855.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate a plankroad from Mocksville to Wilkesboro', &c., reported the same back to the Senate, and recommended its passage.

Mr. Fisher, from the same committee, to whom was referred the bill to increase the capital stock of the Fayetteville and Western Plankroad Company, reported the same back to the Senate with amendments.

Mr. Fisher, from the same committee, to whom was referred the bill to authorise the Cape Fear and Deep River Navigation Company to issue bonds and for other purposes, made a detailed report thereon; which was ordered to be printed, and the bill made the special order of the day for Saturday next, at the hour of 12 o'clock.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred the bill concerning sheriffs' fees in certain cases, reported that the same had been provided for in the Revised Statutes; when on his motion, the said bill was ordered to be laid on the table.

Mr. Biggs, from the same committee, reported the following bills, and recommended their passage, viz:

A bill concerning roads, ferries and bridges;
A bill concerning seat of government;
A bill concerning waste;
A bill concerning vice and immorality;
A bill concerning surety and principal;
A bill concerning secretary of State; and,
A bill concerning sheriffs, which said bills were severally read the first time, and passed.

The engrossed bill to extend the time for perfecting titles to lands heretofore entered, was read the first time and passed, and the rules being suspended, the said bill was read the second and third time, and ordered to be enrolled.

The engrossed resolution in relation to the public treasurer, was read the first time, and passed.
The rules being suspended, the said resolution was read the second time.

When, on motion by Mr. Graham, the further consideration of the same was postponed until to-morrow.

Received a message from the House of Commons, informing that they had passed the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to incorporate the Chatham Railroad Company;
A bill to amend an act passed at the General Assembly in 1846-'47, entitled an act to incorporate the town of Statesville, and
A bill to authorize the erection of a court house for the county of Iredell, and other purposes.

Mr. Gilmer presented a memorial from Samuel Edwards and others, claiming bounty land or a reasonable compensation in lieu thereof, on account of the revolutionary services of their fathers, which was referred to the committee on the judiciary.

Mr. Oldfield introduced a bill to incorporate Cypress Creek Academy, in Jones county, which was read the first time, passed, and referred to the committee on corporations.

Mr. Wood a bill for the better protection of religious assemblies and societies, which was read the first time, passed, and referred to the committee on the judiciary.

The engrossed bill to amend the statute concerning widows was read the first time, passed, and referred to the committee on the Revised Statutes.

The engrossed bill to enable the wardens of the poor in the counties of Pasquotank and Yancey to sell a portion of the poor house lands was read the first time and passed.

The engrossed bill to authorize the erection of a court-house for the county of Iredell and for other purposes, was read the first time and passed; the rules being suspended, said bill was read the second and third time, amended on motion by Mr. Mitchell, and passed as amended.

Whereupon a message was sent to the House of Commons asking their concurrence in the Senate’s amendment.

The engrossed bill to incorporate the Yadkin Institute, in the county of Davidson, was read the first time and passed.

The engrossed bill to incorporate the Chapel Hill and Morrisville Plankroad, Tramroad, and Turnpike Company, was read
the first time, passed, and referred to the committee on corporations.

The engrossed bill to amend an act entitled an act to prevent the obstruction of the passage of fish in the waters of Blount's creek and its tributary stream, was read the first time, passed, and referred to the committee on propositions and grievances.

The engrossed bill to incorporate two academies in the town of Ashborough was read the third time, passed, and ordered to be enrolled.

The bill concerning the Fayetteville and Centre Plankroad Company was read the third time, amended, passed as amended, and ordered to be engrossed.

The bill for the better regulation of the town of Hillsborough was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Howard's Gap Turnpike Company was read the third time, passed, and ordered to be engrossed.

The bill for the better regulation of the poor of the county of Randolph was read the third time, passed, and ordered to be engrossed.

The bill to emancipate James G. Hostler, a slave, was read the second time.

Mr. Wiggins moved the following amendment, viz:

"Provided, nevertheless, That he shall not change his residence to any other county in the State, without first obtaining permission from the county court of the county to which he wishes to remove."

And the question being taken on said amendment, it was rejected; ayes 17, nays 30.

Mr. Wiggins demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Cherry, Clark, Cunningham, Drake, Faison, Fonville, Graves, Jones, McDowell, Morisey, Oldfield, Person, Sanders, Taylor, Wiggins and Willey—17.

Those who voted in the negative, are,


The question now recurring on the passage of the bill on its second reading, the same was determined in the affirmative.

The Senate now proceeded to the consideration of the bill to amend the constitution of the State of North Carolina.

On motion by Mr. McDowell, the said bill was referred to a select committee of three, consisting of Messrs. McDowell, Boyd and Cunningham, with instructions to report back the same to the Senate in proper form, without changing the substance of the bill.

The hour of 12 o'clock having now arrived, the Speaker announced the special order of the day, viz:—"The joint resolutions to divide the State into eight judicial circuits."

Mr. Haughton moved to strike out the first paragraph of the same, and substitute therefor, as follows, viz:

"A bill to divide the State into eight judicial circuits."

"Be it enacted, &c., That the State shall be divided into eight judicial circuits, as follows:"

The amendment was agreed to.

The bill was then read the first time and passed.

On motion, the rules were suspended, and the bill read the second time.

Whereupon, Mr. Martin moved that the same be indefinitely postponed.

Which motion was lost; yeas 18, nays 30.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,

Mr. Haughton now moved to strike out eight, and insert nine, as a further amendment to the bill.

The question being taken on agreeing to said amendment, it was determined in the negative; yeas 6, nays 40.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


The bill then passed its second reading.

On motion by Mr. Hoke, the vote by which the bill passed its second reading, was reconsidered.

Whereupon, Mr. Walker moved to amend the bill by striking out the 4th, 5th and 6th paragraphs of the 1st section, and inserting as follows, viz:

6th. Rowan, on the 1st Monday in March and September.
Stanly, on the 2nd Monday in March and September.
Anson, on the 3rd Monday in March and September.
Union, on the 4th Monday in March and September.
Cabarrus, on the 1st Monday after the 4th Monday in March and September.
Mecklenburg, on the 2nd Monday after the 4th Monday in March and September.
Gaston, on the 3rd Monday after the 4th Monday in March and September.
Lincoln, on the 4th Monday after the 4th Monday in March and September.
Catawba on the 5th Monday after the 4th Monday in March and September.
Iredell on the 6th Monday after the 4th Monday in March and September.
Davie on the 7th Monday after the 4th Monday in March and September.

7th. Yadkin, 1st Monday in March and September.

Surry, 2nd Monday in March and September.

Ashe, 3rd Monday in March and September.

Wilkes, 4th Monday in March and September.

Alexander, 1st after the 4th in March and September.

Caldwell, 2nd after the 4th in March and September.

Burke, 3rd after the 4th in March and September.

McDowell, 4th after the 4th in March and September.

Rutherford, 5th after the 4th in March and September.

Cleveland, 6th after the 4th in March and September.

8th. Cherokee, 1st Monday in March and September.

Macon, 2nd Monday in March and September.

Jackson, 3rd Monday in March and September.

Haywood, 4th Monday in March and September.

Henderson, 1st after the 4th in March and September.

Buncombe, 2nd after the 4th in March and September.

Madison, 3rd after the 4th in March and September.

Yancey, 4th after the 4th in March and September.

Watauga, 5th after the 4th in March and September.

Mr. Davis moved to amend the amendment by striking out Burke and McDowell, and inserting Watauga.

Which motion was lost.

The question now recurring on agreeing to the amendment of Mr. Walker, the same was adopted.

Mr. Christian moved to amend the 3rd paragraph of the 1st section, by striking out Moore and inserting Montgomery, and by adding Moore on the Monday before the last Monday in February and August, which said amendment was adopted.

On motion by Mr. Biggs, the bill was further amended by striking out the second paragraph of the first section, and striking out 3rd in the first line of the first paragraph, and inserting 3rd and 4th.

The bill then passed its second reading as amended; yeas 19, nays 25.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Christian, Clark, Coleman, Collins, Eaton, Faison, Freeman, Gilmer, Graham, Graves, Haugh-

Those who voted in the negative, are,


The recommendation of justices of the peace for New Hanover county was received from the House of Commons; read and concurred in.

On motion by Mr. Wilder, the Senate adjourned until to-morrow, 10 o'clock.

FRIDAY, JANUARY 12, 1855.

Mr. Wood presented a memorial on the subject of pilots, which was referred to the committee on propositions and grievances.

Mr. Morisey, from the committee on corporations, to whom was referred the bill to incorporate the Scotch Ireland Lodge, No. 11, of Ancient York Masons, reported the same back to the Senate and recommended its passage.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills and recommended their passage, viz:

A bill concerning weights and measures;
A bill concerning usury; and
A bill concerning the treasurer, which were severally read the first time and passed.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate Pleasant Hill Lodge of Ancient York Masons, in the county of Alamance, reported the same back to the Senate and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Silver Hill Mining Company, in the county of Davidson, reported the same back to the Senate and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Greensborough Mining and Manufacturing Company, reported the same back to the Senate and recommended its passage.
Mr. Clark, from the committee on education and the literary fund, to whom was referred the bill to incorporate the trustees of New Institute, in Iredell county, reported the same back to the Senate and recommended that it do not pass.

The engrossed bill to enable the wardens of the poor of Pasquotank and Yancey counties to sell a portion of the poor-house lands was read the second time and passed; and under a suspension of the rules, said bill was read the third time, passed, and ordered to be enrolled.

The bill concerning vice and immorality;

The bill concerning the seat of government; and

The bill concerning waste, were severally read the second time and passed; and the rules being suspended, said bills were read the third time, passed, and ordered to be engrossed.

The bill to confirm a grant of land to Elijah W. Piggot and his heirs was now taken up and referred to the committee on propositions and grievances.

The bill to provide for the payment of jurors in the county of Greene was read the second time, amended on motion by Mr. Willey by extending its provisions to the county of Gates, and passed its second reading as amended; the rules being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to authorize the county of Henderson to sell and convey lands owned by the county was read the second time and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to authorize gates in Green River cove, in Henderson county, was read the second time and passed; and the rules being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The bill concerning prosecution bonds, was read the second time and rejected.

The engrossed bill to authorize the collection of arrearages of taxes in Jackson county, was read the second time and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be enrolled.

Received a message from the House of Commons, informing that they have passed the engrossed bill to lay off and establish
the county of Polk, with an amendment, in which they ask the concurrence of the Senate; the amendment was agreed to, and a message sent to the House of Commons informing thereof.

The message also stated, that the House had passed the accompanying engrossed bill, viz:

A bill to incorporate the Cape Fear and Wacamaw Canal and Lumber Company in Brunswick county; in which they ask the concurrence of the Senate.

The engrossed resolution in favor of E. D. Davis, sheriff of Jackson county, was read the second time and passed; the rules being suspended, the resolution was read the third time, passed, and ordered to be enrolled.

The bill to establish a library of documents for each House of the General Assembly, was read the second time and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Greensboro' and Martin's Limekiln Plankroad Company, was read the second time, the amendments proposed by the committee agreed to, and the bill passed its second reading, as amended.

The engrossed resolution in relation to the public treasurer, was now taken up, and read the second time.

The question on the passage of the resolution on its second reading, was decided in the affirmative; yeas 41, nays 1.

Mr. Wilder demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,

Messrs. Brogden—1.

The rules being suspended, the resolution was now read the third time, passed, and ordered to be enrolled.

Received a message from the House of Commons, transmit-
ting the recommendations of sundry justices of the peace; which were read and concurred in.

The Senate now proceeded to the consideration of the bill to recharter the Bank of Cape Fear; the pending question being on agreeing to the amendment proposed by the committee, viz:

"Strike out the 12th section."

The amendment was agreed to.

On motion by Mr. Ashe, the bill was further amended, by inserting the following section, viz:

"Be it further enacted, That the lands, tenements and hereditaments, which the corporation is by this act authorized to acquire and possess, shall be only such as shall be requisite for the immediate accommodation for the transaction of its business, and for the accommodation of its officers, agents or servants, and such as have been or may be bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts previously contracted in the ordinary course of business, or purchased at sale, upon judgments or decrees rendered in favor of the bank.

The amendment proposed by the committee, viz:

In the 4th line of section 14th, after the word "from" insert the word "taxation"; was read and agreed to.

Mr. Ashe moved the following as an additional section, viz:

"Be it further enacted, That whenever the said bank hath any demand upon any person or corporation, it shall be lawful for said person or corporation to pay and discharge such demand in the notes of said bank, without regard to the place where the same may be payable and demandable, and the tender of such notes in payment or discharge of any such demand, or any part thereof, shall be good and available in law.

The question recurring on the foregoing amendment, it was determined in the affirmative; yeas 29, noes 11.

Mr. Biggs demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,

Messrs. Cherry, Fisher, Gilmer, Graham, Haughton, McClees,
Rayner, Sanders, Thomas of Davidson, Wilder, and Winslow of Pasquotank—11.

So the amendment was carried.

Mr. Haughton now moved the following as an additional section, viz:

That it shall be the duty of said bank and all branches and agencies authorised by it, to receive any and all monies offered for deposite, and the respective Cashiers thereof, shall sign and deliver to every depositor of money, a certificate of the amount therein deposited, and by whom.

The amendment was adopted.

On motion by Mr. Ashe, the bill was further amended by striking out the word "prorata" in the 13th line of the 15th section.

Mr. Biggs moved further to amend the bill as follows:

That no bill, certificate of deposite or promissory note, shall be issued by the corporation for a less sum than five dollars.

Pending the consideration of which,

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

SATURDAY, JANUARY 13, 1855.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill for the completion of the North Carolina Railroad, made a detailed report thereon; which said report, with the bill accompanying the same, was ordered to be printed.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred a memorial in reference to sundry amendments of statutes, reported the same back to the Senate and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Biggs, from the same committee, reported the following bills, and recommended their passage, viz:

A bill concerning repeal and construction of statutes;
A bill concerning wills and testaments; and
A bill concerning widows; which said bills were severally read the first time and passed.

Mr. Wilder, from the committee on public buildings, to whom was referred the resolution on the subject of heating the two halls
of the capitol, asked to be discharged from its further consideration.

On motion by Mr. Cherry,

*Ordered*, That the resolution be recommitted to the said committee.

Mr. McDowell introduced the following resolution, viz:

*Resolved*, That from and after to-day the Senate will hold afternoon sessions, commencing at 3 o'clock, P. M.

On motion by Mr. Graham,

*Ordered*, That said resolution be laid upon the table.

Mr. Rayner introduced a bill for the incorporation and better regulation of the town of Murfreesborough, in the county of Hertford, which was read the first time, passed, and referred to the committee on corporations.

Mr. Morisey introduced a resolution authorizing a loan by the literary board to the trustees of Spring Hill Academy, in Robeson county, which was read the first time, passed, and referred to the committee on education and the literary fund.

Mr. McDowell introduced a bill to incorporate the Wilmington and Smithfield Steamboat Company, which was read the first time and passed.

Mr. Christian, a bill to emancipate Handy, Polly, and Louisa, slaves of John H. Cook, which was read the first time, passed, and referred to the committee on propositions and grievances.

The bill concerning usury was read the second time and passed; the rules being suspended, the said bill was read the third time.

Mr. Wilder moved to strike out the word "double" in the 10th line of the bill.

The question on which said motion was determined in the negative; yeas 20, nays 23.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative are;


Those who voted in the negative are,

Messrs. Biggs, Bower, Boyd, Brogden, Cherry, Drake, Faison, Gilmer, Graham, Graves, Haughton, Hering, Jones, McClees,
So the Senate refused to strike out.
The bill passed its third reading, and was ordered to be engrossed, under the 7th joint rule.
Received a massage from the House of Commons, agreeing to the amendment of the Senate to the engrossed bill to authorize the erection of a court house in Iredell county, &c.
Ordered, That said bill be enrolled.
A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of the House, viz:
A bill concerning seat of government;
A bill concerning waste;
A bill concerning vice and immorality;
A bill for the better regulation of the poor of Randolph county;
A bill to incorporate the Salem and Clemmonsville Plankroad Company;
A bill to incorporate the Howard's Gap Turnpike Company;
A bill to provide for the payment of jurors in the counties of Greene and Gates;
A bill for the better regulation of the town of Hillsboro'; and
A bill to establish a library of documents for each House of the General Assembly.
The bill concerning weights and measures;
The bill concerning seamen;
The bill concerning surety and principal; and
The bill concerning public debts, were severally read the second time and passed; under a suspension of the rules, said bills were read the third time, passed, and ordered to be engrossed, under the 7th joint rule.
The resolution for the loan of $3,000 by the Literary Board to the Clinton Female Institute in Sampson county, was read the second time.
The question being taken on the passage of the resolution, it was determined in the affirmative; yeas 27, nays 17.
Mr. Thomas, of Davidson, demanded the yeas and nays.
Those who voted in the affirmative, are,
MESSRS. BROGDEN, CHERRY, CHRISTIAN, COLEMAN, DRake, FAISON, FISHER, FONVILLE, FREEMAN, GILMER, GRAHAM, HAUGHTON, HERRING, JONES, MCDOWELL, MILLS, MORISEY, PERSON, RAYNER, SANDERS, SPEIGHT, TAYLOE, THOMAS, OF JACKSON, WIGGINS, WILLEY, WINSLOW, OF PASQUOTANK, AND WOOD—27.

Those who voted in the negative, are,

MESSRS. BOWER, BOYD, CLARK, COLLINS, CUNNINGHAM, EATON, EMBORN, GRAVES, LANE, MCCLEES, MARTIN, MITCHELL, OLDFIELD, TAYLOR, THOMAS, OF DAVIDSON, WALKER AND WILDER—17.

So the resolution passed its second reading.

Mr. FAISON now moved a suspension of the rules, that the bill might be read a third time.

The motion was lost.

On motion by Mr. RAYNER, the Senate now took up for consideration the resolution authorizing a loan of ten thousand dollars, by the Literary Board, to the Wesleyan Female College.

The resolution was read the second time.

Mr. Thomas, of Jackson, moved to amend the same, by striking out “ten thousand dollars,” and inserting “three thousand dollars.”

Mr. WIGGINS now moved to amend the amendment, by striking out “three thousand dollars,” and inserting “five thousand dollars.”

The amendment to the amendment was agreed to.

The question now recurring on the passage of the resolution its second reading, as amended, the same was determined in the negative; yeas 19, nays 23.

Mr. SPEIGHT demanded the yeas and nays.

Those who voted in the affirmative, are,

MESSRS. CHERRY, CHRISTIAN, COLEMAN, DRake, FAISON, FONVILLE, FREEMAN, GILMER, HAUGHTON, JONES, MCDOWELL, MILLS, MORISEY, PERSON, RAYNER, WIGGINS, WILLEY, WINSLOW, OF PASQUOTANK, AND WOOD—19.

Those who voted in the negative, are,

MESSRS. BIGGS, BOWER, BROGDEN, CLARK, COLLINS, CUNNINGHAM, EATON, EMBORN, GRAHAM, GRAVES, HERRING, LAUE, MCCLEES, MARTIN, MITCHELL, OLDFIELD, SANDERS, SPEIGHT, TAYLOR, THOMAS, OF DAVIDSON, THOMAS, OF JACKSON, WILDER AND WALKER—23.

So the resolution was rejected.
On motion by Mr. Graham, the Senate adjourned until Monday morning 10 o'clock.

MONDAY, JANUARY 15, 1855.

The Speaker announced that Messrs. Coleman, Christian, and Thomas of Davidson, constitute the Senate's branch of the committee on enrolled bills for the present week.

The engrossed bill to incorporate the Little River Turnpike Company, was read the first time and passed, and referred to the committee on corporations.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills and recommended their passage, viz:
A bill concerning insolvent debtors; and,
A bill concerning the University; which said bills were read the first time, and passed.

On motion by Mr. Collins, the bill to provide for the better regulation of the town of Louisburg, in Franklin county, was now taken up.

Whereupon, Mr. Collins presented a memorial on the subject, and the bill and memorial were referred to the committee on corporations.

Mr. McDowell presented the pension certificate of Martha Spears; which was read, and on motion, ordered to be signed by the Speaker of the Senate and transmitted to the House of Commons.

Mr. Graves offered the following resolution, viz:
Resolved, That the committee on education and the literary fund be instructed to introduce a bill requiring the treasurer to collect the funds of said board now loaned out, and invest the same in State bonds.

On motion by Mr. Wilder,
Ordered, That said resolution be laid on the table.

Mr. Martin introduced a bill to incorporate the Danbury Hydraulic Company; which was read the first time, and passed, and referred to the committee on corporations.

Mr. Graves introduced a bill to incorporate Clinton Lodge, No. 167, of Ancient York Masons, in the county of Caswell; which was read the first time, and passed, and referred to the committee on corporations.

On motion by Mr. Cunningham, the following resolution here:
Resolved, That from and after to-day, the Senate will hold afternoon sessions; commencing at 3 o'clock, P. M.

Mr. Cunningham moved to amend the resolution by striking out "to-day" and inserting "Wednesday next."

Mr. Mills moved to amend the amendment by striking out all after the word "Resolved," and inserting, that from and after Wednesday next, the Senate will hold its sessions from 10 o'clock, A. M., until 3 o'clock, P. M.

The amendment to the amendment was agreed to, and the resolution adopted as amended.

On motion by Mr. Clark,

Resolved, That the committee on banks be instructed to report to the Senate,

Whether the banks of this State have made such exhibits and returns as they are required to do by their charter, for the last two years;

And further report, the amount of specie and bank notes in circulation, as exhibited by said bank returns, and what increase if any, there has been of the same within that time;

And whether any of said banks have transcended their powers and privileges, and that the said committee report by bill or otherwise.

The bill concerning wrecks;

The bill concerning replevin; and,

The bill concerning quo warranto and mandamus, were severally read the second time and passed; and the rules being suspended, said bills were read the third time, passed, and ordered to be engrossed under the 7th joint rule.

A message was sent to the House of Commons informing that the Senate has passed the following engrossed bills, and asks the concurrence of the House therein, viz:

A bill concerning public debt;

A bill concerning surety and principal;

A bill concerning seamen;

A bill concerning weights and measures; and

A bill concerning usury.

Received a message from the House of Commons informing that they have passed the following engrossed bill in which they ask the concurrence of the Senate, viz:
A bill to incorporate the Female Benevolent Society of New-

The same message stated that the committee on enrolled bills on the part of the House of Commons for the present week con-

Received also from the House of Commons the recommenda-

Mr. Graham introduced a bill making provision for the reduc-

On motion by Mr. Fisher the Senate now took up for consider-

Mr. Bower moved that the bill be laid upon the table, which motion was lost.

The amendments proposed by the committee on internal improve-

The amendment proposed to section 9, line 2d, viz., strike out "$400,000" and insert "$600,000," was agreed to; the amend-

Mr. Clark proposed the following as an additional section to the bill, viz., "That every county through which this road passes may subscribe for any amount of the capital stock in said company, as a majority of the voters of said county may approve, for which purpose the courts of pleas and quarter sessions for said counties are hereby authorized to hold an election at the usual times and places of voting for members of the General Assembly."

Mr. Brogden moved further to amend the bill by adding the following as an additional section, viz:

"Be it further enacted, That it shall be the duty of the presi-

The amendment was adopted.

Mr. Brogden moved further to amend the bill by adding the following as an additional section, viz:

"Be it further enacted, That it shall be the duty of the presi-

The amendment was adopted.

Mr. Brogden moved further to amend the bill by adding the following as an additional section, viz:

"Be it further enacted, That it shall be the duty of the presi-

The amendment was adopted.
said company during the year preceding, and also the amount of its debts."

The amendment was agreed to.

Mr. Brogden now moved the following amendment, which was rejected, viz:

*Be it further enacted*, That whenever the General Assembly may be of opinion that the charter hereby granted has been violated, it shall be lawful for the Legislature to direct the attorney general, with such assistant counsel as the Governor or Legislature may think proper to engage, to issue a writ of scire facias, returnable before the judges of the supreme court, calling upon said corporation to show cause why their charter shall not be forfeited, subject to the same proceedings as are now prescribed by law in case of other corporations.

Mr. Brogden proposed the following amendment, to be inserted after section 13, viz:

"*Be it further enacted*, That no person shall be eligible as president or director of said company, unless he be a resident of this State."

The amendment was adopted.

The question now recurring on the passage of the bill, as amended, it was determined in the affirmative; yeas 33, nays 14.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill passed its second reading.

Mr. Person moved that the Senate do now take up the bill to divide the State into eight judicial circuits.

Pending the consideration of which motion,

The Senate adjourned until to-morrow morning 10 o'clock.
TUESDAY, JANUARY 16, 1855.

Mr. Drake, from the committee on claims, to whom was referred the engrossed resolution in favor of Henry Nutt, reported the same back to the Senate, and recommended its passage.

Mr. Drake, from the same committee, to whom was referred the engrossed resolution in favor of Wm. H. High, sheriff of Wake county, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the town of Lenoir, in Caldwell county, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate Silver Hill Mining Company, in the county of Davidson, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate Pleasant Hill Lodge, of ancient York Masons, in the county of Alamance, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to authorize the building of a toll bridge on the Roanoke river, at the town of Halifax, and to incorporate a company for that purpose, reported the same back to the Senate, with amendments.

On motion by Mr. Graves, the committee on claims, to whom was referred the resolution in favor of Walter Gwynn, was discharged from the further consideration of the same; and said resolution referred to the committee on internal improvements.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill for the better regulation of the town of Wilson, in Edgecombe county, reported the same back to the Senate, with amendments.

Mr. Boyd, from the committee on finance, to whom was referred the bill to amend the act incorporating the town of Plymouth, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.
On motion by Mr. Jones,

Ordered, That said bill be laid upon the table.

Mr. Hoke, from the committee on the judiciary, to whom was referred the bill for the better protection of religious assemblies, reported the same back to the Senate, and recommended its rejection.

Mr. Hoke, from the same committee, to whom was referred the memorial of Samuel Edwards and others, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Hoke, from the same committee, to whom was referred the engrossed bill to prevent the ranging of stock in Yancey county, reported the same back to the Senate, and recommended that it do not pass.

Mr. Boyd, from the committee on finance, to whom was re-committed the bill to provide for a more uniform valuation of the lands within this State, and that the taxes be listed, levied, and collected in the same year, &c.

And to whom was referred a resolution of instruction on the subject, reported the same back to the Senate, and asked to be discharged from the further consideration of the same.

Discharged accordingly.

The engrossed bill to incorporate the East Fork Turnpike Company, was read the first time, and passed, and referred to the committee on internal improvements.

The engrossed bill to incorporate the Cape Fear and Waccanaw Canal and Lumber Company, in Brunswick county, was read the first time, passed, and referred to the committee on corporations.

The engrossed bill to prevent the felling and putting timber in Haw River and the Great Alamance River, in the county of Alamance, was read the second time, amended, and passed; the rules being suspended, said bill was read the third time, and passed; and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

The bill to incorporate the Greensboro' Mining and Manufacturing Company, was read the second time, and passed.

The recommendations of sundry justices of the peace were read and agreed to.
Received a message from the House of Commons, transmitting sundry recommendations of justices of the peace; which were read and concurred in.

The bill concerning religious societies was read the second time, and passed.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill concerning wrecks;
A bill concerning quo warranto and mandamus; and
A bill concerning replevin.

On motion by Mr. Gilmer the Senate now proceeded to the consideration of the bill to charter the Fayetteville and Greensborough Railroad Company.

The bill was read the second time. The amendment proposed by the committee on internal improvements to the 42d section of the bill was read and adopted.

Mr. McDowell moved to strike out the whole of the 42d section as amended. The motion was lost.

The amendment proposed by the committee to the 43d section, viz., strike out the words “to endorse the bonds of the company” and insert “issue State bonds,” was disagreed to.

The amendment to the 44th section was adopted, viz., strike out “seven” and insert “six.”

The other amendments proposed by the committee were rejected.

On motion by Mr. Gilmer the bill was amended by inserting in the 2d line of the 43d section, after the word commenced, the words “on the bank of the Cape Fear.”

Whereupon the Senate resolved itself into a committee of the whole, Mr. McDowell in the chair, to take into consideration the said bill, and after some time spent therein, the Speaker resumed the chair and the chairman reported said bill back to the Senate.

Mr. Gilmer now moved to amend the bill by adding the following proviso to the 44th section, viz:

“Provided, however, That the aid of the State to the road herein proposed, shall not extend beyond the third section until further legislation.” The amendment was adopted.

Mr. Brogden moved to amend the 27th section of the bill by
striking out all of the same after the word "estate" in the 10th line of the printed bill. The motion was lost.

On motion by Mr. Clark the bill was further amended by striking out the 39th section of the same.

The question now recurring on the passage of the bill its second reading as amended, it was determined in the negative; yeas 22, nays 27.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Rayner now moved a reconsideration of the vote by which the said bill was rejected, which said motion was laid on the table.

Mr. Boyd, from the select committee to whom was committed the bill to amend the constitution of the State of North Carolina, made a report thereon, and asked to be discharged from the further consideration of the subject. Discharged accordingly.

On motion the Senate now took up said bill for consideration.

Whereupon Mr. Boyd offered a substitute for the first section of the same.

After debate, the consideration of the same was suspended,

And a message received from the House of Commons transmitting a communication from his Excellency, the Governor, with accompanying communications from W. J. Clarke, late comptroller of public accounts, and L. O'B. Branch, president of the Raleigh and Gaston Railroad, with a proposition to refer the same to the committee on finance.

The proposition was concurred in, and the House of Commons informed thereof by message.

The recommendations of sundry justices of the peace were read, accepted, and sent to the House of Commons.

Mr. Haughton moved to reconsider the vote by which was passed, on yesterday, the resolution providing for the time of hold-
ing the sessions of the Senate, which motion was laid on the table.

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

WEDNESDAY, JANUARY 17, 1855.

Mr. Fisher, from the committee on internal improvements, to whom was referred a memorial on the subject, reported a bill relating to the Fayetteville and Warsaw Plankroad Company; which was read the first time, and passed.

Mr. Fisher, from the same committee, to whom was referred the bill to incorporate the New River Navigation Company, reported the same back to the Senate with a substitute for the same, and submitted a detailed report thereon; which report was ordered to be printed.

Mr. Wilder, from the committee on banking, to whom was referred the bill to amend the seventh section of an act, entitled an act, to establish a bank in the town of Washington, in the county of Beaufort, reported the same back to the Senate, and recommended its passage.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill and recommended its passage, viz:

A bill concerning slaves and free persons of color; which was read the first time, and passed.

On motion by Mr. Person, the Senate now took up for consideration, the bill to divide the State into eight judicial circuits.

The bill was read the third time.

Mr. Person moved to amend the first section of the bill as follows, viz:

Except, that Northampton shall be taken from the third circuit and added to the first, and the courts there shall be holden the seventh Monday after the fourth Monday of March and September.

The amendment was agreed to.

Mr. Wilder moved further to amend the bill;

When on motion by Mr. Hoke,

Ordered, That said bill be laid on the table.

A message was received from the House of Commons, transmitting a communication from his Excellency the Governor, accompanied by sundry resignations of justices of the peace.
On motion by Mr. Boyd, the Senate now took up for consideration the bill to amend the Constitution of the State of North Carolina:

The question being on the adoption of the amendment proposed by Mr. Boyd, to strike out the first section of the bill and insert the following as a substitute, viz:

Every free white man of the age of twenty-one years, being a native or naturalized citizen of the United States, and who has been an inhabitant of the State for twelve months immediately preceding the day of any election, and shall have paid public taxes, shall be entitled to vote for a member of the Senate, for the district in which he resides.

The question recurring on the adoption of said amendment, it was determined in the affirmative; yeas 29, nays 21.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the amendment was adopted.

Mr. Thomas of Davidson, now moved the following proviso to the first section of the bill as amended, viz:

Provided, That no person who has been convicted of any infamous or infamous crime in any foreign country, or any State of this Union, or who has become a fugitive from justice from any such country or State, on account of the commission of such crime, shall be permitted to vote in this State.

The question on the adoption of said amendment, was determined in the negative; yeas 23, nays 27.

Mr. Boyd demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Cherry, Christian, Clark, Cunningham, Davis, Eaton, Eborn, Freeman, Gilmer, Graham, Haughton, Lane,

Those who voted in the negative, are,


So the amendment was lost.

Mr. Davis now moved the following amendment as an additional section, viz:

Be it further enacted, (three fifths of the whole number of members in each House, concurring,) That the third section of the fourth article of the amended Constitution, ratified as aforesaid, be stricken out, and the following be substituted in its stead, viz:

All lands liable to taxation, held by deed, grant, or entry, town lots, bank stock, slaves between the ages of twelve and fifty years; and such other property as the General Assembly may from time to time deem expedient, shall be taxable.

All property shall be taxed according to its value; that value to be ascertained in such manner as the legislature shall direct, so that the same be equal and uniform throughout the State.

No one species of property from which a tax may be collected, shall be taxed higher than other species of property of equal value; but the General Assembly shall have power to tax merchants, incomes and professions or privileges, in such manner as they may from time to time direct; and a tax on white polls shall be levied equal in amount to the tax on property assessed and valued at three hundred dollars.

The amendment was lost; yeas 10, nays 40.

Mr. Boyd demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,

Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Cherry, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Graves, Herring; Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Person, Ray-
Mr. McClees now moved the following amendment as a proviso to the first section of the bill, viz:

"Provided, That no person, unless he shall have paid public taxes within one year immediately preceding every election, and no foreigner, unless he shall also have been naturalized according to the laws of the United States, now in force or that may hereafter be passed, shall vote either for a member of the House of Commons or Senate."

