SENATE JOURNAL, 1856-7.

At a General Assembly of the State of North-Carolina, begun and held in the City of Raleigh, on Monday, the seventeenth day of November, Anno Domini, one thousand eight hundred and fifty-six, and the eighty-first 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—John Pool.
2d " Camden and Currituck—John B. Jones.
3d " Gates and Chowan—Richard Dillard.
4th " Tyrrell and Hyde—F. M. Burges.
5th " Northampton—J. G. Pearson
6th " Hertford—Richard G. Cowper.
7th " Bertie—J. R. Cherry
8th " Martin and Washington—Andrew L. Chesson.
9th " Halifax—Mason L. Wiggins.
10th " Edgecombe—Henry T. Clark.
11th " Pitt—Matthew L. Carr.
12th " Beaufort—A. H. Print
13th " Craven—J. Miller
14th " Carteret and Jones—Wm. P. Ward.
15th " Green and Lenoir—James P. Speight.
16th " New Hanover—Owen Russell
17th " Duplin—Wm. J. Houston.
18th " Onslow—Ed. W. Fonville.
19th " Bladen, Brunswick and Columbus—A. J. Jones.
20th " Cumberland—Daniel McDermid.
21st " Sampson—Thomas H. Holmes.
22d " Wayne—Curtis H. Brogden.
23d " Johnston—Lynn B. Sanders.
24th District, Wake—Gaston H. Wilder.
25th " Nash—Lucian N. B. Battle.
26th " Franklin—Phil. B. Hawkins.
27th " Warren—Wm. Eaton, Jr.
29th " Person—Jno. W. Cunningham.
30th " Orange—Paul C. Cameron.
31st " Alamance and Randolph—Michael W. Holt.
33d " Moore and Montgomery—Samuel H. Christian.
34th " Richmond and Robeson—
35th " Anson and Union—Albert Myers.
36th " Guilford—Ralph Sonett
37th " Caswell—Samuel P. Hill.
38th " Rockingham—Geo. D. Boyd.
39th " Mecklenburg—Wm. R. Myers.
40th " Stanly and Cabarrus—E. R. Gibson.
41st " Rowan and Davie—James G. Ramsay.
42d " Davidson—
43d " Stokes and Forsyth—J. J. Martin.
44th " Ashe, Surry, Watanga & Yadkin—A. M. Bryan.
45th " Wilkes, Iredell and Alexander—R. H. Parks.
46th " Burke, McDowell and Caldwell—W. W. Avery.
48th " Rutherford and Cleaveland—Columbus Mills.
49th " Buncombe, Henderson, Madison and Yancey—David Coleman.
50th " Haywood, Jackson, Cherokee and Macon—Wm. H. Thomas.

A quorum, consisting of a majority of the whole number of members, being present,

Mr. S. P. Hill nominated W. W. Avery, of Burke county, for Speaker.

On motion by Mr. Christian the name of Mason L. Wiggins was added to the nomination, and the Senate voted as follows:

For Mr. Avery.—Messrs. J. B. Jones, Dillard, Chesson, Clark, Carr, Ward, Speight, Houston, Fouville, McDiarmid,
Mr. Wiggins voted for Mr. Christian.
Mr. Avery voted for S. P. Hill.
Mr. Avery, having received a majority of the votes given, was declared duly elected Speaker of the Senate, and being conducted to the Chair by Messrs. Hill and Christian, made his acknowledgments in an appropriate address.

On motion by Mr. Boyd, John Hill was appointed Principal Clerk of the Senate; and,
On motion by Mr. Brogden, Quentin Busbee was appointed Assistant Clerk.

On motion by Mr. Holt, James Page was appointed Principal Doorkeeper of the Senate; and,
On motion by Mr. Cunningham, C. C. Tally was appointed Assistant Doorkeeper.

On motion by 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 W. W. Avery, the Senator from Burke county, Speaker; John Hill, Principal Clerk; Quentin Busbee, Assistant Clerk; James Page, Principal Doorkeeper; and C. C. Tally, Assistant Doorkeeper; and that the Senate is now ready to proceed to the despatch of public business.

On motion by Mr. Brogden,
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 by Mr. Clark, Messrs. Clark, Wiggins, Boyd, Pool and Saunders were appointed a committee to prepare and report rules for the government of the Senate.

On motion by Mr. Thomas, of Jackson, the Senate adjourned until to-morrow morning 11 o'clock.
TUESDAY, NOVEMBER 18, 1856.

James Miller, the Senator elect from the county of Craven, (being the 13th Senatorial district,) Ralph Gorrell, the Senator elect from the county of Guilford, (being the 36th Senatorial district,) and John W. Thomas, the Senator elect from the county of Davidson, (being the 42d Senatorial district,) appeared, produced their credentials, were qualified, and took their seats.

Received a message from the House of Commons, announcing the due organization of that body by the appointment of Jesse G. Shepherd, Speaker; Edward Cantwell, Principal Clerk; George Howard, Jr., Assistant Clerk; William S. Webster, Principal Doorkeeper, and W. W. Wright, Assistant Doorkeeper; and that it is now ready to proceed to public business.

On motion by Mr. Cameron,

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.

On motion, by Mr. Clark,

Resolved, That the Speaker order suitable accommodations prepared for the reporters of the public press.

On motion by Mr. Hill,

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 behalf of the House, to prepare, and report rules for the government of the intercourse between the two Houses.

Mr. Boyd introduced a bill to amend the Constitution of the State of North-Carolina, which was read the first time, and ordered to be printed.

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 on His Excellency, the Governor,
and informing that R. R. Bridgers and W. M. Pickett constitute the committee on the part of the House; whereupon, Messrs. Cameron and Gorrell were appointed the committee on behalf of the Senate.

Also, a message proposing to go immediately into the election of State Printer, and informing that Messrs. Holden & Wilson, Talcot Burr, jr., and James A. Long are in nomination for the appointment.

The proposition was concurred in, and the House informed by message, that Messrs. Hawkins and Ramsay are appointed a committee to superintend said election, on behalf of the Senate.

Received a message from the House of Commons, informing that Messrs. Jenkins and Scott constitute the committee to superintend said election on the part of the House, and that the Commons would proceed to vote on the return of the messenger.

The Senate, under the superintendence of Messrs. Hawkins and Ramsay, then voted as follows:


Mr. Cameron, 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-day, at 12 o'clock, M.

Received a message from the House of Commons, concurring in the proposition of the Senate, to raise a joint select committee of two on the part of the Senate, and three 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. Lewis, of Wake, Humphrey and Ferebee, constitute the committee on the part of the Commons; whereupon, Messrs. Hill and Eaton were appointed the committee on the part of the Senate, and the House informed thereof, by message.

Mr. Hawkins, from the committee appointed to superintend the election for public printer, reported, that the whole number of votes given was 150; of which, Holden and Wilson received 103, Messrs. Burr and Long 45, Cameron 1, and Lawrence 1. That Holden & Wilson having received a majority of the votes cast, are duly elected. Report concurred in.

On motion by Mr. Taylor, the Senate adjourned until tomorrow morning, eleven o'clock.

WEDNESDAY, NOVEMBER 19, 1856.

Mr. Wiggins introduced the following preamble and resolution, which were read and adopted, viz:

Whereas, to-morrow has been recommended by His Excellency, the Governor, as a day of thanksgiving to Almighty God, for the many blessings which He has bestowed upon us as a people and a State; and whereas, it is highly becoming in us, the representatives, to observe the same; therefore,

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

On motion by Mr. Ramsay, the vote by which said resolution was adopted, was re-considered; whereupon, by consent of the Senate, the same was withdrawn, and on motion of Mr. Wilder,

Ordered, That a message be sent to the House of Commons, proposing, that when the two Houses adjourn to-day, they adjourn to 10 o'clock, on Friday next.

Received a message from the House of Commons, transmitting the message of His Excellency, the Governor, and accompanying documents, with a proposition to print ten
copies of the message for the use of each member of the Legislature.

Mr. Speight moved that the reading of the message be dispensed with, which motion was lost. The message was then read, the proposition to print concurred in, and the House of Commons informed thereof.

Received a message from the House of Commons, proposing to go forthwith into the election of Engrossing Clerk, and that S. W. Joyner and Robert Oats are in nomination for the appointment; and that the committee on the part of the House, to superintend said election, consists of Messrs. Hill, of Halifax, and Dargan. The proposition was concurred in, and a message sent to the House of Commons, informing that Messrs. A. J. Jones and Martin constitute the Senate branch of the committee to superintend said election. The Senate then voted as follows:


A message was received from the House of Commons, proposing to raise the following joint committees, each to consist of five on the part of the House, and three on the part of the Senate, viz:

A committee on the Lunatic Asylum.
A committee on the Deaf and Dumb and Blind Asylum.
A committee on military affairs.
A committee on swamp lands, and
A committee on Cherokee lands.

On motion by Mr. Clark,

Ordered, That said message be laid on the table.

Received a message from the House of Commons proposing to raise joint committees on finance, on the currency and on
corporations, to consist of five members each on the part of the House and three on the part of the Senate.

On motion by Mr. Clark,

Ordered, That said message be laid on the table.

Received a message from the House of Commons transmitting a communication from the committee appointed by the Bank of the State of North-Carolina, with a proposition to print the same.

On motion by Mr. Wilder, the reading of the communication was dispensed with, and the proposition to print agreed to.

Mr. Martin, from the committee appointed to superintend the election for engrossing clerk, reported that the whole number of votes given was 147, of which S. W. Joyner received 102 and Robert Oats 45 votes. That Mr. Joyner having received a majority of the whole number of votes given, is duly elected. Report concurred in.

Mr. Cowper introduced a bill to incorporate the North Carolina and New York Steamship Company; which was read the first time and passed, and laid on the table.

On motion by Mr. Wilder,

Ordered, That a message be sent to the House of Commons, proposing to go forthwith into the election of Secretary of State, and informing that William Hill is in nomination for the office.

Received a message from the House of Commons, concurring in the proposition of the Senate to adjourn over until Friday next.

Also a message, concurring in the proposition to vote for Secretary of State, and informing that Messrs. Holmes and Benbury form the House branch of the committee to superintend said election.

Whereupon, a message was sent to the House of Commons, informing that Messrs. Wilder and J. W. Thomas constitute the committee on the part of the Senate to superintend said election.

The Senate then voted as follows:

For William Hill.—Messrs. Speaker, Battle, Boyd, Brog-
Mr. Hill introduced the following resolution, which was read and adopted, viz:

Resolved, That a committee of three be appointed, to which shall be referred all bills and resolutions to amend the constitution of North-Carolina, which shall be designated as the committee on constitutional reform.

Messrs. Hill, Coleman and Gorrell constitute said Committee.

On motion, the bill to amend the constitution of the State of North-Carolina was referred to the committee aforesaid.

Mr. J. W. Thomas, from the committee appointed to superintend the election of Secretary of State, reported that William Hill had received the whole number of votes given, and was duly elected; report concurred in.

On motion, by Mr. Cunningham, the Senate adjourned until Friday morning 10 o'clock.
Cansler and White of Cabarrus, form the House branch of
the committee to superintend said election, and that William
Lander and Victor C. Barringer are in nomination for the
appointment. Whereupon, the House was informed by mes-
sage, that Messrs. Cunningham and A. Myers constitute
the committee to superintend said election on the part of the Sen-
ate. The Senate then voted, as follows:

For Mr. Lander.—Messrs. Speaker, Battle, Brogden, Bryan,
Burges, Cameron, Carr, Chesson, Clark, Christian, Coleman,
Cunningham, Dillard, Eaton, Fennell, Fonville, Gibson, Hill,
Holmes, Houston, J. B. Jones, A. J. Jones, McDairmid, Martin,

For Mr. Barringer.—Messrs. Cowper, Gorrell, Holt, A.

Mr. Hill, from the committee appointed to prepare and
report joint rules of order for the government of the inter-
course between the two Houses, reported the following, and
recommended their adoption, viz:

JOINT RULES OF BOTH HOUSES.

Rule 1. Each House shall perfect and finally act on all
bills, resolutions and orders, before the same shall be commu-
nicated to the other for its concurrence; and if amended in
the House to which it is transmitted, it shall be commuника-
ted to the House in which it originated, asking the concur-
rence of that House in the amendment.

Rule 2. In any case of amendment of a bill, resolution or
order, 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 ap-
point 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 of 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 doorkeeper, 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 communicated 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 Clerks, before it shall be presented for ratification.

**Rule 7.** 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, carefully to compare the enrolment 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 8.** 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 9.** All orders, resolutions and votes of the Houses shall be examined, engrossed and signed in the same manner as bills.

**Rule 10.** 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 11.** 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 12.** 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 mem-
bers from each House, appointed by the Speakers thereof respectively.

Rule 13. 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 14. Either House may make a reference to any joint committee, and all reports shall be made to the House ordering such references.

Rule 15. 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 requested to have them neatly bound.

Rule 16. 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 such election to their respective Houses.

Rule 17. The foregoing rules shall be permanent joint rules of the Legislature of North-Carolina until altered or amended.

The report was concurred in and the rules adopted, and a message was sent to the House of Commons asking their concurrence in the same.

A message was received from the House of Commons informing that they have adopted the report of the committee on joint rules.
Mr. Clark, from the committee appointed to prepare and report Rules of Order for the government of the Senate, reported the following; which were read and adopted, viz:

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

2. After the reading of the journal 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 orders of the day: but motions and messages to elect officers shall always be in order.

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

4. All bills and resolutions introduced shall pass, as a matter of course, the first reading.

5. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or, any member may, call him to order; in which case, the member so called to order, shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide on the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed;
if otherwise, and the case require it, he shall be liable to the

censure of the House.

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

7. Questions may be stated by the Speaker sitting, but
shall be put standing. Questions shall be distinctly put in
this form:—“Senators, as many as are of the opinion that,
(as the case may be,) say Aye;” and after the affirmative
voice is expressed: “As many as are of a contrary opinion,
say No.” If the Speaker doubt as to the voice of the ma-
jority, 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 decision to the
House, and announce the decision. No member who was
without the bar of the Senate, when any question was put
from the Chair, shall enter his yea or nay without leave, un-
less he shall have been absent on some committee; and the
row of pillars shall be the bar of the Senate.

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

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

10. No member shall depart the service of the House with-
out leave, or receive pay as a member for the time he is absent.

11. Petitions, memorials and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place; a brief statement of the contents thereof shall verbally be made by the introducer; and the petition, memorial or other paper shall not be read, unless so ordered by the House.

12. Resolutions for the appropriation of public money, and all resolutions of a public nature, as well as all bills, shall be read the first time for information; and upon this reading, shall not be subject to amendment, but may be amended on the second and third reading. And the Clerk shall keep a calendar of all such resolutions and bills, with the orders taken on each, and they shall be taken up and considered as they stand on the calendar, unless otherwise ordered, and the calendar shall be daily revised, and kept on the Speaker's table for the inspection of members.

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

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

15. When a question has been once decided, it shall be in order for any member in the majority to move a re-consideration 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; but when the motion to reconsider is laid on the table, it shall not again be called up.

16. 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 amendments or extending to the merits short of the final question.

17. 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.

18. 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.

19. There shall be appointed by the Speaker the following committees, namely: 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 banks and currency; and a committee on corporations, consisting of seven members each; and a committee on public buildings, to consist of three members.

20. 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.

21. 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.

22. 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.

23. 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.

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

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

26. 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, nor without the consent of two-thirds of the members present.

Mr. Cunningham, from the committee appointed to superintend the election of Solicitor of the 6th judicial circuit, reported that the whole number of votes given was 142, of which William Lander received 103 votes, and V. C. Barrier 39 votes; that Mr. Lander having received a majority of the whole number of votes given is duly elected. Report concurred in.

Mr. Mills introduced a bill to amend an act, entitled an act supplemental to an act entitled an act to lay off and establish a county by the name of Polk, passed by the General Assembly of 1854 and 1855; which was read the first time and passed.

On motion, the rules were suspended, and said bill read the second and third times, passed, and ordered to be engrossed; and, under a further suspension of the rules, a message was sent to the House of Commons, asking their concurrence therein.

On motion by Mr. Eaton,

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 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; ten
copies to be deposited in the public Library, and three copies for the Librarians of each House.

Received a message from the House of Commons, concurring in the foregoing proposition of the Senate.

On motion by Mr. Clark, the Senate now took up and concurred in the proposition of the House of Commons, heretofore laid on the table, to raise joint committees, consisting of five on the part of the House, and three on the part of the Senate—on the Lunatic Asylum, on the Deaf and Dumb and Blind Asylum, on military affairs, on swamp lands, and on Cherokee lands.

And the House of Commons informed by message that the Senate branch of the joint committee on the Lunatic Asylum, consists of Messrs. Mills, Gibson and W. R. Myers.

On the Deaf and Dumb Asylum:—Messrs. Dillard, Albert Myers and Speight; and,


A message was received from the House of Commons, proposing to print 600 copies of the report of the Superintendent of Common Schools, two copies for each member of the Legislature, 130 for the Superintendent, and 130 for the Literary Board. Concurred in, and the House of Commons informed thereof by message.

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

Whereas, The rule of courtesy, by which the dominant party in the several Legislatures of North-Carolina, have heretofore invariably permitted the election of one Assistant Doorkeeper of the same political faith with the minority, has been overlooked by this Legislature: And whereas, in holding private meetings, for consultation upon the business of their constituents, the minority find it indispensable to have some one of their own political persuasion, to prepare the room, and attend upon their wants,

Resolved, That the Principal Doorkeeper of the Senate be permitted to deliver to such person as the members of this Legislature, constituting the minority, may designate, the key of the Senate chamber, at such times as it may be required
by them, for the purpose of private meeting and consultation: Provided, That such person, so designated, shall not be paid for his services from the public treasury.

Mr. Wilder moved to amend the same by striking out the preamble.

Mr. Gorrell moved to amend the amendment by striking out the word "invariably;" which motion was lost.

The question now recurred on the amendment of Mr. Wilder; which was determined in the affirmative, yeas 28, nays 14.

Mr. Cowper 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 resolution as amended, and decided in the affirmative, yeas 35, nays 1.

Mr. Myers, of Mecklenburg, demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Mr. A. J. Jones—1.

On motion by Mr. Cowper, the bill to incorporate the North-Carolina and New-York Steamship Company, was now taken up, and referred to the committee on corporations.

The Speaker announced the following committees, viz:

On Privileges and Elections:—Messrs. Fennell, Battle, Holt, Chesson, Miller, Parks and Bryan.


On Education and the Literary Fund:—Messrs. Clark, Cunningham, Wiggins, Gorrell, Holmes, Martin and Ramsay.


The Speaker announced that the Senate branch of the joint committee on the public Library consists of Messrs. Houston, Holmes and Pool; of which the House of Commons were informed by message.

Also, that Messrs. Boyd, Wiggins, Cameron, Hill, J. W. Thomas, Cowper, Person and Fennell, constitute the Senate branch of the joint committee on finance, and the House of Commons were informed thereof by message.

Mr. W. H. Thomas presented the petition of sundry citizens of Haywood county, praying for a turnpike road; which was referred to the committee on internal improvements.

Mr. Brogden introduced the petition of sundry citizens of Macon county, praying for an amendment of the charter granted to the Tennessee River Railroad Company; which was referred to the committee on propositions and grievances.

Received a message from the House of Commons, informing that their branch of the joint committee on the Library, consists of Messrs. Bright, Leitch of Robeson and Johnson.

That Messrs. Lewis of Wake, Crump, Blow, Tate and Pitchford, constitute the House branch of the committee on the Lunatic Asylum.

That their branch of the joint committee on finance, con-
sists of Messrs. Scales, Smallwood, Long, Elliott, Speight, White of Cabarrus, Bledsoe and McIntosh.

And that their committee on the deaf, dumb and blind asylum, consists of Messrs. Thompson, Cox of Jones, Mabry, Waddell and Routh.

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

SATURDAY, NOVEMBER 22, 1856.

Alfred Dockery, the senator elect from the counties of Richmond and Robeson, (being the 34th Senatorial district,) appeared, produced his credentials, was qualified and took his seat.

On motion by Mr. Hill,

1. Resolved, That so much of the Governor's message as relates to a deficiency in the present Revenue, and the creation of a sinking fund, be referred to the committee of finance.

2. That so much of said message as relates to the literary fund be referred to the committee on education.

3. That so much of said message as relates to railroads, turnpikes and water navigation, be referred to the committee on internal improvements.

4. That so much of said message as relates to banks, be referred to the committee on banking.

5. That so much of said message as relates to the formation of a new judicial circuit, the reporting to the attorney general all capital felonies, and all matters relating to the distribution of the laws of the State, be referred to the committee on the judiciary.

6. That so much of said message as relates to common schools, be referred to the committee on education.

7. That so much of said message as relates to the forcible seizure of the slaves of the Hon. John H. Wheeler by citizens of Pennsylvania, and the resolves from Ohio, New Hampshire and Massachusetts, be referred to a select committee of five, and that each of said committees shall report, by bill or other-
wise, what action shall be taken on the several matters referred to them.

On motion by Mr. Eaton,

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 necessary arrangements for comparing the votes polled for Governor at the election in August last.

On motion by Mr. Brogden,

Resolved, That so much of the Governor's message as relates to the Institution for the deaf, dumb and blind, be referred to the joint-select committee upon the deaf and dumb asylum.

Resolved, That so much of the Governor's message as relates to the asylum for the insane, be referred to the joint-select committee on the lunatic asylum.

Mr. Gorrell introduced a bill to provide for the better securing cost in actions of ejectment, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Cowper introduced a bill to authorize and empower Wm. W. Mitchell and others, securities of John P. Bridges, deceased, late sheriff of Hertford county, to collect arrears of taxes due for the years 1853 and 1854, which was read the first time, passed and referred to the committee on propositions and grievances.

Mr. Bryan a bill to lay off and establish a new county by the name of Alleghany, which was read the first time, passed and referred to the committee on propositions and grievances.

Mr. McDiarmid a bill to complete the Fayetteville and Albemarle plankroad, which was read the first time, passed and referred to the committee on internal improvements.

On motion by Mr. W. H. Thomas, the Senate adjourned until Monday morning 10 o'clock.

MONDAY, NOVEMBER 24, 1856.

Joseph B. Cherry, the Senator elect from the county of Bertie (being the 7th Senatorial district) appeared, produced his credentials, was qualified and took his seat.
On motion by Mr. Clark, leave of absence was granted to the Senator from Warren, from and after to-day, until Friday next.

The Speaker announced, that the committee on enrolled bills, for the present week, consists of Messrs. Clark, Cunningham and Wiggins.

Also, that the joint committee on the part of the Senate on military affairs, consists of Messrs. Person, Dockery and Brogden, of which the House of Commons were informed by message.

Also, that the committee on banks and currency consists of Messrs. Wilder, Eaton, Dockery, Cameron, Clark, Gorrell and Cherry.

And that the Committee on so much of the Governor's message as relates to the forcible seizure of the slaves of the Hon. J. H. Wheeler, and the resolves from the States of Ohio, New-Hampshire and Massachusetts, consists of Messrs. Hill, Cherry, Coleman, Wilder and Dockery.

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 on motion, referred to the committee on internal improvements, and ordered to be printed.

Mr. Mills, a bill to divide the State into eight judicial circuits, which was read the first time and passed; and on motion, referred to the committee on the judiciary, and ordered to be printed.

Received a message from the House of Commons concurring in the proposition of the Senate, to raise a joint-select committee of two on the part of each House, to make arrangements for comparing the votes polled for Governor at the election in August last, and informing that Messrs. Bright and Scott constitute the committee on the part of the House; whereupon, a message was sent to the House of Commons, informing that Messrs. Eaton and Cherry constitute said committee on the part of the Senate.

A message was received from the House of Commons,
transmitting the report of the State Librarian, which was read; whereupon, on motion by Mr. Brogden,

Ordered, That a message be sent to the House of Commons, proposing to print the same for the use of the members of the Legislature.

Also, a message stating that the House branch of the committee on Cherokee lands, consists of Messrs. Love, Stiles, Siler, Dills and Toms.

That Messrs. Benbury, Gilliam, Kelly, Outerbridge and Slaughter, constitute the House branch of the committee on swamp lands.

And that the committee on military affairs, on the part of the House, consists of Messrs. Sauls, Bullock, Barnes, Ramsour and Houck.

A message was sent to the House of Commons, informing that Messrs. Cherry, J. B. Jones and Chesson, constitute the Senate branch of the committee on swamp lands.

A message was received from the House of Commons, proposing to raise a joint-select committee on public grounds and buildings, consisting of three on the part of each House.

On motion by Mr. Wilder,

Ordered, That said message be laid upon the table.

Received a message 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 Legislature, and officers of the two Houses, one hundred copies for the use of the treasurer, ten copies for each of the departments of State, and one copy for each county and superior court clerk.

Concurred in, and the House informed thereof by message.

Also, a message informing that the House branch of the committee on enrolled bills, for the present week, consists of Messrs. Badham, Scott, Montgomery, Leitch of Robeson, and Clark.

Mr. Holt introduced a bill to repeal sections V, VI, and VII, of chapter XXXVI of the revised code, entitled "currency," which was read the first time, passed, and referred to the committee on banks and currency.
Mr. Ramsay, a bill to incorporate the North-Carolina and Virginia 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. Houston, a bill to increase the pay of witnesses and jurors in the county of Duplin, which was read the first time, passed, and on motion, referred to the committee on the judiciary.

Mr. Cowper, a bill, accompanied by a memorial, to emancipate Anna and her two children, Mary and Anthony; the bill was read the first time, passed, and with the memorial, referred to the committee on propositions and grievances.

Received a message from the House of Commons, proposing to vote forthwith for five trustees of the University, which was concurred in, but reconsidered, on motion by Mr. Christian; and on motion by Mr. Cherry, ordered to be laid on the table.

A message was received from the House Commons, concurring in the proposition of the Senate, to print the Librarian's report.

On motion by Mr. Clark,

Ordered, That a message be sent to the House of Commons, proposing to raise a joint-select committee, on public printing, to consist of three on the part of the Senate and five on the part of the House.

On motion by Mr. Clark,

Ordered, That a message be sent to the House of Commons, proposing to print a list of the joint, standing and select committees of the two Houses.

Received a message from the House of Commons, concurring in the proposition to print a list of the joint and standing committees of the two Houses.

Also, a message, concurring in the proposition to raise a joint-select committee on public printing; and informing that Messrs. Holmes, Kelly, Mann, Scott and Bledsoe, constitute the House branch of said committee; whereupon, the House was informed by message, that the committee on the part of the Senate consists of Messrs. Clark, Taylor and A. J. Jones.
On motion by Mr. Martin, the Senate adjourned, until tomorrow morning, 11 o’clock.

TUESDAY, NOVEMBER 25, 1856.

Received a message from the House of Commons proposing that the two Houses go into an election for a solicitor of the first Judicial Circuit this day at half past one o’clock, and informing that W. N. H. Smith and Elias C. Hines are in nomination for the office. The proposition was concurred in, and the House of Commons informed that Messrs. Dillard and Pool constitute the Senate branch of the committee to superintend said election.

Also, a message proposing to vote for a solicitor of the 7th Judicial Circuit, immediately after the election for a solicitor in the first circuit, and informing that Marcus Erwin and J. N. Folk are in nomination. The proposition was concurred in, and the Commons informed by message that Messrs. Mills and Ramsay constitute the committee to superintend the election on behalf of the Senate.

Mr. Houston introduced the following resolution, viz:

Whereas, It is highly necessary for the welfare of the State of North-Carolina to procure the service of the best and ablest men in the General Assembly, and the compensation at present allowed her representatives is utterly and totally inadequate to such purpose; and, whereas, the compensation now allowed is disproportionate to the pay and salaries of other persons employed in the service of the State; wherefore,

Resolved, That the joint committee on finance be required to take into consideration the expediency of increasing the "per diem" pay of members of the Senate and House of Commons, and the clerks and doorkeepers thereof, and report, by bill or otherwise, some measure for that purpose, to take effect from and after the first day of March, 1857.

Mr. Ramsay moved to amend the resolution by striking out the words "per diem." The motion prevailed and the resolution passed as amended.
Mr. Eaton introduced a bill concerning gaming, which was read the first time, passed and referred to the committee on the judiciary.

Mr. Coleman a bill to lay off and establish a new county by the name of Ruffin, which was read the first time, passed and referred to the committee on propositions and grievances.

Mr. Christian a bill to charter the Cheraw and Coal Field railroad company, which was read the first time, passed and referred to the committee on internal improvements.

Mr. Boyd a bill to incorporate the Danville and Greensborough railroad company, which was read the first time, passed and referred to the committee on internal improvements.

Mr. Ward a bill to incorporate the Trent River and Tucke ho navigation 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. Hill, from the committee on Constitutional reform, to whom was referred the bill to amend the Constitution of the State of North-Carolina, reported the same back to the Senate with sundry amendments, which was read and agreed to, so that the bill, as amended, will read as follows:

Whereas, At the session of the last General Assembly, began and held at Raleigh on the third Monday of November, in the year of our Lord, one thousand eight hundred and fifty-four, a bill entitled "A bill to amend the Constitution of the State of North-Carolina," was read three times in each House of the said General Assembly, and agreed to by three-fifths of the whole number of members of each House respectively; and, whereas, the bill so agreed to hath been duly published six months previous to the election of the members of this present General Assembly, according to the clause of section 1st of article 4th, of the amended Constitution, and the directions contained in the second section of the said bill, and it is the intention by this bill to agree to the preamble and first section of the bill aforesaid, containing the said alteration of the Constitution of this State; and, whereas, a large number of the people are disfranchised by the freehold quali-
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 members of each house concurring,) That the second clause of the third section of the first article of the amended constitution, ratified by the people of North-Carolina, on the second Monday of November, in the year of our Lord eighteen hundred and thirty-five, shall be amended to read as follows:—"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 now recurred on the passage of the bill, its first reading, and was determined in the affirmative, two-thirds of the whole number of Senators having voted in its favor.

Mr. Boyd 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 to-morrow, at the hour of 12 o'clock, M.

Mr. Cameron introduced a bill to authorize the board of trustees of the University of North-Carolina to fill all vacancies that now exist, or that may hereafter occur in said
board, which was read the first time, passed, and referred to the committee on education and the literary fund.

Also, a bill, accompanied by a memorial, to emancipate Sam. Morphis, the property of James Newlin, of the county of Alamance. The bill was read the first time and passed, and together with the memorial, referred to the committee on propositions and grievances.

M. Ward introduced a bill to pay jurors, in the county of Jones, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. W. H. Thomas presented the petition of sundry citizens of Buncombe county, concerning railroads; which was read, and referred to the committee on internal improvements.

A message was received from the House of Commons, stating that the hour of half-past 1 o'clock having arrived, the Commons would, according to the joint agreement of the two Houses, now go into the election of Solicitor of the first judicial circuit, and informing that Messrs. Badham and Slaughter constitute the committee to superintend the election on the part of the Commons.

The Senate, under the superintendence of Messrs. Dillard and Pool, then voted as follows:


Also, a message from the House of Commons stating that the hour having arrived, they would now proceed to vote for a solicitor of the 7th judicial circuit, and informing that the committee on the part of the House to superintend said election consists of Messrs. Settle and Leach of Davidson.
The Senate, under the superintendence of Messrs. Mills and Ramsay, then voted as follows:


Mr. Dillard, from the committee appointed to superintend the election of solicitor of the first judicial circuit, reported that the whole number of votes given was 159, of which E. C. Hines received 108 votes and W. N. H. Smith 51 votes; that Mr. Hines having received a majority of the whole number of votes given, is duly elected. Report concurred in.

On motion by Mr. Coleman, the Senate adjourned until to-morrow morning, 11 o'clock.

WEDNESDAY, November 26, 1856.

Allen Grist, the Senator elect from the county of Beaufort, (being the 12th Senatorial district) appeared, produced his credentials, was qualified, and took his seat.

Received a message from the House of Commons, proposing to go forthwith into the election for two engrossing clerks, and informing that Caleb Hill, Wiley J. Palmer and W. U. Steiner are in nomination for said appointments. The proposition was concurred in, and the House of Commons informed by message that Messrs. Coleman and Burges constitute the Senate branch of the committee to superintend the election.

Also, a message proposing that the two Houses go into the election for attorney general, this day at half-past 11 o'clock, and informing that William A. Jenkins and A. J. Dargan are in nomination for the office. The Senate concurred in the proposition, and the House of Commons was informed by
message, that Messrs. Person and Cowper form the Senate branch of the committee to superintend said election.

Received a message from the House of Commons, informing that Messrs. Thompson and Caldwell constitute their branch of the committee to superintend the election for two engrossing clerks, and that the House would proceed to vote on the return of the messenger.

The Senate, under the superintendence of Messrs. Coleman and Burges, then voted as follows:


For Mr. Murray.—Messrs. Gorrell, Holt, A. Myers and Ramsay—4.

Received a message from the House of Commons, informing that Messrs. Pitchford and Little form their branch of the committee to superintend the election for Attorney General, and that the House, in obedience to the joint order, would proceed to vote in said election, upon the return of the messenger.

The Senate, under the superintendence of Messrs. Person and Cowper, voted as follows:

For Mr. Jenkins.—Messrs. Speaker, Battle, Boyd, Brogden, Cameron, Carr, Chesson, Clark, Coleman, Cunningham, Dillard, Eaton, Fennell, Fonville, Hawkins, Holmes, Hou-


Mr. Bryan voted for Mr. Moore.

A message was now received from the House of Commons, informing that the name of Mr. Dargan is withdrawn, and that B. F. Moore is in nomination.

Whereupon, on motion, and by general consent, the following Senators were permitted to change their votes, and have the same recorded for Mr. Moore, viz: Messrs. Burges, Cherry, Christian, Cowper, Dockery, Gibson, Gorrell, Grist, Holt, A. J. Jones, A. Myers, Pool, Ramsay, J. W. Thomas and Wiggins—15.

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

On motion by Mr. Boyd, the consideration of the said bill was postponed until this day, at half past 12 o'clock, P. M., and made the special order of the day for that hour.

Mr. Mills, from the committee appointed to superintend the election for a Solicitor of the 7th judicial circuit, reported that the whole number of votes cast was 157, of which Marcus Erwin received 113 votes, Mr. Folk 38 votes, and Mr. Gathier 6 votes; that Mr. Erwin having received a majority of the whole number of votes given, is duly elected. Report concurred in.

ENROLLED BILL.

The following enrolled bill was reported to, and ratified in the Senate, viz: a bill to amend an act entitled an act supplemental to an act to lay off and establish a county by the name of Polk, passed by the General Assembly of 1854-'55.

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 cede to the United States a tract of land for Hospital pur-
poses;" which was read the first time and passed, and, on motion, referred to the committee on the judiciary.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to complete the Fayetteville and Albemarle Plankroad, reported the same back to the Senate, without amendment, and recommended its passage.

Ordered, That said bill be laid upon the table, and that the report and bill be printed.

Mr. Person, from the committee appointed to superintend the election for Attorney General, reported that the whole number of votes cast was 160, of which W. A. Jenkins received 108 votes, A. J. Dargan 15 votes, and B. F. Moore 36 votes; that Mr. Jenkins having received a majority of the whole number of votes given, is duly elected. Report concurred in.

The hour of half-past 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," and the same being read the second time, Mr. Gorrell offered the following amendment, as an additional section to the bill, viz:

Sec. 2. Be it further enacted, (two-thirds 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 twelve cents on the hundred dollars value on land, to forty cents on the polls."

The Speaker decided that the amendment was not in order. For that this bill is not like an ordinary bill, and the usual parliamentary rules do not apply to it. The constitution prescribes the rule of proceeding in this case, and being the supreme law, he must enforce its provisions. The bill embodies a proposition from the last General Assembly to amend the constitution; and the form, shape and substance of that proposition having been given to it, at that session, the present Assembly cannot change, alter or modify the same; being an
entirety, it must be agreed to as such; the single question is, will two-thirds of the whole representation in the Senate agree to the proposed amendment of the constitution? The preamble identifies the bill of the last General Assembly, and the present one is the same proceeding under the constitution, and while it stands in its present form, no amendment to the bill which accompanies it can be allowed; but upon a suggestion that the facts recited therein are untrue, the preamble then becomes susceptible of amendment.

From which decision Mr. Gorrell 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 31, nays 11.

Mr. Ramsay demanded the yeas and nays.
Those who voted in the affirmative are,
Those who voted in the negative are,
So the Speaker was sustained.

The question now recurred on the passage of the bill its second reading, and was determined in the affirmative, two-thirds of the whole number of Senators having voted in its favor.

Mr. Wilder 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 to-morrow 12 o'clock.

Mr. Coleman, from the committee appointed to superintend the election for two engrossing clerks, reported that Caleb Hill received 120 votes, Wiley J. Palmer 115 votes, W. U. Steiner 38 votes, S. F. Gray 25 votes, Mr. Hall 6 votes, Mr. Murray 4 votes and Mr. Rayford 1 vote. That Mr. Hill and Mr. Palmer having each received a majority of the whole number of votes cast, are duly elected. Report concurred in.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial of sundry citizens of Macon county, respecting the charter of the Tennessee railroad, reported the same back to the Senate and asked to be discharged from the further consideration of the same. Discharged accordingly, and on motion said memorial was referred to the committee on the judiciary.

Mr. Coleman presented sundry memorials from citizens of Henderson county, respecting the criminal and civil laws of the State, which, on motion, were ordered to be laid on the table.

On motion by Mr. Ramsay, the Senate adjourned until to-morrow morning 11 o'clock.

THURSDAY, NOVEMBER 27, 1856.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to authorize and empower William W. Mitchell and others securities to John P. Bridges, deceased, late sheriff of Hertford county, to collect arrears of taxes due for the years 1853 and 1854, reported the same back to the Senate and recommended its passage. The bill was read the second time and passed.

Mr. Boyd, from the same committee, to whom was referred the bill to emancipate Anna and her two children, Mary and
Anthony, reported the same back to the Senate and recommended that it do not pass. The bill was now read the second time; pending the consideration of which,

The hour of 12 o'clock having arrived, the Speaker announced the special order, viz: "The bill to amend the Constitution of the State of North-Carolina," whereupon the said bill was read the third time and passed—yeas 39, nays 8.

Mr. Boyd demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


So that two-thirds of the whole number of Senators voting in its favor, the bill passed its third reading, and was ordered to be engrossed.

The Senate, on motion by Mr. Cowper, now resumed the consideration of the bill to emancipate Anna and her two children, Mary and Anthony, and the question recurring on the passage of the bill its second reading, it was determined in the negative—yeas 16, nays 28.

Mr. Wilder 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. Eaton, from the committee on corporations, to whom was referred the bills to incorporate the North-Carolina and New-York Steam Ship Company, reported the same back to the Senate with amendments. The amendments were agreed to, and the bill read the second time, and passed, as amended.

Mr. Hill, from the committee on the judiciary, to whom was referred the bill to provide for the better securing costs in actions of ejectment, reported the same back to the Senate with amendments. The amendments were agreed to, and the bill read, and passed its second reading as amended; and on motion by Mr. Coleman, was re-committed to the committee on the judiciary.

Mr. Hill, from the same committee, to whom was referred the bill concerning gaming, reported the same back to the Senate, and recommended its passage. Said bill was read the second time, and passed.

Mr. Hill, from the same committee, to whom was referred the bill to pay jurors in the county of Jones, reported the same back to the Senate, and recommended that it do not pass. The bill was read the second time. On motion by Mr. Fovville, the same was amended by extending its provisions to the county of Onslow; and on motion by Mr. Cherry, was further amended, by extending its provisions to the county of Bertie. Said bill then passed its second reading, as amended.

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 Ruffin, reported the same back to the Senate, and recommended its passage.

On motion by Mr. Coleman, said report and bill were ordered to be laid on the table.

Received a message from the House of Commons, transmitting a message from his Excellency, the Governor, accompanied by the resignation of the Attorney General, Mr. Batchelor.

The message also transmitted certain bank statements from the Treasury Department, with a proposition to print the
same. The proposition was concurred in, and the House of Commons informed thereof by message.

Mr. Wilder introduced a resolution in favor of Quentin Busbee; which was read and passed the first time, and referred to the committee on claims.

On motion by Mr. Boyd,

Resolved, That the Comptroller be requested to report to the Senate, at as early a day as practicable, the aggregate valuation of the lands of the State, under the last assessment, with the nett tax paid thereon.

Also, the number of taxable polls, and amount of tax on same; also, a tabular statement setting forth under each head the various subjects of taxation, and the amount received from each.

Mr. Martin introduced a resolution in favor of John Martin, sheriff of Stokes county, which was read the first time, passed, and referred to the committee on claims.

On motion by Mr. Holt,

Resolved, That the committee on finance be instructed to enquire from the proper authorities, and report to the Senate, what amount of money has been paid out from time to time, to the State Geologist and his assistants, by way of salaries; and also, all sums for necessary and contingent expenses for carrying on said survey, and that they report at as early a day as convenient.

Mr. Hill introduced a bill concerning peremptory challenges of jurors by persons on trial for capital offences, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Fennell, a bill to amend the act incorporating the Wilmington Savings Bank, passed February 24, 1855, which was read the first time, passed, and referred to the committee on banks and currency.

On motion by Mr. Coleman, the memorial from citizens of Henderson county, concerning the civil and criminal laws of the State, heretofore laid on the table, were now taken up, and referred to the committee on the judiciary.

Mr. White introduced a bill to amend the statute concern-
ing widows, chapter 118 of the revised code, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Rives, a bill to give courts of law jurisdiction in cases of sales of land for the purpose of partition, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Holt introduced the following resolution, which was read and rejected, viz:

Resolved, That the committee on constitutional reform be instructed to enquire into the expediency of so amending the constitution of the State, as to abolish the landed qualifications of members of the Senate and House of Commons of the General Assembly, and that they report by bill or otherwise.

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

A bill in relation to common schools in Yadkin county, which was read the first time and passed, and referred to the committee on education and the literary fund.

A bill to repeal the 11th section of the act passed in 1854-'55, entitled an act to empower the commissioners of the town of Wilmington to establish streets in said town, and for other purposes; which was read the first time and passed; and,

A resolution in favor of Thomas Diggs, of Anson county; which was read the first time, passed, and referred to the committee on claims.

Mr. Ward introduced a resolution, authorizing the purchase of a flag, which was read the first time and passed.

On motion by Mr. Cherry, the Senate adjourned until to-morrow morning 11 o'clock.

FRIDAY, NOVEMBER 28, 1856.
The Speaker laid before the Senate the petition of sundry
citizens of Cherokee, Macon and Burke, praying relief to the purchasers of Cherokee lands. On motion,  

Ordered, That said petition be referred to the committee on Cherokee lands.  

Mr. Wilder, from the committee on banks and currency, to whom was referred the bill to repeal sections 5, 6 and 7 of the Revised Code, chapter 36, entitled "Currency," reported the same back to the Senate, and recommended that it do not pass. The bill was read the second time.  

Mr. Cherry moved that said bill be committed to the committee on the judiciary.  

Mr. Eaton moved that the bill be postponed indefinitely, and demanded the yeas and nays.  

Those who voted in the affirmative are,  

Those who voted in the negative are,  

So the bill was not indefinitely postponed.  
The question now recurred on the motion to commit said bill to the judiciary committee, which was agreed to.  

Mr. Gorrell, from the committee on the judiciary, to whom was recommitted the bill for the better securing costs in actions of ejectment, reported the same back to the Senate without amendments.  

Said bill was read the third time, passed and ordered to be engrossed.  

Mr. Houston, from the same committee, to whom was referred the bill to amend the statutes concerning widows, reported the same back to the Senate and recommended that it do not pass.  

The bill was read the second time, and the question, shall
the bill pass its second reading resulted as follows—ayes 23, nays 23.

Mr. White 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 bill was rejected.

Mr. Pool, from the committee on the judiciary, to whom was referred the bill to give courts of law jurisdiction in cases of sales of land for the purpose of partition, reported the same back to the Senate and recommended to the Senate that it do not pass. The bill was read the second time, and, on motion by Mr. Rives, recommitted to the judiciary committee.

On motion by Mr. Boyd,

Resolved, That the committee on banks and currency be instructed to enquire into the expediency of the Public Treasurer's procuring from the United States mint or branches, or elsewhere, an amount of specie equal to the whole amount of the school fund subject to distribution, or such part thereof as may be convenient, of 25, 10 and 5 cent pieces, and that the same be paid to the different school superintendents of common schools in the several counties of the State, so as to afford to the citizens of the State a supply of specie of small size for change; and that they report by bill or otherwise.

Mr. Hill introduced a bill to incorporate the Milton Junction Railroad Company, which was read the first time, passed and referred to the committee on internal improvements.

Mr. Thomas, of Jackson, a bill to amend an act, entitled an act to incorporate the Cheoih Turnpike company, passed at
the session of 1854-’55, which was read the first time, passed and referred to the committee on internal improvements.

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 that house, viz: "A bill to amend the Constitution of the State of North-Carolina."

On motion by Mr. Hawkins, the Senate now adjourned ’til to-morrow morning 10 o’clock.

SATURDAY, NOVEMBER 29, 1856.

Mr. Hawkins announced the death of Dr. L. A. Jeffreys, and introduced the following resolutions, viz:

1. Resolved, That this Senate has received, with profound regret, the distressing intelligence of the death of Dr. L. A. Jeffreys, a member elect of the House of Commons of the present General Assembly, from the county of Franklin.

2. Resolved, That we tender the expression of our deep sympathy to the family and relatives of the deceased on this mournful bereavement.

3. Resolved, That we wear the usual badge of mourning for thirty days.

4. Resolved, That a copy of these proceedings be transmitted to the House of Commons, and to the family of the deceased.

5. Resolved, That by way of tendering a further tribute of respect to the memory of the deceased, the Senate do adjourn until Monday 11 o’clock.

Mr. Thomas, of Jackson, called for a division of the question, and moved that the question be first taken on the four first resolutions; whereupon the same were unanimously adopted.

The question now recurring on the adoption of the resolution for adjournment, (the same being the 5th resolution in the series,) it was determined in the affirmative—yeas 33, nays 2.

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

Those who voted in the negative are,  
Messrs. Thomas, of Jackson, and Bryan.

MONDAY, DECEMBER 1, 1856.

The Speaker announced that the committee on enrolled bills, on the part of the Senate, for the present week, consists of Messrs. W. R. Myers, Holt and Dillard, and a message was sent to the House of Commons informing thereof.

Mr. McDiarmid presented the recommendation of sundry justices of the peace, for the county of Harnett, which was read and accepted, and a message sent to the House of Commons asking their concurrence therein.

Mr. Hill asked and obtained leave of absence for the Senator from Person for four days, from and after to-day.

Mr. Cherry asked and obtained leave of absence for the Senator from Perquimans, from to-day until Saturday next. Also, for leave of absence for the Senator from Halifax, from and after to-day until Wednesday next, which was granted.

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. J. M. White, Cansler, Martin, Jarvis and Cox, of Perquimans.

Mr. Brogden, from the committee on claims, to whom was referred the resolution in favor of Quentin Busbee, reported the same back to the Senate and recommended its passage. Said resolution was read the second time, and passed.

On motion by Mr. Wilder, the rules were suspended, and the resolution read the third time, passed, and ordered to be engrossed.
Mr. Brogden, from the same committee, to whom was referred the engrossed resolution in favor of Thomas Diggs, sheriff of Anson county, reported the same back to the Senate and recommended its passage. Said resolution was read the second time and passed. On motion by Mr. A. Myers, the resolution was read the third time, passed, and ordered to be enrolled.

On motion by Mr. Boyd,

Resolved, That the judiciary committee be instructed to enquire into the expediency of amending the insolvent debtor's law, chapter 59, section 5, of revised code, so as to provide, that when a debtor remains within the walls of a prison for twenty days, and fails to take the oath of insolvency, that the plaintiff be released from liability for prison charges after that time; and that they report by bill or otherwise.

A message was sent to the House of Commons, informing that the Senate has passed the following engrossed bill, in which it asks the concurrence of the House, viz: "A bill to provide for the better securing costs in actions of ejectment."

Mr. Dockery introduced a bill to amend the 1st section of the 28th chapter of the revised code, entitled "County Revenue and Charges," which was read the first time, passed, and referred to the committee on finance.

Mr. Rives, a bill to give courts of law jurisdiction over real and personal property, belonging to wards, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Holmes, a bill to provide for the improvement of certain rivers in Sampson county, which was read the first time and passed, and on motion, referred to the committee on internal improvements, and ordered to be printed.

Mr. Thomas, of Jackson, a bill to incorporate the Nantahala Land and Mineral Company, which was read the first time, passed, and referred to the committee on corporations; and on motion by Mr. Wilder, ordered to be printed.

The resolution for the purchase of a flag was now taken up, and read the second time.
Mr. Coleman offered the following amendment as a substitute for the same, viz:

"Resolved, That a select committee of three Senators be appointed by the Speaker, to whom shall be referred the adoption of a flag of the State of North-Carolina, with appropriate emblems and devices thereon, and the uses which shall be made of said flags of the United States and of North-Carolina."

On motion by Mr. Coleman, said amendment and resolution were ordered to be laid on the table.

The engrossed bill to repeal the 11th section of the act passed in 1854-'55, entitled an act to empower the commissioners of the town of Wilmington to establish streets in said town, and for other purposes, was read the second time, and on motion by A. J. Jones, ordered to be laid on the table.

The bill to complete the Fayetteville and Albemarle Plank-road, was read the second time; and by motion of Mr. Thomas, of Jackson, ordered to be laid on the table.