Mr. Speaker decided that the amendment, as proposed, was not in order; but that so much of the said amendment as provided for the payment of public taxes as a qualification for a person's voting for the Senate, might be submitted, in order, as an independent proposition.

From which decision Mr. Graham appealed.

And the question being put—shall the decision of the chair stand as the judgment of the Senate? it was determined in the affirmative; yeas 27, nays 20.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the Speaker was sustained.

Mr. McClees then offered the following amendment, to wit:

"Provided, That no person, unless he shall have paid his proper public taxes, within one year immediately preceding every election, shall vote either for a member of the House of Commons or Senate."

Pending the consideration of which said amendment, by leave of the Senate, the amendment was withdrawn.
Mr. Thomas, of Jackson, moved to amend the bill, by striking out the first section of the same, and inserting the following in lieu thereof, viz:

"Every citizen of the State who is entitled to vote for members of the House of Commons, shall be entitled to a vote for a member of the Senate, for the district in which he resides."

The Speaker decided the amendment to be not in order.

Whereupon, Mr. Thomas, of Jackson, with leave, presented the memorial of Chee-nee-lus-key, of Cherokee, praying not to be disfranchised of his rights by any amendment to the constitution; which memorial was read.

Mr. Thomas then moved a reconsideration of the vote by which the amendment offered by Mr. Boyd as a substitute to the first section of the bill was adopted. The motion was lost.

The question now recurred on the passage of the bill on its third reading, and was determined in the affirmative; yeas 35, nay 15.

Mr. Boyd demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So that three-fifths of the whole number of Senators voting in its favor, the bill passed its third reading, as amended, and was ordered to be engrossed.

Mr. Rayner presented a memorial on the subject of temperance; which was referred to the committee on propositions and grievances.

Mr. Mills introduced a bill supplemental to an act, entitled an act to establish Polk county; which was read the first time and passed, and referred to the committee on the judiciary.

Mr. Eborn introduced a bill to authorize the county court of
Pitt county to regulate tolls upon the bridge across Tar river, at Greenville; which was read the first time, passed, and referred to the committee on propositions and grievances.

On motion by Mr. McClees, the Senate adjourned until tomorrow morning 10 o'clock.

THURSDAY, January 18, 1855.

Mr. Biggs introduced a bill, accompanied by a memorial, to alter the name of Jamestown, in the county of Martin, which said bill was read the first time, passed, and referred to the committee on corporations.

Mr. Wilder, from the committee on banking, to whom was referred the resolution instructing said committee to report the returns, exhibits, &c., made by the banks of the State, made a detailed report thereon.

Ordered, That said report be laid upon the table.

Mr. Gilmer introduced a bill to amend the law concerning divorce and alimony, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. McClees introduced a bill to incorporate the town of Columbia, in Tyrrell county, which was read the first time, passed, and referred to the committee on corporations.

Mr. Cunningham presented the resignation of Thomas K. Green, a justice of the peace for Person county, which was accepted and sent to the House of Commons.

Mr. Gilmer introduced a bill to incorporate the Conrad Hill Gold and Copper Mine Company, in the county of Davidson, which was read the first time, passed, and referred to the committee on corporations.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred the bill to expedite the trial of certain suits in courts of law, reported the same back to the Senate and recommended that it do not pass.

Mr. Clark introduced a resolution concerning a change in the rules of order, which lies over one day for consideration.

On motion by Mr. Haughton the Senate now took up for consideration the bill to authorize the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes.

The bill being read the second time, the amendments proposed by the committee were read and agreed to.
Mr. Haughton offered further amendments to the bill, which were read and adopted.

Mr. Biggs moved to amend the bill by striking out the 10th section of the same. The motion prevailed.

Pending the consideration of the bill,

On motion by Mr. Biggs, the further consideration of the same was postponed until to-morrow.

A message was received from the House of Commons transmitting the recommendations of sundry justices of the peace, which were concurred in.

Mr. Mills introduced a resolution in favor of J. W. Erwin, which was read the first time, passed, and referred to the committee on claims.

A message was received from the House of Commons stating that they concur in the amendment of the Senate to the engrossed bill to prevent the felling and putting timber in Haw river and the Great Alamance river, in the county of Alamance.

Ordered, That said bill be enrolled.

Received a message from the House of Commons stating that they have passed the engrossed bill from the Senate concerning mines, with an amendment, in which they ask the concurrence of the Senate.

Pending the consideration of which amendment,

On motion by Mr. Clark, the Senate adjourned.

FRIDAY, January 19, 1855.

Received a message from the House of Commons, informing that they have passed the following engrossed bills and resolution, in which they ask the concurrence of the Senate, viz:

A bill to amend an act, passed at the General Assembly of 1846'–47, entitled an act to incorporate the town of Statesville; which was read the first time and passed, and referred to the committee on corporations.

A bill to incorporate the Grand Royal Arch Chapter of North Carolina, of free and accepted Masons; which was read the first time and passed.

A resolution in favor of H. S. Smith; which was read the first time and passed, and referred to the committee on claims.
A bill for the protection of sheep; which was read the first time and passed, and referred to the committee on the judiciary.

A bill to incorporate the town of Warsaw; which was read the first time and passed, and referred to the committee on corporations.

A bill concerning fishing in Tar and Pamlico rivers; which was read the first time and passed, and referred to the committee on the judiciary.

A bill to incorporate the Chatham Rail Road Company; which was read the first time and passed, and referred to the committee on internal improvements.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial from the trustees of the literary seminaries, of the town of Murfreesboro', upon the subject of temperance, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Boyd, from the same committee, to whom was referred a resolution in favor of Bryant R. Hinnant, late sheriff of Johnston county, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the same committee, to whom was referred the bill to authorize the county court of Pitt county to regulate tolls upon the bridge across Tar river, at Greenville, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the same committee, to whom was referred the bill to confirm a grant to Elijah W. Piggott and his heirs, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

On motion by Mr. Wood,

Ordered, That said bill be referred to the committee on the judiciary.

On motion by Mr. Speight,

Resolved, That from and after Saturday, the 20th instant, the Senate will daily take a recess from 1½ to 3 o'clock, P. M.; and that it will hold afternoon sessions, commencing at the last named hour.

Mr. Gilmer introduced a bill to incorporate the North Carolina
Copper Company; which was read the first time and passed, and referred to the committee on corporations.

Also, a bill to incorporate the Fisher Hill Mining Company, in the county of Guilford; which was read the first time and passed, and referred to the committee on corporations.

Also, a bill to incorporate Hodgen Hill Mining Company; which was read the first time and passed, and referred to the committee on corporations.

Mr. Coleman introduced a bill to authorize the construction of dams across French Broad river, in the counties of Henderson, Buncombe and Madison; which was read the first time and passed, and referred to the committee on propositions and grievances.

Mr. McDowell, a bill to incorporate the Cape Fear Academy, in the county of Bladen; which was read the first time and passed.

Mr. Cherry introduced a bill to incorporate the trustees of Woodburn Female Seminary, in the county of Guilford; which was read the first time and passed, and referred to the committee on education and the literary fund.

Mr. Clark presented the memorial of the Agricultural Society of North Carolina; which was ordered to be printed, and referred to a select committee of five.

Whereupon, the Speaker announced that Messrs. Clark, Rayner, Eaton, Mills and Davis constitute said committee.

Received a message from the House of Commons, stating that they have passed the engrossed bill concerning mills and millers, with an amendment, in which they ask the concurrence of the Senate.

The amendment was agreed to, and the House of Commons informed thereof by message.

Received a message from the House of Commons stating that they insist on their amendment to the engrossed bill concerning criminal proceedings.

Mr. Hoke moved that the Senate do insist on its disagreement. The motion prevailed.

Whereupon, by motion of Mr. Eaton, a message was sent to the House of Commons inviting a conference on the disagreeing votes of the two Houses.

A message was received from the House of Commons stating
that they have passed the engrossed bill concerning agriculture and geology, with an amendment, in which they ask the concurrence of the Senate.

On motion by Mr. Haughton,
 Ordered, That said bill be laid on the table.

Mr. Hoke, from the committee on the judiciary, to whom was referred the resolution concerning white persons congregating with slaves, &c., reported the same back to the Senate and asked to be discharged from the further consideration of the subject. Discharged accordingly.

Mr. Coleman introduced a bill to incorporate the Indian Grave Gap Turnpike Company, which was read the first time, passed, and referred to the committee on corporations.

The Speaker laid before the Senate a communication from the public treasurer in answer to a resolution of the Senate, concerning the investment of premiums, &c.

Ordered, That said resolution and report be printed.

Mr. Coleman, from the committee on the judiciary, to whom was referred the bill supplementary to an act entitled an act to establish Polk county, reported the same back to the Senate and recommended its passage.

Mr. Faison introduced a bill relating to roads, bridges, and ferries, &c., which was read the first time, passed, and referred to the committee on corporations.

Mr. Hoke moved that the Senate do now take up and consider the bill to divide the State into eight judicial circuits. The motion was lost.

The engrossed bill concerning mines being now taken up, the question being on agreeing to the amendments of the House of Commons,

On motion by Mr. Gilmer,
 Ordered, That the same be laid upon the table.

The Senate now proceeded to the consideration of the resolution submitted by Mr. Clark on yesterday, concerning a change in the rules of order.

Mr. Clark offered a substitute for the same, but before any question was taken thereon,

On motion by Mr. Gilmer,
 Ordered, That the same be laid on the table.
On motion by Mr. Biggs the Senate now took up for consideration the bill to authorize the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes; the same being on its second reading.

Mr. Brogden moved to amend the bill by adding the following proviso to the second section of the same, viz:

"Provided, That before any of the said bonds are delivered to the president and directors of said company, the individual stockholders in the same holding at least three-fourths of the stock, shall enter into a bond, payable to the State of North Carolina, covenanteing and binding each and every one of the obligors therein to pay and satisfy to the State a part proportionable to the shares of each one's stock, in any loss or damage that may come to the State in consequence of such endorsement of said bonds and insufficiency of the real and personal estate and property of said company to pay and discharge the same.

"And provided, further, That before any of said bonds are delivered as aforesaid, the Governor shall inquire into the standing and ability of said obligors, and shall certify to the public treasurer that in his opinion said obligors are fully able and sufficient to make good at least three-fourths of the amount for which the public treasurer is authorized to endorse."

The question being taken on said amendment it was lost; yeas 2, nays 43.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Brogden and Drake—2.

Those who voted in the negative are,


The bill then passed its second reading.

On motion by Mr. Graves, the Senate now proceeded to the consideration of the bill to incorporate the Dan River and Yadkin Railroad Company; which was read the second time.
The amendments proposed by the committee on internal improvements, were agreed to.

Mr. Fisher moved an amendment to the seventeenth section of the bill, which was adopted.

The question now recurring on the passage of the bill on its second reading, it was determined in the negative; yeas 20, nays 21.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill was rejected.

Mr. Cherry moved a reconsideration of the vote just taken, by which the foregoing bill was rejected.

Ordered, That said motion be laid on the table.

On motion by Mr. Thomas of Jackson, the Senate adjourned.

SATURDAY, JANUARY 20, 1855.

Mr. Clark, from the committee on education and the literary fund, to whom was referred the bill to repeal so much of an act as provides for the appointment of a superintendent of common schools, reported the same back to the Senate, and recommended its passage.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill and recommended its passage, viz:

A bill concerning salaries and fees; which was read the first time, and passed.

On motion by Mr. Rayner, the Senate now took up for consideration the bill to aid the erection of a monument commemorative of American Independence.

The bill was read the second time, and passed;

The rules being suspended, said bill was read the third time, passed unanimously, and ordered to be engrossed.
Ordered further, That the name of the Speaker and members of the Senate present, voting for said bill, be recorded on the journals, viz:


On motion by Mr. Mills,

Resolved, That the treasurer of the State be instructed to enquire and report to the Senate, what amount has been invested by the State of North Carolina, in works of internal improvement, and in what part of the State those works are located, to which the State has subscribed stock, or otherwise aided in constructing.

On motion by Mr. Mitchell, the Senate took up for consideration, the bill to incorporate a plank road from Mocksville to Wilkesboro', and to provide for a subscription of stock on the part of the State.

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

Received a message from the House of Commons, transmitting sundry recommendations of justices of the peace; which were read and concurred in.

Received a message from the House of Commons, stating that they concur in the proposition of the Senate to hold a conference on the "bill concerning criminal proceedings;" and that Messrs. Dortch, Outlaw, and Phillips are appointed managers on the part of the House.

Whereupon, the House of Commons were informed by message, that Messrs. Hoke, Biggs, and Gilmer, are appointed managers to conduct said conference on the part of the Senate, and proposing that the managers on the part of the Senate, meet the managers on the part of the House in the library room, to-day at 1 o'clock.

Mr. Cunningham moved to take up the motion which had been laid on the table, to reconsider the vote by which was rejected the
bill to incorporate the Dan River and Yadkin Railroad Company.

The motion prevailed.

The question on the motion to reconsider was determined in the affirmative.

The bill was then read by its title, and passed its second reading.

Mr. Rayner, now moved to take up the motion heretofore laid upon the table, to reconsider the vote by which was rejected, the bill to charter the Fayetteville and Greensboro' Railroad Company; which was agreed to.

The question on the motion to reconsider was carried.

Whereupon the bill was read by its title and passed its second reading.

Mr. Hoke now called up the bill to divide the State into eight judicial circuits.

The pending question being on agreeing to the amendment of Mr. Wilder to the third section of the bill, which gives two weeks to the county of Wake and alters the time of holding the courts for the counties of Franklin, Warren, and Halifax. The amendment was adopted.

Mr. Hoke moved the following amendment as a substitute for the 7th and 8th sections, viz:

Seventh circuit.

Cleveland, 1st Monday in March and September.
Rutherford, 2nd Monday in March and September.
McDowell, 3d Monday in March and September.
Burke, 4th Monday in March and September.
Caldwell, 1st Monday after 4th Monday in March and September.
Alexander, 2d Monday after 4th Monday in March and September.
Wilkes, 3d Monday after 4th Monday in March and September.
Watauga, 4th Monday after 4th Monday in March and September.
Ashe, 5th Monday after 4th Monday in March and September.
Surry, 6th Monday after 4th Monday in March and September.
Yadkin, 7th Monday after 4th Monday in March and September.
Eighth circuit.

Cherokee, 1st Monday in March and September.

Macon, 2d Monday in March and September.

Jackson, 3d Monday in March and September.

Haywood, 4th Monday in March and September.

Henderson, 1st Monday after 4th Monday in March and September.

Polk, 2d Monday after 4th Monday in March and September.

Buncombe, 3d Monday after 4th Monday in March and September.

Macon, 2d Monday in March and September.

Jackson, 3d Monday in March and September.

Haywood, 4th Monday in March and September.

Henderson, 1st Monday after 4th Monday in March and September.

Polk, 2d Monday after 4th Monday in March and September.

Buncombe, 3d Monday after 4th Monday in March and September.

The amendment was adopted.

The question now recurred on the passage of the bill upon its third reading as amended. The vote stood yeas 22, nays 22.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


There being a tie the Speaker voted in the affirmative, and the bill passed its third reading.

Mr. Haughton now moved a reconsideration of the vote just taken on the passage of the bill, and moved that said motion to reconsider be laid upon the table. The motion was agreed to.

On motion by Mr. Wiggins,

Resolved, That the Senate devote the balance of the day to the consideration of private bills, and bills concerning the Revised Statutes.

The bill concerning pilots;

The bill concerning entries and grants; and
The bill to amend the charter of the town of Charlotte, were severally read the second time and passed.

A resolution in favor of Bryant R. Hinnant, late sheriff of Johnston county, was read the second time and passed; the rules being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The engrossed resolution in favor of Wm. H. High, sheriff of Wake county, and The engrossed resolution in favor of Henry Nutt, were severally read the second time and passed; the rules being suspended, said resolutions were read the third time, passed, and ordered to be enrolled.

The bill concerning internal improvements;
The bill concerning quarantine; and The bill concerning partition, were severally read the second time and passed; the rules being suspended, said bills were read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill to incorporate the Pamlico and Albemarle Insurance Company, was read the second time.

The amendments reported by the committee agreed to, the bill passed its second reading as amended.

The engrossed bill to amend the act incorporating the town of Plymouth, was read the third time, passed, and ordered to be enrolled.

The bill to incorporate the Scotch Island Lodge, No. 11, of Ancient York Masons, in Rowan county; The bill to incorporate the Anson Institute; The bill to amend the charter of the town of Nashville; The bill to incorporate Pleasant Hill Lodge of Ancient York Masons, in the county of Alamance; The bill to incorporate the Wilmington and Smithfield Steamboat Company; and The bill to authorize the county court of Pitt county to regulate tolls upon the bridge across Tar river, were severally read the second time and passed; and the rule being suspended, said bills were read the third time, passed, and ordered to be engrossed.

The bill to authorize the building of a toll bridge over the Roanoke river, at the town of Halifax, and to incorporate a company
for that purpose, was read the second time, the amendment proposed by the committee agreed to, and the bill passed its second reading, as amended; the rule being suspended, the said bill was read the third time, passed, and ordered to be engrossed.

The engrossed resolution in favor of Charles H. Thompson, was read the first time and passed; the rules being suspended, said resolution was read the second and third times, passed, and ordered to be enrolled.

The engrossed bill to amend the charter of the Western Plank-road Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to amend the 7th section of an act, entitled an act to establish a bank in the town of Washington, in the county of Beaufort, was read the second time and passed; the rule being suspended, said bill was read the third time, amended on motion by Mr. Tayloe, and passed its third reading, as amended; and a message sent to the House of Commons, asking their concurrence to the amendment of the Senate.

Mr. Hoke, from the committee of conference on the disagreeing votes of the two Houses on "the bill concerning criminal proceedings," submitted the following report, viz:

The undersigned committee of conference on the part of the two Houses, upon the bill entitled "A bill concerning criminal proceedings," and the disagreeing votes of the two Houses on said bill, (section 1,) have had the same under consideration, and upon a full and free conference, have agreed to recommend to their respective Houses, the following amendment to said section, in place of the words, "or hath removed out of the State," which is the subject of disagreement, the words, "or by procurement or connivance hath removed out of the State."

J. F. HOKE,
JOHN A. GILMER,
ASA BIGGS,
Com. on part of the Senate.

The question on agreeing to the amendment to the amendment, was decided in the affirmative, and a message sent to the House of Commons informing thereof.

The bill to incorporate the Greensboro' Mining and Manufac-
turing Company, was read the third time, passed, and ordered to be engrossed.

The bill concerning religious societies, was read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The engrossed bill to incorporate the Grand Royal Arch Chapter of North Carolina, of free and accepted Masons, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The bill to incorporate Cape Fear Academy, in the county of Bladen, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

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

MONDAY, JANUARY 22, 1855.

The Speaker announced that Messrs. Graves, Tayloe and Eborn, constitute the committee on enrolled bills for the present week.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill, and recommended its passage, viz:

A bill concerning county and superior courts, which was read the first time, and passed.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of the Commons, viz:

A bill concerning partition;
A bill concerning religious societies;
A bill concerning internal improvements; and,
A bill concerning quarantine and health.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolution, in which they ask the concurrence of the Commons, viz:

A bill to incorporate Cape Fear Academy, in Bladen county;
A bill to authorise the county court of Pitt to regulate tolls;
A bill to incorporate Scotch Ireland Lodge, No. 11;
A bill to incorporate Pleasant Hill Lodge, &c.;
A resolution in favor of Bryant R. Hinnant, late sheriff of Johnson county;
A bill to incorporate the Greensboro' Mining and Manufacturing Company;
A bill to amend the charter of the town of Nashville; and,
A bill to aid the erection of a monument, commemorative of the declaration of American Independence.

Received a message from the House of Commons, stating that they have passed the following engrossed bills, in which they ask the concurrence of the Senate, viz:
A bill to amend an act incorporating the town of Clinton, which was read the first time, and passed; and the rules being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.
A bill to hold court two weeks in New Hanover county, which was read the first time, and passed.
Also a message, informing that Messrs. Baxter, Singeltary, Shipp, Bynum of Northampton, and Whitlock, constitute the House branch of the committee on enrolled bills for the present week.

Mr. Mitchell now moved to take up the motion, heretofore laid on the table, to reconsider the vote by which was passed the bill to divide the State into eight judicial circuits.

The motion prevailed, and the motion to reconsider was carried.

The question now recurred on the passage of the bill upon its third reading, and was determined in the negative; yeas 17, nays 25.

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

So the bill was rejected.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to emancipate Handy, Polly and
Louisa, reported the same back to the Senate, and recommended that it do not pass.

The bill was read the second time, and rejected.

Received a message from the House of Commons, transmitting the recommendations of sundry justices of the peace, which were read and concurred in.

Mr. Eaton, from the select committee on agriculture, reported the following bill, and recommended its passage, viz:

A bill to encourage agriculture, and for other purposes; which said bill was read the first time, and passed.

Mr. Fonville now called up the bill for the improvement of the ship navigation of New river, in the county of Onslow.

The bill was read the second time, the substitute proposed by the committee on internal improvements adopted, and the bill passed its second reading, as amended.

On motion by Mr. Eaton the Senate now took up for consideration, the bill for completing, furnishing, and enclosing the buildings and grounds of the Lunatic Asylum, which was read the second time, amended, and passed; the rules being suspended, said bill was read the third time and passed; yeas 37, nays 5.

Mr. Thomas of Davidson demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill passed its third reading and was ordered to be engrossed.

The Senate now proceeded to the consideration of the bill for the completion of the North Carolina Railroad, which was read the second time.

The question being on the amendment of the committee on internal improvements as a substitute for the bill,

Mr. Graham moved to amend the third section of the same by,
striking out the word "six" and inserting "five," and the word "four" and inserting "five," so as to make the directory consist of five on the part of the State and five on the part of the individual stockholders.

Mr. Fisher called for a division of the question, and moved that the question be first taken on striking out, which was ordered, and upon the question to strike out the vote stood yeas 20, nays 23.

Mr. Graham called for the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the Senate refused to strike out.

Mr. Gilmer moved to amend the third section of the bill by striking out "10" and inserting "12," and by striking out "6" and inserting "8." The amendment was adopted.

Mr. Gilmer further moved to amend the third section of the bill by striking out all after the word "shall" in the fourth line of the fourth section, and inserting the following, viz., "not be entitled, in the general meeting aforesaid, to vote for the election of the directors to be elected on the part of individuals."

The amendment was adopted.

Mr. Graham now moved to amend the third section of the bill by filling up the blank in the last line of said section with the word "ten."

Mr. Wilder moved to fill said blank with the word "five," and the question being first taken on his amendment, the same was adopted.

The amendment reported as a substitute was agreed to.

The question now recurring on the passage of the bill upon its second reading as amended, it was determined in the affirmative; yeas 44, nays none.

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


So the bill passed its second reading.

On motion by Mr. Cherry, the rules were suspended and the bill read the third time.

Mr. Hoke moved an amendment to the bill, pending the consideration of which,

The Senate took a recess until 3 o'clock.

*Three o'clock, P. M.*

Mr. Mills introduced a bill to amend the constitution of North Carolina, and to provide for annual sessions of the General Assembly; which was read the first time and passed, and referred to the committee on the judiciary.

Mr. Bower introduced a bill to establish a new county, by the name of Alleghany; which was read the first time and passed, and referred to the committee on propositions and grievances.

The bill to expedite the trial of certain suits in courts at law, was read the second time and rejected.

The Senate now resumed the consideration of the bill for the completion of the North Carolina Railroad.

The pending question being on the adoption of the amendment of Mr. Hoke, offered as a proviso to the third section of the bill, viz:

"*Provided,* That the directors on the part of the State shall not be required to own any share of stock, to qualify them to act as such."

The amendment was rejected.

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

On motion of Mr. Jones, the Senate now took up for consideration the bill to incorporate a company to construct a ship canal,
to connect the waters of Albemarle, Currituck and Pamlico Sounds with the Chesapeake Bay, and for other purposes.

The bill was read the third time.

Mr. Graves moved that said bill be laid upon the table; which motion was lost; yeas 4, nays 35.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Cunningham, Graves, McDowell and Taylor—4.

Those who voted in the negative, are,


So the Senate refused to lay the bill on the table.

Whereupon the bill passed its third reading.

On motion by Mr. Cherry, the vote just taken on the passage of the bill was reconsidered.

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

Received a message from the House of Commons, stating that they concur in the amendment to the bill "concerning criminal proceedings," proposed by the committee of conference, and adopted by the Senate.

Also a message, stating that the House of Commons concur in the amendment proposed by the Senate to the bill "to amend the 7th section of an act, entitled an act to establish a bank in the town of Washington, &c."

Ordered, That said bill be enrolled.

Also a message, stating the House of Commons have passed the engrossed bill "concerning evidence," with an amendment; in which they ask the concurrence of the Senate.

The amendment was agreed to, and the House of Commons informed thereof by message.

Mr. Mills now called up the bill supplemental to an act, entitled an act to establish Polk county, which was read the second time, and passed.

On motion by Mr. Hoke, the Senate proceeded to the consider-
ation of the bill to authorise the Fayetteville and Deep River Navigation Company, to issue bonds, and for other purposes.

The bill was read the third time, and amended; and the question recurring on the passage of the bill on its third reading, as amended, it was determined in the affirmative; yeas 38, nays 8.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


On motion of Mr. Fisher, the Senate now took up for consideration, the bill to incorporate the Western North Carolina Railroad Company.

The bill was read the third time, and amended, on motion by Mr. Fisher.

Mr. Coleman moved a further amendment to the bill, pending the consideration of which,

On motion by Mr. Fisher, the Senate adjourned.

TUESDAY, January 23, 1855.

Mr. Christian introduced a bill to incorporate the Moore and Montgomery Plankroad Company, which was read the first time, passed, and referred to the committee on internal improvements.

Mr. McDowell, from the committee on corporations, to whom the same had been referred, reported the following bills and recommended their passage, viz:

The bill to incorporate the Fisher Hill Mining Company;

The bill to incorporate Cypress Creek Academy, in Jones county;

The bill for the incorporation and better regulation of the town of Murfreesborough, in the county of Hertford; and

The bill to alter the name of Jamestown, in the county of Martin.
Mr. Drake from the committee on claims, to whom was referred the resolution in favor of H. S. Smith, reported the same back to the Senate and recommended its passage.

Mr. Boyd introduced a resolution in favor of Calvin McRae, which was read the first time, passed, and referred to the committee on claims.

Mr. Boyd introduced a resolution in favor of J. R. Jones, which was read the first time, passed, and referred to the committee on claims.

A message was sent to the House of Commons stating that the Senate has passed the following engrossed bills in which they ask the concurrence of the House, viz:

A bill to incorporate the Union Institute;
A bill for completing, furnishing, and enclosing the buildings and grounds of the Lunatic Asylum;
A bill to authorize the building of a toll bridge in the county of Halifax, over the Roanoke river, and for other purposes.

The following bills were read the second time and passed, viz:
The bill concerning limitations;
The bill concerning secretary of State;
The bill concerning processioning;
The bill concerning registers; and
The bill concerning sheriffs.

The rules being suspended, said bills were severally read the third time, passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning University was read the second time, amended on motion by Mr. Graham, and passed.

The rules being suspended, said bill was read the third time, passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning widows was read the second time, amended by the several motions of Messrs. Eaton and Biggs, and passed as amended; the rules being suspended, said bill was read the third time, passed, and ordered to be engrossed under the 7th joint rule.

Mr. Morisey moved a reconsideration of the vote by which the bill to divide the State into eight judicial circuits was rejected, and moved that said motion be laid upon the table. The motion was agreed to.
Mr. Haughton moved that the Senate do now take up and consider the bill to incorporate the Fayetteville and Greensborough Railroad Company. The motion was lost.

Mr. Thomas of Davidson, introduced a bill to amend an act, entitled an act to incorporate the Greensboro' Mutual Insurance Company, passed in 1850-'51, which was read the first time, and passed, and referred to the committee on corporations.

On motion by Mr. Haughton, the bill to incorporate the Bank of Clarendon, at Fayetteville, was now taken up, and made the special order for to-day at 3½ o'clock.

On motion by Mr. Cherry, the Senate now proceeded to the consideration of the bill to re-charter the Bank of Cape Fear.

The pending question being on the amendment of Mr. Biggs, viz:

That no bill, certificate of deposit, or promissory note, shall be issued or re-issued by the corporation, for a less sum than five dollars.

The question on the adoption of the amendment, was determined in the affirmative; yeas 29, nays 18.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the amendment was adopted.

Mr. Wilder moved the following, as an additional section to the bill, viz:

Be it further enacted, That it shall be the duty of the president of the bank, on or before the fifteenth day of December of every year, to transmit to the public treasurer, a full and correct statement of the condition of the bank, showing the amount of capital, notes in circulation, and from what places issued, debts
due to other banks, and what banks, and all other particulars necessary to show the debit side of the account, also the amount of specie on hand, debts due from other banks, and what banks, real estate, the amount of notes or bonds discounted, and of bills of exchange, showing in one item, the amount due from directors, and in another, the amount due from stockholders; but in no case designating the names of the debtors, and all other particulars necessary to show the true condition of the credit side of the account; which statement, together with a statement of the dividends which shall accrue from time to time upon the stock of the bank, the public treasurer shall lay before the General Assembly.

Mr. Clark moved an amendment to the foregoing amendment, making it the duty of the president to transmit to the public treasurer semi-annual statements instead of annual statements, as provided for in said amendment.

The amendment to the amendment was adopted, and the amendment agreed to, as amended.

The bill was further amended, on motion by Mr. Wilder, by the adoption of the following as an additional section, viz:

"Be it further enacted, That any committee appointed by the Legislature for that purpose, may at any time inspect the books, and examine into and report the proceedings of the corporation."

The bill now passed its second reading, as amended.

The bill to repeal so much of an act passed in 1852, as provides for the appointment of a superintendent of common schools, was now taken up and read the second time.

Mr. Cunningham moved that the further consideration of the bill be postponed until Monday next.

Pending the consideration of which motion, The Senate took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The bill concerning treasurer; and

The bill concerning pilots, were severally read the second time and passed; the rules being suspended, said bills were read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill concerning entries and grants, was read the third time and passed, and ordered to be engrossed, under the 7th joint rule.
A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill concerning widows;
A bill concerning sheriffs;
A bill concerning University;
A bill concerning limitations;
A bill concerning processioning;
A bill concerning secretary of State;
A bill concerning treasurer;
A bill concerning pilots; and
A bill for the completion of the North Carolina Railroad.

The Senate now resumed the consideration of the unfinished business of the morning, viz:

The bill to repeal so much of an act passed in 1852, as provides for the appointment of a superintendent of common schools.

The pending question being, on the motion by Mr. Cunningham, that the further consideration of the bill be postponed, and made the order of the day for Monday next. The motion prevailed.

The bill concerning wills and testaments; and,

The bill concerning repeal and construction of statutes, were severally read the second time and passed.

The rules being suspended, said bills were read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The Senate now proceeded to the consideration of the unfinished business of yesterday, viz:

The bill to incorporate the Western North Carolina Railroad Company.

The pending question being on the adoption of the following amendment of Mr. Coleman, viz:

In the 2d section, in the 4th and 5th lines, strike out the words, "passing by or near to the town of Asheville, in Buncombe county," and in 6th and 7th lines, strike out the words, "in the direction of, and near Chattanooga, in said State."

Upon a division, the vote was 20 yeas, and 20 nays.

The Speaker voted in the affirmative, and the amendment was adopted.
Mr. Graham now moved to amend the 2d section of the bill, as follows, viz:

"Strike out all after the word "railroad," and insert "passing to some point on the French Broad river, beyond the Blue Ridge, and if the legislature shall hereafter determine, to such point in the Tennessee line, as it shall designate at a future session."

The amendment was agreed to.

The bill being further amended, on the several motions of Messrs. Coleman and Graham,

Mr. Wilder moved to amend the 46th section of the bill, by adding the following proviso, viz:

Provided however, That should the first subscription provided for in the 7th section of this act, to be taken by individuals, on the first division, be four hundred thousand dollars, and the five per cent. thereon paid, and the certificate thereof made as in said 7th section mentioned, then, and in that case, the first subscription on the part of the treasurer of the State, for the said first division, shall be eight hundred thousand dollars.

Mr. McDowell moved to amend the amendment of Mr. Wilder as follows, viz:

"Provided, further, The public treasurer shall not subscribe more than $800,000 unless authorized by the next General Assembly."

The question on the adoption of the amendment to the amendment resulted as follows: yeas 23, nays 23.

Mr. McDowell demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


There being a tie the Speaker voted in the negative, and the amendment to the amendment was lost.

The amendment of Mr. Wilder was adopted.
Mr. Cherry moved a further amendment to the bill, pending the consideration of which,

On motion by Mr. Wilder, the Senate adjourned; yeas 26, nays 21.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


WEDNESDAY, JANUARY 24, 1855.

A message was sent to the House of Commons stating that the Senate has passed the following engrossed bills, in which they ask the concurrence of the Commons, viz:

A bill concerning wills and testaments;
A bill concerning entries and grants;
A bill concerning repeal and construction of statutes; also
A bill to authorize the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes; and
A bill to incorporate a company to construct a ship canal to unite the waters of Albemarle, Currituck, and Pamlico Sounds with the Chesapeake Bay, and for other purposes.

Received a message from the House of Commons transmitting the recommendations of sundry justices of the peace, which were read and concurred in.