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

The bill to authorize and empower W. W. Mitchell and others, securities of John P. Bridges, late sheriff of Hertford county, to collect arrears of taxes, due for the years 1853-'54, was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the North-Carolina and New-York Steam Ship Company, 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 resolution, in which it asks the concurrence of that body, viz: "A resolution in favor of Quentin Busbee."

The bill to pay jurors in the counties of Jones, Onslow and Bertie, was read the third time, and on motion by Mr. Cherry, amended by adding the following proviso, viz: "Provided, the pay of talis jurors shall be the same in the county of Bertie, as that of the original panel."

On motion by Mr. W. R. Myers, said bill was further
amended, by extending its provisions to the county of Mecklenburg. Whereupon,

On motion by Mr. Clark, said bill was recommitted to the committee on the judiciary, with instructions to report a general bill on the subject, if said committee deem it expedient.

On motion by Mr. Houston, leave of absence was granted to the Senator from Moore, from and after to-day, until Thursday next.

On motion by Mr. Thomas, of Jackson, the Senate adjourned until to-morrow morning, 11 o'clock.

TUESDAY, DECEMBER 2, 1856.

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 the House, viz:

"A bill concerning gaming."

"A bill to incorporate the North-Carolina and New-York Steamship Company;" and

"A bill to authorise and empower W. W. Mitchell and others, securities of John P. Bridges, deceased, late sheriff of Hertford county, to collect arrears of taxes due for the years 1853 and 1854."

Mr. Myers, of Mecklenburg, presented the memorial of the Trustees of Davidson College, praying an amendment to their charter, which was read and referred to the committee on corporations.

Mr. Coleman, from the committee on the judiciary, to whom was referred the bill concerning peremptory challenges of jurors by persons on trial for capital offences, reported the same back to the Senate without amendment, and recommended its passage. The bill was read the second time and rejected—yeas 15, nays 24.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Brogden, Coleman, Dillard, Fennell, Gibson, Hill,

Those who voted in the negative are,

Received a message from the House of Commons transmitting the report of R. A. Hamilton, president of the North-Carolina and Gaston Railroad, with a proposition to print the same. The proposition was agreed to and the House of Commons informed thereof by message.

Received a message from the House of Commons concurring in the recommendation of Justices of the Peace for Harnett county.

Also, a message accompanied by a message from his Excellency, the Governor, transmitting a return of the votes polled on the 4th of November last for electors to vote for President and Vice President of the United States.

Ordered, That the same be filed among the archives of the Senate.

On motion by Mr. Clark,
Resolved, That the use of the Senate chamber be tendered to the Electoral College to-morrow at 12 o'clock.

Received a message from the House of Commons transmitting the report of Hon. D. L. Swain, historical agent of the State, with a proposition to print three hundred copies of the same, and proposing to raise a joint-select committee of two on the part of the Senate and three on behalf of the Commons, to superintend the printing of said report, &c. The propositions to print and raise a joint-select committee to superintend said printing, were severally disagreed to. Whereupon,

On motion by Mr. Gorrell,
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 behalf of the Commons, to whom shall be referred said report and accompanying docu-
ments, with instructions to determine how many of said documents and what number of said report shall be printed, and to take into consideration the subject to which said report relates.

Mr. Cameron introduced a resolution concerning the historical agent, which was read the first time and passed.

Mr. Mills presented the report of the superintendent and directors of the Insane Asylum, which was transmitted to the House of Commons, with a proposition to print the same.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to emancipate Sam Morphis, reported the same back to the Senate, with a recommendation that it do not pass. The bill was read the second time and rejected—ayes 13, nays 27.

Mr. Mills demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Hill, from the committee on the judiciary, to whom was referred that portion of the Governor's message relative to the distribution of the laws of the State, reported a bill concerning the further distribution of the Revised Code and the Acts of Assembly, which was read the first time and passed.

Mr. Eaton, from the committee appointed to make the necessary arrangements for counting the votes polled for Governor at the election in August last, reported the following resolution, viz:

Resolved, That the two Houses of the General Assembly will assemble in the Hall of the House of Commons, on Saturday, the 6th day of December, A. D., 1856, at 12 o'clock,
and the Speaker of the Senate shall be the presiding officer; that one person be appointed a teller on the part of the Senate, and two on the part of the House of Commons, to make a list of the votes polled for Governor of the State at the late election, as they shall be declared by the Speaker of the Senate; that the result shall be delivered to the Speaker of the Senate, who shall announce to the two Houses the state of the vote and the person elected, which 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.

Mr. Myers of Mecklenburg introduced a bill to amend an act, entitled an act to incorporate the trustees of Davidson College, passed in the year of 1838; which was read the first time, passed, and referred to the committee on corporations.

Mr. Thomas, of Jackson, a bill to amend an act, entitled an act to incorporate the Tuckasegee and Keowee Turnpike; which was read the first time, passed, and referred to the committee on internal improvements.

A message was received from the House of Commons, transmitting the memorial of Jesse Blalock and others, concerning a new county in the west, and there being no bill or other matter of like character before the Senate, on motion, by Mr. Coleman, ordered that the same be returned to the House of Commons.

On motion by Mr. A. J. Jones, the Senate now took up for consideration the engrossed bill to repeal the 11th section of the act passed in 1854-'55, entitled an act to empower the commissioners of the town of Wilmington to establish streets in said town, and for other purposes. The bill being read the second time, Mr. Fennell moved an amendment to the same; whereupon, on motion by Mr. Coleman, said bill and amendment were referred to the committee on the judiciary.

On motion by Mr. Thomas, of Jackson, the Senate adjourned until to-morrow morning, 10 o'clock.
WEDNESDAY, December 3, 1856.

The Speaker laid before the Senate a statement of the Bank of Fayetteville, which, on motion by Mr. Wilder, was transmitted to the House of Commons, with a proposition to print the same.

Mr. McDiarmid introduced a bill, accompanied by sundry memorials, to amend the act of 1854-'55, chapter 9, in relation to Harnett county. The bill was read the first time, and passed, and together with the memorials, referred to the committee on propositions and grievances.

Mr. Boyd, from the committee on finance, to whom was referred the bill to amend the 1st section of the 25th chapter of the revised code, entitled "County Revenue and Charges," made a report thereon, and asked that said bill be printed, which was agreed to.

Mr. Bryan presented the memorial of sundry citizens of Surry county, praying that a portion of said county be attached to Ashe county, which was referred to the committee on propositions and grievances.

Mr. Hill, from the committee on the judiciary, to whom was referred the bill to repeal the 11th section of the act passed in 1854-'55, entitled "An act to empower the commissioners of the town of Wilmington, to establish streets in said town, and for other purposes, reported the same back to the Senate, and recommended that it do pass, with the proposed amendment. The amendment was agreed to, and the bill passed its second reading as amended.

On motion by Mr. Fennell, the rules were suspended, and said bill 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. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to incorporate the North-Carolina and Virginia Railroad Company, reported the same back to the Senate without amendment, and recommended its passage. The bill was read the second time, and passed.
Mr. Thomas, of Jackson, from the same committee, to whom was referred the bill to incorporate the Trent river and Tuckahoe Navigation Company, reported the same back to the Senate without amendment, and recommended its passage. Said bill was read the second time, and on motion by Mr. Eaton, ordered to be laid on the table.

Received a message from the House of Commons, transmitting a message from His Excellency, the Governor, in relation to the claim of David Patton, architect of the capitol; which, on motion by Mr. Wilder, was ordered to be laid on the table.

Also, a message concurring in the proposition of the Senate, to appoint a joint-select committee of two on the part of the Senate and three on behalf of the Commons, to take into consideration the report and documents accompanying the same of the historical agent of the State, and that Messrs. Bridgers, Little and Foster constitute the committee on behalf of the House of Commons; whereupon, the Commons were informed that Messrs. Cameron and Dockery constitute said committee on the part of the Senate.

Also, a message concurring in the proposition to print the statement from the Fayetteville bank.

Also, a message stating that the House of Commons have concurred in the adoption of the resolution reported by the joint committee in relation to the election of Governor, and that Messrs. Smallwood and Ogburn are appointed tellers on behalf of the House of Commons; whereupon, the House was informed that Mr. Cunningham is appointed teller on behalf of the Senate.

Mr. Gorrell introduced a bill concerning executors and administrators, which was read the first time, passed and referred to the committee on the judiciary.

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

A bill fixing the place to which notice of protest shall be sent. Also, a bill to amend the 71st section of the 34th chap-
ter of the Revised Code; which said bills were read the first time, passed and referred to the committee on the judiciary.

Also, a bill to amend and consolidate the act of 1851-'55, and previous acts to which it refers, entitled acts to incorporate the Jonathan’s creek and Tennessee mountain Turnpike company in the county of Haywood.

A resolution in favor of John Foster.

A resolution in favor of Clifton Keeton.

A bill to lay off and establish a new county by the name of Alleghany.

A bill to repeal that portion of the Revised Code which relates to fire-hunting by night.

A bill to give additional authority to the commissioners of the town of Tarborough.

And a resolution concerning the engrossing clerks; which last resolution was read and amended, on motion by Mr. Wilder, by striking out as much of the same as allows the engrossing clerks to keep a bed in the room assigned to them, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

Mr. McDiarmid introduced a bill to amend an act passed in the year 1848-'9, entitled an act to incorporate the Fayetteville and Western Plankroad company, and also to amend the act passed in the year 1850-'51, entitled an act to alter and amend an act passed by the General Assembly at the session of 1848-'9, entitled an act to incorporate the Fayetteville and Western Plankroad company; which was read the first time and passed, and, on motion, referred to the committee on internal improvements.

Mr. Cherry introduced a resolution to authorise the clerk of the Senate to purchase a map of the State, which was read, and on motion by Mr. Cherry ordered to be laid on the table.

On motion by Mr. Cherry, the Senate adjourned until tomorrow morning 11 o’clock.
THURSDAY, DECEMBER 4, 1856.

The engrossed bill to amend and consolidate the act of 1854–55, and previous acts to which it refers, entitled acts to incorporate the Jonathan’s Creek and Tennessee Mountain Turnpike Company, in the county of Haywood, was read the first time and passed, and, on motion of Mr. Eaton, referred to the committee on internal improvements.

The engrossed resolution in favor of Clifton Keeton was read the first time and passed, and, on motion by Mr. Eaton, referred to the committee on claims.

The engrossed bill to lay off and establish a new county by the name of Alleghany, was read the first time and passed, and, on motion of Mr. Hill, referred to the committee on propositions and grievances, with instructions to enquire whether said county has the requisite population.

The engrossed bill to repeal that portion of the Revised Code which relates to fire hunting by night, was read the first time and passed, and, on motion by Mr. Eaton, referred to the committee on the judiciary.

The engrossed bill to give additional authority to the commissioners of the town of Tarboro’, was read the first time and passed, and, on motion by Mr. Clark, referred to the committee on corporations.

Mr. Boyd, from the committee on finance, to whom was referred a resolution to enquire into the amount of expenses incurred by the State, on account of the geological survey of the same, reported said resolution back to the Senate, with a statement from the treasury department in relation thereto.

On motion by Mr. Holt, ordered that the same be laid upon the table.

Mr. White introduced a bill to incorporate the bank of Lincolnton, which was read the first time and passed; and, on motion, was referred to the committee on banks and currency. Ordered to be printed.

Mr. Martin introduced a bill to incorporate the Salem Cemetery Company; which was read the first time, passed, and referred to the committee on corporations.
Mr. Myers of Mecklenburg, a bill to amend the charter of the Western Plankroad Company, passed at the session of 1850-51; which was read the first time, passed, and referred to the committee on internal improvements.

Also, a bill to amend the charter of the Charlotte and Fayetteville Plankroad Company; which was read the first time, passed, and referred to the committee on internal improvements.

Mr. Gorrell, a bill to incorporate the bank of Greensboro', which was read the first time and passed; and, on motion by Mr. Gorrell, referred to the committee on banks and currency, and ordered to be printed.

Mr. Miller, a bill to allow the clerk of the County Court of Craven more time to make out his tax list, which was read the first time and passed; and, on motion by Mr. Clark, referred to the committee on finance.

Mr. Eaton, from the committee on corporations, to whom was referred the memorial of the trustees of Davidson College, and the bill to amend an act to incorporate Davidson College, passed in the year 1838, reported said bill back to the Senate, with amendments, and recommended its passage. The bill was read the second time, the amendments agreed to, and said bill passed its second reading, as amended; on motion by Mr. W. R. Myers, the rules were suspended, and said bill read the third time, passed, and ordered to be engrossed.

The following enrolled resolutions were reported to and ratified in the Senate, viz:

A resolution in favor of Thos. Diggs, of Anson county; and,
A resolution in favor of Quentin Busbee.

Received a message from the House of Commons, concurring in the amendments of the Senate to the following bill and resolution, viz:

The engrossed bill to repeal the 11th section of the act passed in 1854-55, entitled an act to empower the commissioners of the town of Wilmington to establish streets in said town, and for other purposes, and
A resolution concerning the engrossing clerks.
Ordered, That said bill and resolution be enrolled.

Also, a message from the House of Commons, transmitting a communication and statement from the Merchant's Bank of Newbern, with a proposition to print the same. Conceded in, and the House of Commons informed thereof by message.

Received a message from the House of Commons, informing that the House of Commons has passed the following engrossed bills, in which it asks the concurrence of the Senate, viz:

A bill to incorporate the town of Troy, in the county of Montgomery, which was read the first time, passed, and on motion by Mr. Clark, referred to the committee on corporations.

A bill to revive and amend an act, entitled an act to incorporate the Camden and Pasquotank New Cut Canal Company, which was read the first time and passed; and on motion by Mr. J. B. Jones, referred to the committee on internal improvements; and

A bill to incorporate the Holly Springs High School, in Wake county, which was read the first time, and passed, and on motion by Mr. Clark, referred to the committee on education and the literary fund.

Mr. Houston introduced a bill to remodel the county courts, and establish courts of common pleas in North-Carolina, which was read the first time and passed; and on motion, referred to the committee on the judiciary, and ordered to be printed.

The Senate now took up for consideration the bill concerning the further distribution of the revised code, and the acts of Assembly, which was read the second time and passed. On motion by Mr. Hill, the rules were suspended, and said bill read the third time, passed and ordered to be engrossed.

The bill to incorporate the North-Carolina and Virginia Railroad Company was now taken up, read the third time, amended on motion by Mr. Eaton, passed, and ordered to be engrossed.

Mr. Dockery introduced a resolution in favor of the Laur- enburg High School, which was read the first time and passed,
and on motion referred to the committee on education and
the literary fund.

Mr. Thomas, of Jackson, from the committee on internal
improvements, to whom was referred the bill to amend an
act, entitled an act to incorporate the Tuckasagee and Keowe
Turnpike company, reported the same back to the Senate
without amendment and recommended its passage, and on his
motion, ordered that the said bill be laid on the table.

Mr. Thomas, of Jackson, from the same committee, to whom
was referred the bill to amend an act, entitled an act to incor-
porate the Cheoik Turnpike company, reported the same
back to the Senate without amendment and recommended its
passage. Said bill was read the second time and passed.

Mr. Thomas, of Jackson, introduced a bill to extend the
North-Carolina Railroad, which was read the first time, passed
and referred to the committee on internal improvements.

On motion by Mr. Thomas, of Jackson, the Senate adjourn-
ed until to-morrow morning 11 o'clock.

FRIDAY, December 5, 1856.

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 that body, viz:

A bill to incorporate the North-Carolina and Virginia Rail-
road company.

A bill concerning the further distribution of the Revised
Code, and the acts of Assembly; and

A bill to amend an act, entitled an act to incorporate the
Trustees of Davidson College, passed in the year 1838.

Mr. Clark introduced the following resolution, which lies
over one day for consideration, viz:

Resolved, That the 12th rule of the Senate be amended by
striking out all after the word "each," in the 7th line, and
insert "and they shall be taken up and considered as they
stand on the calendar, unless otherwise ordered, and the cal-
endar shall be daily revised and kept on the Speaker's table for the inspection of members."

On motion by Mr. Cherry, the resolution concerning a map was now taken up, read the second time, amended and passed. The rules being suspended, said resolution was read the third time, passed and ordered to be engrossed.

On motion by Mr. Thomas, of Jackson, leave of absence was granted to the Senator from Chatham for two days from and after to-day.

On motion by Mr. Cameron, the resolution concerning the historical agent, was now taken up, and referred to the joint-select committee on the subject.

Mr. Thomas, of Jackson, introduced a bill to amend the act of 1850, and subsequent acts, with regard to the Ocona-Lufta and Quallatown Turnpike, which was read the first time, passed, and referred to the committee on internal improvements.

Mr. Martin, a bill, accompanied by a memorial, to incorporate the town of Salem, in Forsythe county. The bill was read the first time, and passed, and together with the memorial, referred to the committee on corporations.

Mr. Thomas, of Davidson, a bill to incorporate the town of Thomasville, which was read the first time, passed, and referred to the committee on corporations.

Mr. Battle, a bill making the Wilmington and Weldon Railroad the line between the counties of Nash and Edgecombe, which was read the first time and passed; and on motion, ordered to be laid on the table.

Mr. Wiggins, a bill to extend the time for the registration of grants, deeds and other conveyances, which was read the first time and passed; on motion, the rules were suspended, and said bill read the second and third times, passed, and ordered to be engrossed.

Mr. Fennell, a bill to authorize the inspectors of naval stores in the town of Wilmington to gauge the article of spirits of turpentine, which was read the first time and passed; and on motion, referred to the committee on the judiciary.

The bill to amend an act entitled an act to incorporate the
Cheoih Turnpike Company, passed at the session of 1854-'55, was read the third time, passed, and ordered to be engrossed.

Mr. Wilder, from the committee on banks and currency, to whom was referred the bill to amend the act incorporating the Wilmington Savings Bank, reported the same back to the Senate with amendments, and recommended its passage. The amendments were agreed to; whereupon, on motion by Mr. Eaton, ordered that said bill be laid on the table.

On motion by Mr. Wilder, leave of absence was granted to the Senator from Warren, for one day.

On motion by Mr. Wilder,

Resolved, That the committee on the judiciary enquire into the propriety of so changing the time of holding the superior courts of the first judicial circuit, so as to begin at Tyrrell county on the fourth Monday in September, instead of the first, as now prescribed by law. And that they further enquire into the propriety of changing the third judicial circuit, so as to begin at Edgecombe county, on the second Monday in March and September, thence as the courts are now held, to the county of Wake, which shall be allowed two weeks, thence as the circuit now runs to the county of Northampton, thence to Martin and Pitt, thence to Wilson, which county shall hereafter be attached to the third circuit. And that they further enquire into the expediency of authorising the majority of the justices of each of the County Courts to change the time of holding said Courts in all cases in which the time may conflict with that of their Superior Courts; and that they report by bill or otherwise.

Mr. Clark moved that the Senate do now adjourn until tomorrow morning 11 o'clock.

The question, on which said motion, was determined in the affirmative—yeas 21, nays 17.

Mr. Battle demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

SATURDAY, December 6, 1856.

A message was sent to the House of Commons, stating that the Senate has passed the following engrossed bills and resolution, in which it asks the concurrence of that body, viz:

A bill to extend the time for registration of grants, deeds, and other conveyances;

A bill to amend an act, entitled an act to incorporate the Cheoih Turnpike Company, passed at the session of 1854-'55, and,

A resolution concerning a map.

The Speaker laid before the Senate a statement from the Farmer's Bank of North-Carolina and a statement of the condition of the Bank of Wadesboro; which were transmitted to the House of Commons, with a proposition that the same be printed.

The following enrolled bill was reported to, and ratified in the Senate, viz:

A bill to repeal the 11th section of the act passed in 1854-'55, entitled an act to empower the commissioners of the town of Wilmington to establish streets in said town, and for other purposes.

Received a message from the House of Commons, transmitting the report of the president and directors of the North-Carolina Railroad Company, with a proposition to print the same. The proposition was concurred in, and the House of Commons informed thereof by message.

Also a statement from the Commercial Bank of Wilmington, with a proposition to print the same. Concurred in, and the House of Commons informed thereof by message.

Also a message, concurring in the proposition of the Senate
to print the statements of the Farmer's Bank and the Bank of Wadesboro'.

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

The bill was read the second time; whereupon, Mr. A. J. Jones offered the following amendment by way of proviso, viz:

*Provided,* The one hundred and twentieth part of the federal population of the State is contained within the prescribed boundaries.

Pending the consideration of said bill and amendment, the further consideration of the same was suspended;

And a message 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 Avery made the following announcement to the convention of the two Houses:

*Gentlemen of the Senate and 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 in August last. I will commence with the counties in alphabetical order.

W. W. AVERY,

*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. Ogburn and Smallwood, as tellers on the part of the House.
Mr. Cunningham, in behalf of the tellers, reported the result of the convention as follows, viz:

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<th>Counties</th>
<th>For Thomas Bragg.</th>
<th>For John A. Gilmer.</th>
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<td>Ashe,</td>
<td>734</td>
<td>708</td>
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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 57,598 votes, being the highest number of votes given, and that John A. Gilmer received 44,970 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-seven.

**W. W. AVERY,**

*Speaker of the Senate.*

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

On motion by Mr. Cameron, leave of absence was granted
MONDAY, December 8, 1856.

The Speaker announced that Messrs. J. W. Thomas, Holmes and Ward constitute the Senate's branch of the committee on enrolled bills for the present week; and the House of Commons was informed thereof by message.

Received a message from the House of Commons, informing that their committee on enrolled bills for the present week consists of Messrs. Dancy, Bledsoe, Rushing, McIntosh and Siler.

On motion by Mr. Clark, the resolution introduced by him on Friday last to amend the 12th Rule of the Senate, was now taken up and agreed to, two-thirds of the Senators concurring therein.

Mr. Coleman, from the committee on the judiciary, to whom was referred the bill to divide the State into eight judicial circuits, reported the same back to the Senate with amendments, and recommended its passage.

Mr. Houston, from the same committee to whom was referred the bill to authorize the County Courts of Duplin county to increase the pay of witnesses and jurors in the county of Duplin, reported the same back to the Senate, with amendments.

On motion by Mr. Speight,

Resolved, That the Doorkeepers of the Senate furnish each Reporter with a copy of all bills and other matter ordered to be printed.

A message was received from the House of Commons, informing that it has passed the engrossed bill from the Senate, concerning the distribution of the Revised Code, with amendments, in which it asks the concurrence of the Senate.

On motion by Mr. Coleman,
Ordered, That said bill and amendments be referred to the committee on the judiciary.

Also a message, transmitting from the Treasury Department statements from the Bank of North-Carolina, the Bank of Washington and the Bank of Wadesboro', proposing to print such of the same as have not been heretofore printed. The proposition was concurred in, and the House of Commons informed thereof by message.

On motion by Mr. Boyd,

Ordered, That a message be sent to the House of Commons, proposing that the Comptroller be instructed to have 200 additional copies of his report to this General Assembly printed, and that one copy of the same be bound with the public documents to be furnished the members of Assembly, as now required by law.

Mr. Coleman introduced a bill to repeal the 9th section of the act passed by the General Assembly, at its last session of 1854-'55, entitled an act to incorporate the Greenville and French Broad Railroad Company; which was read the first time and passed; and, on motion by Mr. Mills, ordered to be laid on the table.

Mr. Wilder a bill to recharter the Bank of the State; which was read the first time and passed; and, on motion, referred to the committee on banks and currency, and ordered to be printed.

Mr. Houston, a bill concerning the pay of members of the General Assembly; which was read the first time and passed; and, on motion, referred to the committee on finance.

Mr. Thomas, of Jackson, a bill to amend the charter of the Tuckasegee and Nantahala Turnpike Company; which was read the first time and passed; and, on motion, referred to the committee on internal improvements.

Also, a resolution in favor of David Taylor and Elizabeth Welsh; which was read the first time and passed; and, on motion, referred to the committee on propositions and grievances, and ordered to be printed.

Mr. Brogden a bill, accompanied by a memorial, to emancipate Sam and his wife Suckey, slaves; which said bill was
read the first time and passed; and, on motion, referred with the memorial to the committee on propositions and grievances.

A message was received from the House of Commons concurring in the proposition of the Senate to print two hundred additional copies of the Comptroller’s report.

The Senate now proceeded to the consideration of the unfinished business of yesterday, viz:

The engrossed bill to lay off and establish a new county by the name of Alleghany; the pending question being on the amendment of Mr. A. J. Jones, but, on his motion, said amendment was withdrawn.

The question now recurring on the passage of the bill its second reading,

The same was determined in the negative—yeas 17, nays 25.

Mr. Cowper 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. Eaton, leave of absence was granted to the Senator from Northampton until Thursday next.

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

TUESDAY, DECEMBER 9, 1856.

Mr. Hill, from the committee on the judiciary, to whom was referred the engrossed bill concerning the distribution of the Revised Code and the acts of Assembly, with the amend-
ments proposed by the House of Commons, reported the same back to the Senate and recommended that the Senate agree to said amendments.

The amendments were agreed to and a message sent to the House of Commons informing thereof.

Mr. Hill, from the same committee, to whom was referred the engrossed bill fixing the place to which notices of protest must be sent, reported the same back to the Senate with a recommendation that it do not pass.

Mr. Hill, from the same committee, to whom was referred the engrossed bill to repeal that portion of the Revised Code which relates to fire hunting by night, reported the same with amendment.

Mr. Hill, from the same committee, to whom was referred the engrossed bill to cede to the United States a tract of land for hospital purposes, reported a substitute for the same.

Mr. Gorrell, to whom was referred the bill concerning administrators and executors, reported the same back to the Senate and recommended its passage.

Mr. Christian moved to reconsider the vote by which the engrossed bill to lay off and establish a new county by the name of Alleghany, was rejected.

Mr. Clark moved that the motion to reconsider be laid on the table, which motion did not prevail—yeas 16, nays 28.

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

Messrs. Brogden, Burges, Cameron, Carr, Clark, Cunningham, Dillard, Eaton, Fennell, Grist, J. B. Jones, Miller, Sanders, Speight, Taylor and Wilder—16.
Those who voted in the negative are,


The motion to reconsider was now agreed to, and on motion by Mr. Thomas, of Jackson,
Ordered, That said bill be made the special order of the day for Friday next, at the hour of 12 o'clock, M.

On motion by Mr. Coleman, the bill to divide the State into eight judicial circuits, was now taken up and made the special order of the day, for this day at the hour of half-past 12 o'clock, P. M.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to amend the charter of the Charlotte and Fayetteville Plankroad Company, reported the same back to the Senate and recommended its passage.

Mr. Thomas, of Jackson, from the same committee, to whom was referred the bill to amend the charter of the Tuckesege and Nantahala Turnpike Company, reported the same back to the Senate without amendment, and recommended its passage.

Mr. Thomas, of Jackson, from the same committee, to whom was referred the bill to amend the charter of the Fayetteville and Western Plankroad Company, and for other purposes, reported the same back to the Senate, with amendments.

Mr. Thomas, of Jackson, from the same committee, to whom was referred the bill to amend the act of 1850, and subsequent acts, with regard to the Oconalufita and Quallatown Turnpike Company, reported the same back to the Senate and recommended its passage.

On motion by Mr. Battle, the bill making the Wilmington and Weldon Railroad Company the line between Nash and Edgecombe counties, &c., was taken up, and referred to the committee on propositions and grievances.

Mr. Houston, from the committee on the judiciary, to whom was referred the bill to authorise the inspectors of naval stores in the town of Wilmington to gauge the article of spirits of turpentine, reported the same back to the Senate without amendment, and recommended its passage.

Mr. Thomas, of Jackson, introduced a bill to authorize Plankroad and Turnpike companies to use stone and gravel
in the construction of roads; which was read the first time and passed.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to amend and consolidate the act of 1854—55, and previous acts to which it refers, entitled an act to incorporate the Jonathan's creek and Tennessee Mountain Turnpike Company, in the county of Haywood, reported the same back to the Senate and recommended its passage.

Mr. Thomas, of Jackson, from the same committee, to whom was referred the bill to amend the act incorporating the Wilmington Savings Bank, reported the same back to the Senate with amendments and recommended its passage.

Received a message from the House of Commons transmitting a message from his Excellency, the Governor, accompanied by the report of the president and directors of the Western North-Carolina Railroad company, and the second annual report of the stockholders of said company, with a proposition to print; which was concurred in.

Also, a message with accompanying documents concerning the Cape Fear and Deep river Navigation company, with a proposition to print the same. The proposition was concurred in and a message sent to the House of Commons informing thereof.

On motion by Mr. Cunningham, the Senate now took up for consideration the engrossed bill to cede to the United States a tract of land for hospital purposes; which was read the second time, the amendments proposed by the committee agreed to, and the bill passed its second reading.

On motion by Mr. Cunningham, the rules were suspended and said bill was read the third time and passed, and a message sent to the House of Commons asking its concurrence in the amendments of the Senate.

Mr. Eaton, from the committee on corporations, to whom was referred the engrossed bill to give additional authority to the commissioners of the town of Tarborough, reported the same back to the Senate and recommended its passage.

Mr. Eaton, from the same committee, to whom was referred
the bill to incorporate the town of Salem, in the county of Forsythe, reported the same back to the Senate with amendments.

Said bill was read the second time, the amendments agreed to and the bill passed its second reading as amended.

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

Mr. Thomas, of Davidson, introduced a bill to re-enact an act to define the duties and powers of Turnpike and Plankroad companies; which was read the first time and passed, and, on motion, referred to the committee on internal improvements.

The hour of twelve and a half o'clock having arrived the Speaker announced the special order, viz:

The bill to divide the State into eight judicial circuits; whereupon,

On motion by Mr. Brogden, the further consideration of the same was postponed, and said bill made the special order of the day for Thursday next at the hour of 12 o'clock.

Mr. Brogden introduced a bill to incorporate the bank of Goldsborough; which was read the first time and passed, and on his motion referred to the committee on banks and currency and ordered to be printed.

Mr. Cunningham moved that a message be sent to the House of Commons proposing to go forthwith into the election for five Trustees of the University. The motion was disagreed to.

The bill to increase the pay of witnesses and jurors in the county of Duplin, was read the second time; the proposed amendments agreed to and the bill passed its second reading as amended.

The bill to amend the act incorporating the Wilmington Savings Bank was now taken up, read the second time and passed.

The bill to amend and consolidate the act of 1854-'55, and previous acts to which it refers, entitled acts to incorporate the Jonathan's creek and Tennessee mountain Turnpike company,
in the county of Haywood, was read the second time; and, on motion by Mr. W. R. Myers, ordered to be laid on the table.

The bill to amend the charter of the Fayetteville and Western Plankroad company, and for other proposed amendments, agreed to and the bill passed its second reading as amended.

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

The following bills were read the second time and passed, viz:

The bill to amend the charter of the Western Plankroad company passed at the session of 1850-'51.

The bill to amend the charter of the Charlotte and Taylorsville Plankroad company.

The bill to amend the act of 1850, and subsequent acts, with regard to the Oconalufa and Qualla town Turnpike company.

The bill to authorise the inspectors of naval stores in the town of Wilmington to gauge the article of spirits of turpentine; and

The bill to amend the charter of the Tuckesege and Nantahala Turnpike company.

On motion by Mr. Speight, the Senate adjourned until tomorrow morning 11 o'clock.

WEDNESDAY, DECEMBER 10, 1856.

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 body, viz:

A bill to amend the charter of the Fayetteville and Western Plankroad Company, and for other purposes; and

A bill to incorporate the town of Salem, in the county of Forsythe.

Received a message from the House of Commons, transmitting a message from his Excellency, the Governor, accompanied by a report from John D. Whitford, President of the
Atlantic and North-Carolina Railroad Company, 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 the House of Commons has passed the engrossed resolution concerning maps, 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. Cunningham introduced the following resolution, viz:

Resolved, That the public treasurer be requested to furnish both Houses of the General Assembly with a clear and succinct statement of the present and prospective debt of the State, the amount of principal and interest, and when payable. Also, the income of the State from any and every source, and whatever else may be necessary to a full and fair showing of the present financial condition of the State.

On motion by Mr. Pool, the resolution was amended by inserting the words "and liabilities" in the fourth line of the same, between the words "debts and of," and passed as amended.

Mr. Clark, from the committee on education and the literary fund, to whom was referred the bill to authorize the board of trustees of the University of North-Carolina to fill all vacancies that now exist, or that may hereafter occur in said board, reported the same back to the Senate, with a recommendation that it do not pass.

Mr. Boyd, from the committee on finance, to whom was referred the bill to allow the clerk of the county court of Craven more time to make out his tax list, reported the same back to the Senate and recommended its passage.

Mr. Cameron, from the joint-select committee, to whom was referred the resolution concerning the historical agent of the State, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the committee of finance, to whom was referred a resolution and bill concerning the pay of members
of the General Assembly, reported the same back to the Senate, with a recommendation that it do pass.

Mr. Battle moved that said bill be laid on the table; which motion was not agreed to.

On motion by Mr. Houston,

Ordered, That said bill be recommitted to the committee on finance.

On motion by Mr. Thomas, of Jackson,

Resolved, That the committee on the judiciary inquire into the expediency of reviving, altering and amending the act of 1783, and subsequent acts with regard to the Cherokee Indians in this State; and that they report by bill or otherwise.

On motion by Mr. Thomas, of Jackson,

Resolved, That the joint-select committee on Cherokee lands inquire into the expediency of adjusting the claims of persons who have entered the same lands, by reason of being required to file bonds for entries before the survey was made. Also into the expediency of confirming certain grants to prevent litigation; and that they report a bill to accomplish these objects.

Mr. Thomas, of Jackson, introduced a resolution requesting the establishment of a naval depot and navy yard at Beaufort Harbor; which was read the first time and passed.

Mr. Hawkins introduced a resolution in favor of John H. DeCarteret; which was read the first time and passed; and, on motion, referred to the committee on claims.

Mr. Ramsay introduced a bill to establish the Salisbury Bank; which was read the first time and passed; and, on motion, referred to the committee on banks and currency, and ordered to be printed.

On motion by Mr. Brogden, the Senate now took up for consideration the bill to authorize the board of trustees of the University of North-Carolina to fill all vacancies that now exist, or that may hereafter occur in said board.

The bill being read the second time, Mr. Coleman moved to amend the same as follows, viz: "Insert in 1st section, before the word 'fill,' the words 'nominate candidates to.'" In 2d section, amend so as to read, "the names of the candi-
dates nominated to fill vacancies, as provided in the 1st section of this act, shall be presented by the Governor to the General Assembly, at its session next succeeding such nominations, and if the General Assembly shall appoint such candidates trustees of the University, then,” &c.

Mr. A. J. Jones moved the following as an amendment to the amendment, viz: “That the trustees shall recommend or nominate three in number to the Legislature for election, to fill each and every vacancy that may occur.” The amendment to the amendment was disagreed to, and the amendment of Mr. Coleman rejected. The question now recurred on the passage of the bill its second reading, and was determined in the negative—yeas 7, nays 38.

Mr. Sanders 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. Brogden,

Ordered, That a message be sent to the House of Commons proposing to go forthwith into the election for five Trustees of the University of North-Carolina.

Received a message from the House of Commons transmitting a communication from his Excellency, the Governor, accompanied by reports and documents relating to the Fayetteville and Western Plankroad company, the Fayetteville and Warsaw Plankroad company, the Petersburg Railroad company, and the Greenville and Roanoke Plankroad company, with a proposition to print the same.

The proposition was concurred in and the House of Commons informed thereof.
Also, a message transmitting a message from his Excellency, the Governor, with accompanying documents concerning the Western North-Carolina Railroad company, proposing 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 have passed the following engrossed bills and resolutions, in which they ask the concurrence of the Senate, viz:

A resolution in favor of Bedford Sherrill.
A resolution in favor of Joseph Ramsay.
A resolution in favor of Martha Spears.
A resolution in favor of Sarah Avery; and
A resolution in favor of W. R. Baird, which were severally read the first time and passed; and on motion referred to the committee on claims.

Also, a bill concerning the lands of the State in the county of Watauga; which was read the first time and passed, and, on motion, referred to the committee on internal improvements.

Also, the following bills, viz:
A bill to amend the 8th section of the 45th chapter of the Revised Code of North-Carolina.
A bill concerning the registration of sheriffs and constables bonds.
A bill to establish the standard bushel of wheat, rye, indian corn, &c., and
A bill to authorize Thomas J. Williams, sheriff of Surry county, and others to collect arrears of taxes; which said bills were severally read the first time and passed, and, on motion, referred to the committee on the judiciary.

Also, a bill to incorporate the Macon county Turnpike 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 they do not concur in the proposition of the Senate to go forthwith into an election for five Trustees of the University, but propose to go into said election to-morrow morning at 11
The proposition was concurred in and the House of Commons informed, by message, that Messrs. Brogden and Wiggins constitute the committee to superintend said election on behalf of the Senate.

On motion by Mr. Thomas, of Jackson, the bill to amend an act entitled an act to incorporate the Tuckasege and Keowe Turnpike company, was now taken up and recommitted to the committee on internal improvements.

On motion by Mr. Thomas, of Jackson, the Senate adjourned until to-morrow morning 11 o'clock.

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THURSDAY, DECEMBER 11, 1856.

Mr. Eaton, from the committee on corporations, to whom was referred the bill to incorporate the town of Thomasville, reported the same back to the Senate, with amendments.

Mr. Eaton, from the same committee, to whom was referred the bill to incorporate the Nantahala Land and Mineral Company, reported the same back to the Senate, and recommended its rejection.

Mr. Cherry introduced a bill to expedite the construction and increase the capacity of the Albemarle and Chesapeake Canal Company, which was read the first time and passed; and on motion, referred to the committee on internal improvements.

Mr. A. J. Jones, a bill to amend the constitution of the State, which was read the first time and passed; and on motion, referred to the committee on constitutional reform, and ordered to be printed.

Mr. Rives, a bill to amend an act entitled an act to improve the Cape Fear and Deep River above Fayetteville; and also, to amend an act 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.

Mr. Cherry, a bill authorizing an exchange of bonds with
the Albemarle and Chesapeake Canal Company, and an increase of the capital stock of said company, which was read the first time and passed; and on motion, referred to the committee on internal improvements.

Mr. McDiarmid presented a memorial concerning the county of Harnett, which, on motion, was referred to the committee on propositions and grievances.

Mr. Brogden, from the committee on claims, to whom was referred the resolution in favor of John H. DeCarteret, reported the same back to the Senate and recommended its passage.

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

A message was received from the House of Commons, transmitting a communication from the president and directors of the deaf, dumb and blind asylum, accompanied by the report of Wm. D. Cooke, superintendent of the same, with a proposition to print said documents. The proposition was agreed to, and the House of Commons informed thereof by message.

On motion, a message was sent to the House of Commons, informing that the following persons are in nomination for trustees of the University, viz: C. F. Deems, John H. Drake, jr., Richard Dillard, John W. Ellis, J. F. Hoke, T. J. Person, H. L. Holmes, Jos. B. Cherry, W. J. Bingham, Purdie Richardson, R. A. Hamilton, W. W. Holden, V. C. Barringer, M. L. Wiggins, S. H. Christian, Patrick Murphy, J. A. Waugh, P. C. Cameron and Alfred Dockery. Also, that Ralph Gorrell will superintend the election of trustees, on the part of the Senate, in the place of M. L. Wiggins.

Received a message from the House of Commons, stating that the hour agreed upon by the two Houses for going into the election of five trustees of the University, having arrived, the House would proceed to vote on the return of the messenger. Also, informing that Messrs. Bright and Wilson constitute the committee to superintend the election on the part

A message was received from the House of Commons, informing that the name of David Outlaw is withdrawn from the nomination.

The Senate now proceeded to vote by ballot, under the superintendence of Messrs. Gorrell and Brogden.

The Speaker submitted a report from the Comptroller of public accounts, in answer to certain enquiries of the Senate.

Whereupon, on motion by Mr. Boyd,

Ordered, That a message be sent to the House of Commons transmitting said report, with a proposition to print the same, and that a copy thereof be appended to the Comptroller's report.

The bill to amend the constitution of the State of North Carolina was reported to, and ratified in the Senate.

The resolution concerning the historical agent of the State was now taken up, read the second time and passed; on motion by Mr. Cameron, the rules were suspended, and said resolution was read the third time, passed, and ordered to be engrossed.

The engrossed bill fixing the place to which notice of protest shall be sent, was read the second time and rejected; and the House of Commons informed thereof by message.

The engrossed bill to repeal that portion of the Revised Code which relates to fire hunting by night, was read the second time and passed.

The bill to allow the clerk of the County Court of Craven
more time to make out his tax list, was read the second time, amended on motion by Mr. Houston, and passed as amended.

The bill to authorize plankroad and turnpike companies to use stone and gravel in the construction of roads, was read the second time, amended by motion of Mr. Hill, and, on motion by Mr. Eaton, referred to the committee on the judiciary.

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

The bill to increase the pay of witnesses in the county of Duplin, was read the third time, passed, and ordered to be engrossed.

The engrossed bill to give additional authority to the commissioners of the town of Tarboro', was read the third time, passed, and ordered to be enrolled.

The bill to amend the charter of the Western Plankroad Company, passed in the session of 1850-'51; and,

The bill to amend the charter of the Charlotte and Taylorsville Plankroad Company, were severally read the second time; and, on motion by Mr. W. R. Myers, ordered to be laid on the table.

The bill to authorize the inspectors of naval stores in the town of Wilmington to guage the article of spirits of turpentine, 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 to divide the State into eight judicial circuits; said bill was read the second time, and the amendments reported by the committee agreed to.

The question now recurred on the passage of the bill its second reading, and was determined in the negative—yeas 14, nays 29.

Mr. Sanders 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. Taylor, the Senate adjourned until tomorrow morning 11 o'clock.

FRIDAY, DECEMBER 12, 1856.

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

A resolution concerning historical agent.

A resolution in favor of John H. DeCarteret.

A bill to increase the pay of witnesses in the county of Duplin; and,

A bill to authorise the inspectors of naval stores in the town of Wilmington to gauge the article of spirits of turpentine.

A message was sent to the House of Commons transmitting the report of the joint-select committee concerning historical agent, proposing to print three hundred copies of the message of his Excellency, the Governor, and documents, as recommended by the committee and asking the concurrence of the House of Commons in the same.

Mr. Eaton, from the committee on corporations, to whom was referred the engrossed bill to incorporate the town of Troy, in Montgomery county, reported the same back to the Senate with amendments.

Mr. Clark, from the committee on education and the literary fund, to whom was referred the engrossed bill in relation to common schools in Yadkin county, reported the same back to the Senate and recommended a substitute for the same. Whereupon,

Mr. Clark introduced a bill to provide for the distribution
of the proceeds of the literary fund among the several counties of the State, which was read the first time and passed.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the engrossed bill concerning the lands of the State in the county of Watauga, reported the same back to the Senate and recommended its passage. On motion, 

Ordered, That said bill and report be printed.

Mr. Thomas, of Jackson, from the same committee, to whom was referred the engrossed bill to amend an act entitled an act to incorporate the Camden and Pasquotank New Cut Canal Company, reported the same back to the Senate with amendments and recommended its passage.

Mr. Thomas, of Jackson, from the same committee, to whom was referred the bill to amend an act entitled an act to incorporate the Tuckesege and Keowee Turnpike Company, reported the same back to the Senate and recommended its passage.

Received a message from the House of Commons concurring in the proposition of the Senate to print the Comptroller's statement as a part of his report.

Received a message from the House of Commons proposing to raise a joint-select committee of five on the part of the House and four on the part of the Senate, to consider the claim of B. F. Stanmire as assignee of Alsey Medley.

The proposition was disagreed to and the House of Commons informed thereof by message.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to emancipate Sam and Suckey, his wife, slaves, reported the same back to the Senate and recommended that it do not pass.

Mr. Brogden, from the committee on claims, to whom was referred the engrossed resolution in favor of Joseph Ramsay, reported the same back to the Senate and recommended its passage.

The resolution was read the second time and passed.

On motion by Mr. Brogden, the rules were suspended and
said resolution read third time, passed and ordered to be enrolled.

Mr. Gorrell, from the committee appointed to superintend the election of five Trustees of the University, reported that the whole number of votes cast is 154, of which 78 is necessary for a choice; that no person in nomination having received a majority of the whole number of the votes cast, there is no election. Report concurred in.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to amend the act of 1854-'55 in relation to Harnett county, reported the same back to the Senate, and recommended its passage.

Mr. A. J. Jones introduced a resolution concerning the Cape Fear and Deep Rivers, which was read the first time and passed; and by his motion, the rules were suspended, and said resolution read the second time, amended and passed; under a further suspension of the rules, the resolution was now read the third time, passed, and ordered to be engrossed.

Mr. Mills introduced a bill (accompanied by a memorial) to abolish jury trials in the County Courts of Polk county, which was read the first time and passed.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:

The engrossed bill to lay off and establish a new county by the name of Alleghany.

The question being on the passage of the bill its second reading,

Mr. Thomas, of Jackson, moved to amend the same, by adding the following proviso, viz: Provided, however, That if it should be ascertained by the census of 1870, that said county has not the requisite population, the Legislature shall have the right to repeal this act establishing the county.

The amendment was disagreed to.

The question now recurred on the passage of the bill its second reading, and was determined in the negative—yeas 21, nays 25.

Mr. Eaton 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, stating that the Senate has passed the following engrossed resolution, and asking their concurrence in the same, viz:

A resolution concerning the Cape Fear and Deep Rivers.

Mr. Thomas, of Jackson, moved to reconsider the vote by which was rejected on yesterday, the bill to divide the State into eight judicial circuits.

Mr. Wilder moved to postpone the consideration of the motion to reconsider, until Tuesday next, and that it be made the special order for that day at the hour of 12 o'clock, M.

Mr. Wiggins moved to lay said motion to reconsider on the table; but before any question was taken thereon,

On motion by Mr. Wilder, the Senate adjourned until tommorow morning, 11 o'clock—yeas 23, nays 22.

Mr. Battle demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,
SATURDAY, DECEMBER 13, 1856.

On motion by Mr. Eaton, the bill to incorporate the Trent river and Tuckahoe Navigation Company, was now taken up; and, on motion by Mr. Ward, made the special order of the day, for Monday next, at the hour of 12 o'clock, M.

Mr. A. J. Jones introduced a bill to repeal the 117th chapter of the Revised Statutes, entitled an act to restrain the taking of excessive usury, which was read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

Mr. Boyd introduced a supplementary bill, to take the sense of the people of the State, relative to the proposed amendment of the constitution, which was read the first time and passed; and, on motion, referred to the committee on constitutional reform.

A message was received from the House of Commons transmitting a message from his Excellency, the Governor, accompanied by a report from Charles Manly, treasurer of the University, proposing to print the same. Report concurred in, and the House informed thereof by message.

Also, a message transmitting a message from his Excellency, the Governor, with accompanying documents, relating to the Tar river improvements, proposing to print the same. Concurred in, and the House of Commons informed thereof by message.

The following bills were returned to, and ratified in the Senate, viz:

A bill to authorize and empower Wm. W. Mitchell and others, securities of John P. Bridges, deceased, late sheriff of Hertford county, to collect arrears of taxes for the years 1853-'54;

A bill to amend an act, entitled an act, to incorporate the trustees of Davidson College, passed in the year 1838;

A bill concerning gaming;

A bill to incorporate the North-Carolina and New York Steam Ship Company;
A bill to extend the time of registration of grants, deeds and other conveyances;

A bill to amend an act, entitled an act, to incorporate the Cheoiih Turnpike Company, passed at the session of 1854-'55;

A bill to incorporate the town of Salem, in the county of Forsythe; and

A bill to give additional authority to the commissioners of the town of Tarboro'.

Mr. Cameron introduced a bill concerning the clerks of the supreme court, which was read the first time and passed; and on motion, referred to the committee on the judiciary.

On motion by Mr. Cowper, Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so providing by law, as to compel all persons owning lands in this State, to have their different lines run and chopped by the county surveyors of the different counties of this State, at least once in every ten years, and that they report by bill or otherwise.

Mr. Christian introduced a bill to attach part of Moore county to the county of Harnett, which was read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

Mr. Brogden, from the committee on claims, to whom was referred the resolution in favor of Martha Spears, and the resolution in favor of Sarah Avery, reported the same back to the Senate, and recommended their passage.

The bill in relation to common schools in Yadkin county, was read the second time; and, on motion by Mr. Clark, ordered to be laid on the table.

The bill to incorporate the Nantahala Land and Mineral Company, was read the second time; and, on motion by Mr. Eaton, ordered to be laid on the table.

The bill to amend an act, entitled an act to incorporate the Tuckesege and Keowee Turnpike Company, was now taken up; but, on motion by Mr. Mills, ordered to be laid on the table.

The bill to amend the act of 1854-'55, in relation to Harnett county, was read the second time.
Mr. Rives moved to amend the first section of the bill, as follows: "after the words 'seven commissioners,' insert 'one from each captain's district.'" The amendment was adopted.

Mr. Rives moved to amend the second section of the bill, by striking out "February," and inserting "April." The amendment did not prevail.

Mr. Rives moved further to amend the bill, by adding the following proviso to the third section of the same: "provided said site or location shall be within five miles of the geographical centre of said county;" which said amendment was disagreed to.

The bill now passed its second reading, as amended.

On motion, the Senate now proceeded to the consideration of the unfinished business of yesterday, viz:—The motion to reconsider the vote by which was rejected the bill to divide the State into eight judicial circuits; the pending question being on the motion to lay on the table said motion to reconsider.

The question was determined in the affirmative—yeas 27, nays 17.

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


Those who voted in the negative, are,


So the question to reconsider was laid on the table.

On motion by Mr. Thomas, of Jackson, the Senate now took up the bill to incorporate the Nantahala Land and Mineral Company; when, on motion by Mr. Thomas of Jackson, ordered that said bill be laid on the table.