Also the resignation of James M. Edney, a justice of the peace for the county of Buncombe, which was read and accepted.

On motion by Mr. Biggs,

Resolved, That the Revised Statutes and private bills be considered this afternoon.

Mr. Wilder, from the committee on public buildings, reported the following resolution and recommended its passage, viz:
A resolution making an appropriation for building a new executive mansion in this State, which was read the first time and passed.

A message was received from the House of Commons transmitting the report of the joint committee on finance.

Mr. Fennell, from the committee on corporations, to whom was referred the bill to incorporate Clinton Lodge, No. 107, of Ancient York Masons, in the county of Caswell, reported the same back to the Senate and recommended its passage.

Mr. Fennell, from the same committee, to whom was referred the bill to incorporate the Danbury Hydraulic Company, reported the same back to the Senate and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the town of Warsaw, reported the same back to the Senate and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Conrad Hill Gold and Copper Mine, in Davidson county, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to establish a new county by the name of Alleghany, reported the same back to the Senate, and recommended its passage.

Mr. Coleman introduced a bill concerning emancipation of slaves, which was read the first time, and passed, and referred to the committee on the judiciary.

Mr. Boyd a bill to amend an act, entitled an act to incorporate the town of Madison, in the county of Rockingham, which was read the first time, and passed, and referred to the committee on corporations.

Mr. Collins a bill to incorporate the trustees of the Franklinton Male and Female Institutes, in the town of Franklinton, which was read the first time, and passed, and referred to the committee on corporations.

Mr. Coleman introduced a bill to amend the constitution of North Carolina, which was read the first time, and, by motion of Mr. Graham, ordered to be laid on the table.

On motion by Mr. Wilder, the Senate now proceeded to the consideration of the bill to incorporate the New River Navigation
Company, which was read the third time, and passed, and ordered to be engrossed.

Received a message from the House of Commons, stating that they have passed the engrossed bill from the Senate, concerning usury, with an amendment, in which they ask the concurrence of the Senate.

The Senate disagreed to the amendment, and the House of Commons were informed thereof by message.

Also a message, informing that the House of Commons have passed an engrossed bill to change the time of holding the courts of pleas and quarter sessions of Beaufort county, in which they ask the concurrence of the Senate.

The Senate now resumed the consideration of the unfinished business of yesterday, viz:

The bill to incorporate the Western North Carolina Railroad Company.

The question being on the adoption of the amendment proposed by Mr. Cherry,

By leave of the Senate, the amendment was withdrawn.

Mr. Fisher moved the following amendment, as an additional section, viz:

*Be it further enacted, That the construction of the first division of said road, shall be commenced at its eastern terminus; and the said division being fully completed, equipped and put to work, the subsequent divisions shall then be constructed, under the provisions hereinbefore made, progressively westward, and the State shall be called upon to pay no larger amount than $400,000 per annum, for the next two years succeeding the passage of this act.*

The amendment was adopted.

Mr. Thomas of Davidson, now moved to amend the 2d section of the bill, as follows, viz:

Strike out "Salisbury," and insert "Lexington, thence through the county of Davie."

The question on the adoption of said amendment, was determined in the negative; yeas 18, nays 25.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Brogden, Clark, Collins, Drake, Eborn, Jones, Lane, Martin, Mitchell, Rayner, Tayloe, Thomas of Da-
vidson, Wilder, Wiggins, Willey and Winslow of Pasquotank—18.

Those who voted in the negative, are,

So the amendment was lost.

Mr. Mitchell now moved to amend the second section of the bill, by inserting after the word railroad, in the 4th line, the words, "by or near Taylorsville, in Alexander county."

The amendment was rejected.

The bill being further amended on the several motions of Messrs. Haughton and Rayner,

Mr. Haughton proposed the following, as an additional amendment to the 11th section of the bill, viz:

"And as soon as the first division of said road shall have been completed, it shall be equipped for the transportation of passengers and freight, and all necessary warehouses, water stations, and buildings shall be erected, so that such division shall be put in full operation before the State shall be called upon to subscribe any further sum; and two-thirds of the nett proceeds of such part so completed, shall be paid into the public treasury semi-annually, to be applied in discharge of interest on the bonds issued by the State for said road, and the other third of nett proceeds shall be paid to the individual stockholders in proportion to the stock of each; and whenever such division shall have been completed and in full operation, and one-third of the estimated cost of the second division shall have been subscribed by solvent persons, and so certified as prescribed in section VIII of this act, the State shall subscribe the remaining two-thirds of the estimated cost of such division, and shall pay pro rata with individual stockholders, (such payment by them being in cash or labor;) and when said second division shall have been completed and in full operation, the nett proceeds shall be applied as herein before prescribed; when the said first and second divisions shall have been completed and in full operation, and one third of the estimated cost for completing the remaining division shall have been subscribed by solvent persons certified as aforesaid, two-thirds of the estimated cost thereof for completing the said road to its western
terminus shall be subscribed by the State; and shall be in full operation, the nett proceeds shall be applied as aforesaid, and the State shall pay her share of the subscription pro rata as aforesaid; but the five per cent. as prescribed in this act shall in all cases be paid by individuals before the State is required to pay: Provided, That cars may be run and tolls collected on any portion of either of said divisions: Provided, further, That the State shall not be required to pay more than $400,000 in any one year.

The amendment was adopted.

After the adoption of sundry further amendments to the bill, proposed by Messrs. Haughton and Graham,

Mr. Haughton moved to reconsider the vote by which the amendment proposed by Mr. Fisher was this day adopted. The motion to reconsider was agreed to, and said amendment rejected.

The question now recurring on the passage of the bill upon its third reading, it was determined in the affirmative; yeas 32, nays 16.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill passed its third reading as amended, and was ordered to be engrossed.

The Senate now took a recess until 3 o'clock.

Three o'clock, P. M.

The bill to incorporate the Newbern Mutual Insurance Company was read the third time, passed, and ordered to be engrossed.

The bill concerning oaths; and

The bill concerning militia, were severally read the second time and passed; and the rule being suspended, said bills were
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read the third time, passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning justices of the peace was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed under the 7th joint rule.

Mr. Jones introduced a bill to amend the 6th section of the act entitled an act concerning wrecks, passed at the present session of the General Assembly, which was read the first time, passed, and referred to a select committee of Messrs. Jones, McClees, Oldfield, Fonville, Fennell, and McDowell.

On motion by Mr. McDowell, the Senate now proceeded to the consideration of the bill to incorporate the Bank of Clarendon, at Fayetteville, which was read the second time.

The amendments proposed by the committee, were concurred in.

On motion by Mr. McDowell, the 1st section of the bill was amended, by striking out the "first Monday in January," and inserting the "first Monday in April."

Mr. Biggs offered the following amendment, as section 17, viz:

No bill, promissory note, check or certificate of deposit, shall be issued, or re-issued by the corporation, for a less amount than five dollars.

The amendment was adopted.

Mr. Clark moved to strike out the 15th section of the bill. The motion prevailed.

Mr. Eaton moved to amend the same, by striking out the 10th section, which was agreed to.

Mr. Clark moved to amend the bill, in the 2d line of the 2d section, by striking out the words "or their equivalent." The motion was lost.

After the adoption of some further amendments proposed by Messrs. Wilder and Clark,

Mr. Ashe moved the following, as an additional section of the bill, viz:

Be it further enacted, That the said bank shall, from time to time, when called on, after three months notice in writing, make loans of money to the State of North Carolina, whenever the same shall be applied for by authority given by the General Assembly,
provided the amount loaned, shall at no time exceed the sum of five per cent. on the capital stock subscribed.

The amendment was adopted.

The question now recurred on the passage of the bill upon its second reading, and was determined in the affirmative; yeas 26, nays 16.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill passed its second reading as amended.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed bills, viz: A bill concerning militia; A bill concerning justices of the peace; and, A bill concerning oaths; in which they ask the concurrence of the House of Commons.

On motion by Mr. Haughton, the Senate now proceeded to the consideration of the bill to re-charter the Bank of Cape Fear.

The bill was read the third time.

Mr. Wilder moved to amend the first section of the same, by striking out "1875," and inserting "1880." The motion prevailed.

The bill was further amended, on motion by Mr. Wilder, by striking out the 19th section as amended.

Mr. Wilder moved to strike out the 9th and 10th sections of the bill, and insert a substitute proposed by him, in lieu thereof; which was agreed to, and the substitute adopted.

After the adoption of some further amendments offered by Mr. Wilder,

Mr. Wilder proposed the following amendment to be added to the 20th section of the bill, viz:

Or pay out the notes or bills of any other bank, of a less de-
nomination than five dollars, unless it be in settlement with such
bank.

The amendment was adopted; yeas 24, nays 22.

Mr. Biggs demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the amendment was adopted.

Mr. Eaton moved to strike out the fifteenth section of the bill.

The motion was lost.

Mr. Tayloe moved the following as an additional section, viz:

Be it further enacted, That the president and directors, and other officers of the bank be, and they are hereby prohibited from representing as proxies any other stock than they may severally own.

The amendment was adopted.

Mr. Clark now moved the following, as an additional section to the bill, viz:

Be it further enacted, That in consideration of the privileges and powers granted in this charter, the stockholders shall pay to the State treasury the sum of fifty thousand dollars, which shall be due and paid on their acceptance of this charter.

The amendment was lost.

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

On motion by Mr. McDowell, the Senate adjourned.

THURSDAY, JANUARY 25, 1855.

Mr. Christian introduced a bill to open Uwharie River for the free passage of fish, which was read the first time, and passed, and referred to the committee on the judiciary.

Also a bill to incorporate the Beaver Dam Gold mountain and Plank Sluicing Company, which was read the first time and passed, and referred to the committee on corporations.
Mr. Person introduced a memorial concerning the Seaboard and Roanoke Railroad Company, which was referred to the committee on the judiciary, and ordered to be printed.

Mr. Drake, from the committee on claims, to whom was referred the resolution in favor of J. R. Jones, reported the same back to the Senate, and recommended its passage.

Mr. Drake, from the same committee, to whom was referred the resolution in favor of J. W. Erwin, reported the same back to the Senate with an amendment, and recommended its passage.

Mr. Drake, from the same committee, to whom was referred the resolution in favor of Calvin McRae, reported the same back to the Senate, and recommended its passage.

Mr. Drake, from the same committee, to whom was referred the resolution in favor of J. R. Jones, reported the same back to the Senate with an amendment, and recommended its passage.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to amend an act entitled an act to incorporate the town of Madison in the county of Rockingham, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the trustees of the Franklinton Male and Female Institute, in the town of Franklinton, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the North Carolina Copper Company, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Female Benevolent Society of Newbern, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the town of Columbia, in Tyrrell county, reported the same back to the Senate, and recommended its passage.

Mr. Jones, from the select committee, to whom was referred the bill to amend the 6th section of the act entitled, an act concerning wrecks, passed at the present session of the General Assembly, reported the same back to the Senate, with an amendment.

On motion by Mr. Biggs,

Resolved, That the Revised Statutes and private bills be considered this afternoon, except bank bills.

Mr. Fisher submitted a resolution in relation to the public trea-
surer, which was read and referred to the committee on finance.

Mr. Fisher introduced a bill to amend an act passed by the General Assembly of 1852–3, entitled an act to incorporate the Salisbury, Mocksville, and Wilkesboro' Plankroad Company, which was read the first time and passed, and referred to the committee on corporations.

Mr. Thomas of Davidson, a bill to prevent the felling of timber in Jimmie's Creek, in the county of Davidson, which was read the first time and passed, and referred to the committee on the judiciary.

Mr. McDowell introduced a bill to incorporate the Brunswick Savings Institution, which was read the first time, and passed.

Received a message from the House of Commons, stating that they have passed the engrossed bill, to cede to the United States of America, certain sites for light-house purposes, with an amendment as a substitute for the same, and asking the concurrence of the Senate therein.

The Senate concurred in the amendment, and informed the House of Commons thereof by message.

Also a message informing that the House of Commons have passed the following engrossed bills and resolutions, in which they ask the concurrence of the Senate, viz:

A bill to incorporate the Greensborough, Madison, and Virginia Plankroad Company;

A bill concerning the Wilmington and Raleigh Railroad Company;

A resolution in favor of Thomas N. Alexander.

The bill to increase the capital stock of the Fayetteville and Western Plankroad Company was now taken up, read the second time, amended, and passed.

On motion by Mr. Mitchell, the Senate took up for consideration the bill to establish a plankroad from Mocksville to Wilkesborough, which was read the third time, passed and ordered to be engrossed.

The Senate now proceeded to consider the bill supplemental to an act entitled an act to lay off and establish a new county by the name of Polk. The bill was read the third time.

Whereupon Mr. Hoke offered an amendment as a substitute
for the bill, which was adopted, and the bill passed its third reading as amended and was ordered to be engrossed.

Received a message from the House of Commons transmitting the report of the select committee on the deaf and dumb and blind, with a proposition to print the same.

The proposition to print was concurred in.

On motion by Mr. Boyd, the Senate now took up for consideration the bill to incorporate the Dan River and Yadkin Railroad Company, which was read the third time.

Mr. Martin moved to amend the bill as follows, viz: after the words "Yadkin River" in the 4th line of the 2d section, insert "beginning at Henderson, or Lynesville, or some intermediate point in the county of Granville, through the counties of Person, Caswell, and Rockingham, to Germanton, in the county of Stokes, or within five or six miles north or south of said town, in no case to strike the State of Virginia east of the dividing line between Stokes and Rockingham counties, and said road to be continued in such direction as a future General Assembly may direct."

The amendment was adopted.

After the adoption of some further amendments proposed by Messrs. Boyd and Haughton,

The question recurred on the passage of the bill on its third reading, and was determined in the affirmative; yeas 26, nays 17.

Mr. McDowell demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill passed its third reading as amended and was ordered to be engrossed.
On motion by Mr. Mills, the Senate now proceeded to the consideration of the bill to charter the Fayetteville and Greensboro' Railroad Company, which being read the third time,

Mr. Fonville moved to strike out the 42d and 43d sections of the bill, and insert the following amendment as a substitute in lieu thereof, viz:

"Be it further enacted, That the said company shall have power to extend the said railroad east, at or near Clinton, through Warsaw, in Duplin county, to Beaufort harbor, and that the construction of said road shall be commenced at the several points of Fayetteville, Beaufort harbor, and Warsaw; and whenever a section of fifteen miles thereof shall be graded and ready to receive the superstructure at each of the points adjacent to Fayetteville, Warsaw, and Beaufort harbor, the public treasurer is hereby authorized and required, on being thereof certified by the president and directors, to endorse the bonds of the company to the amount of one hundred and fifty thousand dollars, and so on as often as any other fifteen miles of said road shall be graded.

Sec. 43. Be it further enacted, That for the purpose of enabling said company to extend said road east to Beaufort harbor, as herein before provided, that it shall be lawful to open books in the town of Clinton, under the direction of John R. Beaman, Thos. I. Faison, F. B. Millard, John Boykin, sen., R. C. Holmes, A. Johnson, W. T. Kerby, F. Pugh, Dr. E. F. Shaw, P. Murphy, W. M. McKay, Wm. S. Devane, J. T. Mathis, Thos. Bunting, C. Thompson, Wm. Faison, sen., or any three of them.

In the town of Warsaw, under the direction of C. J. Oates, Curtis P. Oates, W. L. Hill, Samuel R. Bowden, D. B. Morrissey, or any three of them.

At Kenansville, under the direction of David Reid, W. C. Hill, W. J. Houston, O. R. Kenan, I. B. Kelly, and C. W. Graham, or any three of them.

Hallsville, under the direction of N. Hall, E. Armstrong, W. Farrier, and Bryan Southerland, or any three of them.

At Jacksonsville, under the direction of George J. Ward, John A. Averett, Jasper Ethridge, and E. Ward, or any three of them.

At Beaufort, under the direction of William J. Potter, B. S. Perry, Levi T. Oglesby, and Bridges Arendell, or any three of them.
And at Trenton, under the direction of Benjamin Askew, F. J. Simmons, and D. D. Troy.

And at such other places, and under the direction of such other persons, as any of the commissioners hereinbefore named to superintend the receiving of the same at Fayetteville shall direct."

The amendment was adopted.

The question now recurred on the passage of the bill upon its third reading, as amended, and was determined in the affirmative; yeas 23, nays 21.

Mr. Eaton demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill passed its third reading as amended, and was ordered to be engrossed.

The bill concerning insolvent debtors, was read the second time and passed.

The rule being suspended, said bill was read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill to incorporate the Pamlico and Albemarle Insurance Company, was read the third time, passed, and ordered to be engrossed.

On motion by Mr. Mills, the Senate now took up for consideration the resolution for the loan of three thousand dollars by the literary board, to the Clinton Female Institute, in Sampson county.

The resolution was read the third time,

On motion by Mr. Mills, the resolution was amended by authorising a loan by the literary board aforesaid, of four thousand five hundred dollars, to the Wesleyan Female College, at Murfreesborough.
And on motion by Mr. Clark, said resolution was further amended, by authorising by the said board, a like loan of four thousand five hundred dollars to the Chowan Female Institute.

The resolution then passed its third reading as amended, and was ordered to be engrossed.

The Senate now took a recess until 3 o'clock.

Three o'clock; P. M.

The bill concerning roads, ferries and bridges, was read the second time, and passed.

The rule being suspended, said bill was read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill to emancipate Cresey, a slave, was read the second time, and rejected.

The bill concerning slaves and free persons of color, was read the second time, and passed.

The rule being suspended, said bill was read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz:

A bill concerning insolvent debtors;

A bill concerning roads, ferries and bridges; and,

A bill concerning slaves and free persons of color.

The bill to incorporate Clinton Lodge, No. 107, of Ancient York Masons, in the county of Caswell, was read the second time and passed.

The rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to prevent the ranging of stock from any other State or county, in Yancy county, was read the second time and rejected.

Received a message from the House of Commons, transmitting a communication from his Excellency the Governor, and accompanying documents in relation to the public arms, which was referred to the committee on military affairs.

Also a message from the House of Commons, transmitting a communication from his Excellency the Governor, with accompanying documents relative to the restoration of the statue of
WASHINGTON, which was referred to the committee on public buildings.

Received a message from the House of Commons, stating that they have passed the following engrossed bill, and ask the concurrence of the Senate therein, viz:

A bill for the relief of the citizens of Iredell county.

The engrossed bill to incorporate the town of Lenoir, in Caldwell county, was read the second time and passed; the rule being suspended, said bill was read the third time, amended, and passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

Mr. Mills called up the bill to incorporate the Bank of Clarendon, at Fayetteville, which was read the third time.

Mr. Biggs proposed to amend the bill by adding the following to the last section of the same, "or pay out the notes or bills of any other bank of a less denomination than five dollars, unless it be in settlement with such bank."

The question on the adoption of said amendment was determined in the affirmative; yeas 20, nays 17.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the amendment was adopted.

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

The bill to repeal an act of the General Assembly passed at its session of 1848 and 1849, chapter 143, was read the second time.

Mr. Wiggins moved an amendment to said bill. Pending the consideration of which,

On motion by Mr. Rayner, the bill and amendment were laid upon the table.
The bill to emancipate James G. Hostler, a slave, was read the third time, passed, and ordered to be engrossed.

The resolution in favor of Calvin McRae was read the second time and passed; the rules being suspended, said resolution was read the third time, amended by striking out "Calvin" and inserting "Colen," passed as amended and ordered to be engrossed.

The bill to incorporate the Silver Hill Mining Company, in the county of Davidson;

The resolution in favor of J. R. Jones;

The bill to encourage agriculture, and for other purposes;

The bill to amend an act, entitled an act to incorporate the town of Madison, in the county of Rockingham;

The bill to incorporate the Conrad Hill Gold and Copper Mining Company, in the county of Davidson; and,

The bill to alter the name of Jamestown, in the county of Martin, were severally read the second time and passed; the rule being suspended, said bills and resolution were severally read the third time, passed, and ordered to be engrossed.

The engrossed bill to amend the charter of the town of Charlotte, was read the third time and passed, and ordered to be enrolled.

The engrossed resolution in favor of H. S. Smith; and,

The engrossed bill to incorporate the town of Warsaw, were severally read the second time and passed; under a suspension of the rule, said resolution and bill were read the third time, passed, and ordered to be enrolled.

A message from the House of Commons, transmitting the recommendations of sundry justices of the peace, which were read and concurred in.

Sundry recommendations of justices of the peace, were read and accepted, and sent to the House of Commons.

The resolution in favor of J. W. Erwin, was read the second time, amended, and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the trustees of New Institute, in Iredell county, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.
Mr. McDowell submitted the following resolution, viz:

Resolved, That a message be sent to the House of Commons, proposing that the two Houses adjourn sine die, on Wednesday the 7th February.

On motion,

Ordered, That said resolution be laid upon the table.

Mr. Coleman introduced a bill for developing the mineral interests of the State, which was read the first time and passed, and referred to the committee on the judiciary.

On motion by Mr. Collins, the Senate adjourned.

FRIDAY, January 26, 1855.

Mr. Wilder presented a memorial of the stockholders of the Raleigh and Gaston Railroad Company, praying the discontinuance of the bridge across the Roanoke River at Gaston, which was read and ordered to be laid on the table.

Mr. Fisher, from the committee on internal improvements, to whom the same was referred, reported back to the Senate the following bills and recommended their passage, viz:

The bill to incorporate the East Fork Turnpike Company;

The engrossed bill to incorporate the Chatham Railroad Company;

The bill to amend an act entitled an act to incorporate the Oconalufta and Qualla Town Turnpike Company, passed at the session of 1850–'51; and

The bill to provide for the construction and repairs of public roads. Also,

A resolution in favor of Walter Gwynn, recommending a substitute for the same.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to provide for the better regulation of the town of Louisburg, in Franklin county, reported the same back to the Senate with amendments.

Mr. Graham, from the committee on the judiciary, to whom was referred the bill creating liens on ships, &c., reported the same back to the Senate with an amendment.

Mr. Coleman, from the same committee, to whom was referred the bill to prevent the felling of timber in Jimmie's creek, in the
county of Davidson, reported the same back to the Senate and recommended its passage.

Mr. Haughton, from the same committee, to whom was referred the engrossed bill for the protection of sheep, reported the same back to the Senate and recommended its passage.

Mr. Wilder, from the same committee, to whom was referred the bill for developing the resources of the State, reported the same back to the Senate and recommended that it do not pass.

Mr. Eaton, from the same committee, to whom was referred the bill concerning emancipation of slaves, reported the same back to the Senate, and recommended its rejection.

Mr. Morisey, from the committee on corporations, reported favorably on the following bills, viz:

The bill to amend an act passed at the General Assembly of 1846-'7, entitled an act to incorporate the town of Statesville;

The bill relating to roads, bridges and ferries; and

The bill to incorporate the Hodgen Hill Mining Company.

On motion by Mr. Biggs, the Senate took up the engrossed bill to amend an act to define the duties and powers of turnpike and plankroad companies; which was read the third time, amended and passed, and a message sent to the House of Commons, asking their concurrence in the Senate's amendments.

Mr. Jones moved to reconsider the vote of yesterday, by which was rejected the engrossed bill to prevent the ranging of stock from any other State or county, in Yancy county, and moved that said motion to reconsider be laid on the table; which was agreed to.

Mr. Haughton introduced a bill to incorporate the Boss Gold and Silver Mining Company, in Davidson county; which was read the first time and passed, and referred to the committee on corporations.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed resolution and bills, in which they ask the concurrence of the House, viz:

A resolution directing the literary board to loan money to Clinton Female Institute, and for other purposes;

A bill to recharter the Bank of Cape Fear;

A bill to incorporate the New River Navigation Company; and
A bill to incorporate the Western North Carolina Railroad Company.

Mr. Collins introduced a bill to incorporate Franklinton Lodge, No. 123, of free and accepted masons, in the town of Franklinton, county of Franklin; which was read the first time and passed.

Received from the House of Commons sundry recommendations of justices of the peace; which were read and concurred in.

The recommendations of several justices of the peace were read and accepted, and sent to the House of Commons for concurrence.

Received a message from the House of Commons, proposing to raise a joint committee consisting of two on the part of each House, to examine into the business before the General Assembly, and report a time for adjournment.

The proposition was concurred in, and a message sent to the House of Commons, informing that Messrs. McDowell and Haughton form the Senate's branch of the committee on the subject.

Mr. Rayner now moved a reconsideration of the vote by which was passed on yesterday the bill to incorporate the Dan River and Yadkin Railroad Company.

The question on said motion was determined in the negative; yeas 21, nays 23.

Mr. Clark demanded the yeas and nays.


So the motion to reconsider was lost.

The bill to provide for the construction and repairs of public roads, was read the second time and amended, and ordered to be laid upon the table.
Mr. Hoke, from the committee on the judiciary, to whom was referred the bill concerning fishing in Tar and Pamlico rivers, reported the same back to the Senate, and recommended its rejection.

Mr. Hoke, from the same committee, to whom was referred the bill to amend the constitution and to provide for annual sessions of the General Assembly, reported the same back to the Senate, and recommended its rejection.

Mr. Thomas of Davidson, from the committee on corporations, to whom was referred the bill to incorporate the Yadkin Institute, in the county of Davidson, reported the same back to the Senate, and recommended its passage.

The resolution to authorise the literary board to loan the Franklin Female Academy, in the county of Macon, $2000, was read the second time and rejected.

But, by motion of Mr. Wilder, the vote by which the same was rejected, was re-considered, amended on motion by Mr. Biggs, by authorising a loan of $1000 to the Williamston Academy, in Martin county; and, on motion by Mr. Hoke, laid on the table.

The bill to amend an act, entitled an act to incorporate the Oconalufia and Quallatown Turnpike Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to amend an act passed at the session of 1850-'51, entitled an act for the better regulation of the town of Wilson, in the county of Edgecombe, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The resolution in favor of Walter Gwynn, was read the second time.

When, on motion by Mr. Thomas of Jackson, the same was recommitted to the committee on internal improvements, with instructions to state the account, &c.

Mr. Rayner moved for and obtained leave to change his vote on the passage of the bill to incorporate the Dan River and Yadkin Railroad Company.

The Senate now took a recess until 3 o'clock.
Three o'clock, P. M.

The engrossed bill to incorporate the Mutual Fire Insurance Company, in the town of Charlotte, was read the second time and referred to the committee on corporations.

The engrossed bill to incorporate the Yadkin Institute, in the county of Davidson, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The bill to incorporate Cypress Creek Academy, in Jones county, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to amend statutes concerning widows was read the second time.

Mr. Biggs offered an amendment as a substitute for the same.

Mr. Ashe moved that the bill and amendment be indefinitely postponed. The motion prevailed; yeas 23, nays 19.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill was indefinitely postponed.

The bill to amend the law concerning divorce and alimony was read the second time.

And by motion of Mr. Jones, the further consideration of the same was postponed until the 4th day of March next.

Received a message from the House of Commons transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to amend an act entitled an act for the government of the city of Raleigh, which was read the first time and
passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled. Also,

A bill to amend an act entitled an act to incorporate the Atlantic and North Carolina Railroad Company, &c.

Mr. Cherry now called up the bill to repeal an act of the General Assembly passed at its session of 1848-'49, chapter 143.

The question being on the amendment offered by Mr. Wiggins, viz:

"Be it further enacted, That hereafter it shall not be lawful for any one hauling a seine in the waters of the Albemarle and its tributaries, to fish said seine between Saturday sunset and daybreak Monday succeeding of each and every week; and every person offending against the provisions of this act, shall be liable to indictment in the county or superior court of such county as the offence may be committed in, and on conviction shall be fined not more than dollars for each and every offence: Provided, however, That the provisions of this act shall not apply in any case where any seine may be laid out, and cannot in consequence of stress of weather, or other unavoidable cause, be drawn ashore before sunset on Saturday."

Mr. Jones moved that the bill and amendment be postponed until the 4th day of March next.

The motion was lost.

The amendment of Mr. Wiggins, after being amended by the motions of Messrs. Rayner and Willey, was adopted.

The bill then passed its second reading as amended.

Mr. Thomas of Jackson introduced a bill to amend an act incorporating the Tuckasege and Keowee Turnpike Company, in the county of Jackson, which was read the first time, passed, and referred to the committee on internal improvements.

The bill for the better protection of religious assemblies was read the second time and rejected.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill, and recommended its passage, viz:

A bill concerning towns, which was read the first time, amended, and passed.

Mr. Morisey moved an adjournment.

The motion was not carried.
The bill to incorporate the North Carolina Copper Company; and  
The bill to incorporate the Fisher Hill Mining Company, were  
severally read the second time and passed; the rules being sus-  
pended, said bills were read the third time, passed, and ordered  
to be engrossed.  
On motion, the Senate adjourned.  

SATURDAY, JANUARY 27, 1855.  
The bill concerning county and superior courts, was read the  
second time and passed.  
Mr. Eaton presented the memorial of sundry persons living  
near the Raleigh and Gaston Railroad, against the discontinuance  
of the bridge across the Roanoke river at Gaston, which was or-  
dered to be laid on the table.  
Mr. Oldfield a memorial concerning the town of Beaufort,  
which was referred to the committee on the judiciary.  
Mr. Wilder, from the committee on banking, to whom was re-  
ferred the bill to establish the Central Bank of North Carolina, rep-  
ported the same back to the Senate, and recommended its rejection.  
Mr. McDowell, from the committee on corporations, to whom  
was referred the bill to incorporate the Beaver Dam, Gold Moun-  
tain and Plank-sluicing Company, reported the same back to the  
Senate, and recommended its passage.  
Mr. McDowell, from the same committee, to whom was re-  
ferred the bill to incorporate the Boss Gold and Silver Mining  
Company, reported the same back to the Senate, and recom-  
mented its passage.  
Mr. McDowell, from the same committee, to whom was re-  
ferred the bill to amend an act passed by the General Assembly  
at the session of 1852-'53, entitled an act to incorporate the Salis-  
bury, Mocksville and Wilkesboro' Plankroad Company, reported  
the same back to the Senate, and recommended its passage.  
Mr. McDowell, from the same committee, to whom was re-  
ferred the bill to incorporate the Chapel Hill and Morrisville Plank-  
road, Tramroad and Turnpike Company, reported the same back  
to the Senate, with amendments.  
Mr. Thomas of Davidson, from the same committee, to whom  
was referred the bill for the better regulation of the town of Frank-
linsville, in the county of Randolph, reported the same back to the Senate, and recommended its passage.

Mr. Thomas of Davidson, introduced a bill to incorporate the Thomasville and Clemmonsville Turnpike and Plankroad Company, which was read the first time and passed.

Mr. Cherry a bill to improve the navigation of the Roanoke river, which was read the first time and passed, and referred to the committee on internal improvements.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz:

A bill to incorporate the Dan River and Yadkin Railroad Company;
A bill to incorporate the Newbern Mutual Insurance Company;
A bill to incorporate the trustees of New Institute, in Iredell county; and,
A bill to incorporate Clinton Lodge, No. 107, of Ancient York Masons, in Caswell county.

Mr. Graves introduced a bill to incorporate the Dan River Steam Navigation Company, which was read the first time and passed, and referred to the committee on internal improvements.

Received a message from the House of Commons, informing that they have passed the following engrossed bill from the Senate, "concerning mines," with an amendment, in which they ask the concurrence of the Senate.

The amendment was agreed to, and the House of Commons informed thereof by message.

Received a message from the House of Commons, informing that Messrs. Gorrell and Settle constitute their branch of the committee to examine the business of the General Assembly, and report a time for adjournment.

The same message states that the House of Commons have passed the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to incorporate the Wilmington and Charlotte Railroad Company;
A bill to incorporate the Trent River Navigation Company;
A bill to incorporate the Guilford Gold and Mining Company;
A bill to incorporate the town of Franklin;
A bill concerning hogs running at large in Elizabeth City, &c.;
A bill to alter the times of holding courts in Hyde;
A bill to incorporate Fair Bluff and Conwayborough Plankroad Company; and
A bill to incorporate Fair Bluff and Iron Hill Plankroad Company.

Mr. Cherry moved and obtained leave to change his vote on the passage of the bill to incorporate the Dan River and Yadkin Railroad Company.

The Senate now proceeded to the consideration of the bill to provide for a uniform valuation of the lands within the State, and that the taxes be listed, levied and collected in the same year.

The question being on the passage of the bill upon its second reading,
After the adoption of sundry amendments, proposed by Messrs. Boyd and Haughton,
The bill passed its second reading as amended.
Mr. Coleman introduced a bill, accompanied by a memorial, to alter the line between the counties of Buncombe and Madison, which was read the first time, passed, and referred to the committee on the judiciary.
Mr. Haughton, a bill to incorporate the Gulf and Deep River Iron Manufacturing Company, which was read the first time, passed, and referred to the committee on corporations.

The bill creating a lien on ships, steamboats, and other vessels for the recovery of debts thereon was now taken up; the amendment proposed as a substitute by the committee read and adopted, and the bill passed its second reading as amended; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to increase the capital stock of the Fayetteville and Western Plankroad Company was read the third time, passed, and ordered to be engrossed.

Mr. Ashe introduced a bill to authorize Robert L. Steele to establish a public ferry on the Pedee River, in the counties of Anson and Richmond, which was read the first time and passed.

The engrossed bill for the protection of sheep was read the second time.
Mr. Ashe moved to amend the bill by striking out the words "other stock."

Mr. Cherry moved that the bill and amendment be postponed indefinitely.

The motion was lost; yeas 9, nays 31.

Mr. Jones demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


The question recurring on the adoption of the amendment of Mr. Ashe, the same was rejected.