On motion by Mr. Thomas, of Jackson, the bill to amend an act, entitled an act to incorporate the Tuckesege and Ke-
owee Turnpike Company, was now taken up, read the second time, and passed.

The engrossed bill to incorporate the town of Troy, in the county of Montgomery, was read the second time, the amendment recommended by the committee agreed to, and the bill passed its second reading, as amended.

The bill to amend an act, entitled an act to incorporate the Camden andPasquotank New Cut Canal Company, was read the second time, the amendments recommended by the committee agreed to, and the bill passed its second reading, as amended.

On motion by Mr. Dillard, the rules were suspended, and said bill 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 incorporate the town of Thomasville, was read the second time, the amendments recommended by the committee agreed to, and the bill passed its second reading, as amended.

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

The resolution requesting the establishment of a naval depot and navy yard, at Beaufort Harbor, was read the second time and passed.

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

The bill to emancipate Sam and Suckey, his wife, slaves, was read the second time; and, on motion by Mr. Speight, ordered to be laid on the table.

The bill to abolish jury trials in the county courts of Polk county, was read the second time and passed; on motion by Mr. Mills, the rules were suspended, and said bill read the third time, passed, and ordered to be engrossed.

On motion by Mr. Speight, the bill to emancipate Sam and Suckey, his wife, slaves, was now taken up, read the second time, and rejected.
Mr. Mills demanded the yeas and nays on the passage of the bill.

Those who voted in the affirmative, are,

Those who voted in the negative, are,

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to charter the Cheraw and Coalfield Railroad Company, reported the same back to the Senate with amendments; on motion, ordered that the report be printed.

On motion by Mr. Thomas, of Jackson, the Senate adjourned until Monday 11 o'clock.

MONDAY, DECEMBER 15th, 1856.
The Speaker announced that the committee on enrolled bills, on the part of the Senate for the present week, consists of Messrs. Dockery, Fennell and Person, of which the House of Commons was informed by message.
Received a message from the House of Commons proposing to go into the election for Comptroller of public accounts today at 12 o'clock, M.
Concurred in and a message sent to the House of Commons informing that Messrs. Fonville and Ramsay constitute the Senate branch of the committee to superintend said election.
Mr. Brogden, from the committee on claims, to whom was referred the resolution in favor of W. R. Baird, and the resolution in favor of Bedford Sherrill, reported the same back to the Senate and recommended their passage.
Mr. Cunningham introduced a bill to secure the holders of coupon bonds of the State against losses by accidents to said
bonds, which was read the first time and passed, and, on motion, ordered to be laid on the table.

A message was received from the House of Commons proposing to go into the election of seven counsellors of State to-morrow morning at half past 11 o'clock.

The proposition was agreed to and the House of Commons informed thereof by message; and, also, that the committee on behalf of the Senate to superintend said election consists of Messrs. Wilder and Cherry.

Mr. Brogden introduced a bill to amend the 7th chapter of the Revised Code, concerning cattle and other stock, which was read the first time and passed, and, on motion, referred to the committee on the judiciary.

Mr. A. Myers, a bill to amend the militia law, which was read the first time and passed, and, on motion, referred to the committee on military affairs.

Mr. Christian, a bill to incorporate the Yadkin Manufacturing Company in the county of Montgomery, which was read the first time and passed, and, on motion, referred to the committee on corporations.

Mr. W. R. Myers, a bill to amend an act passed in 1838 to incorporate Davidson College, which was read the first time and passed, and, on motion, referred to the committee on corporations and ordered to be printed.

Received a message from the House of Commons stating 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 cadets at military schools, which was read the first time and passed, and, on motion by Mr. J. B. Jones, referred to the committee on claims.

A resolution in favor of James Blevins, which was read the first time and passed, and, on motion by Mr. Brogden, referred to the committee on claims.

A resolution in favor of F. L. Hawks, which was read the first time and passed, and, on motion by Mr. Ramsay, referred to the committee on the library.

A resolution for the relief of Wm. M. Rhea, county court clerk of Haywood, which was read the first time and passed,
and, on motion by Mr. Wilder, the rules were suspended and said resolution read the second time and passed. Under a further suspension of the rules said resolution was read the third time, passed and ordered to be enrolled.

A bill to repeal an act to fix and settle the dividing line between the counties of Chatham and Alamance, which was read the first time and passed, and, on motion by Mr. Holt, referred to the committee on propositions and grievances.

A bill to prevent the felling of timber in Eno river, in the county of Orange, and Fisher's river, in the county of Surry, which was read the first time and passed, and, on motion by Mr. Eaton, referred to the committee on the judiciary.

A bill to amend the 5th section of the 100th chapter of the Revised Code, entitled Rivers and Creeks, which was read the first time and passed, and on motion by Mr. Eaton, referred to the committee on the judiciary.

A bill to authorize and empower the securities of James A. Brown, late sheriff of Pitt county, to collect arrears of taxes due for the years 1852-'53, which was read the first time and passed, and on motion by Mr. Houston, referred to the committee on propositions and grievances; and

A bill concerning fish, which was read the first time and passed; and on motion by Mr. Person, referred to the committee on propositions and grievances.

The bill to provide for the distribution of the proceeds of the literary fund among the several counties of this State, was read the second time and passed.

Received a message from the House of Commons, stating that the hour agreed upon for going into the election for Comptroller of State, having now arrived, they would proceed to vote on the return of the messenger; that Messrs. Humphrey and Elliott constitute the House branch of the committee to superintend said election, and that Messrs. Curtis H. Brogden and J. H. Lindsay are in nomination for the appointment.

The Senate, under the superintendence of Messrs. Fonville and Ramsay, now voted as follows:

For Mr. Brogden.—Messrs. Speaker, Battle, Boyd, Bryan,

For Mr. Lindsay.—Messrs. Burges, Cherry, Cowper, Dockery, Gibson, Gorrell, Grist, Holt, A. Myers, Pool, Ramsay, and J. W. Thomas—12.

Mr. A. J. Jones voted for Geo. W. Brooks.

Received a message from the House of Commons, concurring in the amendments of the Senate to the bill to revive and amend an act entitled an act to incorporate the Camden and Pasquotank New Cut Canal Company; ordered that said bill be enrolled.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to incorporate the Trent River and Tuckahoe Navigation Company, which was read the second time, when after debate, the further consideration of the same was postponed until 1 o'clock, P. M.

The bill to charter the Cheraw and Coalfield Railroad Company was now taken up, but on motion by Mr. Hill, said bill was ordered to be laid on the table.

On motion by Mr. W. R. Myers, the bill to amend the charter of the Western Plankroad Company, was now taken up, passed its third reading, and was ordered to be engrossed.

On motion by Mr. W. R. Myers, the Senate now took up for consideration the bill to amend the charter of the Charlotte and Taylorsville Plankroad Company; said bill was read the third time, passed, and ordered to be engrossed.

Mr. Fonville, from the committee appointed to superintend the election for Comptroller of public accounts, reported that the whole number of votes cast was 149; necessary to a choice, 75. That Curtis H. Brogden having received a majority of the whole number of votes cast, is duly elected. Report concurred in.

The engrossed resolution in favor of Martha Spears, was read the second time, and on motion by Mr. Wilder, ordered to be laid on the table.
The engrossed resolution in favor of Sarah Avery, was read the second time and passed.

On motion, the rules were suspended, and said resolution read the third time, passed, and ordered to be enrolled.

On motion by Mr. Brogden, the resolution in favor of Martha Spears, was now taken up and passed its second reading.

On motion by Mr. Brogden, the rules were suspended, and said resolution read the third time, passed, and ordered to be enrolled.

Mr. W. R. Myers introduced a bill to authorize the examination of the wife in certain cases, which was read the first time, and passed; and on motion, referred to the committee on the judiciary.

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

Resolved, That the joint-select committee on Cherokee lands be instructed to enquire into the expediency of granting relief to such persons as were required to file bonds for entries for lands pledged for the use of the Western Turnpike before the same were surveyed, which, upon the survey being made, proved to be deficient in quantity, and that the bonds were filed for a larger quantity of land than was found to be vacant; and that said committee report a bill for the relief of persons thus situated.

Said resolution was amended on motion by Mr. Eaton, by striking out all after the word "report" and inserting the words "by bill or otherwise."

The resolution was then adopted as amended.

The hour of 1 o'clock having now arrived, the Senate now resumed the consideration of the special order, viz:

The bill to incorporate the Trent river and Tuckahoe Navigation Company, which passed its second reading—yeas 25, nays 21.

Mr. Eaton demanded the yeas and nays.
Those who voted in the affirmative are, Messrs. Boyd, Bryan, Cherry, Christian, Coleman, Dockery, Fonville, Gibson, Hill, Houston, Holmes, Holt, McDermid, Mills, W. R. Myers, A. Myers, Parks, Ramsay, Rives,

Those who voted in the negative are,

On motion by Mr. Fonville, said bill was taken up and made the special order of the day for to-morrow, at the hour of 12 o'clock, M.

The engrossed bill concerning the lands of the State in the county of Watauga, was read the second time and passed.

Mr. Thomas, of Jackson, presented a paper writing concerning entries of lands; which, on motion, was referred to the committee on Cherokee lands.

Mr. A. J. Jones introduced a bill to establish the Metropolitan Bank in Raleigh, N. C., which was read the first time and passed; and, on motion, referred to the committee on banks and currency, and ordered to be printed.

The bill concerning executors and administrators, was now read the third time and rejected—yeas 7, nays 34.

Mr. Gorrell demanded the yeas and nays.

Those who voted for the passage of the bill are,

Those who voted in the negative are,

So the bill was rejected.

On motion by Mr. Mills, the Senate adjourned until to-morrow morning, 11 o'clock.
TUESDAY, DECEMBER 16, 1856.

A message was sent to the House of Commons stating that the Senate has passed the following engrossed bills and resolution, and asking their concurrence in the same, viz:

A bill to abolish jury trials in the county courts of Polk county;

A bill to amend the charter of the Western Plankroad Company passed at the session of 1850-'51;

A bill to amend the charter of the Charlotte and Taylorsville Plankroad Company;

A bill to incorporate the town of Thomasville; and

A resolution requesting the establishment of a naval depot and navy yard at Beaufort harbor.

Mr. Christian presented a memorial concerning Harnett county; which, on his motion, was referred to the committee on propositions and grievances.

Mr. Eaton, from the committee on the judiciary, to whom was referred the bill concerning the clerks of the supreme court, and the bill concerning the registration of sheriffs and constable's bonds, reported the same back to the Senate and recommended their passage.

Mr. Eaton, from the same committee, to whom was referred the bill to repeal sections 5, 6 and 7 of chapter 36 of the Revised Code, entitled "Currency," reported the same back to the Senate and recommended its rejection.

Mr. Wilder, from the same committee, to whom was referred the bill to amend the 8th section of the 45th chapter of the Revised Code of North-Carolina, reported the same back to the Senate and recommended its passage.

Mr. Houston, from the same committee, to whom was referred the bill to authorize Thos. J. Williams, sheriff of Surry county, and others, to collect arrears of taxes, reported the same back to the Senate and recommended that it do not pass.

Mr. Boyd, from the committee on finance, submitted a report in relation to the treasury department; which, on motion by Mr. Cameron, was ordered to be printed.
Mr. Pool, from the committee on the judiciary, to whom was referred the bill to amend section 7th, chapter 17th of the Revised Code concerning cattle and other stock, reported the same back to the Senate and recommended that it do not pass.

A message was received from the House of Commons informing that the committee on enrolled bills, on the part of the Commons for the present week, consists of Messrs. Pitchford, Hackney, Speer, Siler and Reeves.

Mr. Boyd, from the committee on finance, to whom was referred the bill to increase the pay of members of the Legislature, reported the same back to the Senate and recommended that it do not pass.

Mr. Boyd, from the same committee, to whom was referred the bill to amend the 1st section of the 28th chapter of the Revised Code, entitled "county revenue and charges," reported the same back to the Senate and recommended that it do not pass.

Mr. Hill, from the committee on the judiciary, to whom was referred the bill to prevent the felling of timber in Eno river, in the county of Orange, and Fisher's river, in the county of Surry, reported the same back to the Senate with amendments.

Mr. Hill, from the committee on constitutional reform, to whom was referred the supplementary bill to take the sense of the people of the State relative to the proposed amendment of the constitution, reported the same back to the Senate, and recommended its passage.

Mr. Miller introduced a bill for the benefit of creditors of deceased persons, whose estates are insolvent; which was read the first time and passed; and, on motion by Mr. Houston, referred to the committee on the judiciary.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to authorize and empower the securities of James A. Brown, late sheriff of Pitt county, to collect arrears of taxes due for the years 1852-'53, reported the same back to the Senate, and recommended its passage.
Received a message from the House of Commons, stating that the hour having arrived, the House will proceed, according to the joint agreement, to vote for Councillors of State on the return of the messenger; that the committee on the part of the Commons to superintend said election, consists of Messrs. Dancy and Stubbs, and that the following persons are in nomination, viz.:—Messrs. G. C. Marchant, D. G. W. Ward, N. M. Long, W. D. Bethell, A. A. McKay, John Walker, C. M. Avery, Alfred Brower, R. F. Armfield, Michael W. Holt, Roswell A. King, W. M. Pickett, B. D. Ferebee, Richard S. Donnell, and G. P. Routh.

The Senate, under the superintendence of Messrs. Wilder and Cherry, then voted *viva voce*, as follows:


For A. A. McKay.—Messrs. Speaker, Battle, Boyd, Cam-


For Jos. B. Cherry.—Messrs. Dockery, Grist, A. Myers and Parks—4.

For James Banks.—Messrs. Dockery, Gibson, Grist and Holt—4.

For J. Pool.—Messrs. A. Myers and Parks—2.

Mr. A. J. Jones voted for Thomas Ruffin, Sr., W. A. Wright, A. W. Venable, John Baxter, H. W. Miller and H. L. Holmes.

Mr. Dockery voted for Ralph Gorrell and E. McQueen.

Mr. Gorrell voted for Fred. Hill and Wm. A. Lash.

Mr. Holt voted for Dr. A. Myers, and Mr. Parks voted for Mr. Dockery.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to incorporate the Trent river and Tuckahoe Navigation Company, which was read the third time and passed—yeas 22, nays 21.

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 third reading, and was ordered to be engrossed.

Mr. Thomas, of Jackson, from the committee on Cherokee lands, to whom was referred the memorial of Dr. Tate and others, in relation to Cherokee lands, submitted a detailed report thereon; which, on motion by Mr. Mills, was ordered to be sent to the House of Commons, with a proposition to print the same.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to incorporate
the Macon County Turnpike Company, 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 concerning fish, reported the same back to the Senate, with a recommendation that it do not pass.

Mr. Wilder, from the committee appointed to superintend the election of seven Councillors of State, reported, that the whole number of votes cast was 160; necessary to a choice, 81. That Messrs. G. C. Marchant, D. G. W. Ward, N. M. Long, Wm. D. Bethell, A. A. McKay, John Walker and C. M. Avery, having each received a majority of the whole number of votes given, are duly elected. Report concurred in.

On motion by Mr. Cunningham, the Senate now took up for consideration the bill to secure the holders of coupon bonds of the State against losses by accidents to said bonds, which was read the second time and passed; and on motion by Mr. Cunningham, referred to the committee on the judiciary.

Mr. Houston introduced a bill to require persons who sue railroad companies, to give notice to the president or superintendent of the same; which was read the first time and passed, and on motion, referred to the committee on the judiciary.

On motion by Mr. Person, the Senate now proceeded to the consideration of the engrossed bill concerning fish, and the same being read the second time, Mr. Wiggins moved the following amendment as an additional section to the bill, 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 five hundred 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 weath-
er or other unavoidable cause, be drawn ashore before sun-
set on Saturday.

Mr. Person moved that the bill and amendment be indefi-
nitely postponed; pending which,

On motion by Mr. Gibson, the Senate adjourned until to-
morrow morning, 11 o'clock.

WEDNESDAY, DECEMBER 17, 1856.

Received a message from the House of Commons stating
that it has passed the following engrossed bill and asking the concurrence of the Senate therein, viz:

A bill to repeal in part the 17th section of the 85th chapter of the Revised Code; which was read the first time and passed, and, on motion by Mr. Hill, referred to the committee on the judiciary.

Mr. Eaton, from the committee on corporations, to whom was referred the bill to incorporate the Salem Cenetary Com-
pany, reported the same back to the Senate with amend-
ments.

Mr. Hill, from the committee on the judiciary, to whom was referred the bill to authorise the examination of the wife in certain cases, reported the same back to the Senate and recommended its passage.

Mr. Hill, from the same committee, to whom was referred the bill to authorise plankroad and turnpike companies to use stone and gravel in their construction, reported the same back to the Senate and recommended its passage.

Mr. Hill, from the same committee, to whom was referred the resolution instructing them to enquire into the expediency of compelling owners of land to have their lines run and chopped, reported the same back to the Senate and asked to be discharged from its further consideration. Discharged ac-
cordingly.
Mr. Brogden, from the committee on claims, to whom was referred the resolution in favor of John Foster, reported the same back to the Senate and recommended its passage.

The Speaker laid before the Senate a statement from the public treasurer concerning the finances of the State; which, on motion by Mr. Boyd, was ordered to be transmitted to the House of Commons with a proposition to print the same.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to repeal the 117th chapter of the Revised Code entitled an act to restrain the taking of excessive usury, reported the same back to the Senate and recommended that it do not pass.

Mr. Houston, from the committee on library, to whom was referred the engrossed resolution in favor of F. L. Hawks, reported the same back to the Senate and recommended its passage.

The resolution was now read the second time and passed; on motion by Mr. Houston, the rules were suspended and said resolution read the third time, passed and ordered to be enrolled.

Mr. Wilder introduced a bill to amend an act entitled an act to incorporate the Western North-Carolina Railroad Company; which was read the first time and passed, and, on motion by Mr. Wilder, referred to the committee on internal improvements and ordered to be printed.

Mr. Christian introduced a bill to incorporate the North-Carolina Gas, Coal and Transportation Company; which was read the first time and passed, and, on motion, referred to the committee on corporations.

Mr. Thomas, of Jackson, a bill to amend the charter of the Cheoah Turnpike Company; which was read the first time and passed, and, on motion, referred to the committee on internal improvements.

Mr. Thomas, of Jackson, introduced the following resolution, which was read and adopted, viz:

Resolved, That the committee on internal improvements be instructed to enquire into the expediency and practicability of adopting measures to be provided for by future acts of the
Legislature to cause the railroads known as the North-Carolina Western and Wilmington and Charlotte, authorized to be constructed under the acts of 1854–'55, may be brought to some point on this side of the Blue Ridge and from the junction but one road instead of two may be constructed across the mountain division of the road, to be for the mutual advantage of both, on terms of equality without any discrimination being made thereon to the prejudice of either; and that said committee report by bill or otherwise.

Mr. Battle introduced a bill vesting femes covert with the right of their slave estate, which was read the first time and passed, and on motion referred to the committee on the judiciary.

Mr. Houston, a bill to incorporate the trustees of the Warsaw High School, in the county of Duplin, which was read the first time and passed; and on motion, referred to the committee on corporations.

Mr. Gorrell, from the committee on the judiciary, to whom was referred the bill to establish the standard bushel of wheat, rye, Indian corn, &c., reported the same back to the Senate and recommended that it do not pass.

On motion by Mr. Coleman, the bill to repeal the 9th section of the act passed by the General Assembly, at its session of 1854–'55, entitled an act to incorporate the Greenville and French Broad Railroad Company, was now taken up, and made the special order of the day for to-morrow, at the hour of 12 o'clock.

The Senate now proceeded to the consideration of the unfinished business of yesterday, viz:

The engrossed bill concerning fish, with the amendment proposed thereto.

The question being on the motion to postpone the same indefinitely, which was determined in the affirmative—yeas 28, nays 17.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Battle, Boyd, Burges, Cameron, Carr, Chesson, Clark, Coleman, Cowper, Cunningham, Dillard, Fennell, Grist,

Those who voted in the negative are,

So the bill and amendment were indefinitely postponed.

Mr. W. R. Myers now introduced a bill to expedite the passage of fish up the Roanoke and Chowan rivers, which was read the first time and passed; and on motion, referred to the committee on internal improvements.

On motion by Mr. McDiarmid, the Senate now took up for consideration, the bill to amend the act of 1854-'55, in relation to Harnett county, which was read the third time.

Mr. Rives offered a substitute for the same, which was rejected.

The question now recurred on the passage of the bill its third reading, and was determined in the affirmative—yeas 33, nays 10.

Mr. Rives 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.

On motion by Mr. Hill, leave of absence was granted to the Senator from Onslow, from and after to-day, until the 25th inst.

On motion by Mr. Hill, leave of absence was granted to
the Senator from Gates, from Monday next, until Monday thereafter.

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

On motion by Mr. Christian, the bill to charter the Cheraw and Coalfield Railroad Company, was now taken up, and made the special order of the day for Saturday next, at the hour of 12 o'clock, M.

On motion by Mr. Hill, the Senate now adjourned until tomorrow morning 11 o'clock.

THURSDAY, DECEMBER 18, 1856.

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

A bill to incorporate the Trent river and Tuckahoe Navigation Company, and,

A bill to amend an act of the session of 1854-'55, entitled an act supplemental to an act to establish a new county by the name of Harnett.

Received a message from the House of Commons concurring in the proposition of the Senate to print the statement of the public Treasurer, and the report and memorial of the joint-select committee on Cherokee lands.

Also, a message transmitting a message from his Excellency, the Governor, with an accompanying report of the board of internal improvements, and a report of the directors of the Atlantic and North-Carolina Railroad Company, with a proposition to print the same.

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

A message was received 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 incorporate the town of Rockingham in the coun-
ty of Richmond, which was read the first time and passed; and, on motion by Mr. Eaton, referred to the committee on corporations.

A bill to incorporate York Collegiate Institute, in the county of Alexander; which was read the first time and passed; and, on motion by Mr. Eaton, referred to the committee on education and the literary fund; and

A bill concerning the common schools of the State of North-Carolina, which was read the first time and passed; and, on motion by Mr. Eaton, referred to the committee on education and the literary fund.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to incorporate the Danville and Greensboro' Railroad Company, reported the same back to the Senate with amendments, and on his motion, said bill and report were ordered to be printed.

The Speaker laid before the Senate a memorial from the citizens of Caldwell county, concerning the Western North-Carolina Railroad; which, on motion by Mr. Thomas, of Jackson, was referred to the committee on internal improvements.

A message was received from the House of Commons, proposing to raise a joint committee of one on the part of the Senate, and two on the part of the House, to wait on his Excellency, Governor Bragg, and inform him of his election as Governor of North-Carolina, for two years from the 1st day of January next, and to ascertain when it will suit his convenience to appear before the two Houses of this General Assembly, and take the oaths of office. The proposition was concurred in, and the House of Commons informed by message that Mr. Mills is appointed the committee on the part of the Senate.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to incorporate the Milton Junction Railroad Company, reported the same back to the Senate, with amendments.

On motion by Mr. Thomas, of Jackson,

Ordered, That said bill and report be printed.

Mr. Thomas, of Jackson, from the same committee to whom
was referred the bill to amend the charter of the Cheoih Turnpike Company, 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 making the Weldon and Wilmington Railroad, the line between Nash and Edgecombe counties, and repealing the old line dividing said counties, and the bill to repeal an act to fix and settle the dividing line between the counties of Chatham and Alamance, reported said bills back to the Senate, and recommended that they do not pass.

Mr. Wilder, from the committee on banks and currency, to whom was referred the bill to recharter the bank of the State, reported the same back to the Senate, with amendments, and, on his motion, said bill was taken up and made the special order of the day for Saturday next, at the hour of half past 12 o'clock, M.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to repeal the 9th section of the act passed by the General Assembly, at its session of 1854-'55, entitled an act to incorporate the Greenville and French Broad Railroad Company; said bill being read the second time, Mr. Thomas, of Jackson, moved that the same be laid on the table and printed, and that the 9th section of the charter of said company which is proposed to be repealed, be also printed; which motion prevailed—yeas 26, nays 15.

Mr. Thomas, of Jackson, demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

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 of Commons, 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. Conceded in, and the House of Commons informed by message, that Messrs. Clark, Wilder and Pool, constitute said committee on behalf of the Senate.

Mr. Boyd introduced the following resolution, viz:

Whereas, Many Senators have important business engagements which require them to leave the city before the close of the year. Therefore,

Be it Resolved, That no appropriation bills, resolution or other important subject shall be considered and passed from and after Monday next until the Monday following.

Mr. Wiggins moved to amend the same by striking out all after the word “resolved,” and inserting “That the Senate will not consider, on and after the 24th instant, until the 1st of January next, any bill or resolution upon its second or third reading, except private bills.”

Mr. Pool moved to amend the amendment as follows, viz: strike out the word “first” and insert the words “the third;” which motion did not prevail.

The question now recurred on the amendment of Mr. Wiggins, which was agreed to.

The resolution, as amended, was then adopted.

Mr. Gorrell introduced a resolution, accompanied by a memorial, and other papers, in favor of John M. Morehead and W. H. Arendell, which was read the first time and passed, and, on motion, referred to the committee on the judiciary.

Mr. Person introduced a bill to authorise the public Treasurer to subscribe for stock in the Seaboard and Roanoke Railroad Company; which was read the first time and passed, and, on motion, referred to the committee on internal improvements.

Mr. Rives a bill, accompanied by a memorial, to amend an act to incorporate the town of Pittsboro', in Chatham county;
which was read the first time and passed, and, on motion, referred to the committee on corporations.

Mr. Wilder, a bill to revive an act passed at the session of 1854-'55, entitled an act to incorporate the Chatham Railroad Company; which was read the first time and passed, and, on motion, referred to the committee on internal improvements.

Mr. Martin a bill to construct the Piedmont Turnpike Company; which was read the first time and passed, and, on motion, referred to the committee on internal improvements.

On motion by Mr. Boyd, the Senate now took up for consideration the supplementary bill to take the sense of the people relative to the proposed amendment of the constitution; which was read the second time and passed.

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

On motion by Mr. Houston, the bill to amend the act incorporating the Wilmington Savings Bank was now taken up, read the third time, passed and ordered to be engrossed.

The bill to amend the act to incorporate the Tuckesege and Keowe Turnpike Company was read the third time, passed and ordered to be engrossed.

The engrossed bill to repeal that portion of the Revised Code which relates to fire hunting by night was read the third time and passed, and the title of said bill amended so as to read: A bill to declare the meaning of that portion of the Revised Code which relates to fire hunting by night; whereupon,

A message was sent to the House of Commons asking their concurrence in the Senate's amendments.

The bill to allow the clerk of Craven county more time to make out his tax list;

The bill to amend the act of 1850, and subsequent acts with regard to the Oconalufita and Qualatown Turnpike Company; and,

The bill to amend the charter of the Tuckesege and Nantahala Turnpike Company; were severally read the third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate the town of Troy, in
Montgomery county, 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 provide for the distribution of the literary fund among the several counties of the State, was now taken up; but, on motion by Mr. Clark, ordered to be laid on the table.

The engrossed bill concerning the lands of the State in the county of Watauga, was read the third time and rejected—yeas 17, nays 22.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Clark moved that the vote just taken, by which the engrossed bill concerning the lands of the State, in the county of Watauga was rejected, be reconsidered, and that the motion to reconsider be laid on the table.

Mr. W. R. Myers moved that the Senate do now adjourn until to-morrow morning, 11 o'clock; which motion was lost—yeas 2, nays 36.

Those who voted in the affirmative are,
Messrs. A. Myers, White and Wilder—3.

Those who voted in the negative are,

So the Senate refused to adjourn.

The question now recurred on the motion to lay on the ta-
ble the motion to reconsider the vote by which was rejected the engrossed bill concerning the lands of the State, in the county of Watauga; which was determined in the affirmatived—yeas 22, nays 20.

Those who voted in the affirmative are,

Those who voted in the negative are,

On motion by Mr. Wilder, the Senate adjourned until tomorrow morning 11 o'clock.

FRIDAY, DECEMBER 19, 1856.

Mr. Person introduced two memorials from the citizens of Northampton county, concerning free persons of color; which, on motion, were referred to the committee on propositions and grievances.

Mr. Clark, from the committee on education and the literary fund, to whom was referred the bill to incorporate the Holly Spring High School, in Wake county, reported the same back to the Senate with amendments.

Mr. Hill, from the committee on the judiciary, to whom was referred the bill for the benefit of creditors of deceased persons whose estates are insolvent;

And the bill to require persons who sue railroad companies to give notice to the president or superintendent of the same; reported said bills back to the Senate, and recommend that they do not pass.

Mr. Hill, from the same committee, to whom was referred the bill to secure the holders of the coupon bonds of the
State against losses by accident, reported the same back to the Senate, and recommended its passage.

Mr. Person introduced a bill to authorize Joshua Small and others to reside in this State, which was read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

Mr. Cameron introduced a bill, accompanied by a memorial, to amend the charter of the town of Hillsboro', which was read the first time and passed; and, on motion, referred to the committee on corporations.

Received a message from the House of Commons transmitting a message from his Excellency, the Governor, accompanied by a report from the president and directors of the literary fund, proposing to print the same.

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

Also, a message informing that Messrs. Settle and Green constitute the House branch of the committee to wait on his Excellency, Thomas Bragg, and inform him of his re-election to the office of Governor of the State, and to ascertain when it will suit his convenience to appear before the two Houses of the General Assembly and take the usual oaths of office.

Also, a message informing that the House branch of the committee to make arrangements for the reception and qualification of the Governor elect, consists of Messrs. Humphrey, Mason, Ferebee, Martin and Whitson.

Mr. Gorrell introduced a bill to extend the charter of the New Garden Boarding School, 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.

Mr. Fennell, a bill to amend an act entitled an act to incorporate the Bank of Wilmington, North-Carolina, ratified 14th January, 1855, which was read the first time and passed; and, on motion by Mr. A. J. Jones, referred to the committee on banks and currency.

Mr. Thomas, of Jackson, a bill to incorporate the Nantahala Mining Company, which was read the first time and
passed; and, on motion, referred to the committee on the judiciary.

Also, a bill to incorporate the Tuckasege Mining Company, which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

Also, a petition from the citizens of Macon county, concerning the Tennessee River Railroad Company; which, on motion, was referred to the committee on internal improvements.

Mr. Bryan, a bill concerning the Deep Gap and Stone Mountain Road, in the county of Watauga, which was read the first time and passed; and on motion, referred to the committee on internal improvements.

The following enrolled bill and resolutions were reported to, and ratified in the Senate, viz:

A bill to revive and amend an act entitled an act to incorporate the Camden and Pasquotank New Cut Canal Company;

A resolution in favor of Wm. M. Rhea, county court clerk of Haywood;

A resolution in favor of Joseph Ramsay;

A resolution concerning the Cape Fear and Deep Rivers.

A resolution in favor of Martha Spears; and

A resolution in favor of Sarah Avery.

Mr. Ward introduced a bill to incorporate the Pollocksville Lodge, No. 175, in Jones county, which was read the first time and passed; and on motion, referred to the committee on corporations.

On motion by Mr. Cunningham, the Senate now took up for consideration, the bill to secure holders of coupon bonds of the State against losses by accidents, which was read the third time.

Mr. Gorrell moved the following amendment to come in as section 3d, viz:

Be it further enacted, That the registry of said bonds shall be received as evidence of their existence, amount, and when due and payable, in all cases where the original is lost or destroyed, or cannot be obtained.
The amendment was agreed to, and the bill passed its third reading as amended, and was ordered to be engrossed.

The bill to repeal sections 5th, 6th and 7th of chapter 36th of the Revised Code, entitled Currency, was read the second time.

Mr. Holt moved to amend the same as follows, viz: Strike out all after the enacting clause, and insert: "That so much of the 6th section of the 36th chapter of the Revised Code, entitled Currency, as prohibits any citizen of this State from receiving or passing any bank note which may be issued by the Bank of this State of a less denomination than three dollars, under a penalty of five dollars, as well as being deemed guilty of a misdemeanor, be and the same is hereby repealed.

Be it further enacted, That the 7th section of said chapter be, and the same is hereby repealed.

On motion by Mr. Eaton, said bill and amendment were ordered to be laid upon the table and printed.

Mr. Hill, from the committee on the judiciary, to whom was referred the engrossed bill to repeal in part, the 17th section of the 85th chapter of the Revised Code, reported the same back to the Senate, and recommended its passage.

On motion by Mr. Fennell, the bill was read the second time and passed.

On motion by Mr. Thomas, of Jackson, the rules were suspended, and said bill read the third time, passed, and ordered to be enrolled.

The bill to amend the 1st section of the 28th chapter of the Revised Code, entitled County Revenue and Charges, was read the second time, and on motion by Mr. Dockery, ordered to be laid on the table.

The bill to incorporate the Salem Cemetery Company, was read the second time, the amendments recommended by the committee agreed to, and the bill passed its second reading as amended.

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

The engrossed bill to incorporate the Holly Springs High
School in the county of Wake, was read the second time, the amendments recommended by the committee agreed to, and the bill passed its second reading as amended.

The bill making the Weldon and Wilmington Railroad the dividing line between the counties of Nash and Edgecombe, was read the second time.

Mr. Battle moved that the same be laid on the table, which motion did not prevail; whereupon,

On motion by Mr. A. J. Jones, the further consideration of said bill was postponed until the 4th day of July next.

On motion by Mr. Ward, leave of absence was granted to the Senator from Nash, from and after Tuesday next, until the 25th instant.

On motion by Mr. Eaton, leave of absence was granted to the Senator from Green and Lenoir, from and after Tuesday next, until the Monday following.

On motion by Mr. Battle, leave of absence was granted to Mr. Ward, from and after Monday next until Wednesday the 24th instant.

On motion by Mr. Thomas, of Jackson, the Senate adjourned until to-morrow morning, 11 o'clock.

SATURDAY, DECEMBER 20, 1856.

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 allow the clerk of the county court of Craven more time to make out his tax list;

A bill to amend the charter of the Tuckasege and Nantahala Turnpike Company;

A bill to amend the act incorporating the Tuckasege and Keowee Turnpike Company;

A bill to amend the act incorporating the Wilmington Savings Bank;

A bill to amend the several acts in regard to the Oconaluftee and Quallatown Turnpike Company; and
A bill supplemental to the act amending the constitution.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to authorise Joshua Small and others to reside in this State, reported the same back to the Senate and recommended that it do not pass.

Mr. A. Myers introduced a memorial concerning military affairs; which, on motion, was referred to the committee on military affairs.

Mr. J. B. Jones introduced a memorial concerning fishing; which, on motion, was referred to the committee on propositions and grievances.

Mr. Eaton introduced a bill to incorporate the Warrenton Female College; which was read the first time and passed, and, on motion, referred to the committee on education and the literary fund.

Mr. Cunningham a bill concerning the coupon bonds of the State; which was read the first time and passed, and, on motion, referred to the committee on the judiciary.

The engrossed bill to incorporate the Holly Springs High School in Wake county 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 concerning the pay of members of the General Assembly was read the second time, and, on motion by Mr. Wigg's, ordered to be laid on the table.

The bill to authorize plank roads and turnpike companies to use stone and gravel in the construction of the same was read the second time and passed.

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

The engrossed resolution in favor of Bedford Sherrill, of Buncombe county, was read the second time and passed.

On motion by Mr. Speight, the rules were suspended and said resolution read the third time and passed, and ordered to be enrolled.

The engrossed resolution in favor of W. R. Baird was read the second and third times, passed, and ordered to be enrolled.

The engrossed bill to amend the 8th section of the 45th
chapter of the Revised Code of North-Carolina was read the second time and passed.

On motion by Mr. Ramsay, the rules were suspended and said bill read the third time, passed and ordered to be enrolled.

The engrossed bill concerning the registration of sheriffs and constables' bonds was read the second and third times, passed and ordered to be enrolled.

The engrossed bill to establish the standard bushel of wheat, rye, Indian corn, &c., was read the second time.

Mr. Cunningham moved that the further consideration of the bill be postponed until the 4th day of March next.

Mr. Holt moved that the bill be laid on the table. The motion was lost.

The question now recurred on the motion of Mr. Cunningham, which was determined in the affirmative—yeas 28, nays 9.

Mr. White demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Received a message from the House of Commons accompanied by a message from his Excellency, the Governor, transmitting sundry resignations of justices of the peace, which were ordered to be filed among the archives of the Senate.

A message was received from the House of Commons concurring in the amendments of the Senate to the following bills, viz:

The bill to incorporate the town of Troy, in Montgomery county; and

The bill to repeal that portion of the Revised Code which relates to fire-hunting by night.

Ordered, That said bills be enrolled.
Mr. Clark introduced a bill to incorporate the trustees of the Female College of the Methodist Conference of North-Carolina, which was read the first time; and, on motion, referred to the committee on education and the literary fund.

Mr. A. Myers, introduced a resolution concerning the passage of fish up the Pee Dee river, which was read the first time and passed; and, on motion by Mr. Thomas, of Jackson, referred to the committee on internal improvements.

Mr. Mills, from the committee appointed to wait on the Hon. Thomas Bragg, and inform him of his election to the office of Governor of the State, and to ascertain when it will suit his convenience to appear before the two Houses of the General Assembly to take the oaths of office, reported that he would appear before the two Houses, for that purpose, on the 1st day of January next, which said report was transmitted to the House of Commons.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to authorize the public Treasurer to subscribe for stock in the Seaboard and Roanoke Railroad Company, reported the same back to the Senate with amendments.

Mr. Battle introduced a bill authorizing the magistrates of Nash county court to establish a toll bridge or ferry line across Tar river, which was read the first time and passed; and on motion, referred to the committee on propositions and grievances.

On motion by Mr. Houston,

Ordered, That a message be sent to the House of Commons, proposing to go into the election of a public Treasurer on Monday next, at 12 o'clock, M.

Mr. A. J. Jones introduced a bill to confirm the title of R. D. S. Bell to certain lands, which was read the first time and passed; and, on motion, referred to the committee on claims.

On motion by Mr. Coleman, leave of absence was granted to the Senator from Rutherford, from and after Monday next, until the 1st day of January.

The engrossed bill to authorize Thomas J. Williams, sheriff
of Surry county, and others, to collect arrears of taxes, was read the second time.

Mr. White moved the following amendment to be inserted after the word or figures 55, viz: "and that Mills Higgins, late sheriff of McDowell county, be also empowered to collect all arrearages of taxes due him."

The amendment was adopted, and the bill passed its second reading as amended.

The bill to repeal the 117th chapter of the Revised Code, entitled an act to restrain the taking of excessive usury, was read the second time; and, on motion by Mr. Wilder, ordered to be laid on the table.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to charter the Coalfield and Cheraw Railroad Company, which was read the second time, the amendments recommended by the committee agreed to;

But pending the consideration of said bill, and before any question was taken thereon,

The Speaker announced the arrival of the hour for considering the bill to re-charter the Bank of the State of North Carolina; when

On motion by Mr. Wilder, it was ordered that said bill be laid on the table.

The Senate now resumed the consideration of the bill to charter the Coalfield and Cheraw Railroad Company; and the question recurring on the passage of the bill its second reading, the same was determined in the negative—yeas 18, nays 25.

Mr. Battle demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Battle, Brogden, Burges, Cameron, Carr, Chesson, Clark, Cowper, Cunningham, Eaton, Fennell, Grist, Hohnes, Houston, J. B. Jones, A. J. Jones, Miller, Pool, Ramsay,

Received a message from the House of Commons, concurring in the proposition of the Senate to go into the election of public Treasurer on Monday next, at 12 o'clock, M.

On motion by Mr. Thomas, of Jackson,

Resolved, That the committee on the judiciary enquire into and report, for the benefit of the committee on finance, how far this Legislature has the power to levy a discriminating tax upon the productions and manufactures of such States, as by resolutions and acts of the Legislatures have in effect put themselves out of the union with the slaveholding States, by preventing the execution of the law passed by Congress, which in accordance with the 2nd section of the 4th article of the Constitution of the United States, they had the right and were required to pass for the return of fugitive slaves.

On motion by Mr. Wilder, the bill to re-charter the Bank of the State of North-Carolina, was now taken up, and made the special order of the day for Monday next, at the hour of 12 o'clock.

On motion by Mr. J. B. Jones, leave of absence was granted to the Senator from Craven, from and after Monday until the first day of January next.

Mr. Thomas, of Jackson, now moved a reconsideration of the vote by which was rejected the bill to incorporate the Coalfield and Cheraw Railroad Company; pending the consideration of which,

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

MONDAY, DECEMBER 22, 1856.

The Speaker announced that Messrs. Wilder, Coleman, and Thomas, of Jackson, constitute the Senate branch of the committee on enrolled bills for the present week, of which the House of Commons was informed by message.

The Speaker laid before the Senate the memorial of Jesse
Harris, praying that a portion of Burke county be attached to the county of Caldwell; which, on motion, was referred to the committee on propositions and grievances.

On motion by Mr. Hill, leave of absence was granted to the Senator from Anson county, for four days, from and after to-day.

On motion by Mr. Houston, leave of absence was granted to the Senator from Sampson, from and after Wednesday, until Sunday next.

On motion by Mr. Hill, leave of absence was granted to the Senator from Person, from and after to-morrow, until the Tuesday thereafter.

On motion by Mr. Ramsay, the Senator from Cabarrus obtained leave of absence from and after to-day, until Monday next.

On motion by Mr. Gibson, leave of absence was granted to the Senator from Rowan, from and after to-day, until Monday next.

On motion by Mr. Gorrell, leave of absence was granted to the Senator from Richmond, from and after the 25th inst., until the 2nd day of January next.

On motion by Mr. Holt, leave of absence was granted to the Senator from Granville, from and after to-morrow, until Monday next.

On motion by Mr. J. B. Jones, leave of absence was granted to the Senator from Northampton, from the 24th inst., until the 1st of January next.

On motion by Mr. Person, leave of absence was granted to the Senator from Pitt, from the 24th inst., until Monday next.

On motion by Mr. Rives, leave of absence was granted to the Senator from Beaufort, from and after to-morrow, until the 2d day of January next.

On motion by Mr. Rives, leave of absence was granted to the Senator from Brunswick, from and after to-morrow, until the 1st day of January next;

And to the Senator from Hyde, from the 25th inst., until the 1st day of January next.

On motion by Mr. Hill, leave of absence was granted to
the Senator from Cumberland, from and after Wednesday, until the 1st day of January next.

Mr. Person introduced a memorial concerning the removal of an election precinct, in the county of Northampton; which, by his motion, was ordered to be laid on the table.

Mr. Clark, from the committee on education and the literary fund, to whom was referred the bill to extend the charter of the New Garden Boarding School and for other purposes, and the bill to incorporate the Warrenton Female College, reported said bills back to the Senate, and recommended their passage.

Mr. Eaton, from the committee on corporations, to whom was referred the bill to incorporate the North-Carolina Gas, Coal and Transportation Company, reported the same back to the Senate with amendments.

Mr. Eaton, from the same committee, to whom was referred the bill to incorporate the Pollocksville Lodge, No. 175, in Jones county, reported the same back to the Senate, and recommended its passage.

Mr. Eaton, from the same committee, to whom was referred the bill to incorporate the town of Rockingham, in the county of Richmond, reported the same back to the Senate, and recommended its passage.

Mr. Eaton, from the same committee, to whom was referred the bill to incorporate the Yadkin Manufacturing Company, reported the same back to the Senate with amendments.

On motion by Mr. Houston,

Resolved, That the committee on the judiciary be requested to investigate the law in relation to oaths and witnesses, and if in their opinion a certain denomination of Christians, known as Universalists, are by existing laws rendered incompetent to testify in court, or if they are by virtue of their religious belief excluded from the privilege of taking an oath, then the said committee be required to report by bill or otherwise some measure that will admit them to that privilege, and place them upon an equality, in that respect, with other Christians.

On motion by Mr. Holt,
Resolved, That the judiciary committee be requested to enquire into the expediency of so amending the law, respecting a geological survey of the State, as to require the officers of said survey to devote their time and attention more particularly to the nature and character of the soils of the State, and the best mode of improving the same, and that they be requested to report a bill to effect that object.

On motion by Mr. Holt, the resolution heretofore submitted by him respecting the geological survey of the State, and the statement of the Public Treasurer in regard to the same was now taken up and referred to the committee on the judiciary.

Mr. Person introduced a bill to remove an election precinct in the county of Northampton, which was read the first time and passed.

Mr. Coleman a bill to amend an act entitled an act to incorporate the Indian Grave Gap Turnpike Company, passed at the session of 1854-'55, which was read the first time and passed; and, on motion, referred to the committee on internal improvements.

Mr. Cameron a bill to exempt from taxation, and to fix the rate of interest on the bonds of the North-Carolina Railroad Company, which was read the first time and passed; and, on motion, referred to the committee on finance.

The Senate now proceeded to the consideration of the unfinished business of yesterday, viz:

The motion to reconsider the vote by which the bill to charter the Coalfield and Cheraw Railroad Company was rejected.

Mr. A. J. Jones moved to lay said motion to reconsider on the table; the motion was lost—yeas 14, nays 22.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Boyd, Bryan, Christian, Coleman, Dockery, Gibson,

So the Senate refused to lay on the table.

The question now recurred on the motion to reconsider and was carried.

On motion by Mr. Thomas, of Jackson, said bill was taken up and ordered to be laid on the table.

Mr. Hill now moved a reconsideration of the vote by which was rejected the engrossed bill to establish the standard bushel of wheat, rye, Indian corn, &c. The motion was lost.

The engrossed bill to incorporate the Macon County Turnpike Company, was read the second time and passed.

The bill concerning the clerks of the supreme court was read the second and third times, passed and ordered to be engrossed.

The engrossed bill to authorize the securities of James A. Brown, late sheriff of Pitt county, to collect arrears of taxes due for the years 1852-'53, was read the second and third times, passed, and ordered to be enrolled.

The engrossed bill to authorize Thos. J. Williams, sheriff of Surry county, and others, to collect arrears of taxes due for the years 1852-'53, was read the third time, amended by motion of Mr. White, by extending its provisions to Jonas Cline, of Catawba county, and on motion by Mr. Speight, indefinitely postponed—yeas 22, nays 16.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


On motion by Mr. Ramsay, leave of absence was granted
to the Senator from Halifax, for four days from and after to-
morrow.

The hour agreed on by the two Houses for going into the
election for Public Treasurer, having now arrived, Mr. Hous-
ton nominated D. W. Courts for the office, and on motion by
Mr. Pool, the name of C. L. Hinton was added to the nomi-
nation; whereupon, a message was sent to the House of
Commons informing thereof, and that Messrs. Speight and
Wiggins constitute the committee to superintend said elec-
tion on the part of the Senate.

Received a message from the House of Commons, stating
that the committee on behalf of the Commons to superintend
the election of Public Treasurer, consists of Messrs. Scales
and Martin.

The Senate, under the superintendence of Messrs. Speight
and Wiggins, then voted as follows:

For Daniel W. Courts.—Messrs. Speaker, Battle, Boyd,
Brogden, Bryan, Cameron, Carr, Chesson, Clark, Coleman,
Cunningham, Eaton, Fennell, Gibson, Hawkins, Hill, Holmes,
Houston, J. B. Jones, A. J. Jones, McDiarmid, Martin, W.
R. Myers, Person, Ramsay, Rives, Speight, Taylor, W. H.
Thomas, White and Wilder—31.

For C. L. Hinton.—Messrs. Burges, Dockery, Gorrell, Grist,

Received a message from the House of Commons, inform-
ing that Messrs. Green, Ferebee, Masten, Person, and Folk
constitute the House branch of the committee on enrolled
bills for the present week.

The hour of 12 o'clock having now arrived, the Speaker
announced the special order, viz:

The bill to re-charter the Bank of the State of North-Car-
olina, which was read the second time, and after debate, on
motion by Mr. Gorrell, the further consideration of the same
was postponed until Monday, the 5th day of January next,
and made the special order for that day, at the hour of 12
o'clock, M.

Mr. Brogden, from the committee on claims, to whom was
referred the resolution in favor of James Blevins, reported
the same back to the Senate, and recommended its passage.

Mr. Brogden, from the same committee, to whom was referred the resolution in favor of Clifton Keeton, made an unfavorable report thereon, and moved the indefinite postponement of the same, which motion prevailed.

The resignation of Curtis H. Brogden, the Senator from the county of Wayne (being the 22d Senatorial district) was read and accepted.

Whereupon, on motion by Mr. Wilder,

Resolved, That the Speaker of the Senate be requested to issue a writ of election to the sheriff of Wayne county, directing him to hold an election on Wednesday, the 31st instant, to fill the vacancy caused by the resignation of C. H. Brogden, Esq.

Mr. Speight, from the committee appointed to superintend the election for Treasurer of the State, reported that the whole number of votes cast is 134; necessary to a choice, 68; that D. W. Courts received 112 votes, and C. L. Hinton 22 votes; that Daniel W. Courts having received a majority of the whole number of votes cast, is duly elected. Report concurred in.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to provide for the improvement of certain rivers in Sampson county, reported the same back to the Senate, and recommended its passage.

On motion by Mr. Speight, the Senate adjourned until tomorrow morning, 11 o'clock.

TUESDAY, DECEMBER 23, 1856.

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 concerning the clerk of the supreme court;
A bill to secure the holders of the coupon bonds of the State against loss by accident, &c.;
A bill to incorporate the Salem Cemetery Company; and
A bill to authorize plankroad and turnpike companies to use stone and gravel in the construction of roads.