Mr. Person moved to amend the bill as follows, viz., "That no one shall enjoy the benefit of this act who kills or damages in any manner the dog that killed the sheep."

The amendment was lost.

The question now recurred on the passage of the bill upon its second reading, and was determined in the affirmative; yeas 22, nays 19.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill passed its second reading.

Mr. Cherry introduced a bill to incorporate the North Carolina Bible and Baptist Publication Society, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.
The resignation of James M. Barnes, a justice of the peace for Edgecombe county, was read and accepted.

The engrossed bill to incorporate the Female Benevolent Society of Newbern; and

The engrossed bill to hold court two weeks in New Hanover county, were read the second time and passed; the rule being suspended, said bills were severally read the third time, passed, and ordered to be enrolled.

The bill to incorporate the town of Columbia, in Tyrrell county, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Hodgen Hill Mining Company; and

The bill to incorporate Franklin Lodge, No. 125, of Free and Accepted Masons, in the town of Franklinton, in the county of Franklin, were severally read the second time and passed; the rule being suspended, said bills were read the third time, passed, and ordered to be engrossed.

The engrossed bill for the better regulation of the town of Franklinsville, in Randolph county, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

The Senate now took a recess until 3 o'clock.

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Three o'clock, P. M.

Mr. Freeman introduced a bill to give two jury trials to the county courts of Stanly county, which was read the first time and passed.

The bill concerning towns was read the second time, amended and passed.

The bill concerning salaries and fees was read the second time, and passed.

The bill to incorporate the Danbury Hydraulic Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Biggs introduced a bill concerning the town of Fayetteville,
which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The bill for the incorporation of the town of Murfreesboro', in the county of Hertford, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Brunswick Savings Institution, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

On motion by Mr. Eaton, the vote by which the bill concerning the town of Fayetteville was passed, was reconsidered, amended by inserting Wilmington, passed its third time as amended, and was ordered to be engrossed.

The bill to incorporate the trustees of the Franklinton Male and Female Institutes, in the town of Franklinton, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate East Fork Turnpike Company, was read the second time and passed.

The bill to amend an act passed by the General Assembly at the session of 1852-53, entitled an act to incorporate the Salisbury, Mocksville, and Wilkesboro' Plankroad Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Boss Gold and Silver Mining Company, was read the second time and passed; and the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Jones moved to reconsider the vote by which, on yesterday was rejected, the bill for the better protection of religious assemblies; and moved that said motion be laid on the table, which was agreed to.

The bill to incorporate the Greensboro' and Martin's Lime Kiln Plankroad Company, was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Thomasville and Clemonsville Plankroad Company, under a suspension of the rule, was read the second and third time, passed, and ordered to be engrossed.
The bill to incorporate the Beaver Dam Gold Mining and plank-sluicing Company, was read the second time and passed. The rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to authorize Robert L. Steele to establish a ferry on the Pedee river, in the counties of Anson and Richmond, under a suspension of the rules, was read the second and third times, passed, and ordered to be engrossed.

The engrossed bill concerning the Wilmington and Raleigh Railroad Company, was read the first time, and passed, and referred to the committee on the judiciary.

The engrossed resolution in favor of Tho's N. Alexander, was read the first time, passed, and referred to the committee on claims.

The engrossed bill to incorporate the Whiteville and Iron Hill Plankroad Company;

The engrossed bill to incorporate the Fair Bluff and Conwayboro' Plankroad Company;

The engrossed bill to alter the time of holding the courts in Hyde; and

The engrossed bill to incorporate the town of Franklin, were severally read the first time and passed.

The rule being suspended, said bills were read the second and third times, and passed, and ordered to be enrolled.

The engrossed bill to change the time for holding the courts of pleas and quarter sessions in the county of Beaufort, was read the first time, and passed.

The engrossed bill concerning hogs running at large in Elizabethtown, was read the first time, passed, and referred to the committee on propositions and grievances.

The engrossed bill to lay off and establish a county by the name of Wilson, was read the first time, passed, and referred to the committee on propositions and grievances.

The engrossed bill to incorporate the Wilmington and Charlotte Railroad Company, was read the first time and passed.

The engrossed bill to amend an act entitled an act to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company, was read the first time and passed.

And, by motion of Mr. Wood, made the order of the day for Tuesday next.
On motion by Mr. Graham, the Senate now adjourned until Monday morning, 10 o'clock.

MONDAY, JANUARY 29, 1855.

The Speaker announced that Messrs. Wilder, Cherry and Faison, constitute the Senate's branch of the committee on enrolled bills for the present week.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate a Mutual Insurance Fire Company, in the town of Charlotte, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Little River Company, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Ordered, That said bill be referred to the committee on internal improvements.

Mr. McDowell, from the select committee, to whom was referred a memorial on the subject, reported sundry resolutions making an appropriation in aid of the Seaman's Friend Society, in Wilmington, which was read the first time and passed.

Mr. Boyd, from the select committee, to whom was referred the resolution directing an inquiry into an alleged mistake or fraud, in enrolling the act of the last session in relation to the 44th and 46th Senatorial districts, &c., made a detailed report thereon, and asked to be discharged from the further consideration of the subject. Discharged accordingly.

The engrossed bill for the relief of the citizens of Iredell county, was read the first time and passed, and referred to the committee on the judiciary.

The recommendation of justices of the peace, for the county of Mecklenburg, was read and accepted, and sent to the House of Commons.

Mr. Hoke introduced a bill to re-charter the Bank of the State of North Carolina, which was read the first time and passed.

The engrossed bill to incorporate the Guilford Gold and Copper Mining Company, was read the first time and passed.

The bill to prevent the felling of timber in Jimmie's creek, in the county of Davidson, was read the second time and passed.
The bill to amend the 6th section of the act, entitled an act concerning wrecks, passed at the present session of the General Assembly, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill concerning the emancipation of slaves, was read the second time, and on motion by Mr. Coleman, ordered to be laid on the table.

The resolution making an appropriation for building a new executive mansion in this State, was read the second time.

Mr. Wilder moved to fill the blank in said resolution with the sum of "five thousand dollars." The motion was lost.

Mr. Biggs moved to amend the resolution, by striking out all after the word, "resolved," and inserting the following, viz:

That the sum of $5,000 be appropriated for the improvement of the buildings and enclosures of, and the erection of a wing to the executive mansion, to be expended under the direction of the board of public buildings.

On motion by Mr. Hoke, the resolution and amendment were recommitted to the committee on public buildings.

The bill to give two jury trials to the county courts of Stanly county, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to change the time of holding the court of pleas and quarter sessions in the county of Beaufort, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

Received from the House of Commons sundry recommendations of justices of the peace, which were read and concurred in.

A message was received from the House of Commons informing that they have passed the following engrossed bill and resolutions, in which they ask the concurrence of the Senate, viz:

A resolution in favor of John Crous; and

A resolution in favor of W. H. Winder; which said resolutions were read the first time and passed, and referred to the committee on propositions and grievances.

A bill to incorporate the Dobbin House Company in the town
of Fayetteville; which was read the first time and passed, and referred to the committee on corporations.

Mr. Graham now called up for consideration the bill making provision for the reduction of the public debt; which was read the second time.

Mr. Graham moved to amend the bill, by inserting, after the words "Raleigh and Gaston Railroad Company," in the 11th line of the first section, the words "Wilmington and Manchester Railroad Company."

The motion was lost.

Mr. Biggs moved to amend the said section, by inserting, in the 11th line of the same, the words "North Carolina Railroad Company."

The amendment was adopted.

Mr. Clark moved to amend said 1st section, by striking out the words "Wilmington and Raleigh Railroad Company," in the 14th line of the same.

The motion prevailed, yeas 28, nays 12.

Mr. Graham demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


After the adoption of some further amendments, proposed by Mr. Graham, the bill passed its second reading, as amended.

The recommendations of several justices of the peace were read and accepted, and sent to the House of Commons for concurrence.

Mr. Rayner submitted the following resolutions, which were read and adopted, viz:

1. Resolved, That our Senators and Representatives in the Congress of the United States be requested to use their influence towards securing an appropriation by Congress for the purchase
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of a site, and the erection of a Marine Hospital, in or near the
town of Wilmington in this State.

2. Resolved, That the Governor of this State be, and he is
hereby requested to forward copies of these resolutions to each one
of our Senators and Representatives in the Congress of the Uni-
ted States, with a request that they be laid before their respective
Houses.

3. Resolved, That, in the event of an appropriation by Con-
gress, for the purposes aforesaid, the Governor of this State be,
and he is hereby authorized, to cede to the United States the
right of jurisdiction over such land as may be purchased
by the authorities of the United States, as a site for the proposed
hospital.

Mr. Cherry submitted the following resolutions, viz:

Whereas, the public domain of the United States is the common
property of all the States, purchased and procured by the com-
mon efforts and common treasure of these States; and in which,
each and all are fairly entitled to participate; and any appro-
piation of the public land to particular States is creative of unequal,
improper and unjust discrimination in the use of a common fund:
And whereas, the precedent has been set, and the practice ob-
tained, in the Congress of the United States, granting immense
donations of the public lands to particular States for the purposes
of internal improvement, education, &c. And whereas the State
of North Carolina, in a spirit of generous patriotism and fraternal
feeling, ceded to the General Government, a large and valuable
portion of the public territory, and is therefore, upon every prin-
ciple of justice, equality and sound policy, fairly and legitimately
entitled to her share of the public lands: Therefore,

Resolved, That, in behalf of the people of North Carolina,
whom we represent, we do solemnly protest against the provisions
of a bill recently before Congress, under the imposing but decep-
tive title of "The Homestead bill," as also against the provisions
contained in Senator Hunter's substitute or amendment, as oper-
ating gross injustice to the citizens of the old States, being, in a
great measure, a gift of the public lands to foreigners, and the
citizens of States contiguous to said lands, and to the States in
which they are located, to the utter exclusion of North Carolina
and the other old States.
Resolved, That our Senators and Representatives in Congress be requested to make application, by bill or otherwise, to that body, for an appropriation to North Carolina of a fair and equitable portion of said public lands, or the proceeds thereof; which, when so appropriated, shall be applied to purposes of internal improvement, education, and in relief of the treasury and public burdens of the State.

The said resolutions were read, and, on motion by Mr. Cherry; ordered to be laid on the table.

Mr. Cherry now moved a suspension of the rules, that the Senate might take up and consider the aforesaid resolutions.

The motion was lost, yeas 18, nays 24.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative, are, Messrs. Ashe, Cherry, Christian, Clark Collins, Davis, Eborn, Freeman, Gilmer, Graham, Lane, McClees, Mitchell, Rayner, Tayloe, Thomas of Davidson, Wiggins and Willey—18.


The Senate now proceeded to the consideration of the bill to repeal so much of an act passed in 1852, as provides for the appointment of a superintendent of common schools.

The said bill being on its second reading.

Pending the consideration of which, the Senate took a recess until 3 o'clock.

Three o'clock, P. M.

The engrossed bill to incorporate the Trent River Navigation Company, was read the first time and passed.

The engrossed bill to incorporate the Greensboro', Madison, and Virginia Plankroad Company, was read the first time and passed.

The engrossed bill to incorporate the Greenville and French Broad Railroad Company, was read the first time and passed.

The engrossed bill to incorporate the Mutual Insurance Fire
Company, in the town of Charlotte, was read the third time, passed, and ordered to be enrolled.

The Senate now resumed the consideration of the unfinished business of the morning, viz: The bill to repeal so much of an act passed in 1852, as provides for the appointment of a superintendent of common schools,

And the question recurring on the passage of the bill, on its second reading, it was decided in the negative—yeas 12, nays 26.

Mr. Bower demanded the yeas and nays,

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill was rejected.

The engrossed bill to incorporate the East Fork Turnpike Company, was read the third time, passed, and ordered to be enrolled.

On motion, Mr. Wilder was excused from serving on the committee on enrolled bills, and Mr. Drake appointed in his place.

The bill to establish a new county by the name of Aleghany, was read the second time and rejected; yeas 15, nays 20.

Mr. Eaton demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


The engrossed bill to incorporate the Chapel Hill and Morrisville Plankroad, Tramroad and Turnpike Company, was read the second time.
The amendment proposed by the committee, viz: "strike out the 5th section," was adopted.

The bill then passed its second reading as amended; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

Received a message from the House of Commons, that the House branch of the committee on enrolled bills for the present week, consists of Messrs. Barringer, Long, Stubbs, Steele and Gentry.

The engrossed bill concerning fishing on Tar and Pamlico rivers, was now taken up, and recommitted to the committee on the judiciary.

The engrossed bill to provide for the better regulation of the town of Louisburg, in Franklin county, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

The engrossed bill to incorporate the Chatham Railroad Company, was read the second time, amended, and passed.

The engrossed bill to incorporate the Guilford Gold and Copper Mining Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Greensboro', Madison and Virginia Plankroad Company, under a suspension of the rule, was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Trent River Navigation Company, under a suspension of the rule, was read the second and third time, passed, and ordered to be enrolled.

The bill to prevent the felling of timber in Jimmie's creek, in the county of Davidson, was read the third time, amended, and passed, and ordered to be engrossed.

On motion by Mr. Wiggins, the Senate adjourned.

TUESDAY, JANUARY 30, 1855.

Mr. McDowell, from the committee on corporations, to whom
was referred the engrossed bill to incorporate the Dobbin House Company, in the town of Fayetteville, reported the same back to the Senate, and recommended its passage.

The bill was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill, to amend an act entitled an act to prevent the obstruction of the passage of fish on the waters of Blount's Creek and its tributaries, reported the same back to the Senate, with amendments.

The bill was read the second time; the amendments agreed to, and the bill passed its second reading as amended; said bill was read the third time and passed; and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

Mr. Cherry, from the committee on swamp lands, to whom was referred the bill to authorize the president and directors of the literary fund, to appoint an agent for the swamp lands, reported the same back to the Senate, and recommended its passage.

The bill was read the second time and passed.

Mr. Fisher, from the committee on internal improvements, to whom was recommitted the resolution in favor of Walter Gwynn, with instructions, &c., made a detailed report thereon, and recommended that the resolution before reported be passed.

The resolution was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The recommendations of sundry justices of the peace, were received from the House of Commons, read, and concurred in.

Mr. Hoke, from the committee on the judiciary, to whom was referred the engrossed bill concerning the Wilmington and Raleigh Railroad Company, and

The bill to open Euwharrie river for the free passage of fish, reported said bill back to the Senate, with amendments.

Mr. Hoke, from the same committee, to whom a memorial on the subject was referred, reported a resolution concerning the debt due from the Seaboard and Roanoke Railroad Company, which was read the first time and passed.
Mr. Gilmer introduced a resolution in favor of James M. McGowan, which was read the first time and passed, and referred to the committee on propositions and grievances.

Mr. Wilder now called up the bill to establish the Central Bank of North Carolina, which was read the second time;

When on motion by Mr. Graham, the further consideration of said bill was postponed until Friday next.

The bill to incorporate the Gulph and Deep River Manufacturing Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Hoke, from the committee on the judiciary, to whom was referred the engrossed bill for the relief of the citizens of Iredell county, reported the same back to the Senate, with an amendment.

The bill was read the second time, amended, and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

The Senate now proceeded to the consideration of the engrossed bill to amend an act entitled an act to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company.

The bill was read the second time and passed: yeas 36, nays 10.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill passed its second reading.

On motion by Mr. Gilmer,
Ordered, That said bill be referred to the committee on the judiciary.

The engrossed bill to amend an act passed at the General Assembly of 1846-1847, entitled an act to incorporate the town of Statesville, was read the second time and passed; the rule being suspended, the said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill concerning the Wilmington and Raleigh Railroad Company was read the second time, amended, and passed; the rule being suspended, said bill was read the third time.

Mr. Brogden moved that the bill be laid on the table. The motion was lost.

The bill then passed its third reading, and a message was sent to the House of Commons asking their concurrence in the amendment of the Senate.

The Senate took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

Mr. Thomas of Jackson introduced a bill to appoint a superintendent for the Western turnpike road, and for other purposes.

Also a bill to incorporate the Cheoigh Turnpike Company; and

A bill to incorporate a company to construct a bridge across the Tennessee River, which said bills were severally read the first time, passed, and referred to the committee on internal improvements.

Also a bill to amend an act passed at the session of 1850-1851, entitled an act to incorporate the Tuckasege and Nantahala Turnpike Company, which was read the first time, passed, and referred to the committee on the judiciary.

Also, a memorial on the subject of temperance; and

The memorial of James Taylor and others upon the subject of of a grant heretofore issued by the State, &c., which said memorials were referred to the committee on propositions and grievances.

The bill to open Euwharrie River for the passage of fish was read the second time, amended, and passed; the rule being sus-
pended, said bill was read the third time, passed, and ordered to be engrossed.

A message was sent to the House of Commons stating that the Senate has passed the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill supplemental to an act entitled an act to establish Polk county;

A bill to incorporate a plankroad from Mocksville to Wilkesborough, and to provide for a subscription of stock on the part of the State;

A bill to incorporate the bank of Clarendon, at Fayetteville;

A bill concerning the towns of Fayetteville and Wilmington;

A bill to incorporate the Hodgen Hill Mining Company;

A bill to incorporate Cypress Creek Academy, in Jones county;

A bill to incorporate Franklin Lodge, No. 123, of Free and Accepted Masons, in the town of Franklinton, in the county of Franklin;

A bill to incorporate the Pamlico and Albemarle Insurance Company;

A bill to incorporate the Fisher Hill Mining Company;

A bill to incorporate the North Carolina Copper Company;

A bill to incorporate the town of Columbia, in Tyrrel county;

A bill to incorporate the Silver Hill Mining Company, in the county of Davidson;

A bill to amend an act entitled an act to incorporate the town of Madison, in Rockingham; and

A bill to incorporate the Thomasville and Clemmonsville Turnpike and Plankroad Company.

Mr. Biggs moved to take up the motion which had been laid on the table, to reconsider the vote by which was rejected the bill to divide the State into eight judicial circuits; which motion was carried.

Mr. Haughton moved that the motion to reconsider be laid on the table; which motion was lost.

On motion by Mr. Thomas, of Jackson, the further consideration of the motion to reconsider was postponed until to-morrow.

The resolution concerning the debt due from the Seaboard and
Roanoke Railroad Company, under a suspension of the rule, was read the second time and passed.

The bill to incorporate the Bank of Wilmington, was read the second time.

Mr. Ashe offered an additional section to the bill, as an amendment; which was agreed to.

On motion by Wilder, 

Ordered, That said bill be laid upon the table.

The engrossed bill for the protection of sheep was read the third time.

Mr. Cherry moved to amend the bill, by striking out the third section of the same.

The motion was lost; yeas 14, nays 23.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are, Messrs. Brogden, Cherry, Clark, Cunningham, Eborn, Faison, McDowell, Morisey, Person, Speight, Taylor, Thomas of Jackson, Wiggins and Willey—14.


So the motion was lost.

Mr. Ashe moved to amend the bill, by striking out the words, "or other stock" in the second line of the 1st section; which motion prevailed; yeas 22, nays 17.

Those who voted in the affirmative, are, Messrs. Ashe, Boyd, Brogden, Cherry, Clark, Cunningham, Davis, Drake, Eaton, Eborn, Faison, Freeman, Jones, McDowell, Martin, Morisey, Person, Speight, Taylor, Thomas of Jackson, Wiggins and Willey—22.


So the amendment was adopted.

Mr. Person moved the following proviso, to be added to the third section of the bill, viz:
Provided, That no one shall be entitled to take benefit under this act, unless upon proof that notice has been given to the owner of any dog of such vicious habits and character.

The amendment was lost; yeas 11, nays 24.

Those who voted in the affirmative, are,
Messrs. Cherry, Faison, Freeman, Morisey, Oldfield, Person, Speight, Taylor, Tayloe, Thomas of Jackson, and Willey—11.

Those who voted in the negative, are,

The bill now passed its third reading, as amended.

Ordered, That a message be sent to the House of Commons, asking their concurrence in the amendment of the Senate.

The bill to repeal an act of the General Assembly, passed at its session of 1848-'49, chapter 143, was read the third time.

Mr. McClees moved to amend the bill, by striking out the words "and the inlets.'

Mr. Willey offered an amendment as a substitute for the bill, as follows, viz:

Strike out all after the enacting clause, and insert,

That it shall not be lawful for any person to fish with a seine, drag or set net in any of the inlets of the Atlantic coast of this State, lying between Ocracoke Inlet and Roanoke Island, nor in that part of Pamlico Sound lying to the north of a line drawn from Portsmouth, in Carteret county, to the mouth of Pungo river, in Hyde county, nor in Croatan, Roanoke, or Albemarle or Currituck Sounds, nor in any water course emptying into either of the said sounds, between sunset on Saturday and twelve o'clock at night on Sunday evening, in each and every week, from the first day of February to the first day of May in every year; and if any person shall so fish in any of the said waters, contrary to the true intent and meaning of this act, every such person, and any other person aiding and assisting therein, shall forfeit and pay for every such offence so unlawfully committed, as follows:—For each time a seine or drag net is so dipped or dragged in any of said waters, in violation of the provisions of this act, two hundred and fifty dollars, to be recovered by any
person suing for the same in any court having competent jurisdiction; and the same shall be applied one-half to the use of the informer suing for the same, and the other half to the use of the wardens of the poor of the county wherein such offence is committed; and for any net set as aforesaid the sum of twenty dollars, to be recovered by warrant before any justice of the peace of the county in which such offence is committed, to be applied one-half to the informer suing for the same, and the other half to the use of the wardens of the poor of said county: Provided, nevertheless, That no person shall be liable to the penalties of this act, whose seine happens to be in the water making a haul at sunset on Saturday of any week, if the same is taken in as early thereafter as conveniently practicable, and no other haul be made on the same evening.

*Be it further enacted,* That it shall not be lawful, in hauling any seine within three miles of the mouth of any river, and within such river emptying into either of said sounds, to sweep more than one-half of the distance across the same; and any person offending against the true intent and meaning of this section shall forfeit and pay the sum of dollars, for each offence, to be recovered before any court having competent jurisdiction thereof, one-half to the use of the informer suing for the same, and the other half to the use of the wardens of the poor in the county where the offence is committed.

*Be it further enacted,* That all acts and clauses of acts, coming within the meaning and purview of this act, be and the same are hereby repealed.

Mr. Biggs moved that the bill and amendment be indefinitely postponed.

The motion was lost, ayes 16, noes 16.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative, are, Messrs. Biggs, Bower, Brogden, Clark, Coleman, Collins, Cunningham, Eborn, Fennell, Herring, Jones, Oldfield, Person, Speight, Wilder, and Wood—16.

Those who voted in the negative, are, Messrs. Cherry, Christian, Davis, Eaton, Freeman, Gilmer, Graves, Haughton, Lane, McClees, McDowell Morisey, Thomas of Davidson, Thomas of Jackson, Wiggins, and Willey.—16.
There being a tie, the Speaker voted in the negative.
So the motion to postpone indefinitely did not prevail.
Mr. Jones moved an adjournment, which was not agreed to.
The amendments proposed by Messrs. McClees and Willey were now severally withdrawn; and the bill passed its third reading, and was ordered to be engrossed.

Received a message from the House of Commons, informing that they have passed the following engrossed bill, viz:

A bill concerning the revenue of the State; in which they ask the concurrence of the Senate.

On motion by Mr. Jones, the Senate adjourned.

WEDNESDAY, JANUARY 31, 1855.
On motion, leave was granted to Mr. Lane to change his vote on the passage of the bill to charter the Greensboro' and Fayetteville Railroad Company.

Mr. Person presented a memorial from persons living along the line of the Raleigh and Gaston Railroad, against the discontinuance of the bridge on the Roanoke river, at Gaston, which was ordered to be laid on the table.

Mr. Drake, from the committee on claims, to whom was referred the engrossed resolution in favor of John Crouse, reported the same back to the Senate, with an amendment.

The resolution was read the second time, amended, and passed; the rule being suspended, said resolution was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

Mr. Drake, from the same committee, to whom was referred the resolution in favor of Thos. N. Alexander, reported the same back to the Senate, and recommended its passage.

Mr. Clark, from the committee on education and the literary fund, to whom was referred the resolution to loan $500 by the literary board, to the trustees of Spring Hill Academy, in Robeson county, reported the same back to the Senate, with an amendment.

Mr. Clark, from the same committee, to whom was referred the bill to incorporate the trustees of Woodbourne Female Seminary, in the county of Guilford, reported the same back to the Senate, with amendments.
Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to improve the navigation of the Roanoke river, reported the same back to the Senate, and recommended its passage.

Mr. Christian, from the same committee, to whom was referred the bill to incorporate the Moore and Montgomery Plankroad Company, reported the same back to the Senate, and recommended its passage.

Mr. McDowell submitted the following resolution, viz:

Resolved, That a message be sent to the House of Commons, proposing that the two Houses adjourn on Monday the 12th February.

Mr. Mitchell moved to amend the resolution, by striking out "12," and inserting "10."

The motion was lost.

The resolution was then adopted.

Mr. Rayner introduced a resolution in favor of A. J. Perry, late sheriff of Hertford county, which was read the first time and passed; the rule being suspended, said resolution was read the second time and rejected.

On motion by Mr. Coleman, the Senate now took up for consideration, the engrossed bill to incorporate the Greenville and French Broad Railroad Company.

The bill was read the second time.

On motion by Mr. Eaton, the bill was amended in the 21st section of the same, by striking out the words "190," and inserting "99."

After debate, on motion by Mr. Thomas of Jackson, the further consideration of the bill was postponed until to-morrow 10 o'clock.

Mr. Graham, from the committee on the judiciary, to whom was referred the engrossed bill to amend an act, entitled an act, to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company, reported the same back to the Senate, with amendments.

The Senate now proceeded to the consideration of the engrossed bill to incorporate the Wilmington and Charlotte Railroad Company,

Which was read the second time and passed—yeas 32, nays 13.

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

Those who voted in the negative, are,

So the bill passed its second reading
Mr. Hoke, from the committee on the judiciary, to whom was referred the engrossed bill concerning hogs running at large in the streets of Elizabeth City, in the county of Pasquotank, reported the same back to the Senate, and recommended its passage.

Mr. Hoke submitted the following resolution, which lies over one day for consideration, viz:

Resolved, That the sixth rule of the Senate be amended by inserting after the word “adjournment” in the fifth line, the words “and to lay on the table.”

The Senate now took a recess until 3 o’clock, P. M.

Three o’clock, P. M.

The engrossed bill concerning the revenue of the State was read the first time and passed.

On motion by Mr. Biggs,
Ordered, That the bill be referred to a select committee of three, whose duty it shall be to determine on what parts of the bill shall be printed and to direct the printing of the same.

The Speaker announced that said committee consists of Messrs. Biggs, Wiggins, and Clark.

On motion by Mr. Eaton,
Ordered, That a message be sent to the House of Commons proposing to go into the election of nine directors of the Lunatic Asylum to-morrow at the hour of half past three o’clock, P. M.

Mr. Boyd now called up the bill to provide for a more uniform valuation of the lands within this State, and that the taxes be listed, levied, and collected in the same year, &c.
The bill was read the third time, and
On motion by Mr. Graham,
Ordered, That said bill be laid on the table.
A message was sent to the House of Commons stating that the Senate has passed the following engrossed bills and resolutions, in which they ask the concurrence of the House, viz:
A bill to alter the name of the town of Jamestown, in the county of Martin;
A bill to amend an act to incorporate the Oconalufa and Qualla Town Turnpike Company, passed at the session of 1850-'51;
A bill to emancipate James Hostler, a slave;
A bill to encourage agriculture, and for other purposes;
A bill to prevent the felling of timber in Jimmie's creek, in the county of Davidson;
A bill to incorporate the Conrad Hill Gold and Copper Mine, in Davidson county;
A bill to incorporate the North Carolina Bible and Baptist Publication Society;
A bill to amend the 6th section of an act entitled an act concerning wrecks, passed at the present session of the General Assembly;
A bill to give two jury trials to the county courts of Stanly county;
A bill to amend an act passed by the General Assembly at the session of 1852-'53, entitled an act to incorporate the Salisbury, Mocksville, and Wilkesborough Plankroad Company;
A resolution in favor of Colin McRae;
A resolution in favor of J. R. Jones;
A resolution in favor of J. W. Erwin; and
A bill to increase the capital stock of the Fayetteville and Western Plankroad Company.
The engrossed bill concerning hogs running at large in the streets of Elizabeth city, in the county of Pasquotank, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.
Mr. Davis introduced a bill to incorporate the Marion Gold Mining Company, which was read the first time, passed, and referred to the committee on corporations.
The engrossed resolution in favor of Thomas N. Alexander
was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be enrolled.

The bill to incorporate the trustees of the Woodbourne Female Seminary, in the county of Guilford, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, amended on motion by Mr. Cherry, passed, and ordered to be engrossed.

Sundry recommendations of justices of the peace were received from the House of Commons, read, and concurred in.

On motion by Mr. Martin, the Senate adjourned.

THURSDAY, February 1, 1855.

Mr. Clark, from the committee on education and the literary fund, to whom was referred the bill to limit the term of the chairman of the board of superintendents of common schools, reported the same back to the Senate, and recommended its passage.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate the Yadkin Navigation Company, reported a substitute for the same, and recommended its passage.

Mr. Fisher, from the same committee, reported back to the Senate, the following bills, and recommended their passage, viz:

- The bill to incorporate the Dan River Steam Navigation Company;
- The bill to incorporate the Indian Grave Gap Turnpike Company;
- The bill to incorporate the Little River Company;
- The bill to amend an act, incorporating the Tuckasege and Keowe Turnpike Company, in the county of Jackson;
- The bill to incorporate the Cape Fear and Wacamaw Canal and Lumber Company, in Brunswick county; and,
- The bill to incorporate a company to construct a bridge across Tennessee river.

Mr. Fisher, from the same committee, to whom a memorial on the subject was referred, reported a bill to drain and reclaim the swamp lands of Goshen Swamp in Duplin county, and recommended its passage.

Mr. Biggs introduced a bill to incorporate the Hamilton and
Enfield Plankroad Company; which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

Mr Thomas, of Jackson, a bill to provide for completing a survey for a railroad west from the French Broad river to the Tennessee, &c.; which was read the first time and passed, and referred to the committee on internal improvements.

Mr. Faison, a bill to incorporate the Baptist Church Extension Society of North Carolina; which was read the first time and passed, and referred to the committee on corporations.

The resolution of Mr. Hoke, submitted on yesterday, to amend the sixth rule of the Senate, by inserting after the word "adjournment," in the fifth line, the words "and to lay on the table," was now taken up, read and adopted.

The bill to incorporate the Indian Grave Gap Turnpike Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The resolution concerning a Marine Hospital was read the second time.

Mr. Rayner offered the following additional resolution as an amendment; which was adopted, viz:

Resolved, That the real estate and other property belonging to the Seaman's Friends' Society be, and the same is hereby exempted from the payment of State and county taxes for the future.

On motion by Mr. Hoke,

Ordered, That the resolution be laid on the table.

The motion to reconsider the vote by which was rejected the bill to divide the State into eight judicial circuits, was now taken up and agreed to.

The question being on the passage of the bill its third reading, Mr. Person moved to amend the same, as follows, viz:

The first circuit shall be composed of the following counties, and the courts held at the following times:

Tyrrell, on the Monday before the first Monday in March and September;
Washington, on the first Monday in March and September;
Bertie, on the second Monday in March and September;
Northampton, on the third Monday in March and September;
and the balance of the courts in the first circuit, as now provided by law."

Mr. Rayner moved that the bill and amendment be postponed indefinitely; which motion was lost; yeas 21, nays 24.

Mr. Thomas, of Jackson, called for the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the Senate refused to postpone indefinitely.

The question on the amendment offered by Mr. Person was now taken, and determined in the negative.

Mr. Ashe offered the following amendment as a substitute for the bill, viz:

A bill concerning the salaries of the judges of the superior courts.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That in all cases where a circuit of the superior courts shall exceed twelve weeks, the judges holding said courts at any regular term shall be entitled to a compensation of ninety dollars for the court of each and every county exceeding twelve, so held by them, and be paid by the public treasurer, on the first days of January and July, in addition to the salary now allowed by law; provided, that each week in which a court shall be held, shall be considered a term.

The question on the adoption of which said amendment was determined in the negative; yeas 14, nays 28.

Mr. Thomas, of Jackson, demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

So the amendment was lost.

Mr. Haughton now moved an amendment as a substitute for the 6th and 7th circuits.

Whereupon Mr. Thomas of Davidson moved that said bill and amendment be postponed until the 4th day of March next.

The motion prevailed; yeas 25, nays 20.

Mr. Thomas of Jackson demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to lay off and establish a county by the name of Wilson, reported the same back to the Senate with amendments.

On motion by Mr. Coleman the Senate now proceeded to the consideration of the engrossed bill to incorporate the Greenville and French Broad Railroad Company, said bill being on its second reading.

Mr. Mills moved a reconsideration of the vote by which on yesterday was adopted the following amendment, viz:

In section 21, 3d line, strike out the words "one hundred and ninety" and insert "ninety-nine."

The motion prevailed; yeas 23, nays 15.

Mr. Thomas of Jackson demanded the yeas and nays.

Those who voted in the affirmative, are,
Messrs. Biggs, Bower, Boyd, Cherry, Coleman, Davis, Faison,

Those who voted in the negative, are,

Messrs. Ashe, Brogden, Clark, Collins, Cunningham, Drake, Eborn, Herring, Lane, Sanders, Speight, Taylor, Thomas of Davidson, Thomas of Jackson, and Willey—15.

By leave of the Senate the amendment was now withdrawn.

Mr. Thomas of Jackson offered the following amendment as an additional section to the bill, viz:

"Be it further enacted, That the company shall adopt the gauge of the North Carolina Railroad within the limits of North Carolina."

Pending the consideration of said amendment, the Senate took a recess until 3 o'clock, P. M.

**Three o'clock, P. M.**

The bill concerning towns was read the third time, amended, passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning the General Assembly was now taken up and passed its second reading; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed under the 7th joint rule.

The bill to incorporate the Little River Turnpike Company was read the second time and passed.

The bill to drain and reclaim the swamp lands of Goshen swamp, in Duplin county was read the first time, passed, and referred to the committee on the judiciary.

The bill to incorporate the Dan River Steam Navigation Company was read the second time and passed.

The Senate now resumed the consideration of the unfinished business of the morning, viz., the engrossed bill to incorporate the Greenville and French Broad Railroad Company, the question pending being the amendment proposed by Mr. Thomas of Jackson.

The amendment was rejected; yeas 4, nays 24.

Mr. Thomas of Jackson demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,


Mr. Thomas of Jackson now offered the following amendment, viz:

"Be it further enacted, That the company shall, in the location of the road, adopt the route through the Reedy Patch Gap, in the Blue Ridge, and permit the railroads which may be constructed west to connect with and unite the tracks of the same guage on terms of equality, without any discrimination of freight or travel against the North Carolina roads."

The amendment was lost; yeas 4, nays 24.

Mr. Thomas of Jackson demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


Mr. Thomas, of Jackson, now offered the following amendment as an additional section to the bill, viz:

Be it further enacted, That this charter shall not authorize the company to construct the road authorized under this act until the extension of the North Carolina Railroad is first secured to the French Broad river, and the stock subscribed as required by the act of this session, on the part of individuals.

The amendment was rejected; ayes 2, nays 28.

Mr. Thomas, of Jackson, demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,

Messrs. Biggs, Bower, Coleman, Collins, Cunningham, Drake, Eaton, Faison, Fennell, Fisher, Gilmer, Haughton, Hoke,

The question recurring on the passage of the bill its second reading, it was determined in the affirmative; yeas 28, nays 7.

Mr. Thomas, of Jackson, demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

So the bill passed its second reading.

The Senate now proceeded to the consideration of the bill to recharter the Bank of the State of North Carolina; which was read the second time.

Mr. Biggs, moved to amend the first section of the bill as follows, viz:
Strike out "1890," as the time of limiting the charter, and insert "1875."

Mr. Clark moved to amend the amendment, by striking out "1875," and inserting "1880."

Mr. Wilder called for a division of the question, which was ordered; and the question being first taken on striking out, it was determined in the negative; yeas 18, nays 19.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

So the Senate refused to strike out.

On motion, the vote just taken was reconsidered, and the ques-
tion recurring on the amendment to the amendment, proposed by Mr. Clark, the same was rejected.

By leave of the Senate, Mr. Biggs' amendment was withdrawn.

Mr. Graham now moved to amend the bill, by striking out "1890" and inserting "1885."

The amendment was agreed to.

On motion the Senate adjourned.

FRIDAY, FEBRUARY 2, 1855.

Mr. Walker introduced a bill, accompanied by a memorial, to prohibit the trading with slaves in the county of Mecklenburg; which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Clark, from the committee on education and the literary fund, to whom was referred a memorial concerning common school teachers, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Ashe introduced a bill concerning the salaries of the superior court judges; which was read the first time and passed.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of the Commons, viz:

A bill concerning the General Assembly; and
A bill concerning towns.

The Senate now resumed the consideration of the unfinished business of yesterday, viz:

The bill, on its second reading, to recharter the Bank of the State of North Carolina.

After the adoption of sundry amendments proposed by Mr. Wilder,

Mr. Biggs moved to amend the bill, by adding the following to the 32d section, viz:

And the bank shall not pay out any note or bill of any other bank, of a less sum than five dollars, unless in settlement with the bank issuing such bills.

The amendment was adopted; yeas 24, nays 21.

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

Those who voted in the negative, are,

The bill being further amended by the several motions of Messrs. Biggs, Wilder and Wiggins,
Mr. Ashe offered the following amendment, as an additional section to the bill, viz:

Be it further enacted, That when the principal bank, or any of its branches, shall make any demand upon any other bank, it shall be lawful for such bank, upon which such demand is made, to pay and satisfy said demand, or any part thereof, with the notes or bills of the bank making the demand, no matter where payable and demandable.

The question, Shall the amendment be adopted? was determined in the affirmative; yeas 27, nays 11.

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

Those who voted in the negative, are,
Messrs. Cherry, Gilmer, Graham, Haughton, Lane, McClees, Rayner, Taylor, Tayloe, Thomas of Davidson and Wilder—11.

Mr. Graves moved the following as an additional section, viz:

That in consideration of the privileges and powers granted by this charter, the stockholders aforesaid, shall pay to the State the sum of twenty-five thousand dollars.

The amendment was lost; yeas 12, nays 31.

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

Those who voted in the negative, are,

The bill now passed its second reading as amended.

Mr. Wilder, from the committee on the judiciary, to whom was referred the bill to alter the line between the counties of Buncombe and Madison, reported the same back to the Senate, and recommended its rejection.

Mr. Haughton introduced a bill concerning the registration of leases, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

Mr. Cunningham introduced a bill supplemental to an act passed at the present session of the General Assembly incorporating the town of Roxborough, in the county of Person, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the resolution in favor of Robert Martin, of Cherokee, reported the same back to the Senate with an amendment.

The bill concerning the salaries of certain officers having been read the second time,

Mr. Ashe moved to amend that part of the bill increasing the compensation allowed the judges of the superior courts by inserting the bill introduced by him this day, and which had been offered on yesterday as an amendment to the bill to divide the State into eight judicial circuits.

The amendment was adopted, and the bill passed its second reading as amended.

The bill to incorporate the Bank of Wilmington was read the second time and amended by the several motions of Messrs. Fen-
nell, Wilder, and Clark, and the question, Shall the bill pass its second reading as amended? was determined in the affirmative; yeas 24, nays 12.

Mr. Mitchell demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Cherry, Christian, Clark, Coleman, Drake, Eborn, Faison, Fennell, Freeman, Gilmer, Herring, Jones, Lane, McDowell, Martin, Morisey, Oldfield, Tayloe, Thomas of Davidson, Thomas of Jackson, and Wood—24.

Those who voted in the negative, are,


The Senate now took up for consideration the resolutions concerning a marine hospital.

The question being on the passage of the resolutions their second reading,

Mr. Biggs called for a division of the question, and moved that the vote be taken on the resolutions separately, which was ordered accordingly.

And the question being taken on the first, second, and third resolutions separately, they were severally rejected.

The fourth, fifth, and sixth resolutions were severally read separately and passed their second reading.

The bill to incorporate the Dan River Steam Navigation Company was read the third time, amended, passed, and ordered to be engrossed.

Mr. Rayner introduced a resolution authorizing a loan of $5,000 by the literary board to the trustees of the Seamen's Friends' Society, which was read the first time and rejected.

The Senate now took a recess until 3 o'clock.

Three o'clock, P. M.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill and recommended its passage, viz:

A bill concerning the revised code, which was read the first time and passed; the rule being suspended, said bill was read the second time, amended, and passed; the bill was read the third time, under a suspension of the rule, amended, passed, and ordered to be engrossed under the 7th joint rule.
The engrossed bill to lay off and establish a county by the name of Wilson was read the second time; the amendment proposed by the committee amended on motion by Mr. Drake, and adopted as amended.

The question, Shall the bill pass its second reading? was determined in the affirmative; yeas 30, nays 4.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

So the bill passed its second reading as amended; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

The bill making provision for the reduction of the public debt, was read the third time, amended on motion by Mr. Biggs, by striking out "North Carolina Railroad Company," and passed, and ordered to be engrossed.

The bill to authorise the president and directors of the literary fund, to appoint an agent for the swamp lands, was read the third time, amended, and passed, and ordered to be engrossed.

The engrossed bill to incorporate the Little River Turnpike Company, was read the third time, passed, and ordered to be enrolled.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bill, in which they ask the concurrence of the House, viz:

A bill supplemental to the act incorporating Roxborough, in Person county.

The engrossed bill concerning agriculture and geology, was now taken up.

The pending question being on the amendment proposed by the House of Commons, viz:

Strike out the 11th, 12th, 13th and 14th sections, and the words, "and geology," in the title.
Mr. Graham moved that the Senate disagree to said amendment.

And the question being taken thereon, it was determined in the affirmative; yeas 18, nays 15.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are,
Messrs. Cherry, Christian, Clark, Faison, Fennell, Gilmer, Graham, Graves, Haughton, Lane, Person, Rayner, Sanders, Speight, Thomas of Davidson, Thomas of Jackson, Wilder and Wiggins—18.

Those who voted in the negative, are,

So the Senate disagreed to said amendment, and the House of Commons were informed thereof by message.

The engrossed resolution in favor of Robert Martin, was read the second time, amended, and passed; and the rule being suspended, said resolution was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

The engrossed bill in favor of Wm. N. Brooks, was read the second time, the substitute proposed, agreed to, and the bill passed its second reading; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

The engrossed bill to incorporate the Cape Fear and Wacamaew Canal and Lumber Company, in Brunswick county, was read the second time and passed.

Mr. Rayner introduced a bill in regard to Burke square, in the city of Raleigh, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

On motion by Mr. Gilmer, the Senate adjourned.

SATURDAY, FEBRUARY 3, 1855.

Mr. Oldfield introduced a bill, accompanied by a memorial, to annex a part of Onslow county to the county of Jones, which
was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. Person introduced two memorials in relation to the bridge over the Roanoke River, at Gaston, which were ordered to be laid on the table.

Mr. Wilder, from the committee on public buildings, to whom was referred, with instructions, a resolution making an appropriation for building an executive mansion in this State, reported a substitute for the same which was adopted and passed its second reading; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

Mr. Wiggins submitted the following resolution, which lies over one day for consideration, viz:

Resolved, That no bill, public or private, be introduced in this body after Thursday, the 8th instant.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Baptist Church Extension Society of North Carolina, reported the same back to the Senate without amendment.

Mr. Wilder introduced a bill in relation to burnt deeds, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Fennell, a bill to empower the town of Wilmington to establish streets in said town, and for other purposes, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Cherry, a bill to incorporate the Albemarle and Pamlico Railroad Company, which was read the first time and passed.

Mr. Drake, a bill to incorporate the Rocky Mount and Franklin Railroad Company, which was read the first time and passed.

Mr. Martin, a bill to incorporate the Salem Savings Institute, which was read the first time, passed, and referred to the committee on corporations.

Mr. Fisher, a bill to incorporate the Yadkin Manufacturing Company, which was read the first time, passed, and referred to the committee on corporations.

On motion by Mr. Person the Senate now took up for consideration the resolution concerning the debt due from the Seaboard and Roanoke Railroad Company, which was read the third time.
Mr. Person moved to amend the resolution as follows, viz: strike out all after the word "Resolved" and insert the following:

"That upon said company's paying the bond due the 3d day of January, 1853, on the 3d day of January, 1857, together with the interest thereon, the public treasurer is hereby authorized to grant the said company the further time of four years in which to pay the bond due on the 3d of January, 1855."

Mr. Rayner offered the following resolution as an amendment to the amendment, viz:

"Resolved, further, That the public treasurer be authorized and directed to subscribe for stock in the Seaboard and Roanoke Railroad Company to the amount of debt due by said company to the State, at or before the time the first instalment as hereby provided shall fall due, in case said Seabord and Roanoke Railroad Company shall signify a wish to pay their debt in that way."

The amendment to the amendment was rejected.

The amendment of Mr. Person was then adopted, and the resolution as amended passed its third reading and was ordered to be engrossed.

On motion by Mr. Rayner the vote on the passage of the bill in regard to Burke square, in the city of Raleigh, was reconsidered.

Whereupon, said bill was amended, passed its third reading as amended, and ordered to be engrossed.

Mr. Christian called up the bill to incorporate the Moore and Montgomery Plankroad Company, which was read the second time and passed.

Mr. Haughton submitted the following resolution, viz:

Resolved, (the House of Commons concurring) The principal engrossing clerk be authorized to employ such additional assistance as may be necessary to enable him to perform in time the business of his office.

The resolution was read the first time and passed; the rule being suspended said resolution was read the second and third time, passed, and ordered to be engrossed.

Mr. Thomas of Jackson, from the committee on internal improvements, to whom was referred the bill to incorporate the Danville and Greensborough Railroad Company, reported the same back to the Senate with an amendment.
Mr. Thomas of Jackson, from the same committee, to whom was referred the bill to provide for completing a survey of a railroad west from the French Broad River to the Tennessee line, at or near the Duck Town Copper Mines, reported the same back to the Senate and recommended its passage.

On motion by Mr. Mitchell, the Senate now proceeded to the consideration of the bill to incorporate the Yadkin Navigation Company, which was read the second time, amended by adopting the substitute proposed by the committee, and passed.

The bill to incorporate the Baptist Church Extension Society of North Carolina, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Received a message from the House of Commons, informing that they have passed the engrossed bill to incorporate the New River Navigation Company, with amendments, in which they ask the concurrence of the Senate; the amendments were agreed to, and the House of Commons informed thereof by message.

Received a message from the House of Commons, concurring in the amendment of the Senate to the engrossed bill to provide for the better government of the town of Louisburg, in Franklin county. Ordered that said bill be enrolled.

The bill to recharter the Bank of the State of North Carolina, was read the third time, passed, and ordered to be engrossed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the resolution in favor of W. H. Winder, reported the same back to the Senate, and recommended its passage.

On motion, leave of absence was granted to Mr. Mills for two weeks from and after Monday next.

Mr. Walker introduced a bill to increase the capital stock of the Bank of Charlotte; which was read the first time and passed.

The bill concerning the salaries of certain officers was now taken up, read the third time, and passed; yeas 28, nays 7.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Cherry, Clark, Coleman, Collins, Drake, Fennell, Fisher, Freeman, Gilmer, Graham, Graves, Haughton, Jones, McClees, McDowell, Mills, Mitchell, Morisey,
Person, Rayner, Speight, Tayloe, Thomas of Davidson, Walker and Wood—28.

Those who voted in the negative, are,

So the bill passed its third reading.

On motion by Mr. Rayner, the vote by which said bill passed was reconsidered.

Whereupon, Mr. Rayner moved to amend the bill, so as to allow the clerk of the treasury department a salary of seven hundred and fifty dollars.

The amendment was adopted, and the bill passed its third reading, as amended; yeas 28, nays 7.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

Ordered, That said bill be engrossed.

On motion by Mr. Graham, the vote by which on yesterday certain resolutions concerning the Marine Hospital, was rejected, was reconsidered.

On motion by Mr. Haughton,
Resolved, That when the Senate adjourns it adjourn until Monday morning 10 o'clock.

The engrossed resolution in favor of W. H. Winder was read the second time and laid on the table.

On motion, said resolution was taken up, amended, and passed its second reading, as amended; the rule being suspended, said resolution was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

Received a message from the House of Commons, transmit-
ting the following engrossed bills and resolution, in which they ask the concurrence of the Senate, viz:

A bill to establish the town of Magnolia, in the county of Duplin, and to incorporate the commissioners of said town; which was read by its title, and referred to the committee on propositions and grievances.

A bill to extend the corporate limits of the town of Franklin, in the county of Franklin; which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

A bill to incorporate the Randolph and Thomasville Turnpike or Plankroad Company; which was read the first time and passed.

A bill to incorporate the Central Gold and Copper Mining Company of North Carolina, which was read the first time and passed; the rule being suspended, said bill was read the second time.

A bill to amend the charter of the Milton Savings Institute, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

A resolution in favor of N. W. Woodfin and R. V. Blackstock, which was read the first time and passed; and referred to the committee on propositions and grievances.

Also a bill to regulate the inspection of flour in the town of Fayetteville.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to authorize the construction of dams across the French Broad river, in the counties of Henderson, Buncombe and Madison, reported the same back to the Senate, with amendments.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate the Chioih Turnpike Company, reported the same back to the Senate, and recommended its passage.

The engrossed bill to incorporate the Cape Fear and Wacamaw Canal and Lumber Company, in Brunswick county, was read the third time, passed, and ordered to be enrolled.

The recommendations of sundry justices of the peace, were read and accepted.
On motion, Mr. Person was added to the committee on propositions and grievances.

Mr. Thomas, of Jackson, introduced a bill to incorporate the North Carolina Central Atlantic and Pacific Railroad Company, which was read the first time and passed, and ordered to be printed.

Received a message from the House of Commons, stating that the House recedes from its amendment to the bill concerning usury.

Also, that the House concurs in the amendment proposed to the bill to amend an act, entitled an act to define the duties and powers of turnpike and plankroad companies.

The bill for the relief of the citizens of Iredell county;

The bill to incorporate the Chapel Hill and Morrisville Plankroad, &c.;

The bill to amend an act, entitled an act to prevent the obstruction to the passage of fish in the waters of Blount's creek, &c.; and

The bill to amend an act passed at the session of 1850-'51, for the better regulation of the town of Wilson.

Ordered, That said bills be enrolled.

The Senate now adjourned until Monday morning 10 o'clock.

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MONDAY, FEBRUARY 5, 1855.

The Speaker announced that the Senate's branch of the committee on enrolled bills for the present week, consists of Messrs. Boyd, Freeman and Thomas of Davidson.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed bills and resolutions, in which they ask the concurrence of that body, viz:

A bill to repeal an act passed at the session of 1848-'49, chapter 143;

A bill to authorize Robert L. Steele to establish a public ferry on the Pee Dee river;

A resolution concerning a Marine Hospital in the town of Wilmington;

A bill to incorporate the trustees of Franklinton Male and Female Institute;

A bill to incorporate the Beaverdam Gold Mountain Vain Mining and Plank Sluicing Company;
A bill to incorporate the Boss Gold and Silver Mining Company;
A bill for the incorporation and better regulation of the town of Murfreesboro', in the county of Hertford;
A bill to incorporate the Buncombe Savings Institute;
A bill creating liens on ships;
A bill to incorporate the Danbury Hydraulic Company;
A bill to incorporate the Greensboro' and Martin's Lime Kiln Plankroad Company;
A bill to incorporate the Gulph and Deep River Iron Manufacturing Company;
A bill to open Euwharrie river, for the free passage of fish;
A bill to incorporate the trustees of Woodbourne Female Seminary, in the county of Guilford;
A bill to incorporate Enfield Plankroad Company; and
A resolution concerning the engrossing clerk.

Mr. McClees introduced a bill in favor of Robert M. Burruss; which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Thomas, of Davidson, introduced a bill to incorporate the Lexington and North Carolina Railroad Company; which was read the first time and passed, and referred to the committee on internal improvements.

On motion of Mr. Biggs,
Resolved, That a message be sent to the House of Commons, proposing to modify the 6th joint rule of the two Houses, by adding to the said rule the following proviso:

Provided, however, That where a private bill shall have passed both Houses, and the engrossed bill has not been amended or modified in its passage, then such engrossed bill, having no interlineations or erasures, may be used as the enrolled bill; and upon being duly examined and certified, shall be presented for ratification.

Mr. Coleman introduced a bill to incorporate the Nantahala Gold and Copper Mining Company of western North Carolina; which was read the first time, passed, and referred to the committee on corporations.

On motion by Mr. Wood, the Senate now took up for consideration the engrossed bill to amend an act to incorporate the At-
Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company; which said bill was read the third time.

The following amendments proposed by the committee, were severally read and adopted, viz:

In last line of section third strike out "bona fide" and insert after "stockholders" the words "of at least five shares."

In the last line of the 5th section strike out "the stock subscribed by," and insert "to the payment required of."

Add to section 9th, "or shall be added to a sinking fund, which may be established by the General Assembly."

The following amendment was also adopted, viz:

Be it further enacted, That this act shall be in force from its ratification.

The other amendments proposed by the committee were severally rejected.

Mr. Oldfield moved to amend the bill as follows:

That the 1st section of the said act be so amended as to insert "by the way of Trenton."

The amendment was lost.

The question now recurring on the passage of the bill its third reading, as amended, it was determined in the affirmative; yeas 34, nays 11.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,

Messrs. Bower, Clark, Collins, Cunningham, Drake, McDowell, Martin, Person, Sanders, Wiggins, and Willey—11.

So the bill passed its third reading as amended.

Ordered, That a message be sent to the House of Commons asking their concurrence in the amendments of the Senate.

Received a message from the House of Commons stating that
they concur in the amendments of the Senate to the engrossed bill to incorporate the town of Lenoir, in Caldwell county.

Ordered, That said bill be enrolled.

The resolution of Mr. Wiggins submitted on Saturday last was now taken up, read, and adopted as follows, viz:

Resolved, That no bill, public or private, be introduced in this body after Thursday, the 8th instant.

The Senate now proceeded to the consideration of the engrossed bill to incorporate the Wilmington and Charlotte Railroad Company, which was read the third time and passed; yeas 29, nays 15.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill passed its third reading and was ordered to be enrolled.

The engrossed bill to incorporate the Fayetteville Female High School was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

Mr. Rayner moved that the Senate do now take up for consideration the bill to incorporate the Greenville and French Broad Railroad Company.

Mr. Thomas of Jackson moved to lay the motion on the table, which motion was lost; yeas 18, nays 21.

Mr. Thomas of Jackson demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

The bill was now taken up and ordered to be laid on the table.

Received a message from the House of Commons announcing that Messrs. Jordan, Phillips, Outlaw, Williams of New Hanover, and Mebane, constitute the House branch of the committee on enrolled bills for the present week.

Mr. Speight introduced a bill, accompanied by a memorial, to incorporate the Conteninea Railroad Company, which was read the first time, passed, and referred to the committee on internal improvements.

Received a message from the House of Commons stating that they have passed the engrossed bill to incorporate the McCulloch Copper Mining Company with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

The following engrossed bills were severally read the first time and passed, viz:

The bill to incorporate the Springfield institute, in the county of Wake;

The bill to amend an act entitled an act to incorporate the town of Graham, in the county of Alamance, passed at the session of 1850-'51;

The bill to incorporate the Yadkin Lodge of Free Masons, in the town of Yadkinville;

The bill to incorporate the town of Nebraska;

The bill to incorporate the town of Snow Hill, in Greene county;

The bill to incorporate the Alexander Railroad Company;

The bill to incorporate the United Baptist Institute in the town of Taylorsville;

The bill to incorporate the Randolph and Thomasville Turnpike or Plankroad Company;

The bill to lay off a public road in the county of Ashe;
The bill to increase the compensation of jurors and witnesses in the county of Washington;
The bill to incorporate the Stokes Iron Mining Company;
The bill to amend an act entitled an act to provide for the better government of the town of Lincolnton, and to amend the existing laws of said town passed at the session of 1852; and
The bill to amend an act, entitled an act to enlarge the powers of the commissioners of the town of Newbern.

The rule being suspended, said bills were severally read the second and third time, passed, and ordered to be enrolled.

Mr. Rayner introduced a bill to incorporate the Shocco Springs Company, in the county of Warren, which was read the first time, passed, and referred to the committee on the judiciary.

Also, a bill to incorporate the trustees of the Mariners' Orphan Asylum, in the county of Carteret, which was read the first time and passed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to establish the town of Magnolia, in Duplin, and to incorporate the commissioners of said town, reported the same back to the Senate, and recommended its passage.

The engrossed resolution in favor of Abner Walker, guardian, was read the first time, passed, and referred to the committee on propositions and grievances.

The engrossed bill to establish a public road from Wm. Phillips' to the stage road, at or near Jonas Buckett's, in Ashe county, was read the first time and passed; the rule being suspended, said bill was read the second time and passed.

The engrossed bill to prevent the felling of timber in Big and Little Ivy, was read the first time and passed, and referred to the committee on the judiciary.

The engrossed bill to authorize the construction of a toll bridge across the Yadkin river, near Jonesville, was read the first time and passed.

The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The bill concerning idiots and lunatics, was taken up, read the third time, amended, and passed as amended; and ordered to be engrossed under the 7th joint rule.
Mr. Haughton introduced a bill to authorize the State of North Carolina, to transfer her stock in the Cape Fear Navigation Company, and for other purposes, which was read the first time and passed; the rule being suspended, said bill was read the second time and passed, and referred to the committee on internal improvements.

Mr. Wood introduced a bill to incorporate the Union Bank, which was read the first time, passed, and referred to the committee on banking.

The bill concerning county and superior courts, was read the third time, amended, and passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning salaries and fees was read the third time, amended, and passed as amended, and ordered to be engrossed under the 7th joint rule.

The bill to authorize the construction of dams across the French Broad river, in the counties of Henderson, Buncombe and Madison, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the bank of Wilmington, was read the third time, amended by motion of Mr. Ashe, and passed as amended, and ordered to be engrossed.

The bill to increase the capital stock of the Bank of Charlotte, was read the second time and passed.

The engrossed bill to incorporate Yadkin Institute, in the county of Yadkin, was read the first time, passed, and referred to the committee on education and the literary fund.

The engrossed bill to incorporate the Columbia and Charlotte Magnetic Telegraph Company, was read the first time and passed; the rule being suspended, said bill was read the second time and passed.

The bill was read the third time, under a suspension of the rule, amended on motion by Mr. Fisher, and passed its third reading as amended, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The engrossed bill to enable the county court of Iredell county to collect the State and county taxes for the year 1855; and

The engrossed bill to regulate the inspection of flour in the
town of Fayetteville, were read the first time and passed; the
rule being suspended, said bills were severally read the second
and third time, passed, and ordered to be enrolled.

The bill to incorporate the Chioih Turnpike Company, was
read the second time and passed.

The engrossed bill to establish the town of Magnolia, in the
county of Duplin, and to incorporate the commissioners of said
town, was read the first time and passed; the rule being suspend-
ed, said bill was read the second and third time, amended and
passed, and a message sent to the House of Commons, asking
their concurrence in the amendments of the Senate.

A message was sent to the House of Commons, stating that
the Senate have passed the following engrossed bills, and ask the
concurrence of the House therein, viz:

A bill concerning idiots and lunatics;
A bill concerning county and Superior courts; and
A bill concerning salaries and fees.

The bill to incorporate the Albemarle and Pamlico Railroad
Company, was read the second time and passed.

The bill to incorporate a company to construct a bridge across
the Tennessee river, was read the second time and passed; the
rule being suspended, said bill was read the third time, passed,
and ordered to be engrossed.

On motion by Mr. Thomas, of Davidson,

Resolved, (the House of Commons concurring,) That a com-
mittee of two on the part of the Senate, and two on the part of
the House of Commons, be appointed to enquire into the expen-
diency of appointing a State Engineer to superintend all the pub-
lic improvements of the State, and to enquire into the economy
of such an appointment; and that they report as early as practi-
cable, by bill or otherwise.

The bill to amend an act incorporating the Tuckasege and
Keowee Turnpike Company, in the county of Jackson, was
read the second time and rejected.

On motion by Mr. Wood, the vote just taken was reconsidered,
and the bill ordered to be laid on the table.

The engrossed bill to incorporate the Greenville and French
Broad Railroad Company, was now taken up and read the third
time.

Whereupon, on motion, the Senate adjourned.
TUESDAY, FEBRUARY 6, 1855.

Mr. Clark presented the memorial of W. D. Cooke, in relation to a map of the State.

Whereupon, it was 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 whom the memorial shall be referred, and whose duty it shall be to report thereon, by bill or otherwise.

Mr. Hoke, from the committee on the judiciary, to whom was referred the bill concerning fishing on Tar and Pamlico rivers, reported the same back to the Senate, and recommended its rejection.

Mr. Hoke, from the same committee, to whom was referred the bill to drain and reclaim the swamp lands of Goshen Swamp, in Duplin county; and

The resolution in favor of R. M. Burrruss, of Hyde county, reported the same back to the Senate, and recommended their passage.

Mr. Wilder, from the same committee, to whom was referred the bill to empower the commissioners of Wilmington to establish streets, and for other purposes, reported the same back to the Senate, and recommended its passage.

Mr. Eaton, from the same committee, to whom was referred the bill further to prohibit trading with slaves in the county of Mecklenburg, reported the same back to the Senate, and recommended its rejection.

Mr. Graham, from the same committee, to whom was referred the bill in relation to burnt deeds, reported a substitute for the same, and recommended its passage.

Mr. Graham, from the same committee, to whom the subject was referred, reported a bill concerning lands covered by water; which was read the first time and passed.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate the Contentnea Railroad Company, reported the same back to the Senate, with amendments.

Mr. Fisher, from the same committee, to whom was referred the bill to incorporate the Lexington and North Carolina Railroad
Company, reported the same back to the Senate, with amendments.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Nantahala Gold and Copper Mining company, of western North Carolina, reported the same back to the Senate, with amendments.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Yadkin Manufacturing Company, and the bill to incorporate the Marion Gold Mining Company, reported said bills back to the Senate and recommended their passage.

Mr. McClees submitted the following resolution, viz:

Resolved, That the judiciary committee be instructed to enquire whether the Farmer’s Bank of Elizabeth City has violated its charter in issuing certificates of deposit to circulate as money, of a less denomination than three dollars; and if the said committee shall be of opinion that the said bank has violated its charter in the said particular, or in any other manner, they are hereby instructed to report a resolution instructing the attorney general to institute legal proceedings against the said bank for such violation of its charter.

Mr. Person moved the following amendment to said resolution, viz:

Resolved, further, That the said judiciary committee be further instructed to enquire whether the Mutual Insurance Company, at Greensborough, has violated its charter in issuing similar certificates, or in any other manner; and if said committee are of opinion that said company has violated its charter, they are instructed to report a similar resolution in reference to said company.

The amendment was agreed to, and the resolution adopted as amended.

Mr. Person submitted the following resolution, which was read the first time and passed, viz:

Resolved by the General Assembly of the State of North Carolina, and it is hereby resolved by the authority of the same, That the public treasurer be, and he is hereby directed, not to re-
receive in payment of public taxes, the notes of any bank in this State that issues bills of a denomination less than three dollars.

A message was received from the House of Commons stating that the House recedes from its amendments to the bill concerning agriculture and geology, and has passed the bill.

The engrossed bill to prevent the obstructing the passage of fish up New River, in the counties of Ashe and Watauga was read the first time and referred to the committee on the judiciary.

The following engrossed bills were severally read the first time and passed, viz:

The bill to incorporate the Female Institute, in the town of Rockford;

The bill to incorporate the Hillsborough and Chapel Hill Plankroad Company;

The bill to incorporate the Jacksonville and Trent River Plankroad Company; and

The bill to incorporate the Hillsborough and Milton Plankroad Company.

The engrossed bill to improve the road from John Keneday's to the top of the Blue Ridge was read the first time, passed, and referred to the committee on internal improvements.

The engrossed bill to incorporate the Chatham and Randolph Plankroad Company, and

The engrossed bill to incorporate the Newbern and Neuse River Bridge Company were severally read the first time and passed.

The engrossed bill to incorporate the Wilmington Savings Bank was read the first time, passed, and referred to the committee on corporations.

Mr. Fisher introduced a bill to incorporate the South Yadkin Navigation Company, which was read the first time, passed, and referred to the committee on corporations.

Mr. Haughton, a bill concerning the Ward Gold Mine Company, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The engrossed bill supplemental to an act amendatory of an act passed at the session of 1852-'53, entitled an act to bring into market the lands pledged for the completion of the Western Turn-
pike road, was read the first time, passed, and referred to the committee on the judiciary.

A message was received from the House of Commons informing that the Senate has passed the following engrossed bills and resolutions, in which it asks the concurrence of that body, viz:

A bill to re-charter the Bank of the State;
A resolution concerning the debt due from the Seaboard and Roanoke Railroad Company;
A bill concerning leases;
A bill concerning the salaries of certain officers;
A resolution in regard to Burke square, in the city of Raleigh;
A resolution in regard to the executive mansion; and
A bill to incorporate the Baptist Church Extension Society.

Received a message from the House of Commons concurring in the amendments of the Senate to the following bills and resolutions, viz:

A bill to amend an act to incorporate the Atlantic and North Carolina Railroad Company;
A resolution in favor of Wm. N. Brooks; and
A bill to lay off and establish a new county by the name of Wilson.

Ordered, That said bills and resolution be enrolled.

The Senate now proceeded to the consideration of the engrossed bill, on its third reading, to incorporate the Greenville and French Broad Railroad Company.

Mr. Thomas of Jackson, moved the following amendment, viz:

Be it further enacted, That the company shall complete said road in ten years.

The amendment was lost; yeas 13, nays 21.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,
Messrs. Ashe, Bower, Coleman, Cunningham, Davis, Faison, Fennell, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, McClees, Morisey, Speight, Taylor and Willey—21.
Mr. Thomas of Jackson, now moved the following amendment, as an additional section to the bill, viz:

_Be it further enacted_, That the Wilmington and Charlotte Railroad Company, authorized by an act of this session, shall have the right to cross the road hereby authorized to be constructed, or to connect tracts therewith, on terms of equality, without any discrimination of freight or travel, against the North Carolina Railroad.

The amendment was rejected; yeas 6, nays 31.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


The question now recurring on the passage of the bill its third reading, it was determined in the affirmative; yeas 33, nays 8.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill passed its third reading, and was ordered to be enrolled.

Mr. Graves moved that the vote just taken, be reconsidered, and that the motion to reconsider be laid on the table.