The following enrolled bill and resolution were returned to, and ratified in the Senate, viz:

A bill to repeal in part the 17th section of the 85th chapter of the Revised Code; and,

A resolution in favor of Rev. Francis L. Hawks, allowing access to the records and library of this State.

Mr. Thomas, of Jackson, moved that a message be sent to the House of Commons, proposing that when the two Houses adjourn to-day, they adjourn by joint ballot, until ten o'clock on Saturday next.

Mr. Hill moved to lay the proposition on the table; which was agreed to—yeas 16, nays 14.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Wilder, from the committee on the judiciary, to whom was referred the bill vesting in fames covert the right of their slave property, reported the same back to the Senate, and recommended that it do not pass.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial of Jesse Harris, praying that a part of Burke be attached to the county of Caldwell, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Clark, from the committee appointed to make arrangements for the inauguration of the Governor elect, submitted the following report; which was read and concurred in:

"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 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 the purpose; and after the Governor elect shall have taken and subscribed the oaths 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 the Speaker of the Senate will retire at the head of the members of the Senate.

Respectfully submitted,

HENRY T. CLARK.
GASTON H. WILDER,
JOHN POOL,

"Senate Committee."

Mr. Gorrell, from the committee on the judiciary, to whom was referred the bill concerning the Deep Gap and Stone Mountain Road, in the county of Watauga, reported the same back to the Senate with amendments.

Mr. Hill, from the committee on the judiciary, to whom was referred a resolution in relation to the geological survey of the State, reported the same back to the Senate, and asked to be discharged from its further consideration.

On motion by Mr. Holt, ordered that the same be laid on the table.

Mr. Dockery, from the committee on banks and currency, to whom was referred the bill to incorporate the Bank of Lin-
colnton, reported the same back to the Senate, and recommended that it do not pass.

Mr. Cameron, from the same committee, to whom was referred the bill to incorporate the Bank of Goldsboro', reported the same back to the Senate, and recommended that it do not pass.

Mr. Hill, from the committee on the judiciary, to whom was referred the resolution of enquiry, whether articles growing and manufactured in the States nullifying the fugitive slave law, can be taxed for revenue, &c.; reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Gorrell, from the same committee, to whom was referred the resolution in favor of John M. Morehead and W. H. Arendell, reported the same back to the Senate with amendments.

Mr. Thomas, of Jackson, introduced a bill to regulate the compensation of members of the General Assembly, which was read the first time and passed.

Mr. Thomas moved that the bill be taken up and read the second time.

Mr. Wiggins moved that the same be laid on the table.

Mr. Speight moved that the Senate do now adjourn until to-morrow morning, 11 o'clock, which motion was disagreed to—yeas 13, nays 15.

Those who voted in the affirmative are,

Those who voted in the negative are,

So the Senate refused to adjourn.

The question now recurred on the motion of Mr. Wiggins, that said bill be laid on the table, which was carried—yeas 19, nays 9.

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

Those who voted in the negative are,

Mr. Wiggins moved to reconsider the vote by which was postponed indefinitely, the engrossed bill to authorize Thos. J. Williams, sheriff of Surry county, and others, to collect arrears of taxes, due for the years 1852-'53.

On motion by Mr. Clark, said motion to reconsider, was ordered to be laid on the table.

Mr. Wilder introduced a resolution in relation to Cooke's Map of North-Carolina, which was read the first time and passed.

On motion by Mr. Martin, the Senate adjourned until tomorrow morning, 11 o'clock.

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WEDNESDAY, December 24, 1856.
The Speaker took the chair at 11 o'clock, and no quorum being present,
On motion by Mr. Wilder, the Senate adjourned until tomorrow morning, 10 o'clock.

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THURSDAY, December 25, 1856.
The Speaker took the chair according to adjournment, and no quorum being present,
On motion by Mr. Parks, the Senate adjourned until tomorrow morning, 10 o'clock.
FRIDAY, DECEMBER 26, 1856.
The Speaker took the chair at 10 o'clock, and no quorum being present,
On motion by Mr. Bryan, the Senate adjourned until tomorrow morning, 7 o'clock.

SATURDAY, DECEMBER 27, 1856.
The Speaker took the chair at 7 o'clock, A. M., and no quorum being present,
On motion by Mr. Bryan, the Senate adjourned until Monday, 7 o'clock, P. M.

MONDAY, DECEMBER 29, 1856.
The Speaker took the chair according to adjournment, and no quorum being present,
On motion by Mr. Wilder, the Senate adjourned until tomorrow morning, 11 o'clock.

TUESDAY, DECEMBER 30, 1856.
The Speaker took the chair at 11 o'clock, and no quorum being present,
On motion by Mr. Coleman, the Senate adjourned until tomorrow morning, 11 o'clock.

WEDNESDAY, DECEMBER 31, 1856.
The Speaker took the chair according to adjournment, and no quorum being present,
On motion by Mr. Gorrell, the Senate adjourned until tomorrow morning, 11 o'clock.
THURSDAY, JANUARY 1, 1857.

The Speaker announced that Messrs. Speight, Holmes and Ramsay constitute the Senate branch of the committee on enrolled bills for the present week; of which the House of Commons was informed by message.

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

Whereas, The business relations which exist between the outgoing of one year and the incoming of the next, most clearly demonstrate that the time of the Legislature is thereby greatly prolonged, and at a heavy cost to the State, without any corresponding benefit. Therefore,

Be it Resolved, That the judiciary committee be instructed and required to report a bill to provide for a change of the time of the meeting of the General Assembly to a period so early that the business of the session may be completed in time for the members to reach their homes before Christmas.

Received a message from the House of Commons proposing that the two Houses go into the election of Attorney General to fill the unexpired term of J. B. Batchelor, resigned, to-day at half past 11 o’clock. The proposition was concurred in; whereupon,

Mr. Hill nominated William H. Bailey for the appointment, and a message was sent to the House of Commons informing thereof, and that Messrs. Hill and Gorrell form the Senate’s branch of the committee to superintend said election.

Mr. Holmes introduced a bill to authorize Thomas Underwood, late sheriff of Sampson county, to collect arrears of taxes, which was read the first time and passed; and on motion, referred to the committee on propositions and grievances.

Mr. Wilder, a bill to revive and amend an act entitled an act to incorporate the Raleigh Savings Institution, which was read the first time and passed; and on motion, referred to the committee on banks and currency.

Received a message from the House of Commons, stating that the hour agreed upon by the two Houses for going into the election for Attorney General, to fill the unexpired term
of J. B. Batchelor, had now arrived; that Messrs. Waugh and Waddell constitute the House branch of the committee to superintend said election, and that the Commons would proceed to vote on the return of the messenger.

The Senate, under the superintendence of Messrs. Hill and Gorrell, then voted as follows, viz:


For Mr. Moore.—Messrs. Gorrell, A. Myers and Wilder—3.

Received a message from the House of Commons, stating that they have passed the engrossed bill to amend the charter of the Fayetteville and Western Plankroad Company, with amendments, in which they ask the concurrence of the Senate. The amendments were concurred in, and the House of Commons informed thereof by message.

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

A bill to amend the 6th section of the 120th chapter of the Revised Code, concerning wreck sales, which was read the first time and passed; and on motion by Mr. Eaton, referred to the committee on the judiciary.

A bill to authorize Samuel S. Biddle to build a bridge across Neuse river in Craven county, which was read the first time and passed; and on motion by Mr. Eaton, referred to the committee on the judiciary.

A bill to amend the 69th section of the 99th chapter of the Revised Code, entitled “Revenue,” which was read the first time and passed; and on motion by Mr. Eaton, referred to the committee on finance.

A bill to amend an act entitled an act to incorporate the town of Graham, in Alamance county, which was read the first time and passed; and on motion by Mr. Holt, referred to the committee on propositions and grievances.

A bill to incorporate the Winston, Salem and Thomasville
Turnpike or Plankroad Company, which was read the first time and passed; and on motion, referred to the committee on internal improvements.

A resolution concerning the capitol square, which was read the first time and passed; and on motion by Mr. Eaton, referred to the committee on public buildings.

A bill, to lay off a public road in Madison county, which was read the first time and passed; and on motion by Mr. Eaton, referred to the committee on internal improvements.

A resolution concerning the capitol square, which was read the first time and passed; and, on motion by Mr. Eaton, referred to the committee on propositions and grievances.

A bill concerning justices of the peace, which was read the first time and passed; and, on motion by Mr. Eaton, referred to the committee on the judiciary.

A bill to amend an act, entitled an act to incorporate the Sulphur Springs and Paint Rock Turnpike Company, passed at the session of 1854-'55, which was read the first time, passed, and referred to the committee on internal improvements.

A bill for the benefit of the Insane Asylum, which was read the first time and passed; and, on motion by Mr. Wilder, referred to the committee on the insane asylum.

A bill to amend an act, entitled an act to incorporate the Little River Turnpike Company, which was read the first time and passed; and, on motion by Mr. Wilder, referred to the committee on internal improvements.

Mr. Hill, from the committee appointed to superintend the election for an Attorney General, to fill the unexpired term of J. B. Batchelor, resigned, reported that William H. Bailey received 91 votes, H. W. Miller 23 votes, and B. F. Moore 3 votes;

That William H. Bailey, having received a majority of the whole number of votes cast, is duly elected. Report concurred in.

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

A bill to protect the citizens of the town of Wilson, which was read the first time and passed; and, on motion by Mr. Wilder, referred to the committee on propositions and grievances;

A bill to incorporate Chowan College at Reynolds, in Gates county, which was read the first time and passed; and, on motion by Mr. Clark, referred to the committee on education and the literary fund;

A bill to alter an act to incorporate the trustees of the New Institute in Iredell county, passed in the year 1854-'55, which was read the first time and passed; and, on motion by Mr. Clark, referred to the committee on education and the literary fund;

A bill to incorporate the town of Marion, in the county of McDowell, which was read the first time, passed, and on motion, referred to the committee on corporations;

A bill to incorporate the town of Waynesville, in the county of Haywood, which was read the first time and passed; and, on motion, referred to the committee on corporations;

Also, a bill concerning Colerain Wharf;

A bill to incorporate the Currituck Hotel Company;

A bill to incorporate the town of Yadkinville;

A bill to incorporate the Normal College, and Thomasville Turnpike Company;

A bill to repeal part of an act to prevent the felling of timber in Big and Little Ivy;

A bill to authorize the Governor to furnish arms to principals of schools;

A bill to amend the act incorporating the Gulph and Graham Plankroad Company;

A bill to incorporate the Oak City Guards;

A bill to change the name of New Institute, in Iredell county; and

A resolution for remitting the fine imposed on Halifax county court clerk.

A message was received from the House of Commons, an-
nouncing 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.

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

FRIDAY, January 2, 1857.

William K. Lane, the Senator elect from the county of Wayne, in the place of C. H. Brodgen, resigned, (being the 22d Senatorial district) appeared, produced his credentials, was qualified, and took his seat.

Mr. White presented the petition of sundry citizens of Gaston county, praying an amendment of the law respecting strays; which, on motion, was referred to the committee on propositions and grievances.

Mr. Wilder, from the committee on banks and currency, to whom was referred the bill to establish the Salisbury Bank, reported the same back to the Senate, and recommended that it do not pass.

Mr. Wilder, from the same committee, to whom was referred the bill to amend an act, entitled an act to incorporate the Bank of Wilmington, North-Carolina, ratified the 14th day of January, 1855, reported the same back to the Senate, with amendments.

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 Alleghany, reported the same back to the Senate, and recommended its passage.

Mr. Parks introduced a resolution, authorizing a survey of the North Western Railroad; which was read the first time and passed; and, on motion, was referred to the committee on internal improvements.
Mr. Thomas, of Jackson, presented the petition of Henry Smith, of Cherokee county, praying for certain rights of citizenship; which, on motion, was referred to the committee on the judiciary.

Also the petition of David Taylor, of Cherokee county, asking indemnity for money expended by him in defending his title against a grant issued to B. H. Stanmire; which, on motion, was referred to the committee on propositions and grievances.

Also a petition from the citizens of Macon county, to establish tolls on turnpike roads; which, on motion, was referred to the committee on internal improvements.

Also the petition of John Gibbs, of Jackson county, praying for the emancipation of his wife Lucy; which, on motion, was referred to the committee on propositions and grievances.

Mr. Fonville introduced a bill to incorporate the male and female academy, of the town of Swansboro', and county of Onslow; which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Gorrell, a bill to incorporate the Greensboro' Hotel Company, in the town of Greensboro'; which was read the first time and passed; and, on motion, referred to the committee on corporations.

On motion by Mr. Thomas, of Jackson, the Senate now took up from the table the bill to amend and consolidate the act of 1854-'55, and previous acts to which it refers, entitled acts to incorporate the Jonathan's Creek and Tennessee Mountain Turnpike Company, in the county of Haywood; which was read the second time and passed.

The engrossed bill to incorporate the Macon Turnpike Company, was read the third time, passed, and ordered to be enrolled.

Mr. Clark introduced a bill to repeal the act locating the judges of the superior court; which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill concerning Colerain Wharf, was read the first time and passed; and, on motion by Mr. W. H.
Thomas, referred to the committee on internal improvements.

The engrossed bill to incorporate the Currituck Hotel Company, was read the first time and passed; and, on motion by Mr. Eaton, referred to the committee on corporations.

The engrossed bill to incorporate the town of Yadkinville was read the first time and passed.

The engrossed bill to incorporate the Normal College and Thomasville Turnpike Company was read the first time and passed; and, on motion by Mr. Eaton, referred to the committee on internal improvements.

The engrossed bill to repeal part of an act to prevent the felling of timber in Big and Little Ivy was read the first time and passed; and, on motion by Mr. Eaton, referred to the committee on the judiciary.

The engrossed bill to authorise the Governor to furnish arms to principals of schools was read the first time and passed; and, on motion by Mr. Ramsay, referred to the committee on education and the literary fund.

The engrossed bill to amend the act incorporating the Gulph and Graham Plankroad Company was read the first time and passed; and, on motion by Mr. Holt, referred to the committee on propositions and grievances.

The engrossed bill to incorporate the Oak City Guards was read the first time and passed; and, on motion by Mr. Eaton, referred to the committee on corporations.

The engrossed bill to change the name of New Institute, in Iredell county, was read the first time and passed.

The engrossed resolution for remitting the fine imposed on Halifax county court clerk, was read the first time and passed; and, on motion by Mr. Wiggins, the rules were suspended and said resolution read the second and third times, passed and ordered to be enrolled.

A bill to prohibit the felling of timber in Crabtree Creek, in Wake county, New Hope, in Orange county, and Cranberry Creek, in the county of Ashe, was read the first time and passed; and, on motion by Mr. Eaton, referred to the committee on the judiciary.

The Senate now took up for consideration the bill to repeal
sections 5th, 6th and 7th, of chapter 36th, of the Revised Code, entitled "Currency," when, on motion by Mr. Holt, the further consideration of the same was postponed until Tuesday next, and made the special order for that day, at the hour of 12 o'clock, M.

The bill to incorporate the Danville and Greensboro' Railroad Company was read the second time, and, on motion by Mr. Gorrell, made the special order of the day for Wednesday next, at the hour of 12 o'clock, M.

The bill to incorporate the Milton Junction Railroad Company was read the second time, and, on motion by Mr. Rives, made the special order of the day for Thursday next, at the hour of 12 o'clock, M.

The bill to provide for the improvement of certain rivers in Sampson county was read the second time, and, on motion by Mr. Holmes, made the special order of the day for Monday next, at the hour of 11 o'clock, A. M.

Mr. Coleman introduced a bill concerning oaths, which was read the first time and passed; and, on motion, referred to the committee on the judiciary and ordered to be printed.

The bill to incorporate the Bank of Lincolnton was now taken up, and, on motion by Mr. White, ordered to be laid on the table.

The bill to incorporate the Bank of Goldsboro' was read the second time, and, on motion by Mr. Lane, ordered to be laid on the table.

The bill to incorporate the Yadkin Manufacturing Company, in the county of Montgomery, was read the second time, and, on motion, by Mr. Eaton, ordered to be laid on the table.

The engrossed bill to repeal an act to fix and settle the dividing line between the counties of Chatham and Alamance, was read the second time, and, on motion by Mr. Holt, indefinitely postponed.

Mr. Cunningham introduced a resolution in favor of William Thompson, which was read the first time and passed; and, on motion, referred to the committee on claims.

The bill to authorise the examination of the wife, in certain cases, was read the second time and passed.
The bill to amend the 7th section of chapter 17th of the Revised Code, concerning cattle and other stock, was read the second time; and, on motion by Mr. Wiggins, ordered to be laid on the table.

On motion by Mr. Wilder, the Senate adjourned until tomorrow morning, 11 o'clock.

SATURDAY, JANUARY 3, 1857.

Mr. Eaton, from the committee on corporations, to whom was referred the bill to incorporate the Male and Female Academy in Swansboro', North-Carolina;

The bill to incorporate the Greensboro' Hotel Company, in the town of Greensboro'; and

The bill to incorporate the Currituck Hotel Company, reported the same back to the Senate, and recommended their passage, provided it may be made to appear to the Senate that notices have been given according to law.

Mr. Eaton, from the same committee, to whom was referred the bill to incorporate the Oak-City Guards, in the city of Raleigh;

The bill to incorporate the town of Waynesville, in the county of Haywood; and

The bill to incorporate the town of Marion, in the county of McDowell, reported the said bills back to the Senate, and recommended their passage.

Mr. Hill introduced a bill to incorporate the town of Yan- ceyville, which was read the first time and passed; and on motion, referred to the committee on corporations.

Mr. Bryan introduced a bill to alter the county line of Surry and Ashe, which was read the first time and passed; and on motion, referred to the committee on propositions and grievances.

On motion by Mr. Rives, the vote by which was indefinitely postponed the bill to repeal an act to fix and settle the dividing line between the counties of Chatham and Alamance,
was reconsidered, and said bill recommitted to the committee on propositions and grievances.

On motion by Mr. Holmes, leave of absence was granted to the Senator from Wayne, from and after to-day until Monday next.

The bill to amend and consolidate the act of 1854-55, and previous acts to which it refers, entitled acts to incorporate the Jonathan's Creek and Tennessee Mountain Turnpike Company, was read the third time, passed, and ordered to be enrolled.

The bill to authorize the examination of the wife in certain cases, was read the third time, passed, and ordered to be engrossed.

The bill to lay off and establish a new county by the name of Alleghany, was now taken up, and on motion by Mr. Bryan, made the special order of the day for Thursday next, at the hour of 1 o'clock, P. M.

The engrossed bill to prevent the felling of timber in Eno river, in the county of Orange, and Fisher's creek, in the county of Surry, was read the second time, and the amendments proposed by the committee agreed to.

On motion by Mr. J. W. Thomas, the bill was further amended by adding to the same "Jimmie's" creek, in Davidson county; whereupon, said bill passed its second reading as amended.

The engrossed resolution in favor of James Blevins, was read the second and third times, passed and ordered to be enrolled.

The bill to establish the Salisbury Bank was now taken up; but, on motion by Mr. Ramsay, ordered to be laid on the table.

The bill to require persons who sue railroad companies to give notice to the president or superintendent of the same, was read the second time and rejected.

The bill for the benefit of creditors of deceased persons, whose estates are insolvent, was read the second time and rejected.

The engrossed resolution in favor of John Foster, was read
the second and third times, passed, and ordered to be enrolled.

The bill to incorporate the North-Carolina, Gas, Coal and Transportation Company, was read the second time; the amendments proposed by the committee agreed to, and said bill passed its second reading as amended.

On motion by Mr. Eaton, the bill was read the third time, passed, and ordered to be engrossed.

The bill to amend the charter of the Cheoili Turnpike Company, was read the second time; and, on motion by Mr. Speight, ordered to be laid on the table.

The resolution in favor of John M. Morehead and W. H. Arendell, was read the second time, the amendment proposed by the committee agreed to, and the resolution passed its second reading as amended. Said resolution was read the third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate the town of Rockingham in the county of Richmond, was read the second and third times, passed, and ordered to be enrolled.

The bill concerning the Deep Gap and Stone Mountain Road, in the county of Watauga, was now taken up; and, on motion by Mr. Bryan, made the special order of the day for Saturday next, at the hour of 12 o'clock.

The bill to amend an act, entitled an act to incorporate the Bank of Wilmington, North-Carolina, ratified the 14th day of January, 1855, was read the second time, the amendments proposed by the committee agreed to, and the bill passed its second reading as amended.

The bill to extend the charter of the New Garden Boarding School, and for other purposes, was read the second and third times, passed, and ordered to be engrossed.

The bill to incorporate the Warrenton Female College, was read the second time and passed; said bill was read the third time, amended on motion by Mr. Eaton, and passed its third reading as amended, and was ordered to be engrossed.

The resolution in relation to Cooke’s Map of North-Carolina, was read the second time; and, on motion by Mr. J. B. Jones, ordered to be laid on the table.

The engrossed bill to change the name of New Institute,
in the county of Iredell, and the engrossed bill to incorporate the town of Yadkinville, in Yadkin county, were severally read the second and third times, passed and ordered to be enrolled.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill to emancipate William, a slave, the property of Daniel Shaver, of Rowan county, reported the same back to the Senate, and recommended that it do not pass.

Said bill was read the second time and rejected—yeas 8, nays 25.

Mr. J. B Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. J. W. Thomas introduced a bill to amend an act, entitled an act to incorporate Normal College; which was read the first time and passed; and, on motion, referred to the committee on corporations.

On motion by Mr. Dillard, the Senate adjourned until Monday morning, 10 o’clock.

MONDAY, JANUARY 5, 1857.

The Speaker announced that the Senate branch of the committee on enrolled bills for the present week, consists of Messrs. Cameron, Gibson and Martin, of which the House of Commons was informed by message.

On motion by Mr. Pool, leave of absence was granted to the Senator from Hertford, for twelve days from to-day.

Mr. Mills presented a memorial from sundry citizens of Polk, Rutherford, Cleaveland, &c., praying for the establish-
ment of a new county; which, on motion, was referred to the committee on propositions and grievances.

The engrossed bill to prevent the felling of timber in Enoe river, in Orange county, and Fisher's river, in the county of Surry, was read the third time.

Mr. W. R. Myers moved to amend the bill, by adding McCalpin's creek, and Big Sugar creek and its four principal tributaries bearing the same name, in Mecklenburg county; which amendment was agreed to, and said bill passed its third reading, as amended.

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

The Senate now took up the bill to amend the charter of the Cheoih Turnpike Company; which was read the third time, passed, and ordered to be engrossed.

The bill to amend an act, entitled an act to incorporate the Bank of Wilmington, North-Carolina, ratified the 14th January, 1855, was read the third time; pending the consideration of which, the Speaker announced the special order, viz:—The bill to provide for the improvement of certain rivers in Sampson county; when, on motion by Mr. Cunningham, the consideration of said bill was postponed until this day at half past eleven o'clock, A. M., and made the special order of the day for that hour.

The Senate now resumed the consideration of the bill to amend an act, entitled an act to incorporate the Bank of Wilmington, North-Carolina, ratified the 14th day of January, 1855; which said bill passed its third reading, and was ordered to be engrossed.

Mr. W. R. Myers introduced a bill to prohibit clerks of the county and superior courts from affixing their seals to the papers of free persons of color; which was read the first time and passed; and, on motion by Mr. Eaton, referred to the committee on the judiciary.

Mr. A. Myers, a bill concerning evidence in cases of assault and battery, which was read the first time and passed; and on motion, referred to the committee on the judiciary.

Mr. Boyd, from the committee on propositions and griev-
ances, to whom was referred the bill to amend an act entitled an act to incorporate the Gulph and Graham Plankroad Company, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly; whereupon,

On motion by Mr. Rives, ordered that said bill be recommitted to the committee on internal improvements.

A message was received from the House of Commons, stating that their branch of the committee on enrolled bills for the present week consists of Messrs. Pearson, Strayhorn, Ward, Mabry and Houck.

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 concerning inspectors of naval stores, which was read the first time and passed; and on motion by Mr. Eaton, referred to the committee on the judiciary.

A bill enlarging the powers of the trustees of Green Hill Academy, which was read the first time and passed; and on motion by Mr. Eaton, referred to the committee on education and the literary fund.

A bill to prevent the obstruction of fish in Grant's creek, which was read the first time and passed; and on motion by Mr. Eaton, referred to the committee on the judiciary.

A bill to prevent obstructions to the passage of fish in Notty river, which was read the first time and passed; and on motion by Mr. Eaton, referred to the committee on the judiciary.

A bill to incorporate the trustees of Olivet Academy, which was read the first time and passed; and on motion by Mr. Holt, referred to the committee on corporations.

A bill to lay off a public road from H. N. Edwards' to Marshall, in Madison county, which was read the first time and passed; and

A bill to appoint a special magistrate in the town of Salisbury, which was read the first time and passed; and on motion by Mr. Ramsay, referred to the committee on the judiciary.

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

The bill to provide for the improvement of certain rivers in Sampson county, which was read the second time.