The motion to lay on the table was not carried, and the motion to reconsider disagreed to.

Mr. Rayner introduced a bill to amend the charter of the Bank of Fayetteville, which was read the first time and passed.
Received a message from the House of Commons, stating that they have passed the engrossed bill to authorize Wm. S. Ballinger, &c., to construct a dam across Neuse river, with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

The bill to improve the navigation of Roanoke river, was now taken up and read the second time.

Pending the consideration of which, the Senate took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

Mr. Wood introduced a bill to authorize the public treasurer of this State to endorse the bonds of the Neuse river navigation Company; which was read the first time and passed, and referred to the committee on internal improvements.

Also, a bill to incorporate the Hallsville and Trenton Plankroad Company; which was read the first time and passed, and referred to the committee on internal improvements.

The engrossed bill to incorporate a female institute in the town of Rockford, was read the second time and laid on the table.

Mr. Clark introduced a bill, supplemental to an act entitled an act to lay off and establish a county by the name of Wilson; which was read the first time and passed; the rule being suspended, said bill was read the second time and passed.

The bill to drain and reclaim the swamp lands of Goshen Swamp, in Duplin county, was read the second time and passed.

The bill to incorporate the Yadkin Manufacturing Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill in favor of R. M. Burruss, of Hyde county, was read the second time, and laid on the table.

The Senate now resumed the consideration of the unfinished business of the morning, being the bill to improve the navigation of the Roanoke river.

The question being on the passage of the bill its second reading, said bill was amended and passed; yeas 23, nays 15.

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

Those who voted in the negative, are,

Mr. Mitchell now called up the bill to incorporate the Yadkin Navigation Company, which was read the third time, amended, and passed; yeas 25, nays 11.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,
Messrs. Brogden, Collins, Cunningham, Drake, Fennell, Herring, McClees, Oldfield, Speight, Taylor, and Willey—11.

Ordered, That said bill be engrossed.

The engrossed bill to incorporate the Hillsborough and Chapel Hill Plankroad Company, under a suspension of the rule was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to establish a public road from William Phillips’s to the stage road at or near Jonas Burkett’s, in Ashe county, was read by its title, and on motion by Mr. Bower, postponed until the 4th of March next.

The engrossed bill to incorporate the Jacksonville and Trent River Plankroad Company was read the second time, amended, and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

The engrossed bill to incorporate the Chatham and Randolph Plankroad Company was read the second time and passed; the
rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Wilmington Savings Bank was read the second time and referred to the committee on corporations.

The engrossed bill to incorporate the Hillsborough and Milton Plankroad Company was read the second time and passed; the rule being suspended, said bill was read the third time, amended, and passed, and a message sent to the House of Commons asking their concurrence in the amendments of the Senate.

Mr. Cherry now called up the bill to incorporate the Albemarle and Pamlico Railroad Company, which was read the third time, amended, passed, and ordered to be engrossed.

Mr. Haughton moved the following amendment, viz:

Sec. That it shall be lawful for the City of Raleigh, or any incorporated town or county near or through which railroads may pass, to subscribe for such an amount of stock in said company as they shall be authorized to do by the inhabitants of said town or the citizens of said county, in manner and form as hereinafter provided.

Sec. Be it further enacted, That the corporate authorities of such town, or the justices of the peace of such county, a majority of the justices of the county concurring, to make an order requiring the constable of such town and the sheriff of such county, at such time and on such notice as they shall direct, to open a poll and take the sense of the voters of such town qualified to vote for town officers, and of the voters of such county qualified to vote for members of the House of Commons of the General Assembly, whether the officers of said town, and the justices of the peace of such county shall subscribe to the stock of such company for such sum as the order may propose; and the constable shall make return of the numbers for and against it, and the sheriff shall, in like manner, make return as to the vote in his county to the first court thereafter to be held for such county, and it shall be the duty of the sheriff to notify each justice of said county to attend at the court-house to which he may make his returns of said poll.
Sec. 6. Be it further enacted, That if upon the return of such constable and of such sheriff it shall appear that a majority of the qualified voters of such town, and by the return of the sheriff that a majority of the qualified voters of such county voting upon the question are in favor of the subscription, the corporate authorities of such town and the justices of such county shall appoint an agent to make the subscription in behalf of such town and county, to be paid for in the bonds of such town and county, and on such time as shall be agreed on by said town officers and the justices of such county.

Sec. 7. Be it further enacted, That for the purpose of paying the quotas on said stock as may be called for, or the installment on such subscriptions as may fall due, the town authorities and the justices of the county shall have power to appoint an agent or agents to negotiate a loan for and in the name of such town and county; and it shall be the duty of the authorities of said town, and of the justices of such county, to levy such taxes annually on the persons, lands and other property within such town and county, as may be sufficient to pay the amount of such loan or loans, and the interest thereon, and as said town authorities and justices of such county shall deem necessary and proper; and to make such order or orders as shall be deemed necessary for the due collection and payment of the same, and the stock subscribed on behalf of such town and county shall stand pledged for the payment of the loan thus authorized to be contracted.

Sec. 8. That any incorporated company shall and may have authority to subscribe such sums to said railroad, as a majority of its members may determine upon.

The amendment was adopted; yea 25, nay 11.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

The bill then passed its third reading, as amended, and a mes-
The engrossed bill to incorporate the Newborn and Neuse River Bridge Company, in the county of Craven, was read the second time and passed; the rule being suspended, said bill was read the third time, amended and passed, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

Received a message from the House of Commons, concurring in the amendments proposed by the Senate to the following engrossed bills:

A bill for the protection of sheep;
A bill concerning the Wilmington and Raleigh Railroad Company;
A bill to incorporate the Columbia and Charlotte Magnetic Telegraph Company;
A bill to establish the town of Magnolia;
A bill in favor of Wm. N. Brooks; and
A bill for the better regulation of the town of Franklinsville.

Ordered, That said bills be enrolled.

A message was received from the House of Commons, asking the concurrence of the Senate in sundry amendments proposed to the bill for the completion of the North Carolina Railroad.

A division of the question being called for, the Senate agreed to the first amendment of the Commons, to wit:

In the 2nd section, 5th line, strike out "three per cent. semi-annually," and insert "six per cent. per annum, payable semi-annually." The second amendment was read and adopted, viz,

Strike out of the first section, the following words:—"according to the direction of the acts of said company, entitled an act to incorporate the North Carolina Railroad Company, ratified the 27th day of January, 1849."

Mr. Graham moved that the Senate agree to the third amendment proposed as a proviso to the 2nd section, viz:

"Provided, further, That said stock may be transferred to any other work of internal improvements by a future Legislature."

Mr. Biggs moved to amend the amendment, by striking out the proviso to the said 2nd section—upon a division 16 were found voting in the affirmative, and 16 in the negative.
There being a tie, the Speaker voted in the affirmative, and the amendment to the amendment was adopted.

Mr. Christian now moved an adjournment; which was lost.

Mr. Rayner now moved that the Senate adjourn.

Not agreed to.

Mr. Gilmer moved an adjournment; on which question the vote stood yeas 21, nays 21.

Mr. Graves demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


There being a tie, the Speaker voted in the negative, and the motion was lost.

Mr. Graham now moved an adjournment.

The motion was lost.

Mr. Gilmer moved for a call of the House. Not agreed to.

Mr. Christian now moved that the Senate adjourn.

The motion was lost; yeas 19, nays 23.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


On motion by Mr. Faison, the Senate adjourned.

WEDNESDAY, February 7, 1855.

On motion by Mr. Lane, the vote by which the engrossed bill
to incorporate the Hillsboro' and Milton Plankroad Company, was passed, was reconsidered.

The vote by which the amendment to said bill was adopted, was now reconsidered, and rejected.

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

Mr. Wood introduced a memorial concerning the Neuse River Navigation Company, which was referred to the committee on internal improvements.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Rocky Mount and Franklin Plankroad Company, reported the same back to the Senate, and recommended its passage.

Mr. Fisher introduced a bill relating to common schools, which was read the first time and passed, and referred to the committee on education and the literary fund.

On motion by Mr. Brogden,

Ordered, That a message be sent to the House of Commons, asking that body to return to the Senate, the bill authorizing Wm. S. Ballinger, &c., to construct a dam across Neuse river.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to amend an act passed at the session of 1850-'51, entitled an act to incorporate the Tuckasege and Nantahala Turnpike Company, reported the same back to the Senate, and recommended its passage.

The engrossed bill to lay off and establish a new county by the name of Harnett, was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the New River and Wilmington and Topsail Sound Plankroad Company, was read the first time and passed.

The engrossed bill to incorporate Holtsburg Manufacturing Company, was read the first time and passed, and referred to the committee on corporations.

The engrossed bill for the better regulation of Elizabethtown, was read the first time and passed, and referred to the committee on corporations.

Mr. Wilder, from the committee on banking, to whom was re-
ferred the bill to increase the capital stock of the bank of Charlotte, reported the same back to the Senate, with an amendment.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the South Yadkin Navigation Company, reported the same back to the Senate, and recommended its passage.

A message was received from the House of Commons, proposing to go into an election for nine Directors of the Lunatic Asylum this day at 1 o’clock,

Whereupon it was ordered that a message be sent to the House of Commons, informing that the Senate do not agree to vote for nine Directors of the Lunatic Asylum at 1 o’clock, but propose to go into said election to-day at 3½ o’clock, P. M.

Received a message from the House of Commons, agreeing to the proposition of the Senate, to go into the election for nine Directors of the Lunatic Asylum to-day at 3½ o’clock; and informing that Messrs. Yancey and Stubbs form the House branch of the committee to superintend said election.

The Senate now resumed the consideration of the unfinished business of yesterday, viz: The bill for the completion of the North Carolina Railroad, and the amendments proposed thereto by the House of Commons.

Mr. Graves moved a reconsideration of the vote, by which the amendment to the amendment of the House of Commons, was adopted on yesterday.

The motion prevailed.

The question now recurring on the adoption of the amendment to the amendment, it was determined in the negative—yeas 22, nays 23.

Mr. Sanders demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,

Messrs. Ashe, Cherry, Christian, Davis, Fisher, Freeman, Gilmer, Graham, Graves, Haughton, Hoke, Lane, McClees, Mc-
So the amendment to the amendment was lost, and the amendment agreed to.

The 4th amendment proposed by the House of Commons, to come in as section 6th, is as follows:

"Be it further enacted, That the sum of fifteen thousand dollars, to be raised by the State in the same manner as other moneys are raised by the provisions of this act, be, and the same is hereby appropriated for the purpose of cleaning out and improving the navigation of Tar river, between the town of Washington and the falls of said river; and that His Excellency, the Governor, is hereby empowered and required to appoint suitable commissioners to carry into effect the requirements of this section."

Mr. Clark moved that the Senate disagree to said amendment.

The question thereon was determined in the affirmative—yeas 24, nays 18.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the Senate disagreed to the amendment, and the House of Commons was informed thereof by message.

A message was sent to the House of Commons informing that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz:

A bill concerning the Ward Gold Mine Company;

A bill making provision for the reduction of the public debt;

A bill to incorporate a company to construct a bridge across New River;

A bill authorizing the construction of dams across the French Broad River, in the counties of Henderson, Buncombe, and Madison:
A bill to authorize the president and directors of the literary fund to appoint an agent for swamp lands;

A bill to incorporate the Dan River Steam Navigation Company;

A bill to incorporate the Indian Grave Turnpike Company.

Mr. Tayloe introduced a bill for the completion of the improvements on Tar River, which was read the first time, passed, and referred to the committee on internal improvements.

Mr. Eaton introduced a bill to incorporate the Warrenton Plankroad Company, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

Mr. Rayner submitted a resolution concerning the distribution of the Revised Code, which was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be engrossed.

The bill to incorporate the South Yadkin Navigation Company was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The engrossed bill to incorporate the New River, Wilmington, and Topsail Sound Plankroad Company was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

Mr. Fisher introduced a bill to incorporate the Mineral Plankroad Company, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The bill to incorporate the Rocky Mount and Franklinton Plankroad Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate the Snow Hill and Atlantic Plankroad Company was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.
The engrossed bill to prevent the felling of timber in Big and Little Ivey was read the second time and passed; the rule being suspended, said bill was read the third time, amended and passed, and a message sent to the House of Commons asking their concurrence in the amendments of the Senate.

The bill in relation to burnt deeds was read the second time, the substitute proposed by the committee adopted, and the bill passed its second reading as amended; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Marion Gold Mining Company was read the second time, passed, and laid on the table.

The bill supplemental to an act entitled an act to lay off and establish a county by the name of Wilson, was read the third time, amended and passed.

The bill to incorporate the Nantahala Gold and Copper Mining Company, of Western North Carolina, was read by its title and ordered to be laid on the table.

The hour agreed upon by the two Houses for going into the election of nine directors of the Lunatic Asylum having now arrived, a message was sent to the House of Commons informing that Messrs. Wilder and Taylor constitute the Senate's branch of the committee to superintend said election, and that the Senate would proceed to vote on the return of the messenger.

The Senate, under the superintendence of Messrs. Wilder and Taylor, then voted as follows:


For Mr. Brogden:—Messrs. Speaker, Biggs, Bower, Christian, Collins, Coleman, Cunningham, Davis, Faison, Fennell,

For Mr. Wilder:—Messrs. Speaker, Christian, Cherry, Clark, Coleman, Collins, Faison, Fonville, Gilmer, Haughton, Lane, McDowell, Martin, Oldfield, Sanders, Taylor, Walker, Wiggins, Willey, Wood, Boyd and Brogden—22.


For Mr. Rand:—Messrs. Bower, Clark, Cunningham, Eaton, Fennell, Herring, McClees, Martin, Sanders, Speight, Wiggins, Drake, Brogden and Boyd—14.


For Mr. Gilmer:—Messrs. Speaker, Christian, Clark, Cunningham, Davis, Faison, Fonville, Haughton, McClees, McDowell, Oldfield, Taylor, Thomas of Davidson, Willey and Wood—15.

For Mr. Mordecai:—Messrs. Speaker, Biggs, Cherry, Clark, Eaton, Fisher, Gilmer, Lane, McClees, Mitchell, Wiggins, Willey and Person—13.


For Mr. Jos. Rogers:—Messrs. Biggs, Clark, Coleman, Fennell, Fisher, Gilmer, Herring, Mitchell, Person, Drake and Brogden—11.

For Mr. Fisher:—Messrs. Speaker, Christian, Fennell, Gilmer, Haughton, Oldfield, Speight, Wood and Brogden—9.


For Mr. Graves:—Messrs. Bower, Coleman, Cunningham, Eaton, Fennell, Haughton, Herring, Taylor and Wilder—9.


For Mr. Graham:—Messrs. Cherry, Clark, Cunningham, Fisher, McClees, Wiggins and Willey—7.

For Mr. Hinton:—Messrs. Clark, Eaton, McClees, Wilder and Willey—5.


For Dr. Lane:—Messrs. Cherry, Cunningham, Davis, Faison, Haughton, Speight, and Thomas of Davidson—7.

For Mr. Selby:—Messrs. McDowell, Sanders, Drake and Boyd—4.

For Mr. Doub:—Messrs. Christian, Davis, Faison and McDowell—4.

For T. R. Caldwell:—Messrs. Cherry, Davis and Lane—3.

For Mr. Stallings:—Messrs. Bower, Collins, and Walker—3.

For J. R. Jones:—Messrs. Cherry and Wiggins—2.

For Mr. Cunningham:—Messrs. Cherry, Willey and Wood—3.

For Mr. Cherry:—Messrs. Fonville, Lane, McDowell and Oldfield—4.

For Mr. Hoke:—Messrs. Fonville, Gilmer, Oldfield and Thomas of Davidson—4.

For Mr. Mitchell:—Messrs. Lane and Wiggins—2.

Mr. Eaton voted for Mr. Everett, Mr. Hogg and Mr. Morehead.

Mr. Collins voted for Mr. Clark.

Mr. Faison for J. Mordecai.

Mr. Walker for Mr. Waring and Mr. Thompson.

Mr. Brogden for Mr. D. Coleman.

Mr. Lane, for Mr. Miller and E. S. Winslow.

Mr. Martin, for Mr. Bower.

Mr. Speaker, for Mr. Freeman.

Mr. Speight, for Dr. Johnson and Mr. Mebane.

Mr. Thomas, of Davidson, for P. Adams.

Mr. Person, for A. Jones.

The bill to incorporate the trustees of the Mariners' Orphan Asylum, in the county of Carteret, was read the second time and
passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to authorize the construction of a toll bridge across the Yadkin river, near Jonesville, was read the second and third time, under a suspension of the rule, and ordered to be enrolled.

The bill concerning lands covered by water, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to prohibit the trading with slaves in the county of Mecklenburg, was read the second time.

Mr. Walker moved to amend the bill by striking out "Mecklenburg," which motion prevailed.

Mr. Person moved to amend, by striking out the words, "and the eggs of such fowl." The motion was lost.

Mr. Graves moved to amend the bill by inserting "Northampton," which motion was agreed to.

Mr. Haughton moved to amend by inserting "Craven," which motion was carried.

Mr. Walker moved further to amend by inserting "Mecklenburg," which was agreed to.

The question now recurring on the passage of the bill its second reading as amended, it was determined in the affirmative—yeas 23, nays 10.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,

Messrs. Clark, Davis, Eaton, Gilmer, Graham, Graves, Haughton, Lane, McDowell, and Rayner—10.

So the bill passed its second reading as amended.

Mr. Rayner introduced a bill to incorporate the Clarendon Coal Field Company, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

Mr. Oldfield a bill to amend an act, to exempt persons residing
on the banks and islands between Whalebone Inlet and Cape Hatteras, from serving as jurors; which was read the first time and passed, and referred to the committee on the judiciary.

On motion, the Senate adjourned.

THURSDAY, FEBRUARY 8, 1855.

Mr. Wilder introduced a resolution in favor of James McKimmon, which was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed and ordered to be engrossed.

Mr. Wilder, from the committee appointed to superintend the election of directors of the Lunatic Asylum, reported that no person having received a majority of the votes given, there is no election. Concurred in.

On motion by Mr. Wilder,

Ordered, That a message be sent to the House of Commons proposing to raise a joint select committee of two on the part of each House to nominate a ticket to be voted for as directors of the Lunatic Asylum.

Mr. Biggs introduced a bill to amend the 8th section of the 16th chapter of the Revised Code, entitled inspections, which was read the first time and passed; the rule being suspended, the said bill was read the second and third time, passed, and ordered to be engrossed.

A message was sent to the House of Commons informing that the Senate have passed the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill to incorporate the Bank of Wilmington, North Carolina;
A bill to incorporate the Yadkin Manufacturing Company;
A bill to incorporate the Warrenton Plankroad Company; and
A resolution in favor of James McKimmon.

Mr. Haughton introduced a resolution in favor of Peter J. Evans, which was read the first time, passed, and referred to the committee on the judiciary.

Also, a bill concerning corporations, which was read the first time and referred to the committee on the judiciary.

Mr. Eaton, from the committee on the judiciary, to whom was referred a resolution of inquiry on the subject, reported a resolution concerning the Farmer's Bank at Elizabeth City, with a
detailed report thereon, which said report was ordered to be printed and the resolution read the first time and passed.

Mr. Eaton introduced a bill supplemental to an act to erect a new county by the name of Harnett, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Biggs offered the following resolution, viz:

Resolved, That a message be sent to the House of Commons proposing that the two Houses adjourn sine die on Wednesday, the 14th instant, at 12 o'clock, M., and that the clerks make up their estimates accordingly.

Mr. Wilder moved to amend the resolution by striking out "Wednesday" and inserting "Thursday."

The motion was lost and the resolution adopted.

The bill to increase the capital stock of the Bank of Charlotte was read the third time, amended; passed, and ordered to be engrossed.

The bill relating to the Fayetteville and Warsaw Plankroad Company was read the second time and passed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial for the discontinuance of a public road leading from William Black's in Gaston county, to the town of Shelby, in Cleveland county, reported the same back to the Senate and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Graham introduced a resolution in favor of B. F. Moore and Asa Biggs, which was read the first time and passed.

Mr. Wilder, from the committee on banking, to whom was referred the bill to incorporate the Union Bank, reported the same back with amendments.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to amend an act entitled an act to incorporate the Greensborough Mutual Insurance Company, passed in 1850-'51, reported the same back to the Senate with amendments.

Mr. Boyd introduced a resolution in favor of G. W. Bullard, which was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. Hoke, from the committee on the judiciary, to whom the
subject was referred, reported a bill to establish the boundaries of
the town of Beaufort, which was read the first time and passed.

Mr. McDowell, from the committee on corporations, to whom
was referred the bill to incorporate the Wilmington Savings Bank,
reported the same back to the Senate with amendments.

Mr. Ashe introduced a bill for the better regulation of the town
of Wadesboro', in the county of Anson; which was read the
first time and passed.

Received a message from the House of Commons, stating that
they have passed the engrossed bill to incorporate the North Caro-
olina Railroad Company, with sundry amendments, in which they
ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons
informed thereof by message.

Mr. McDowell, from the committee on corporations, to whom
was referred the bill to incorporate the Salem Savings Institute;
and

The bill for the better regulation of Elizabeth City, reported
said bills back to the Senate, and recommended their passage.

Received a message from the House of Commons, proposing
that the two Houses adjourn sine die on Wednesday, the 12th
instant, at 12 o'clock, M.

Concurred in.

Also, concurring in the proposition of the Senate, to raise a
joint select committee of two on the part of each House, to con-
sider the propriety of employing a State Engineer, and informing
that Messrs. Bynum, of Rutherford, and Singeltary, constitute
the House branch of said committee.

Whereupon, the House of Commons were informed by mes-
sage, that Messrs. Thomas, of Davidson, and Thomas, of Jack-
son, constitute the committee on the part of the Senate.

Also a message, proposing to appoint the directors of the Lunat-
ic Asylum, by resolution; which was concurred in.

Mr. Thomas, of Davidson, from the committee on corpora-
tions, to whom was referred the bill to incorporate Holtsburg
Manufacturing Company, in the county of Davidson, reported
the same back to the Senate, and recommended its passage.

Received a message from the House of Commons, stating that
they have passed the engrossed bill concerning the militia, with
an amendment, in which they ask the concurrence of the Senate.

To which said amendment the Senate disagreed, and the House was informed thereof by message.

Also that the House has passed the engrossed bill concerning common schools, with sundry amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, except the amendment proposing to insert "marsh and" before "swamp," to which the Senate disagrees; of which the House were informed by message.

Received a message from the House of Commons, concurring in the amendments of the Senate to the Chatham Railroad Company, except the amendment giving towns and counties authority to take stock—this they refuse to concur in; from which said amendment the Senate recedes, and the House of Commons were informed thereof by message.

Also, stating that the House concurs in the amendments proposed by the Senate to the engrossed bill to regulate the floating of timber on the Roanoke River.

The resolution in favor of John Crews;

The bill to incorporate the Jacksonville and Trent River Plank-road company; and

The bill to incorporate the Newbern and Neuse River Bridge Company.

Ordered, That said bills and resolution be enrolled.

The Senate now took up for consideration the engrossed bill concerning the revenue of the State; which was read the second time by sections.

Mr. Clark moved to amend the second section of the bill, by striking out "12 cents," and inserting "10 cents" as the tax on every hundred dollars value of real property.

The amendment was lost; yeas 15, nays 20.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,

Mr. Graham moved to strike out the 14th section; agreed to.

Mr. Biggs moved to amend the 15th section by inserting after the word "estates," in the 6th line of the same, the words "and without having paid the tax imposed by the 7th section of this act."

Which said amendment was adopted.

Mr. Rayner moved the following amendments to the 16th section, which were adopted, viz:

Strike out "three" and insert "six," in the 5th line; strike out "clerk of the county court" in the 7th and 8th lines, and insert "some discreet person;" also strike out "retain and" in the 9th line of said section.

On motion by Mr. Graham, the bill was further amended by striking out the 17th section.

The hour having arrived, the Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The bill to incorporate the North Carolina Central, Atlantic and Pacific Railroad Company, was taken up and referred to the committee on internal improvements.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the resolution in favor of N. W. Woodfin, &c., reported the same back to the Senate, with amendments.

The bill to incorporate the Contentnea Railroad Company, was read the second time.

The engrossed bill to confirm a grant in favor of Wm. J. Potter and Jos. J. Roberson, was read the first time and passed.

The Senate now resumed the consideration of the unfinished business of the morning, being the engrossed bill concerning the revenue of the State.

Mr. Rayner moved to amend the 19th section as follows, strike
out the word "solvent" in the 7th line, and insert after the word "debtor" "deemed solvent by the listing creditor;" which amendment was adopted.

On motion by Mr. Ashe, the 22nd section was amended by inserting after the word "in," in the 2nd line, the words "the trade of."

Mr. Graves moved to strike out "10" in the 8th line of said section, and insert "25."

The motion was lost.

Mr. Graves then moved to strike out 25 cts. in the 6th line, and insert 10 cts.; which motion was lost—yeas 5, nays 31.

Mr. Graves demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


Mr. Graham moved to amend the 23rd section of the bill by striking out the words, "on each piano forte in use, one dollar," in the 17th line of the same. The motion was lost.

Mr. Rayner moved to amend said section by striking out the words "at some time within the year," in the 22nd line, and inserting "are usually," which amendment was adopted.

Mr. Rayner now moved to strike out "one dollar," in the 19th line, and insert "two dollars," as a tax on bowie knives.

Mr. Christian moved to amend the amendment by inserting "five dollars," which motion did not prevail. The amendment of Mr. Rayner was adopted.

Mr. Rayner now moved to amend said section in the 20th line by striking out "fifty cents" and inserting "one dollar" as the tax on sword canes. The amendment was adopted.

Mr. Biggs moved to amend as follows: after "dollars," in the 25th line, insert "to be paid by the sheriff upon the certificate of the clerk obtained in the manner provided in the chapter entitled "ordinaries and inns," and thereupon the sheriff shall issue a license.
The amendment was agreed to.
Mr. Cunningham moved to amend by taxing all gongs two dollars.

The amendment was lost.
Mr. Rayner moved further to amend said resolution by inserting after the word "liquors," in the 25th line, the words "and all dealers in the same by a less quantity than a gallon."

The amendment was lost; yeas 12, nays 26.

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

Mr. Rayner moved further to amend said section as follows: strike out all after "pedlars," in the 21st line, to the words "a tax," in the 25th line, and insert "of patent medicines, nostrums, and petty articles."

The amendment was adopted.

Mr. Rayner moved further to amend said section as follows: strike out "five dollars?" and insert "three dollars?" as a tax on said pedlars.

The motion was lost.

Mr. Graham moved further to amend said 23d section by striking out the tax of one dollar on marriage licenses, which motion was carried; yeas 25, nays 15.

Mr. Gilmer demanded the yeas and nays.
Those who voted in the affirmative, are,
Those who voted in the negative, are,
Messrs. Ashe, Cherry, Christian, Davis, Eaton, Fonville, Gil-
Mr. Biggs moved to amend said section as follows: strike out "retailers," in the 36th line, which was agreed to.

Mr. Christian moved further to amend the bill by adding to said section "and a tax on all faro banks of §500 in every county in which they are used or opened," which said amendment was adopted.

Mr. Clark moved to amend the bill as follows: in the 3d line of the 24th section strike out "one-fourth" and insert "one-eighth."

Mr. Christian moved the following amendment to the amendment, to come in after the word "capital," "to the extent of $20,000, and for the excess of capital over $20,000 one-eighth of one per cent."

The amendment to the amendment was rejected.

Mr. Bower called for a division of the question.

And the question being first taken on striking out, it was determined in the negative.

So the Senate refused to strike out.

Mr. Rayner moved to strike out "capital so employed," in the 7th line of said section, and insert "the amount of his sales."

Mr. Bower moved to amend the amendment by striking out "sales" and inserting the word "purchases."

The amendment to the amendment was lost, and the amendment of Mr. Rayner was disagreed to.

Mr. Biggs moved to amend said section by inserting after the word "capital," in the 4th line, the words "except as follows," which amendment was agreed to.

The bill was further amended, on motion by Mr. Biggs, by striking out "twenty" in the 4th line of said section.

Mr. Rayner moved to strike out so much of the 24th section as imposes a tax on distillers of turpentine.

Pending the consideration of which,

On motion by Mr. Cherry, the Senate adjourned.

FRIDAY, FEBRUARY 9, 1855.

On motion, leave of absence was granted to Mr. Walker, from and after Tuesday next.
And to Mr. McDowell from and after Monday next.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to authorize the public treasurer of the State to endorse the bonds of the Neuse River Navigation Company;

The bill to amend an act passed at the session of 1852–53, to incorporate the Charleston, Blue Ridge and Chattanooga Railroad Company; and

The bill for the completion of the Improvements on Tar River, reported said bills back to the Senate, and recommended their passage.

Mr. Fisher, from the same committee, to whom was referred the bill to incorporate the Trenton and Hallsdale Plankroad Company; and

The bill to incorporate the Contentnea Railroad Company, reported said bills back to the Senate, with amendments.

Ordered, That the said bills be laid on the table.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial of James Taylor, &c., reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Boyd, from the same committee, to whom was referred a resolution in favor of G. W. Bullard, and

A resolution in favor of Jas. M. McGowan, reported the same back to the Senate, and recommended their passage.

Mr. Boyd, from the same committee, to whom was referred the bill to annex part of Onslow county to the county of Jones, reported the same back to the Senate, and recommended its rejection.

On motion,

Ordered, That said bill be indefinitely postponed.

The bill relating to the Fayetteville and Warsaw Plankroad Company, was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Moore and Montgomery Plankroad Company, was now taken up, read the third time, and rejected; yeas 17, nays 20.

The yeas and nays being demanded,

Those who voted in the affirmative, are,

Messrs. Cherry, Christian, Coleman, Davis, Faison, Fonville,
Freeman, Gilmer, Haughton, Hoke, Lane, Mitchell, Person, Tayloe, Thomas of Davidson, Thomas of Jackson and Wood—17.

Those who voted in the negative, are,


Mr. Boyd, from the committee on propositions and grievances, to whom was referred a memorial to prohibit traffic in intoxicating liquors, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Hoke, from the committee on the judiciary, to whom was referred the bill to prevent obstructing the passage of fish up New River, in the counties of Ashe and Catawba, reported the same back to the Senate, and recommended its rejection.

Mr. Hoke, from the same committee, to whom was referred the bill to confirm a grant of land to E. W. Piggott, made an adverse report thereon.

Mr. Hoke, from the same committee, to whom was referred the bill to amend an act to exempt persons residing on the banks and islands between Whalebone Inlet and Cape Hatteras from serving as jurors, reported the same back to the Senate, and recommended its passage.

Mr. Haughton, from the committee on the judiciary, to whom was referred the resolution in favor of Peter G. Evans, reported the same back to the Senate, and recommended its passage.

Received a message from the House of Commons, stating that they insist on their amendment to the bill for the completion of the North Carolina Railroad, making an appropriation for the improvement of Tar river.

Mr. Gilmer moved that the Senate recede from its disagreement to said amendment, and the question being taken on the motion to recede, it was determined in the affirmative; yeas 22, nays 14.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Cherry, Christian, Coleman, Eaton, Eborn, Fannell, Fisher, Freeman, Gilmer, Graham, Haughton, Lane,

Those who voted in the negative, are,

So the Senate agreed to recede, and the House of Commons were informed thereof by message.

The Senate now resumed the consideration of the unfinished business of yesterday, viz:

The engrossed bill concerning the revenue of the State.

The question pending, being on the motion to strike out so much of the 24th section of the bill as imposes a tax on distillers of turpentine.

And the question being taken thereon, it was determined in the affirmative; yeas 30, nays 15.

The yeas and nays being called,

Those who voted in the affirmative, are,

Those who voted in the negative, are,

On motion, the Speaker was allowed to record his vote in the affirmative.

Mr. Graham moved to reconsider the vote by which was adopted, on yesterday, the amendment laying a tax on faro banks.

The motion prevailed.

Whereupon, with leave, the amendment was withdrawn.

Mr. Biggs moved to amend the 28th section of the bill, by inserting in the 2d line, the words "merchant tailor" after the word "merchant."

The amendment was adopted.

Mr. Graham moved to amend the 29th section as follows, viz:
Strike out, in the 3d and 4th lines of the said section, the words, "offer for sale," &c.
Which amendment was adopted.

On motion by Mr. Biggs, said section was further amended, by inserting in the third line, after the word "others," the words, "persons sitting."

Mr. Hoke moved to amend the said 29th section, in the first clause of the same, so as to make it read as follows:

That there shall be paid to the sheriff of each county, a tax of $4 for every vehicle, by any person selling or peddling the same.

The amendment was lost.

Mr. Fisher moved to amend the said section, by striking out the first clause of the same, taxing vehicles not of the manufacture of this State. The motion was lost.

Mr. Person moved to strike out §10, and insert §5, as the tax on drovers. The motion was lost.

Mr. Ashe moved to amend, by striking out all of said section which imposes a tax on horses and mules brought into this State for sale.

Which motion was carried; yeas 24, nays 14.

Mr. Davis demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

Mr. Mitchell moved to strike out the proviso to the 30th section, and insert as follows, viz:

And provided further, That no tax is hereby imposed on the manufacturers of such vehicles, who usually sell none except such as are manufactured, as to the wood part, at their own establishments.

The amendment was lost.

Mr. Rayner now moved to strike out the 30th section.

The motion did not prevail.
Mr. Boyd moved to amend the 36th section, by striking out "horses and mules;" which motion was agreed to.

Mr. Clark moved to amend the 37th section, by striking out $100, and inserting $10, the tax on brokers.

The motion was lost.

Mr. Graham moved to amend the 39th section, by inserting after "ministers of the gospel," the words "governor and judges of the supreme and superior courts."

The motion prevailed.

The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

Mr. Haughton introduced a bill to incorporate the Consolidated Mining Company of North Carolina, which was read the first time and passed; the rule being suspended, said bill was read the second time, passed, and referred to the committee on corporations.

Also, a bill to incorporate the Union Gold Mining Company, which was read the first time, passed, and referred to the committee on corporations.

Also, a bill to incorporate the Chapel Hill Gold Mining Company, which was read the first time, passed, and referred to the committee on corporations.

Also, a bill to incorporate the Charlotte Gold Mining Company, which was read the first time, passed, and referred to the committee on corporations.

Also, a resolution in favor of H. D. Turner, which was read the first time, passed, and referred to the committee on the Revised Statutes.

The resolution in favor of Peter G. Evans was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The engrossed resolution in favor of Neil McColverd, was read the first time, passed, and referred to the committee on propositions and grievances.

The engrossed resolution in favor of Jacob Siler, was read the first time, passed, and referred to the committee on corporations.

The engrossed bill to cede to the United States a tract of land
near Wilmington, was read the first time, passed, and referred to
the committee on the judiciary.

The engrossed resolution in favor of C. C. Stone, was read
the first time and passed.

The Senate now resumed the consideration of the unfinished
business of the morning, viz: The bill concerning the Revenue
of the State.

Mr. Clark moved to amend the 78th section by striking out
"or other sufficient cause," in the 10th line of the same.

The motion was lost.

Mr. Biggs moved the following amendment as an additional
section to the bill, viz:

The tax imposed by law for the Lunatic Assylum, shall be
deemed to be included in the tax on real estate and polls, imposed
by the 2nd and 4th sections of this chapter.

The amendment was adopted.

And the question recurring on the passage of the bill its second
reading, it was determined in the affirmative; yeas 31, nays 8.

Mr. Wiggins demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Cherry, Christian, Clark,
Coleman, Collins, Cunningham, Davis, Eaton, Faison, Fennell,
Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton,
Jones, McDowell, Mitchell, Morisey, Speight, Taylor, Tayloe,

Those who voted in the negative, are,

Messrs. Brogden, Eborn, McClees, Martin, Person, Rayner,
Wiggins, and Willey—8.

Mr. Jones submitted the following resolution, which was adopt-
ed, viz:

Resolved, That the Senate for the balance of the session, will
daily meet at 10 o'clock, A. M.; take a recess at 1½ o'clock, P.
M.; meet again at 3 o'clock, P. M.; take a recess at 5½ o'clock,
P. M.; and meet again at 7 o'clock, P. M.

A message was sent to the House of Commons informing that
the Senate have passed the following engrossed bills and resolu-
tions, in which they ask the concurrence of the House, viz:

A bill relating to the Fayetteville and Warsaw Plankroad
Company;
A bill in relation to deeds of which the registered copies have been destroyed;
A bill concerning lands covered by water;
A bill to incorporate the Rocky Mount and Franklinton Plank-road Company;
A resolution concerning the distribution of the Revised Code;
A bill to incorporate the Mineral Plankroad Company;
A bill to incorporate the Clarendon Coal Fields Company; and
A bill to incorporate the South Yadkin Navigation Company.

On motion, leave of absence was granted to Messrs. Ashe, Fonville, Wiggins, Drake, and Fennell from and after to-mor-row, for the residue of the session.

Received a message from the House of Commons stating that they have passed the engrossed bill to incorporate the Yadkin Navigation Company; and

The engrossed bill to incorporate the Fayetteville and Centre Plankroad Company with amendments, in which they ask the concurrence of the Senate.

The Senate agreed to said amendments, and a message was sent to the House of Commons informing thereof.

Also a message from the House of Commons disagreeing to the amendment of the Senate to the engrossed resolution in favor of W. H. Winder.

Ordered, That a message be sent to the House of Commons informing that the Senate insists on its amendment.

Mr. Cherry called up the bill to improve the navigation of the Roanoke River, which was read the third time and passed; yeas 25, nays 15.

The yeas and nays being demanded,
Those who voted in the affirmative, are,

Those who voted in the negative, are,
So the bill passed its third reading and was ordered to be engrossed.

The bill to provide for the construction and repairs of public roads was read the third time, amended, passed, and ordered to be engrossed.

The engrossed resolution to erect shelves in the engrossing clerk's room was read the first time and passed.

The engrossed resolution appointing directors of the Lunatic Asylum was read the first time and passed.

The engrossed bill to extend the limits of the town of Ashborough was read the first time and passed.

Mr. Boyd now called up for consideration the bill to provide for a more uniform valuation of the lands within this State, and that the taxes be listed, levied, and collected in the same year, said bill being on its third reading.

Mr. Biggs moved to amend the bill by striking out all after the enacting clause and inserting an amendment offered by him as a substitute for the bill.

On motion by Mr. Clark the amendment was amended by striking out the 2d section of the same.

And the question recurring on the adoption of the amendment as amended,

Mr. Eaton moved that the same be indefinitely postponed, which motion was lost; yeas 16, nays 18.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


On motion of Mr. Graham the bill was committed to a select committee consisting of Messrs. Graham, Boyd, and Biggs.

On motion by Mr. Biggs,

Ordered, That the 15th rule of order be rescinded, which provides that no bill or resolution of a public nature shall be sent from the Senate until twelve o'clock the succeeding day.
The Senate now took a recess until 7 o'clock.

Seven o'clock, P. M.

The engrossed bill to incorporate the Wacamaw and Shallotte Plankroad Company, was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

Mr. Gilmer introduced a bill to amend letters patent, granted to Wm. H. Winder and others, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The bill to amend an act to exempt persons residing on the banks and islands, between Whalebone Inlet and Cape Hatteras, from serving as jurors, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate the Wilmington Savings Bank, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The bill to confirm a grant of land to E. W. Piggott, &c., was read the second time, and postponed until the 4th day of March next.

The bill to empower the commissioners of Wilmington to establish streets, &c., was read the second time and passed; the rule being suspended, the bill was read the third time, passed, and ordered to be engrossed.

The engrossed resolution in favor of N. W. Woodfin, &c., was read the second time, amended, and passed; the rule being suspended, said resolution was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the Senate's amendment.

The engrossed bill to amend an act to incorporate the town of Edenton, was read the second time; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

A resolution in favor of G. W. Bullard, was read the second
and third time, under a suspension of the rule, passed, and ordered to be engrossed.

The bill for the better regulation of the town of Wadesborough was read the second and third time, under a suspension of the rule, amended, and passed, and ordered to be engrossed.

Mr. Davis introduced a bill to extend the corporate limits of the city of Raleigh, which was read the first time and passed.

The bill for the better regulation of the town of Wadeborough was read the second and third time, under a suspension of the rule, amended, and passed, and ordered to be engrossed.

Mr. Davis introduced a bill to extend the corporate limits of the city of Raleigh, which was read the first time and passed.

The resolution in favor of James M. McGowan, was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The bill for the completion of the improvements on Tar river, was read the second time, and postponed until the 4th day of July next.

The resolution in favor of B. F. Moore and A. Biggs, were severally read the second time and passed; the rule being suspended, said bill and resolution were read the third time, passed, and ordered to be engrossed.

The bill to establish the boundaries of the town of Beaufort; and

The resolution in favor of B. F. Moore and A. Biggs, were severally read the second time and passed; the rule being suspended, said bill and resolution were read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Salem Savings Institute; and

The bill to amend an act passed in 1852-'53, entitled an act to incorporate the Charleston, Blue Ridge and Chattanooga Railroad Company, were severally read the first time and passed; the rule being suspended, said bills were read the second and third time, passed, and ordered to be engrossed.

The engrossed bill to prevent obstructing the passage of fish up New River, in the counties of Ashe and Catawba; and

The resolution in favor of W. J. Potter, were read the second time, and postponed until the 4th day of July next.

A message was sent to the House of Commons, stating that the Senate has passed the following engrossed resolution, in which it asks the concurrence of the House, viz:

A resolution in favor of B. F. Moore and A. Biggs.

The bill to amend an act entitled an act to incorporate the Greensboro' Mutual Insurance Company, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Cheoih Turnpike Company, was read the third time and passed; yeas 22, nays 4.
Those who voted in the affirmative, are,

Those who voted in the negative, are,
Messrs. Brogden, Cunningham, Martin, and Willey—4.

So the bill passed its third reading, and was ordered to be engrossed.

The following engrossed bills, viz:
The bill for the better regulation of Elizabethton;
The bill to incorporate the Sulphur Springs and Paint Rock Turnpike Company, in Madison and Buncombe counties;
The bill to incorporate a plankroad from Statesville to Greensboro;
The bill to incorporate the Richland and New River Plankroad Company;
The bill to establish a ferry across Black river, in New Hanover county;
The bill to extend the corporate limits of the town of Beaufort, in Carteret county;
The bill to incorporate the town of Jefferson, in the county of Ashe;
The bill authorizing the commissioners of the town of Salisbury to subscribe for stock in the Western Railroad Company;
The bill to authorize the corporation of the town of Charlotte to subscribe to certain Railroads; and

The bill to extend the limits of the town of Ashboro' were severally read the first time and passed; the rule being suspended, said bills were read the second and third time, passed, and ordered to be enrolled.

The resolution to loan money to the trustees of Spring Hill Academy, in Robeson county, was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The engrossed bill to amend the charter of the town of Salisbury, was read the first time and passed; the rule being suspended, said bill was read the second third and time, amended and passed,
and a message sent to the House of Common, asking their concurrence in the amendments of the Senate.

The resolution authorizing the literary board to loan money to the Franklin Female Academy, in the town of Macon, was now taken up, read, and rejected.

The engrossed resolution concerning the patients of the Deaf, Dumb, and Blind Asylum, in the City of Raleigh, was read the first time and postponed until the 4th day of March next.

The resolution in favor of H. D. Turner was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate the Holtsburg Manufacturing Company, in the county of Davidson, was read the first time and passed.

The engrossed bill to prevent obstructions to the free passage of fish in Shooting creek, in the county of Mecklenburg, was read the first time and passed; the rule being suspended, said bill was read the second time, passed, and referred to the committee on the judiciary.

A message was sent to the House of Commons stating that the Senate have passed the following bills, in which they ask the concurrence of the House, viz:

A bill to amend letters patent granted to Wm. H. Winder and others, and for other purposes.

The engrossed bill to repeal an act authorizing Josiah O. Watson, of Johnston county, to construct a dam on Neuse River, passed at the session of 1850–51, was read the first time, passed, and referred to the committee on the judiciary.

Mr. Thomas of Jackson introduced a resolution authorizing the agent of Cherokee bonds to pay costs on suits dismissed on the part of the State, which was read the first time, passed, and referred to the committee on the judiciary.

The engrossed resolution to furnish shelves in the engrossing clerk's room was read the first time and passed; the rule being suspended, said resolution was read the second and third time passed, and ordered to be enrolled.

On motion, the Senate adjourned.
SATURDAY, FEBRUARY 10, 1855.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial relating to pilots, reported adversely on the same and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Boyd, from the same committee, to whom was referred the bill to cause railroad companies to fence their tracks in this State, reported the same back to the Senate and asked to be discharged from its further consideration. Discharged accordingly.

The bill further to prohibit the trading with slaves in Mecklenburg county was read the third time, amended and passed.

On motion, the title of the bill was amended so as to read "a bill further to prohibit the trading with slaves in Mecklenburg and Northampton counties."

Ordered, That said bill be engrossed.

Mr. Morisey moved a reconsideration of the vote by which was rejected the bill to incorporate the Moore and Montgomery Plank-road Company. The motion was agreed to.

And the question, Shall the bill pass its third reading? was determined in the affirmative; yeas 18, nays 16.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


The bill to incorporate the Shocco Springs Company, of the county of Warren, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Biggs introduced a bill in relation to the superior court of law of Tyrrell county, which, under a suspension of the rule, was read the first, second, and third time, passed, and ordered to be engrossed.

A message was sent to the House of Commons stating that the Senate have passed the following bills, in which they ask the concurrence of that body, viz:
A bill to incorporate the trustees of the Mariner's Orphan Asylum and Institute, in the county of Carteret;
A bill to increase the capital stock of the bank of Charlotte;
A bill supplemental to an act, entitled an act to lay off and establish a county by the name of Wilson;
A bill to incorporate the Albemarle and Pamlico Railroad Company; and
A bill to amend an act, entitled an act to incorporate the Greensboro' Mutual Insurance Company.

The resolution concerning the Farmer's Bank of the State of North Carolina was now taken up, and read the second time.
Mr. Haughton moved that said resolution be laid on the table; which motion prevailed; yeas 27, nays 11.
Mr. Brogden called the yeas and nays.
Those who voted in the negative, are, Messrs. Bower, Brogden, Clark, Cunningham, Eaton, Herring, McClees, Martin, Mitchell, Taylor and Wilder—11.
Mr. Hoke, from the committee on the judiciary, to whom was referred the resolution authorizing the agent of Cherokee bonds to pay costs on suits dismissed on the part of the State, reported adversely on the same.
Mr. Hoke, from the committee, to whom was referred the bill to prevent obstructions to the free passage of fish in Shooting creek, in the county of Cherokee, made an adverse report thereon:
Whereupon, said bill was read and rejected.
Mr. Hoke, from the same committee, to whom was referred the bill to repeal an act authorizing Josiah O. Watson, of Johnston county, to construct a dam on the Neuse river, passed in 1850-51, reported the same back to the Senate, and recommended its passage.
The bill to alter the line between the counties of Buncombe and Madison, was read the second time and rejected.
The Senate now took up for consideration, the engrossed bill
concerning the revenue of the State, which was read the third time.

On motion by Mr. Haughton, the amendments made to the bill on its second reading, were severally stricken out, and the bill restored to the original shape, in which it passed the House of Commons.

On the question to insert the 14th section of the bill, which had been stricken out, the vote stood, yeas 25, nays 14.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


On the question to insert so much of said bill as lays a tax on distilleries of turpentine.

The vote stood, yeas 24, nays 13.

Mr. Herring demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


The Speaker was permitted by the Senate to record his vote in the negative.

Mr. Clark moved to amend the bill, by inserting in the 7th line of 36th section the words "agricultural implements."

The motion was lost.

The question now recurred on the passage of the bill its third time, and was determined in the affirmative; yeas 26, nays 15.

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

Those who voted in the negative, are,
Messrs. Ase, Brogden, Clark, Eborn, Faison, Fonville, Herring, McClees, McDowell, Martin, Person, Rayner, Sanders, Speight and Willey—15.

So the bill passed its third reading, and was ordered to be enrolled.

Mr. McDowell, from the committee on corporations, reported favorably on the bill to incorporate the Consolidated Gold Mining Company; which was read the third time and passed, and ordered to be engrossed.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Charlotte Gold Mining Company,

The bill to incorporate the Chapel Hill Gold Mining Company; and

The bill to incorporate Union Gold Mining Company, reported said bills back to the Senate, and recommended their passage.

Under a suspension of the rule, the bills were severally read the second and third time, passed, and ordered to be engrossed.

The engrossed resolution in favor of Abner Walker, was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be enrolled.

The bill to extend the corporate limits of the City of Raleigh, was read the second time, and laid on the table.

Received a message from the House of Commons, asking the concurrence of the Senate in the engrossed resolution in relation to the directors of the Lunatic Asylum.

The resolution was read, and laid upon the table.

Also a message informing that the House of Commons concur in the amendments proposed by the Senate to the bill to incorporate the Wilmington Savings Institute; and

The resolution in favor of W. H. Winder.

Ordered, That said bill and resolution be enrolled.

Also a message, asking the concurrence of the Senate to the
amendments of the House to the engrossed bill to incorporate the Newbern Mutual Insurance Company; and
The engrossed resolution concerning the engrossing clerk.
The amendments were agreed to, and the House of Commons informed thereof by message.
The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.
The bill to amend an act passed at the session of 1850-'51, entitled an act to incorporate the Tuckasege and Nantahala Turnpike Company was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.
The resolution directing the public treasurer not to receive small notes was taken up and ordered to be laid on the table.
The bill to limit the term of the chairmen of the board of superintendents of common schools was taken up and postponed until the 4th day of July next.
The bill to incorporate Union Bank was read the second time and laid on the table.
The bill to authorize the public treasurer of this State to endorse the bonds of the Neuse River Navigation Company was read the second time.
Mr. Wood moved to fill the blank in said bill with the sum of twenty thousand dollars, which motion was lost.
Mr. Speight moved that the bill be indefinitely postponed, which motion prevailed; yeas 18, nays 10.
Mr. Speight demanded the yeas and nays.
Those who voted in the affirmative, are,
Those who voted in the negative, are,
So the bill was indefinitely postponed.
The bill concerning fishing on Tar and Pamlico Sounds was read the second time and rejected.
The bill to incorporate the Lexington and North Carolina
Railroad Company was read the second time, amended and rejected.

The bill supplemental to an act entitled an act to establish a new county by the name of Harnett was read the second time, amended and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Hoke, from the committee on the judiciary, to whom was referred the engrossed bill supplemental and amendatory of an act passed at the session of 1852-'53, entitled an act to bring into market the lands pledged for the completion of the Western Turnpike Road, made an unfavorable report thereon.

Whereupon the bill was rejected.

Received a message from the House of Commons informing that they have passed a substitute for the engrossed bill concerning public printer, in which they ask the concurrence of the Senate.

Mr. Eaton moved a reference of the bill and amendment to the committee on the judiciary, which motion did not prevail.

Mr. Graham moved to amend the amendment by striking out the first section. The motion was lost; yeas 15, nays 16.

Mr. Davis demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, Cunningham, Faison, Fonville, Graves, Herring, Jones, Martin, Oldfield, Speight and Walker—16.

Mr. Graham moved to postpone the consideration of the subject until Monday next.

The motion was lost.

Mr. Biggs moved that the Senate agree to the substitute, which motion was carried; yeas 19, nays 15.

Mr. Davis demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, Cunningham, Faison, Fisher, Fonville, Graves, Herring, Jones,
Martin, Oldfield, Speight, Thomas of Jackson, Walker and Wood—19.

Those who voted in the negative, are,

So the substitute was agreed to, and the House of Commons informed thereof by message.

The bill to repeal an act authorizing Josiah O. Watson, of Johnston county, to construct a dam on Neuse river, passed at the session of 1850-'51, was read the second time and passed.

The bill to amend an act incorporating the Tuckasege and Keowee Turnpike Company, in the county of Jackson, was read the second time and passed; the rule being suspended, said bill was read the third time and rejected.

The bill to provide for completing a survey for a railroad west from the French Broad river to the Tennessee river, at or near Duck Town Copper Mines, was read the second time and passed; the rule being suspended, said bill was read the third time.

Mr. Martin moved that said bill be postponed until the 25th day of December next.

The motion was lost.

The question now recurred on the passage of the bill its third reading, and was determined in the affirmative; yeas 17, nays 15.

The yeas and nays being demanded,

Those who voted in the affirmative, are,

Those who voted in the negative, are,

Ordered, That the bill be engrossed.

A message was sent to the House of Commons, informing that the Senate has passed the following engrossed bills, and asks the concurrence of the House therein, viz:
A bill to incorporate Union Gold Mining Company;
A bill to incorporate the Consolidated Mining Company;
A bill to incorporate the Chapel Hill Mining Company; and
A bill to incorporate the Charlotte Mining Company.

Mr. Haughton introduced a bill, supplemental to, and explanatory of an act, entitled an act concerning revenue, passed at the present session of the General Assembly, which was read the first time and passed; the rule being suspended, said bill was read the second time and passed.

Mr. Biggs introduced a bill, explanatory and amendatory of the act passed at the present session of the General Assembly, entitled an act concerning revenue, which, under a suspension of the rule, was read the first, second and time, passed, and ordered to be engrossed.

Mr. Fisher introduced a resolution in favor of the public treasurer, which was read the first time and passed.

On motion, leave of absence was granted to Mr. Freeman, from and after Monday next.

The Senate now adjourned until Monday morning 10 o'clock.

MONDAY, FEBRUARY 12, 1855.

The Speaker announced that Messrs. Wilder, Davis and Herring, constitute the Senate's branch of the committee on enrolled bills for the present week.

On motion, Messrs. Clark, Jones and McClees, were added to the committee on enrolled bills the present week.

Mr. Biggs introduced a resolution concerning the act concerning revenue; which was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be engrossed.

On motion by Mr. Biggs, the vote by which was passed the bill explanatory and amendatory of the act passed at the present session of the General Assembly, entitled an act concerning revenue, was reconsidered.

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

Mr. Hoke moved a reconsideration of the vote by which was rejected the engrossed bill supplemental and amendatory of an act passed at the session of 1852-'53, entitled an act to bring into market the lands pledged for the completion of the Western Turnpike Road; which motion prevailed.
The bill was then read the second time, amended and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The bill relating to roads, bridges and ferries, &c., was read the second time and passed; the rule being suspended, said bill was read the third time and passed, and ordered to be engrossed.

The Senate now took up from the table the engrossed resolution in relation to the commissioners of the Lunatic Asylum; which was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

Mr. Fisher, from the committee on internal improvements, submitted a detailed report on the subject; which was ordered to be printed.

A message was sent to the House of Commons, asking their concurrence in the following engrossed bills and resolutions, passed by the Senate, viz:

A bill explanatory and amendatory of the act passed at the present session of the General Assembly, entitled an act concerning revenue;

A resolution in favor of Peter G. Evans;

A bill to amend an act to exempt persons residing on the Banks and Islands between Whalebone Inlet and Cape Hatteras from serving as jurors;

A resolution in favor of G. W. Bullard, of Cumberland county;

A bill to amend an act passed at the session of 1852-'53, to incorporate the Charleston Blue Ridge and Chattanooga Railroad Company;

A bill to amend an act passed at the session of 1825, entitled an act for the better government of the town of Wadesboro', in Anson county;

A bill to establish the boundaries of the town of Beaufort;

A bill to incorporate the Shocco Springs Company, in the county of Warren;

A bill to improve the navigation of the Roanoke river;

A bill concerning the superior court of law of Tyrrell county;

A bill to prohibit the trading with slaves in the counties of Mecklenburg and Northampton;
A bill to provide for completing the survey for a railroad from the French Broad river to the Tennessee line, at or near the Duck Town Copper Mine;  
A bill to incorporate the Salem Savings Institute;  
A resolution in favor of James M. McGowen;  
A bill to amend an act, entitled an act to incorporate the Tuckasege and Nantahala Turnpike Company, passed at the session of 1850-'51; and  
A resolution concerning the act concerning revenue.

By unanimous consent,

Mr. Graham introduced a bill in regard to the North Carolina Central Gold and Copper Mining Company; which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate the Alamance and Caswell Plankroad Company, was read the second time and passed; the rule being suspended, said bill was read the third time, amended and passed, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The engrossed bill to improve the road from John Kenneday's to the top of the Blue Ridge was now taken up, read the second time, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

Received a message from the House of Commons agreeing to the amendments of the Senate to the bill to amend the charter of the town of Salisbury; and

The resolution in favor of N. W. Woodfin, &c.

Ordered, That the said bill and resolution be enrolled.

A message was sent to the House of Commons informing that the Senate have passed the following engrossed resolutions, in which they ask the concurrence of the Commons, viz:

A resolution in favor of George Young; and

A resolution in favor of the public treasurer.

Received a message from the House of Commons informing that they have passed the engrossed bill concerning salaries and fees with amendments, in which they ask the concurrence of the Senate.

Mr. Haughton moved that the Senate disagree to the amend-
ment proposed to reduce the salary of the comptroller from $1,250 to $1,000.

And the vote being taken on said motion to disagree, it was determined in the negative; yeas 16, nays 22.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the Senate agreed to the amendment.

The other amendments to the bill were also agreed to, and the House of Commons informed thereof by message.

Also a message stating that the House of Commons have passed the engrossed bill concerning the Revised Code with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House informed thereof by message.

Mr. Coleman, with leave, introduced a resolution in favor of George Young, which was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be engrossed.

The engrossed bill for appointing commissioners in Watauga and Yancey counties to lay off a public road from the turnpike line to the county line of McDowell county, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

Mr. Thomas of Jackson, by leave, introduced a bill to amend the act of 1783, chapter 185, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Graham now called up the resolutions concerning the marine hospital, and moved to amend the same by striking out the two first resolutions.

The motion was agreed to, and the third resolution was read and passed the second time; the rule being suspended, said res-
solution was read the third time, passed, and ordered to be engrossed.

The bill to repeal an act authorizing Josiah O. Watson, of Johnston county, to construct a dam across Neuse River, passed at the session of 1852-'53, was read the third time, passed, and ordered to be enrolled.

Received a message from the House of Commons agreeing to the amendments proposed by the Senate to the bill supplemental to and amendatory of an act passed at the session of 1852-'53, entitled an act to bring into market the lands pledged for the completion of the Western Turnpike road.

Ordered, That said bill be enrolled.

The engrossed bill to incorporate the Holtsburg Manufacturing Company, in the county of Davidson, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The bill supplemental to and explanatory of an act entitled an act concerning revenue was read the third time.

Mr. Graves moved to amend the 22d section of the bill by striking out 25 cents and inserting 10 cents, as the tax on negro traders.

Mr. Graham moved to amend the amendment by inserting 15 cents in lieu of 10 cents.

The amendment to the amendment was carried, and the amendment was adopted as amended.

The question now recurred on the passage of the bill, its third reading, and was determined in the affirmative; yeas 26, nays 7.

Mr. Ashe demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


So the bill passed its third reading, and was ordered to be engrossed.

Mr. Haughton submitted the following resolution:
Resolved, (the House of Commons concurring,) That the joint resolution for the adjournment of the General Assembly, at 12 o'clock, M. the 14th instant, be rescinded, and that the General Assembly will adjourn on Saturday the 17th, at 12 o'clock, M.

The resolution was rejected; yeas 15, nays 21.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


The Senate now took up the resolution concerning the Farmer's Bank, which was read the second time.

Pending the consideration of which,

The Senate took a recess until 3 o'clock.

Three o'clock, P. M.

The following engrossed bills were read the first time and passed, viz:

The bill to incorporate the Trenton and Hallsville Plankroad Company;

The bill to incorporate the New Hope Academy, in the county of Chatham; and

The bill to incorporate the Chapel Hill and Durhamsville Plankroad and Turnpike Company.

The rule being suspended, said bills were read the second and third time, passed, and ordered to be enrolled.

The Senate now resumed the consideration of the unfinished business of the morning, viz:

The resolution concerning the Farmer's Bank of North Carolina.

Mr. Graham moved the following amendment, as a substitute, viz:

Resolved, That this General Assembly views with decided disapprobation, the course of the Farmer's Bank of North Carolina, in permitting its cashier to issue certificates of deposit, of the denomination of one and two dollars, with ornaments and devices,
showing that they were designed to circulate as money; and that, but for the order of the directory of said bank, forbidding this practice at an early day after it had commenced, this General Assembly would now direct a prosecution against said bank, with a view to the deprivation of its charter.

Resolved further, That the solicitor for the State in the first circuit, be instructed to enquire into the proceedings aforesaid, and to institute prosecutions against the cashier, and any other person or persons connected with said bank, who, in his opinion, may be liable to indictment for participating in the abuses aforesaid.

Mr. Haughton moved to amend the amendment, by striking out "Cashier," which motion was lost.

Mr. Person moved to amend the amendment, by striking out the 2d resolution.

The motion did not prevail.

Mr. Person moved that the resolution be postponed until the 4th day of March next.

The motion was lost; yeas 6, nays 32.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


The question was now taken on the adoption of the amendment, which was agreed to; yeas 28, nays 11.

Mr. Wilder demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,
Messrs. Brogden, Clark, Cunningham, Eaton, Faison, Graves, Haughton, Herring, Hoke, Oldfield and Wilder—11.

The resolution then passed as amended, and was ordered to be engrossed.

Mr. Fisher, with leave, introduced a bill, supplemental to an act passed at this session, entitled an act to incorporate the Yadkin Navigation Company, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The resolution directing the public treasurer not to receive small bank bills, was read and adopted; yeas 19, nays 15.

Mr. Haughton demanded the yeas and nays.


Those who voted in the negative, are, Messrs. Ashe, Boyd, Brogden, Christian, Coleman, Cunningham, Davis, Faison, Gilmer, Graham, Graves, Haughton, Herring, Lane and Morisey—15.

Ordered, That the resolution be engrossed.

Received a message from the House of Commons, informing that they have passed the following engrossed resolution, in which they ask the concurrence of the Senate, viz:

A resolution in favor of the Wilmington and Raleigh Railroad Company; which was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

On motion by Mr. Wilder,

Ordered, that a message be sent to the House of Commons, to double the number of the committee on enrolled bills for each House.

The engrossed resolution in favor of J. W. Garland, was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

Mr. Haughton submitted the following resolution, viz:

Resolved, (the House of Commons concurring;) That a committee of two on the part of each House be appointed to inquire
and report whether the business before the two Houses of the General Assembly can be accomplished by Wednesday, the 14th instant, at 12 o'clock, M.

The resolution was adopted; yeas 15, nays 10.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


The engrossed bill to remodel the county courts of Cumberland and New Hanover, was read the first time and passed, and referred to the committee on the judiciary.

On motion, leave of absence was granted to Messrs. Willey and N. Winslow, from and after to-day, for the residue of the session; and Mr. Hoke, from and after Wednesday next.

The engrossed resolution in favor of Bartlett Upchurch, of Wake county, was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to alter the times of holding the courts in the 6th judicial circuit, was read the first time and passed; the rule being suspended, said bill was read the second time and passed.

On motion by Mr. Brogden, the vote by which was rejected the bill to amend an act incorporating the Tuckasege and Keowee Turnpike Company, was reconsidered, and the bill passed its third reading; and was ordered to be engrossed.

Seven o'clock, P. M.

The engrossed bill to incorporate the Atlantic, Tennessee and Ohio Railroad Company, was read the first time and passed.

A message was received from the House of Commons, stating that it concurs in the proposition of the Senate to raise a joint select committee of two on the part of each House to examine the business before the two Houses, and report on the time for ad-
journment; and that Messrs. Outlaw, and Bynum, of Northampton, constitute the House branch of said committee.

The House of Commons were informed that the Senate's branch of the committee consists of Messrs. Haughton and Faison.

The Senate now proceeded to consider the bill to incorporate the Nantahala Gold and Copper Mining Company of North Carolina; which was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Received a message from the House of Commons, agreeing to the amendment proposed by the Senate to the bill to incorporate the Alamance and Caswell Plankroad Company.

Ordered, That said bill be enrolled.

The bill to appoint a superintendent for the Western Turnpike road, and for other purposes, was read the second time; the amendment proposed as a substitute adopted, and the bill passed its second reading as amended.

The following engrossed resolutions were severally read the first time and passed, viz:

The resolution in favor of Holston Female College;

The resolution authorizing the literary board to loan Laurensburg High School, in Richmond county, the sum of $2,000; and

The resolution to authorize the literary board to loan $1,000 to Robeson Institute, were severally read the second time and passed; the rule being suspended, said resolutions were read the third time and postponed until the 4th of March next.

The engrossed resolution to loan $500 to the trustees of Spring Hill Academy, in Robeson county, was read the first time and postponed until the 4th day of July next.

The engrossed resolution in favor of A. H. Sanders;

The engrossed resolution in favor of W. A. Winborne;

The engrossed resolution in favor of Reuben Watts; and

The engrossed resolution in favor of J. M. Carroll, were severally read the first time and passed.

The engrossed resolution in favor of J. W. Erwin was read the first time and passed; the rule being suspended, said resolution was read the second time and passed.

The engrossed bill to incorporate the Laurel Turnpike Com-
pany was read the first time and passed; under a suspension of
the rule, said bill was read the second and third time, amended
and passed, and a message sent to the House of Commons ask-
ing their concurrence in the Senate's amendments.

The engrossed bill to correct the errors committed in entries of
lands in the counties of Macon and Cherokee was read the first
time and passed; the rule being suspended, said bill was read the
second time and referred to the committee on the judiciary.

Mr. Haughton, from the joint select committee to inquire into
the business before the General Assembly and to report on the
time of adjournment, reported the following resolution, viz:

Resolved, That the joint resolution of the two Houses propo-
sing to adjourn on Wednesday, the 12th instant, 12 o'clock, M.,
be rescinded, and that this General Assembly will adjourn on
Saturday, the 17th instant, at 12 o'clock, M.

Mr. Bower moved that the resolution be laid on the table, which
motion was lost; yeas 14, nays 23.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

So the Senate refused to lay upon the table.

Mr. Clark called for a division of the question, which motion
was lost.

The resolution was now adopted; yeas 23, nays 12.

Those who voted in the affirmative, are,

Those who voted in the negative, are,
Messrs. Biggs, Bower, Boyd, Clark, Collins, Cunningham, Eaton, Graves, Lane, Person, Speight and Willey—12.
The engrossed bill to authorize the Governor to furnish weights and measures for the county of Yadkin, was read the first time and indefinitely postponed.

Mr. Graham, from the committee on the judiciary, to whom was referred the bill to amend the act of 1783, chapter 185, reported the same back to the Senate and asked to be discharged from its further consideration. Discharged accordingly.

The engrossed bill to incorporate the Morning Sun Academy, in the county of Wake, was read the first time and passed; the rule being suspended, said bill was read the second time and laid on the table.

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

TUESDAY, FEBRUARY 13, 1855.

Mr. Eaton, from the committee on the judiciary, to whom was referred the engrossed bill to remodel the county court in the counties of Cumberland and New Hanover, reported the same back to the Senate, and recommended its rejection.

Mr. Wilder, from the committee on public buildings, to whom was referred certain communications on the subject of repairing the statue of Washington, and, a resolution respecting the grading of the earth around the Capitol, reported the same back to the Senate, and asked to be discharged from the further consideration of the same. Discharged accordingly.

Mr. Collins, with leave, introduced a bill to confirm the election of certain officers for the town of Louisburg, in Franklin county; which was read the first time, and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The engrossed bill supplemental to an act passed at the present session of the General Assembly, entitled an act to incorporate the Wilmington and Charlotte Railroad Company, was read the first time, and passed; the rule being suspended, said bill was read the second time and passed; the bill was read the third time, and laid on the table.

Mr. Graham introduced a resolution in relation to a statute of Washington; which was read the first time, and passed; the rule
being suspended, said resolution was read the second and third time, passed, and,

Ordered, To be engrossed.

Received a message from the House of Commons, stating that they have passed the engrossed bill to incorporate the Indian Grave Gap Turnpike Company, with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

The engrossed bill to incorporate the Gold Hill Mining Company, was read the first time, and passed.

Received a message from the House of Commons, concurring in the proposition to rescind the resolution to adjourn on the 14th instant; and agreeing to the joint resolution to adjourn on Saturday next, at 12 o'clock, M.

A message was sent to the House of Commons, stating that the Senate has passed the following engrossed resolution:

A resolution in relation to a statue of Washington, in which it asks the concurrence of that body.

Mr. Coleman, from the select committee, to whom was referred the engrossed resolution concerning a flag, reported the same back to the Senate, with an amendment.

Ordered, That said resolution be re-committed.

On motion, by Mr. Hoke, the Senate now took up the engrossed bill supplemental to an act passed at the session of the present General Assembly, entitled an act to incorporate the Wilmington and Charlotte Railroad Company; which passed its third reading; yeas 23, nays 8.

Mr. Eaton demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


Ordered, That said bill be enrolled.

Received a message from the House of Commons, informing
that they have passed the engrossed bill to incorporate the Bank of Wilmington, with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

The following engrossed bills, under a suspension of the rule, were severally read the first, second and third time, passed, and ordered to be enrolled, viz:

The bill to increase the pay of witnesses in the county of Onslow;

The bill to revive and continue in force an act, entitled an act to appoint commissioners for the town of Haywood, in the county of Chatham, and for the better regulation of the same;

The bill to emancipate Betty, a slave; and

The bill to aid in the completion of the road from Vanhoy’s mill through Ashe to the Virginia line.

The engrossed bill to incorporate Camden and Pasquotank New Cut Canal Company, was read the first time and passed; the rule being suspended, said bill was read the second time and rejected; yeas 12, nays 19.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


Mr. Davis moved a reconsideration of the vote just taken, by which the said bill was rejected.

The motion prevailed.

Mr. Oldfield moved to suspend the rule, to enable him to introduce a bill to incorporate a bank at Beaufort; which motion was not agreed to.

Mr. Lane moved a reconsideration of the vote by which was postponed a resolution authorizing a loan by the literary board to the Robeson Institute; which motion was not carried.

The Senate now took a recess until 3 o’clock, P. M.
Three o'clock, P. M.

The engrossed bill to incorporate the trustees of the Kinston Female College, in the county of Lenoir, was read the first time and passed; the rule being suspended, said bill was read the second time, and postponed until the 5th day of March next.

On motion, leave of absence was granted to Messrs. Lane and Oldfield from and after Wednesday next.

The engrossed bill to incorporate the Rutherford and McDowell Plankroad and Turnpike Company, was read the first time and passed.

The engrossed bill to appoint commissioners to lay off and improve the public road leading from Brown’s ford on the Yadkin, in Wilkes county, to Weatherspoon’s ford, in Caldwell county, was read the first time and passed.

The engrossed bill to amend the 8th section of the 60th chapter of the Revised Code, entitled inspectors, was read the first time and passed; the rule being suspended, said bill was read the second time and passed, and laid on the table.

The engrossed bill to incorporate Carolina City, under a suspension of the rule, was read the first, second and third time, amended and passed, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

The bill to authorize the appointment of a superintendent of the Western Turnpike, and for other purposes, was taken up, read the third time and passed, and ordered to be engrossed.

The engrossed bill to establish the county seat of Madison, was read the first time, passed, and referred to the committee on propositions and grievances.

The engrossed bill to fix and settle the dividing line between the counties of Chatham and Alamance, was read the first time and passed; the rule being suspended, said bill was read the second time and rejected.

The engrossed bill to incorporate Camden and Currituck New Cut Canal Company, was now taken up, and passed its second reading; the rule being suspended, said bill was read the third third time and passed; yeas 18, nays 6.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Brogden, Christian, Davis, Eaton,

Those who voted in the negative, are,

Ordered, That said bill be enrolled.

The following engrossed bills and resolutions were severally read the first time, and passed, viz:

The bill to lay off and improve a public road from the forks of Ivey to the top of the dividing ridge in Madison county;
The bill to incorporate the Pasquotank and Perquimons Plank Road and Turnpike Company;
The resolution in favor of Warren L. Pomery;
The bill to increase the pay of jurors in New Hanover, Brunswick, Pasquotank, Rowan, and Cleveland counties;
The bill concerning the town of Rutherfordton;
The bill to amend an act passed at the session of 1852-'53, entitled an act concerning the place of trial for civil process returnable before justices of the peace;
The bill to amend the charter of the Charlotte and South Carolina Railroad Company;
The bill to incorporate the trustees of the Granville Institute;
The bill to prevent the obstruction of the passage of fish in the waters of South River and Adam's Creek; and,
The bill to prescribe and require an oath of office for the town magistrate of the town of Wilmington, and for other purposes.

The rule being suspended, said bills were severally read the second and third time, and passed, and ordered to be enrolled.

Mr. Haughton asked leave to introduce a bill to make provision for printing the journals, acts and resolutions of the present General Assembly; and the same being objected to, he then moved a suspension of the rule, for the purpose of introducing said bill.

The motion was lost; yeas 11, nays 20.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

So the Senate refused to suspend.

The engrossed bill to incorporate the Gold Hill Mining Company, under a suspension of the rule, was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to permit the exportation of oysters under certain circumstances, was read the first time and passed; the rule being suspended, said bill was read the second time and passed.

Mr. Sanders moved that when the Senate adjourns, it adjourn until to-morrow 10 o'clock.

The motion was carried.

The engrossed bill to prevent the felling of timber in the North-East River in Duplin county was read the first time, and passed; the rule being suspended, said bill was read the second and third time, amended and passed; and a message sent to the House of Commons, asking their concurrence in the Senate's amendments.

The engrossed resolution in favor of Reuben Watts; and,

The engrossed resolution in favor of W. A. Winbourne, were severally read the second time, and passed; the rule being suspended, said resolutions were read the third time, passed, and ordered to be enrolled.

The engrossed bill to prevent the felling of timber in Brush creek, in Randolph county, was read the first time and passed; the rule being suspended, said bill was read the third time and passed.

The engrossed bill to increase the production of oysters in North Carolina was read the first time and passed; the rule being suspended, said bill was read the second time and referred to the committee on the judiciary.

The engrossed bill to incorporate the Lawrence Hotel, in the City of Raleigh; and

The engrossed bill to incorporate the Raleigh and Cape Fear Plankroad Company were read the first time and passed; the rule being suspended, said bills were read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to authorize Samuel W. Chadwick, late
sheriff of Craven county, to collect arrears of taxes due him, was read the first time and passed; the rule being suspended, said bill was read the second time and passed; the bill was then read the third time.

Mr. Eaton moved to amend the bill by striking out "1851," which motion was lost.

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

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

WEDNESDAY, FEBRUARY 14, 1855.

The engrossed bill to incorporate the Rutherford and McDowell Plankroad and Turnpike Company;
The engrossed resolution in favor of A. H. Sanders, late sheriff of Montgomery county; and
The engrossed bill to appoint commissioners to lay off and improve the public road leading from Brown's ford, on the Yadkin, in Wilkes county, to Witherspoon's ford, in Caldwell county, were severally read the second time and passed; the rule being suspended, said bills were read the third time, passed, and ordered to be enrolled.

The vote by which the engrossed bill to authorize the Governor to furnish weights and measures to the county of Yadkin was rejected was reconsidered, and said bill read the second and third time, under a suspension of the rule, amended, and passed, and a message sent to the House of Commons asking their concurrence in the amendments of the Senate.

The engrossed bill to alter the times of holding the courts in the sixth judicial circuit;
The engrossed bill to incorporate Spring Hill Academy, in the county of Wake; and
The engrossed bill to permit the exportation of oysters under certain circumstances, were severally read the third time and ordered to be enrolled.

The engrossed bill to secure architects and mechanics compensation for labor and materials in the counties of New Hanover, Pitt, Cumberland, Robeson, Warren and Sampson, was read the first time and passed; the rule being suspended, said bill was read
the second time and referred to the committee on the judiciary.

The engrossed bill in favor of J. W. Erwin was read the third time, amended on motion by Mr. Person, and passed its third reading as amended, and a message sent to the House of Commons asking their concurrence in the Senate's amendment.

The engrossed bill to prevent the felling of timber in Big Brush creek, in Randolph county, was read the second and third time, under a suspension of the rule, passed, and ordered to be enrolled.

Received a message from the House of Commons stating that they concur in the amendments of the Senate to the engrossed bill to incorporate the Carolina City Company;

The engrossed bill to prevent the felling of timber in the North East River, in Duplin county; and

The engrossed bill to incorporate the Laurel Turnpike Company.

Ordered, That said bills be enrolled.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill to establish the county seat of Madison county, reported the same back to the Senate with amendments.

The bill was read the second time.

Mr. Davis moved that the bill be indefinitely postponed, which motion was lost.

The bill was then amended, and passed its second reading as amended.

The engrossed bill to provide adequate compensation for certain officers of the State was read the first time and passed; the rule being suspended, said bill was read the second time.

Mr. Rayner moved to amend the bill as follows, viz., strike out all after the enacting clause and insert the following as a substitute, viz:

That from and after the first day of January, A. D. eighteen hundred and fifty-five, (1855) the annual salary of the following officers of the State shall be as follows, that is to say:

The comptroller of public accounts twelve hundred and fifty dollars, and no more; and

The secretary of State, twelve hundred dollars, and his usual fees.
The amendment was adopted, and the bill passed its second reading, as amended; the rule being suspended, said bill was read the third time and passed; yeas 22, nays 10.

Those who voted in the affirmative, are,

Those who voted in the negative, are,
Messrs. Brogden, Clark, Collins, Cunningham, Herring, Jones, Martin, Oldfield, Speight and Wilder—10.

So the bill passed its third reading, as amended.

Ordered, That a message be sent to the House of Commons, asking their concurrence in the amendment of the Senate.

A message was received from the House of Commons, concurring in the amendments of the Senate to the engrossed bill to authorize the Governor to furnish weights and measures for the county of Yadkin, &c.

Ordered, That said bill be enrolled.

Mr. Coleman introduced a memorial concerning the boundary of Madison, &c.; which was referred to the committee on propositions and grievances.

On motion by Mr. Graham, the vote by which the engrossed bill to fix and settle the dividing line between Chatham and Alamance was rejected, was reconsidered, and the bill read the second and third time, under a suspension of the rule, passed, and ordered to be enrolled.

The engrossed bill to amend the 8th section of the 60th chapter of the Revised Code, entitled inspectors, was now taken up, read the third time, passed, and ordered to be enrolled.

The engrossed bill to emancipate Albert, a slave, was read the first time and passed; the rule being suspended, said bill was read the second time—and the yeas and nays being demanded on the passage of the bill its second reading, the vote stood as follows, viz: yeas 16, nays 16.

Those who voted in the affirmative, are,
Those who voted in the negative, are,

There being a tie, the Speaker voted in the affirmative, and the bill passed its second reading.

Received a message from the House of Commons, informing that they have passed the engrossed bill to recharter the Bank of Cape Fear, with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

Mr. Gilmer now called up for consideration the bill to incorporate the Bank of Greensboro; said bill being on its second reading.

Mr. Wilder moved that the bill be indefinitely postponed.
On which motion, the vote stood as follows: yeas 14, nays 14.
Those who voted in the affirmative, are,

Those who voted in the negative, are,

There being a tie, the Speaker voted in the negative, and the motion was lost.

Ordered, That said bill be laid on the table.

The bill to emancipate Lewis, a slave, was read the first time and passed.

A message was received from the House of Commons, accompanied by a communication from his Excellency, the Governor, transmitting the resignations of sundry justices of the peace.

The engrossed bill to pay talis jurors, was read the first time and passed; the rule being suspended, said bill was read the second time, and laid on the table.

A message was sent to the House of Commons, stating that the Senate has passed the following engrossed bills and resolutions, in which it asks the concurrence of that body, viz:
A bill relating to roads, ferries and bridges;
A resolution concerning marine hospital;
A bill to incorporate the Cheoich Turnpike Company;
A bill to empower the commissioners of Wilmington to establish streets, and for other purposes;
A bill in regard to the North Carolina Gold and Copper Mining Company;
A resolution directing the public treasurer not to receive small bank notes;
A bill to incorporate the Nantahala Gold and Copper Mining Company of Western North Carolina;
A resolution concerning the Farmer's Bank of North Carolina;
and,
A bill to amend an act entitled an act, to provide for a Turnpike Road from Salisbury, west to the line of the State of Georgia, passed at the session of 1848-'49.

The engrossed resolution in favor of W. H. and R. S. Tucker, was read the first time, and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the trustees of the Warsaw Male High School in Duplin county, was read the first time, and passed.

A message was received from the House of Commons, informing that the House has passed the engrossed bill to re-charter the Bank of the State of North Carolina, with sundry amendments, in which it asks the concurrence of the Senate.

The amendments proposed by the House were severally agreed to, except the following, viz:

The first, which proposed to strike out the words "or their equivalent," wherever they appear in the bill.

Mr. Graham moved to amend the amendment by inserting in lieu of the words proposed to be stricken out, the words: "or the notes of specie paying banks of other States."

The amendment as thus amended was agreed to; and the fourth amendment which proposed to strike out "fifty cents" upon each share of individual stock, and insert "one dollar."

Mr. Graham moved to amend said amendment, by inserting after the word "time" in the 8th line of the 15th section of the
bill, the words, "to a sum not exceeding," and by inserting after the word "dollar" in the proposed amendment, the words "per annum;" and the amendment as thus amended was agreed to; and the House informed of the action of the Senate; and its concurrence asked in the Senate's amendments to the amendments.

The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The engrossed bill to incorporate the Atlantic, Tennessee and Ohio Railroad Company, was read the second time, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Haywood Mining and Manufacturing Company, was read the first time, and passed, and ordered to be enrolled.

The engrossed bill to incorporate the Carolina Hotel Company, was read the first time and passed, and laid on the table.

The engrossed bill to establish the county seat of Madison county, was read the third time, under a suspension of the rule, amended and passed, and a message sent to the House of Commons asking their concurrence in the amendments of the Senate.

The following engrossed bills, under a suspension of the rule, were severally read the first, second and third time, passed, and ordered to be enrolled, viz:

The bill for the relief of Solomon Newton;

The bill to amend an act passed in the year 1836, entitled an act to incorporate the town of Greensborough, in the county of Guilford;

The bill to incorporate the Lenoir and Duplin Plankroad Company;

The bill to incorporate the Excelsior Gold Mining Company, in Cabarrus county;

The bill to establish a toll bridge across Neuse River;

The bill supplemental to an act passed by the General Assembly of the State of North Carolina, at the session of 1850-'51, entitled an act to enlarge the powers of the commissioners of the town of Wilmington;

The bill for the better regulation of the town of Wilmington; and
The bill to incorporate the Charlotte Gaslight Company.

The engrossed bill to incorporate the Cape Fear Manufacturing Company was read the first time and passed; the rule being suspended, said bill was read the second time.

Received a message from the House of Commons stating that it has passed the engrossed bill to incorporate the bank of Clarendon, at Fayetteville, with amendments, in which it asks the concurrence of the Senate.

To which said amendments the Senate agreed, except the following, viz:

The amendment proposed by the House to strike out the words "twenty-five thousand dollars," in the 3d and 4th sections, and insert "two hundred thousand dollars," which was, on motion of Mr. Gilmer, amended by substituting "fifty thousand dollars" for the "two hundred thousand dollars," and the amendment as thus amended was agreed to, and the House informed of the action of the Senate, and its concurrence asked in said amendment to the amendment.

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

THURSDAY, FEBRUARY 15, 1855.

The engrossed bill to repeal the 4th section of an act passed at the session of 1850-'51, entitled an act to incorporate the Caldwell and Ashe Turnpike Company, passed by the General Assembly at its session of 1840-'41, and for other purposes, was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to prohibit the sale of spirituous liquors within two miles of Richland Academy, in the county of Onslow, was read the first time, passed, and referred to the committee on the judiciary.

The engrossed bill to incorporate the Asheville Mutual Insurance Company was read the first time, passed, and referred to the committee on the judiciary.

The engrossed bill to incorporate the Salem, Winston, and Virginia Turnpike and Plankroad Company was read the first
time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Holston Conference Female College, in the town of Asheville, was read the first time, passed, and laid on the table.

Mr. Graham, from the committee on the judiciary, to whom was referred the engrossed bill to secure to architects and mechanics compensation for labor and materials in the counties of New Hanover, Pitt, &c., reported the same back to the Senate and recommended its rejection.

The bill was read the second time and rejected.

Mr. Eaton, from the same committee, to whom was referred the engrossed bill to increase the production of oysters in North Carolina, reported the same back to the Senate and recommended its rejection.

The bill was read the second time and rejected.

The engrossed resolution in favor of C. C. Stone was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to emancipate Albert, a slave, was read the third time, passed, and ordered to be enrolled.

The engrossed bill to emancipate Lewis, a slave, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

A message was received from the House of Commons, stating that they have passed the engrossed resolution concerning the Revised Code, with an amendment, in which they ask the concurrence of the Senate.

The amendment was disagreed to, and the House of Commons informed thereof by message.

Also a message, stating that the House of Commons have passed, with an amendment, the engrossed resolution concerning the debt due from the Seabord and Roanoke Railroad Company, in which they ask the concurrence of the Senate.

The amendment was disagreed to, and the House of Commons informed thereof by message.

Also a message, informing that the House of Commons have passed, with amendments, the bill to amend and continue in force
an act to incorporate the Borrowdale Mining and Transportation Company; and

The bill to incorporate the Gulf and Deep River Iron Manufacturing Company, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

Also a message, agreeing to the amendments of the Senate to the engrossed resolution in favor of J. W. Erwin; and

The engrossed bill to establish the county seat of Madison.

Ordered, That said bill and resolution be enrolled.

Mr. Rayner, with leave, introduced a bill to more effectually secure a compliance with the terms of their charters by the banks chartered at the present session of the General Assembly, or that may hereafter be chartered in this State; which was read the first and second time, under a suspension of the rule, and passed; the rule being suspended, said bill was read the third time, amended by motion of Mr. Haughton, and passed, as amended; yeas 16, nays 12.

Those who voted in the affirmative, are,
Messrs. Biggs, Brogden, Clark, Cunningham, Eaton, Ebbon, Graves, Martin, Mitchell, Morisey, Person, Rayner, Sanders, Speight, Taylor and Tayloe—16.

Those who voted in the negative, are,

So the bill passed its third reading, and was ordered to be engrossed.

The engrossed resolution in favor of the Doorkeepers, under a suspension of the rule, was read the first, second and third time, passed, and ordered to be enrolled.

Received a message from the House of Commons, stating that it has passed the engrossed bill to encourage agriculture, and for other purposes, with an amendment, in which it asks the concurrence of the Senate.

The amendments were agreed to, and a message sent to the House of Commons informing thereof.

Mr. Boyd, from the committee on propositions and grievances,
to whom a memorial on the subject was referred, reported a bill to attach part of Buncombe county to the county of Madison; which was read the first time and passed.

The hour having arrived, the Senate took a recess until 3 o'clock, P. M.

*Three o'clock, P. M.*

The engrossed bill to incorporate the town of Whitehall, in the county of Wayne, was read the first, second and third time, under a suspension of the rule, amended and passed, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

The engrossed bill supplemental to an act passed at the present session of the General Assembly, to increase the pay of traverse jurors, under a suspension of the rule, was read the first, second and third time, passed and ordered to be enrolled.

The engrossed resolution in relation to the public treasurer, under a suspension of the rule, was read the first, second and third time, passed and ordered to be enrolled.

The engrossed bill to incorporate the Haywood Mining and Manufacturing Company, was now taken up, read the second and third time, under a suspension of the rule, passed and ordered to be enrolled.

Mr. Haughton, with leave, introduced a bill to amend an act entitled an act to encourage the investment of capital for mining and manufacturing purposes, &c., which under a suspension of the rule, was read the first, second and third time, amended, passed and ordered to be engrossed.

The bill to alter the boundary line between the counties of Buncombe and Madison, was read the second time, and on motion, by Mr. Fisher, indefinitely postponed.

The Senate now took up for consideration the bill on its second reading to incorporate the Bank of Greensboro'. Mr. Gilmer offered an amendment as a substitute for the bill, which, after being amended, on motion, by Mr. Eaton, was agreed to; the question now recurring on the passage of the bill its second reading as amended, it was determined in the affirmative; yeas 14, nays 13.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

On motion, by Mr. Haughton, the rule was suspended, and the bill read the third time and passed; yeas 15, nays 11.
Mr. Biggs demanded the yeas and nays.
Those who voted in the affirmative, are,

Those who voted in the negative, are,

So the bill passed its third reading, and was ordered to be engrossed.

The engrossed bill to incorporate a company to construct a railroad from some point on the waters of Beaufort harbor, to be hereafter determined, to the town of Fayetteville, under a suspension of the rule, was read the first, second and third time, passed and ordered to be enrolled.

The engrossed bill to increase the capital stock of the Commercial Bank of Wilmington, was read the first time and passed; the rule being suspended, said bill was read the second time and passed; yeas 22, nays 7.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

The rule being suspended, said bill was read the third time, passed and ordered to be enrolled.

A message was received from the House of Commons, stating
the House concurs in the amendments of the Senate to the engrossed bill to incorporate the town of White Hall, in the county of Wayne.

Ordered, That said bill be enrolled.

Received a message from the House of Commons, stating that the House insists on all of its amendments to the bill to incorporate the bank of Clarendon at Fayetteville.

Whereupon, on motion, the Senate receded from its disagreement, and the House was informed thereof by message.

Received a message from the House of Commons, stating that it has passed the engrossed bill to more effectually secure a compliance with the terms of their charters by the banks, &c., with amendments, in which it asks the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the resolution in favor of Neal M. Calvert; The resolution in favor of Jesse R. Siler; and

The resolution in favor of Jacob Siler, reported the same back to the Senate and asked to be discharged from their further consideration. Discharged accordingly.

Ordered, That said resolutions be laid upon the table.

The engrossed bill to incorporate the Holston Conference Female College, in the town of Asheville, was now taken up, and under a suspension of the rule read the second and third time, passed, and ordered to be enrolled.

Mr. Coleman, with leave, introduced a bill to amend an act entitled an act to incorporate the Indian Grave Gap Turnpike Company, passed at this session, which, under a suspension of the rule, was read the first, second, and third time, passed, and ordered to be engrossed.

Mr. Thomas of Jackson, from the joint select committee to whom the subject was referred, reported a resolution in relation to the appointment of a State engineer, which was laid on the table.

Mr. Thomas of Jackson, with leave, introduced a bill to amend the act of 1850 concerning the Tuckasege and Keowee Turnpike company, which was read the first time and passed.
On motion the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, February 16, 1855.

A message was sent to the House of Commons stating that the Senate has passed the following engrossed bills, in which it asks the concurrence of the Commons, viz:

A bill to amend an act entitled an act to incorporate the Indian Grave Gap Turnpike Company; and

A bill to amend an act to encourage mining.

Mr. Eaton, from the committee on the judiciary, to whom was referred the engrossed bill to incorporate the Asheville Mutual Insurance Company, reported the same back to the Senate with amendments.

The bill was read the second time, amended, and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the Senate's amendment.

Received a message from the House of Commons proposing to rescind the joint resolution concerning adjournment, and to adjourn at 2½ o'clock to-day.

Mr. Haughton moved to amend the proposition by striking out "2½ o'clock to-day" and inserting "1 o'clock, A. M., to-morrow morning."

Mr. Rayner moved that the message be laid on the table, which was carried; yeas 18, nays 12.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


Mr. Graham, with leave, introduced a bill to provide for the transmission to the persons of color now in the republic of Liberia, the funds belonging to them in this State, which was read the first time and passed; the rule being suspended, said bill was
read the second and third time, passed, and ordered to be engrossed.

Mr. Gilmer introduced a resolution concerning a survey from the North Carolina Railroad to the Tennessee line, which was read the first time and passed; the rule being suspended said bill was read the second time and passed; yeas 17, nays 9.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


Under a suspension of the rule, said resolution was read the third time, passed, and ordered to be engrossed.

Received a message from the House of Commons, stating that it has passed the following engrossed bills, with amendments, in which it asks the concurrence of the Senate, viz:

The bill concerning the Ward Gold Mining Company; and
The bill in relation to the superior court of law of Tyrrell county.

The amendments were agreed to, and the House of Commons informed thereof by message.

A message was received from the House of Commons, concurring in the amendments of the Senate to the engrossed bill to incorporate the Ashville Mutual Insurance Company.

Ordered, That said bill be enrolled.

The engrossed bill to incorporate a bank in the town of Plymouth, was read the first time and passed; the rule being suspended, said bill was read the second time.

Mr. Eaton moved the following amendment as an additional section to the bill, viz:

Be it further enacted, That the president and directors of said bank shall, at all times, from and after the passing of this act, and during the continuance of the same, be bound and obliged to make a loan or loans to the State of North Carolina, if required and authorized by law, of any sums of money not exceeding in the whole, at any one time, one-fifth part of the actual stock
tum per year, to be paid yearly: Provided, That it shall be the duty of the treasurer to make application in writing to the president and directors of said bank, for such loan or loans, at least three months previous to the time when such loan or loans shall be required.

The amendment was adopted; yeas 15, nays 12.

Those who voted the affirmative, are,


Those who voted in the negative, are,


The question now recurring on the passage of the bill its second reading, the same was rejected; yeas 12, nays 15.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative, are,


Those who voted in the negative, are,


Mr. Clark presented the following protest, and asked that it be spread on the Journal, viz:

**Senate Chamber, 16th February, 1855.**

I protest against the action of the Senate on the revenue bill, because they refused, by a direct vote, to permit any amendment or alteration of the bill as it came from the House of Commons; the bill was of direct and immediate importance to every citizen of the State, and demanded, above all others, the careful consideration and concurrence of both branches of the Legislature; the refusal of the Senate to act on, and consider the bill, was, I regard, a failure to perform the duties of a co-ordinate and independent branch of the Legislature, and as far as it implied any distrust of the House of Commons, was not respectful to that
body. For these reasons, besides objections to the burdensome provisions of the bill, I enter my protest against the passage of the bill, and the mode of legislation which accomplished it.

HENRY T. CLARK, of Edgecombe.

Mr. Graham, with leave, introduced a resolution in favor of Edward Stanly; which was read the first, second and third time, under a suspension of the rule, passed, and ordered to be engrossed.

Mr. Rayner, with leave, introduced a resolution concerning the distribution of the acts of the Assembly passed at the present session; which, under a suspension of the rule, was read the first, second and third time, passed, and ordered to be engrossed.

Received a message from the House of Commons, stating that it has passed the engrossed resolution in favor of J. R. Jones; and

The engrossed bill to incorporate the North Carolina Copper Company, with amendments, in which it asks the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

Mr. Gilmer called up the engrossed resolution in favor of Neil M. Calyvard, which was read the second and third time, passed, and ordered to be enrolled.

The engrossed resolution in favor of James M. Carroll was taken up, read the third time, and ordered to be enrolled.

The engrossed resolution concerning the Lunatic Asylum;

The engrossed resolution concerning the principal clerks of the two houses of the General Assembly; and

The engrossed resolution in favor of Joseph Woltering, were severally read the first, second, and third time, under a suspension of the rule, passed, and ordered to be enrolled.

The resolution in favor of D. B. Baker was read the first, second, and third time, and ordered to be enrolled.

The bill to amend the act of 1850 concerning the Tuckasege and Keowee Turnpike Company was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred sundry memorials in relation to the enact-
of said bank, and at a rate of interest not exceeding six per cent of a prohibitory liquor law, reported the same back to the Senate and asked to be discharged from the further consideration of the subject. Discharged accordingly.

The engrossed bill to amend the charter for the better regulation of the town of Henderson, in the county of Granville, was read the first time.

Mr. Taylor moved to amend the bill by striking out all of the same except the 1st, 14th, and 18th sections.

The amendment was agreed to, and the bill passed its first reading as amended; the rule being suspended, the bill was read the second time.

Mr. Taylor moved to strike out the 18th section. Mr. Graham moved an amendment as a substitute for the 18th section, which was lost; yeas 10, nays 15.

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


Those who voted in the negative, are,


The question now recurred on the motion to strike out the 18th section, which was carried; the bill, after being further amended on motion by Mr. Taylor, passed its second reading.

The bill, under a suspension of the rule, was now read the third time and passed, and a message sent to the House of Commons asking its concurrence in the amendments of the Senate.

The engrossed resolution in favor of Mount Pleasant Academy, was read the first time and passed; the rule being suspended, said resolution was read the second time and rejected.

The Senate now took a recess until 3 o'clock.

Three o'clock; P. M.

The engrossed bill to incorporate the Leachville and Cumberland Plankroad Company was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.
The engrossed bill to give a right of action in certain cases where death is caused by neglect, default, or wrongful act, was read the first time and passed; the rule being suspended, said bill was read the second time.

Mr. Graham moved to amend the same by striking out the 4th section.

The motion was lost; yeas 8, nays 19.

The yeas and nays being demanded,

Those who voted in the affirmative, are,


Those who voted in the negative, are,


The bill now passed its second reading; under a suspension of the rule, the bill was read the third time, passed, and ordered to be enrolled.

The engrossed resolution in favor of Henry J. Brown, under a suspension of the rule, was read the first, second and third time, passed and ordered to be enrolled.

Mr. Eaton, from the committee on the judiciary, to whom was referred the engrossed bill to cede to the United States a tract of land near Wilmington, reported the same back to the Senate, and recommended its passage; the bill under a suspension of the rule, was read the second and third time, passed and ordered to be enrolled.

Mr. Eaton, from the same committee, reported unfavorably on the engrossed bill to correct the errors committed in entries of land in the counties of Macon and Cherokee.

The bill was read the second time and rejected.

Received a message from the House of Commons, concurring in the amendments of the Senate to the engrossed bill to amend the charter for the better regulation of the town of Henderson, in the county of Granville.

Ordered, That said bill be enrolled.

Received a message from the House of Commons, proposing that the General Assembly adjourn sine die at 12½ o'clock to-night.
Ordered, To be laid on the table.

The vote by which was rejected the engrossed resolution in favor of Mount Pleasant Academy, in the county of Cherokee, was reconsidered, on motion, by Mr. Biggs, and passed its second reading; the rule being suspended, said resolution was read the third time.

On the question—shall the resolution pass its third reading, upon a division, the vote stood, yeas 12, nays 12.

The Speaker voted in the affirmative, and the resolution passed its third reading, and was ordered to be enrolled.

On motion, by Mr. Biggs, the Senate adjourned until 8 o'clock, P. M.

Eight o'clock, P. M.

The message from the House of Commons, proposing that the General Assembly adjourn sine die at 12½ o'clock to-night, was now taken up and concurred in, and the House of Commons informed thereof.

The recommendations of sundry justices of the peace were received from the House of Commons, which were read and concurred in.

Mr. Eaton, from the committee on the judiciary, to whom was referred the engrossed bill to prohibit the sale of spirituous liquors within two miles of Richland Academy, in the county of Onslow, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Said bill was now read and rejected.

The engrossed resolution authorizing the Governor to supply the Governors of the States and Territories with a copy of Jones's Digest;

And the engrossed bill to amend an act, entitled an act to incorporate the Jonathan's Creek and Mountain Turnpike Company, in the county of Haywood, passed at the session of 1846, were severally read the first, second and third time, under a suspension of the rule, passed and ordered to be enrolled.

The Speaker announced that the joint committee on the part of the Senate, to memorialize Congress on the subject of a Marine
Hospital, consists of Messrs. Rayner and Clark, and the House of Commons was informed thereof by message.

Received a message from the House of Commons, informing that they have acted on all the business before them, and are now ready to adjourn *sine die*.

The Senate having dispatched the business before it,

On motion by Mr. Clark,

*Ordered*, That a message be sent to the House of Commons, informing that body that the Senate is also ready to adjourn *sine die*.

Mr. Gilmer then presented the following resolution; which was read and unanimously adopted:

*Resolved*, That the thanks of the Senate are due, and are hereby tendered to Hon. Warren Winslow, for the able, faithful and impartial manner in which he has presided over the deliberations of the Senate, during the present session.

Whereupon, the Speaker made his acknowledgments to the Senate in an appropriate address, and adjourned the same without day.

**WARREN WINSLow,**

*Speaker of the Senate.*

By order

JNO. HILL, *Clerk.*
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