Mr. Battle offered the following amendment to the third section of the bill, viz: “and that ten thousand dollars is appropriated to open Swift creek from its entrance into Tar river up to Inges mill, in Nash county, and that ten thousand dollars is appropriated to open and clear the main run of Sappóena creek in Nash county, from its entrance into Tar river up to the confluence of big and little Sappóena creeks, and then canal the said big and little Sappóena creeks to their head waters.” The amendment was disagreed to.

The question now recurred on the passage of the bill its second reading, and was determined in the negative—yeas 13, nays 30.

Mr. Battle demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


A message was received from the House of Commons proposing that the General Assembly adjourn sine die at 7 o’clock, A. M., on the 26th instant.

Mr. Thomas, of Jackson, moved that the message be laid on the table. The motion was lost.

Before any question was taken on the proposition to adjourn, the Speaker announced the special order, viz:

The bill to re-charter the Bank of the State of North-Carolina; when,

On motion by Mr. J. B. Jones, the consideration of said bill
was postponed until this day at a quarter past 12 o'clock, P. M., and made the special order of the day for that hour.

The Senate now resumed the consideration of the proposition from the House of Commons, that the two Houses adjourn sine die, at 7 o'clock, A. M., on the 26th instant. The proposition was concurred in—yeas 27, nays 18.

Mr. J. B. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


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

The hour of a quarter past 12 o'clock having now arrived, the Senate proceeded to the consideration of the special order, viz:

The bill to re-charter the Bank of the State of North-Carolina; the pending question being on the amendment proposed by the committee, viz: Strike out section 15 and insert the following, viz:

"Be it further enacted, that each share owned by individuals or bodies corporate shall be subject to an annual tax of seventy-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 first day of October in each and every year, and the faith of the State is hereby pledged, that during the existence of this charter no other tax shall be imposed on the stock or dividends of said bank."

Mr. Hill offered the following amendment to the amendment, viz:

"Be it further enacted, that each share owned by individuals
shall be subject to an annual tax of thirty 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 first of October in each year, which tax may be increased at any time to a sum not exceeding one dollar per annum for each and every share, as the Legislature may direct."

Mr. Mills moved that the Senate do now adjourn until tomorrow morning half after 10 o'clock, which motion was lost—yeas 9, nays 35.

Those who voted in the affirmative are,
Those who voted in the negative are,

So the Senate refused to adjourn.
But before any question was taken on said amendment to the amendment,
On motion by Mr. W. R. Myers, the Senate took a recess until 3 o'clock, P. M.

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Three o'clock, P. M.

The Senate resumed the consideration of the unfinished business of the morning, viz:
The bill to recharter the Bank of the State of North-Carolina.
The pending question being on the amendment offered by Mr. Hill to the amendment proposed by the committee, and the question recurring on said amendment to the amendment, the same was determined in the affirmative—yeas 32, nays 9.
Mr. Cherry demanded the yeas and nays.
Those who voted in the affirmative are,

Those who voted in the negative are,

So the amendment to the amendment was adopted.
Mr. W. R. Myers now offered the following as an amendment to the amendment, viz:

Provided, That no tax shall hereafter be levied on any surplus that may accumulate in said bank in the course of their financial operations;
Which said amendment to the amendment was not agreed to.
The amendment as amended was now adopted.
The further amendments proposed by the committee were read and adopted.
Mr. Rives now moved an adjournment, which was not carried.
Mr. Hill then moved further to amend the bill as follows: to come in after the word "in" in line three section 33—"and all notes issued by said bank shall be made payable and redeemable at the principal Bank in Raleigh."

Pending the consideration of which said amendment,
On motion by Mr. Eaton, the Senate adjourned until tomorrow morning, half-past 10 o'clock.

TUESDAY, January 6, 1857.
Mr. A. J. Jones introduced a memorial from the citizens of Bladen county, concerning an alteration of their county line; which, on motion, was referred to the committee on propositions and grievances.
Mr. Boyd, from the committee on propositions and griev-
ances, to whom was referred the bill to alter the county line of Surry and Ashe, reported the same back to the Senate with amendments.

On motion by Mr. Eaton,

Resolved. That the committee on the judiciary be instructed to enquire and report to the Senate what corporations are public, and what corporations are private, and require, according to the constitution and laws of the State, thirty days advertisement previously to the passage of the act of incorporation.

Mr. Mills presented a memorial from the citizens of Cleveland and other counties, respecting the establishment of a new county; which on motion, was referred to the committee on propositions and grievances.

Received a message from the House of Commons proposing that the two Houses go into the election for five trustees of the University, to-day at half-past 11 o'clock.

On motion by Mr. J. W. Thomas, said message was ordered to be laid on the table.

Mr. Thomas, of Jackson, introduced a resolution in favor of E. D. Davis, which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

Mr. Cameron introduced a resolution in favor of Samuel Wilkerson and A. C. Murdock, which was read the first time and passed; and, on motion, referred to the committee on claims.

Mr. Mills moved that the proposition from the House of Commons to go into the election for five trustees of the University, to-day at half-past 11 o'clock, be now taken up from the table.

The motion was disagreed to.

The Speaker announced that Mr. Lane is appointed a member of the committee on claims, and also a member of the committee on military affairs, to fill the vacancies which have occurred in said committees on account of the resignation of C. H. Brogden.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to incorporate
the North-Carolina Central Atlantic and Pacific Railroad Company, reported the same back to the Senate with amendments, and moved that the report be printed.

On motion by Mr. Gorrell, said report and bill were ordered to be laid on the table—yeas 26, nays 18.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Thomas, of Jackson, now introduced a memorial concerning the North-Carolina Central Atlantic and Pacific Railroad Company; which, on motion, was ordered to be laid on the table.

Mr. Mills introduced a bill to incorporate the town of Columbus; which was read the first time and passed; on motion by Mr. Mills, the rules were suspended, and said bill read the second and third times, passed, and ordered to be engrossed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred a memorial concerning fishing, reported a bill to regulate the fishing with seines in North river; which was read the first time and passed; on motion by Mr. J. B. Jones, the rules were suspended, and said bill read the second time and passed.

On motion by Mr. Person, the Senate now took up for consideration the bill to authorize Joshua Small and others to reside in this State; which was read the second time; and, on motion by Mr. Mills, indefinitely postponed—yeas 25, nays 18.

Those who voted in the affirmative are,
Messrs. Battle, Boyd, Cameron, Carr, Chesson, Cunning-

Those who voted in the negative are,


The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to repeal sections 5th, 6th and 7th of the Revised Code, chapter 36, entitled "Currency."

The pending question being on the amendment offered by Mr. Holt as a substitute for said bill.

Mr. Eaton now moved to amend the amendment, and offered the following as a substitute for the same, viz:

"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 6th section of the 36th chapter of the Revised Code be amended by striking out the words 'or receive' in the first line thereof."

Said amendment to the amendment was agreed to.

Mr. Thomas, of Jackson, then moved to amend the amendment as follows, viz:

"Strike out, in the first section of the same, the words: 'which may be issued by the banks of this State.'"

Said amendment was adopted—yeas 23, nays 21.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

So the amendment to the amendment was adopted.

The amendment as amended was now adopted—yeas 36, nays 9.

Mr. Holt 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 second reading as amended, and was determined in the affirmative—yeas 33, nays 13.

Those who voted in the affirmative are,


Those who voted in the negative are,


On motion by Mr. Pool, the Senate adjourned until tomorrow morning, 10 o'clock.

WEDNESDAY, JANUARY 7, 1857.

Mr. Eaton introduced a memorial from sundry citizens of Warren county, concerning the traffic and retailing of spirituous liquors, which, on motion, was referred to the committee on the judiciary.
Mr. Lane, from the committee on claims, to whom was referred the resolution in favor of Wm. Thompson, and the resolution in favor of Samuel Wilkerson and A. C. Murdock, reported the same back to the Senate and recommended their passage.

Mr. Boyd, from the committee on finance, to whom was referred the bill to exempt from taxation and to fix the rate of interest on the bonds of the North-Carolina Railroad Company, reported the same back to the Senate and recommended its passage.

On motion by Mr. Cameron, the rules were suspended, and said bill now taken up and read the second and third times, passed, and ordered to be engrossed.

And under a further suspension of the rules, a message was sent to the House of Commons, asking their concurrence therein.

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 that body, viz:

A bill to amend the charter of the Cheoiih Turnpike Company;
A bill to amend an act to incorporate the Bank of Wilmington; and
A bill to incorporate the town of Columbus.

Mr. Bryan introduced a resolution in favor of Thomas J. Williams, of Surry county.

Mr. Clark objected to the introduction of the resolution, because of its containing provisions similar to an engrossed bill from the House of Commons which had been rejected by the Senate, as being not in order; the Speaker decided the same to be 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 28, nays 19.

Mr. Thomas, of Davidson, demanded the yeas and nays.
Those who voted in the affirmative are,
Messrs. Boyd, Bryan, Burges, Cameron, Cherry, Christian, Coleman, Dockery, Fennell, Gibson, Gorrell, Grist, Holt,

Those who voted in the negative are,


So the Chair was sustained.

Said resolution was read the first time and passed; and on motion, referred to the committee on propositions and grievances.

A message was received from the House of Commons, proposing that the two Houses go into an election of five Trustees of the University to-day at half-past 12 o'clock.

Mr. Cherry moved that the message be laid on the table. The motion was lost—yeas 22, nays 26.

Mr. Martin 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 the message on the table.

Before any question was taken on concurring in said message,

The hour of 12 o’clock arrived, and the Speaker announced the special order, viz:

The bill to incorporate the Danville and Greensboro’ Railroad Company.

Mr. Hill moved that the consideration of said bill be postponed until to-morrow, 11 o’clock, A. M., and that it be made the special order of the day for that hour.
The motion prevailed—yeas 26, nays 22.
Mr. Cherry demanded the yeas and nays.
Those who voted in the affirmative are,
Those who voted in the negative are,
The Senate resumed the consideration of the message from the House of Commons proposing to go into the election for five Trustees of the University to-day at half past 12 o'clock.
On motion by Mr. Wilder,
Ordered, That said message be laid on the table.
Mr. A. Myers moved that the Senate do now adjourn until to-morrow morning 10 o'clock. The motion was lost—yeas 11, nays 34.
Mr. Chesson demanded the yeas and nays.
Those who voted in the affirmative are,
Those who voted in the negative are,
So the Senate refused to adjourn.
On motion by Mr. Hill,
Ordered, That a message be sent to the House of Commons proposing that the two Houses go forthwith into the election of five Trustees of the University.
Mr. Mills, from the committee on the lunatic asylum, to
whom was referred the bill for the benefit of the insane asylum, reported the same back to the Senate and recommended its passage.

Mr. Burges introduced a bill to incorporate the Hyde County Steamboat Joint Stock Company, which was read the first time and passed; and, on motion, referred to the committee on corporations.

On motion by Mr. Person, the Senate took up for consideration the bill to authorise the Public Treasurer to subscribe for stock in the Seaboard and Roanoke Railroad Company.

The substitute proposed by the committee was read, amended, on motion by Mr. Person, by striking out the words, until the first day of January 1859, and inserting the words, five years from and after the first day of January 1857.

The bill was read the second time as amended, and passed; on motion, the rules were suspended, and said bill read the third time, passed and ordered to be engrossed; and,

On motion by Mr. Eaton, the title of said bill was altered so as to read:

A bill to extend the time of payment of the bonds due from the Seaboard and Roanoke Railroad Company to the State.

On motion by Mr. Speight, the Senate adjourned, until tomorrow morning 10 o'clock.

THURSDAY, JANUARY 8, 1857.

On motion by Mr. Martin,

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

Mr. Gorrell, from the committee on the judiciary, to whom was referred the bill to incorporate the Tuckasege Mining Company, reported the same back to the Senate with amendments.

Mr. Gorrell, from the same committee, to whom was referred the bill concerning the coupon bonds of the State, reported the same back to the Senate with an amendment.
Mr. Gorrell from the same committee to whom was referred the resolution in favor of E. D. Davis, sheriff of Jackson county, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Gorrell, from the same committee, to whom was referred a resolution requesting the committee on the judiciary to enquire whether any change is necessary in the law respecting oaths, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Gorrell, from the same committee, to whom was referred the bill concerning evidence in certain cases, reported the same back to the Senate and recommended that it do not pass.

Mr. Hill, from the same committee, to whom was referred the bill to remodel the county courts of common pleas in North-Carolina, reported the same back to the Senate and recommended that it do not pass.

On motion by Mr. Houston, said bill was now taken up and made the special order of the day for Monday next, at the hour of 12 o'clock, M.

Mr. Houston, from the same committee, to whom was referred the bill concerning the inspectors of naval stores, and the bill to repeal part of an act of the General Assembly passed at its session of 1854-'55, entitled an act to prevent the felling of timber in Big and Little Ivy, reported said bills back to the Senate and recommended their passage.

Mr. Wilder, from the same committee, to whom was referred the bill to prohibit the felling of timber in Crabtree creek, in Wake county, New Hope, in Orange county, and Cranberry creek, in the county of Ashe, reported the same back to the Senate with an amendment.

Mr. Wilder, from the same committee, to whom was referred the bill to appoint a special magistrate in the town of Salisbury, Rowan county, reported the same back to the Senate, and recommended that it do not pass.

Received a message from the House of Commons concurring in the proposition of the Senate to go forthwith into the
election of five trustees of the University, and informing that
the committee on the part of the Commons, to superintend
said election, consists of Messrs. Scales and Foster, and that
the following persons are in nomination, viz:

Thomas Settle, Jr., Robert A. Hamilton, W. W. Holden,
Richard Dillard, J. F. E. Hardy, S. H. Christian, James M.
Spront, Archibald Baker, Daniel Coleman and Charles F.
Deems.

A message was sent to the House of Commons informing
that Messrs. Hill and Dockery constitute the committee on
the part of the Senate to superintend said election, and that
the Senate would proceed to vote on the return of the mes-
senger.

The Senate under the superintendence of Messrs. Hill and
Dockery, then voted by ballot.

The hour of 11 o'clock having now arrived, the Speaker
announced the special order, viz:

The bill to incorporate the Danville and Greensboro' Rail-
road Company, the pending question being on the following
amendment proposed by the committee, as an additional sec-
tion, viz:

Be it further enacted, That the Danville and Greensboro' Com-
pany, in consideration of the enjoyment of equal rights
and privileges, free from discrimination upon travel, agree,
and bind the company to pay over to the Public Treasurer of
North-Carolina, twenty cents per ton, and twenty cents upon
each traveller that passes over their road, in each and every
year, for the use of the State, under such rules and regula-
tions as may be adopted by law. Also, to make a full report
to the Governor of the entire freight and travel that passes
over the road in each and every year.

The amendment was read and adopted—yeas 45, nays 1.

Mr. Thomas, of Jackson, demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Battle, Boyd, Bryan, Burges, Carr, Cherry, Ches-
son, Christian, Clark, Coleman, Cunningham, Dillard, Eaton,
Fennell, Fonville, Gibson, Gorrell, Grist, Hawkins, Holmes,
Holt, Houston, J. B. Jones, A. J. Jones, Lane, McDiarmid,
Pending the further consideration of the bill, the hour of 12 o'clock arrived, and the Speaker announced the special order for that hour, viz:

The bill to incorporate the Milton Junction Railroad Company; whereupon,

On motion by Mr. Hill, the consideration of the same was postponed until half-past 1 o'clock, P. M., and made the special order of the day for that hour.

The Senate now resumed the consideration of the bill to incorporate the Danville and Greensboro' Railroad Company; the consideration of which was suspended; and,

A message received from the House of Commons transmitting a bank statement with a proposition to print the same, which was concurred in.

Also a message transmitting a message from his Excellency, the Governor, concerning the printed report of the State Geologist; whereupon,

On motion by Mr. Clark, ordered that a message be sent to the House of Commons proposing to appoint a committee of two on the part of the Senate, and three on the part of the House to take into consideration the proper disposition of said report.

The hour of 1 o'clock having now arrived, the speaker announced the special order for that hour, viz:

The bill to lay off and establish a new county by the name of Alleghany; when,

On motion by Mr. Bryan, the consideration of the same was postponed until Monday 11 o'clock, A. M., and made the special order of the day for that hour.

Mr. Dockery, from the committee appointed to superintend the election for five trustees of the University, reported that the whole number of votes cast is 152—necessary to a choice 77—that Thomas Settle, Jr., R. A. Hamilton, W. W. Holden, Richard Dillard and J. F. E. Hardy, had each received a ma-
The majority of the whole number of votes given, and are duly elected. Report concurred in.

The hour of half-past 1 o'clock having now arrived, the Speaker announced the special order for that hour, viz:

The bill to incorporate the Milton Junction Railroad Company; when, on motion by Mr. Thomas, of Jackson, the consideration of the same was postponed until to-morrow 11 o'clock, A. M., and made the special order of the day for that hour.

The Senate now resumed the consideration of the bill to incorporate the Danville and Greensboro' Railroad Company.

Mr. Thomas, of Jackson, now moved the following as an additional section to the bill, viz:

*Be it further enacted,* That before this act shall be in force, the State of Virginia, by an act of her legislature, shall grant a charter for the continuation of a railroad by North-Carolina and Virginia, to form the connection by railroad between Greensboro' or some other point of the North-Carolina Road, or on the Greensboro and Danville Road, authorised to be constructed by this act, to some point on the Virginia and Tennessee Road, at or near Christianburg; and that ten years shall be allowed for the completion of said road from and after the passage of the act by the Legislature of Virginia; and the Richmond and Danville Railroad Company shall also, before the act of the North-Carolina Legislature shall take effect, make an arrangement to form the connection between the Greensboro' and Danville, and that road, upon terms of equality, to the satisfaction of both, and the Governor of North-Carolina shall be first notified of the passage of the act and agreement having been consummated as herein required.

On motion by Mr. Houston, the Senate took a recess until 3 o'clock, P. M.—yeas 30, nays 15.

Mr. Mills demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,
Messrs. Boyd, Cameron, Chesson, Clark, Coleman, Dillard, Hawkins, A. J. Jones, Lane, Mills, Miller, Person, Pool, Sanders and Speight—15.

Three o'clock, P. M.

The following bills and resolutions were returned to and ratified in the Senate:
A bill to provide for the better securing costs in actions of ejectment;
A bill to declare the meaning of that portion of the Revised Code which relates to fire hunting by night;
A bill to amend the act incorporating the Wilmington Savings Bank, passed 24th February, 1855;
A bill to authorise and empower the securities of James A. Brown, late sheriff of Pitt county, to collect arrears of taxes due for the years 1852-'53;
A bill to secure the holders of the coupon bonds of the State against losses by accidents;
A supplementary bill to take the sense of the people of the State relative to the proposed amendment to the constitution;
A bill to incorporate the Macon county Turnpike Company;
A bill concerning the registration of sheriff's bonds, &c.;
A bill to amend the 8th section of the 85th chapter of the Revised Code of North-Carolina;
A resolution in favor of W. R. Baird;
A resolution in favor of the agent appointed under the resolution of the last General Assembly to procure documentary evidence in relation to the history of North-Carolina;
A bill to authorise Plankroad and Turnpike Companies to use stone and gravel in the construction and repairs of their roads;
A bill to incorporate the town of Thomasville;
A bill to incorporate the town of Troy in Montgomery county;
A bill to amend the charter of the Western Plankroad Company, passed at the session of 1850-'51;
A bill to amend the charter of the Fayetteville and Western Plankroad Company, and for other purposes;
A bill to incorporate the town of Yadkinville in Yadkin county;
A resolution for remitting the fine imposed on William W. Daniel, clerk of the county court of Halifax;
A bill to change the name of the town of New Institute in the county of Iredell;
A bill to incorporate the town of Rockingham in the county of Richmond;
A resolution in favor of James Blevins;
A resolution in favor of John H. DeCarteret;
A resolution in favor of Bedford Sherrell, of Buncombe county;
A resolution in favor of John Foster; and
A bill to amend and consolidate the act of 1854, and previous acts to which it refers, entitled acts to incorporate the Jonathan's Creek and Tennessee Mountain Turnpike Company, in the county of Haywood.

The Senate now resumed the consideration of the unfinished business of the morning, viz:

The bill to incorporate the Danville and Greensboro' Railroad Company.

The pending question being on the amendment proposed by Mr. Thomas, of Jackson.
Said amendment was read and adopted.

The question now recurred on the passage of the bill, its second reading as amended, and was determined in the negative—yeas 15, nays 31.

The yeas and nays being demanded.
Those who voted in the affirmative are,
Those who voted in the negative are,
So the bill was rejected.
On motion by Mr. Thomas, of Jackson, the Senate adjourned until to-morrow morning, 10 o’clock.

FRIDAY, January 9, 1857.
Mr. White introduced a memorial from sundry citizens of Gaston county, concerning oaths; which, on motion, was referred to the committee on the judiciary.

Mr. Clark, from the committee on education and the literary fund, to whom was referred the bill enlarging the powers of Green Hill Academy;

The bill to incorporate the Trustees of the Female College of the Methodist Protestant Conference of North-Carolina; and

The bill to incorporate the Trustees of the New Institute, in Iredell county, reported said bills back to the Senate and recommended their passage.

Mr. Cherry, from the committee on banks and currency, 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. Boyd, from the committee on finance, made a detailed report concerning the finances of the State, accompanied by a bill to amend the 99th chapter of the Revised Code, entitled “Revenue.” The bill was read the first time and passed, and with the report, ordered to be printed.

On motion by Mr. Boyd, said bill was now taken up and made the special order of the day for Wednesday next at the hour of 12 o’clock.

On motion by Mr. Coleman, the bill to lay off and establish
a new county by the name of Ruffin, was now taken up and made the special order of the day for Tuesday next at the hour of half past 11 o'clock.

On motion by Mr. Cunningham, the rules were suspended and the Senate now proceeded to the consideration of the bill concerning the coupon bonds of the State; which was read the second time and the amendments reported by the committee adopted.

Mr. W. R. Myers moved to amend the bill as follows:

Provided, That said bonds and coupons attached be made payable in the State of North-Carolina. The amendment was disagreed to.

The bill now passed its second reading as amended. Said bill was read the third time and passed, and ordered to be engrossed.

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 Commons, viz:

A bill to extend the time of payment of the bonds due from the Seaboard and Roanoke Railroad Company to the State.

Received a message from the House of Commons, transmitting a message from his Excellency, the Governor, accompanied by a communication from Robert Siler, proposing to print the same. The proposition was concurred in.

Also, a message concurring in the amendment of the Senate to the engrossed bill from the House of Commons, to prevent the felling of timber in Enoe river, and ordered that said bill be enrolled.

Also, a message, stating that the House of Commons concur in the proposition of the Senate to raise a joint-select committee of two on the part of the Senate and three on the part of the House on the distribution of the geological report, and informing that Messrs. Hill of Stokes, Ferebee and Green constitute said committee on the part of the House; whereupon, the House of Commons was informed that Messrs. Clark and Dockery form the committee on the part of the Senate.

Mr. Gorrell, from the committee on the judiciary, to whom
was referred the bill to repeal the act locating the judges of the superior court, reported the same back to the Senate, and recommended that it do not pass.

Mr. Eaton, from the committee on banks and currency, to whom was referred the bill to revive and amend an act to incorporate the Raleigh Savings Institution, reported the same back to the Senate and recommended its passage, provided it should appear that notice has been given according to law.

Mr. Eaton, from the committee on corporations, to whom was referred the bill to incorporate the town of Yanceyville, reported the same back to the Senate with amendments.

Mr. Eaton, from the same committee, to whom was referred the bill to amend an act to incorporate town of Pittsboro', in Chatham county, reported the same back to the Senate, with amendments.

Mr. Eaton, from the same committee, to whom was referred the bill to incorporate the Trustees of Mount Olivet Academy, in the county of Randolph, and the bill to incorporate the Hyde County Steamboat Joint-stock Company, reported said bills back to the Senate and recommended their passage, provided it appears that notices have been given according to law.

Mr. Houston introduced a resolution authorizing the literary board to loan money to the Magnolia Male Institute, and to Warsaw High School, in Duplin county, which was read the first time and passed; and on motion, 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 Milton Junction Railroad Company; the same being on its second reading.

The amendment reported by the committee was agreed to; whereupon,

Mr. Thomas, of Jackson, moved the following additional amendment, which was adopted, viz:

Provided, nevertheless, That before this act shall be in force, the State of Virginia, by an act of her Legislature, shall first
authorize a railroad company to construct a railroad from some point on the North-Carolina Railroad, or on the road authorized to be built under this charter through Virginia, to connect with the Virginia and Tennessee Road at or near Christianburg; the connections to be made on terms of equality, and that ten years be allowed to complete that road.

On motion by Mr. Holt, the bill was further amended, by striking out "Greensboro", and inserting "work shops."

The question now recurred on the passage of the bill its second reading as amended, and was determined in the negative—yeas 12, nays 31.

Mr. Sanders 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 resolution concerning capitol square, was read the second time, the amendment proposed by the committee agreed to, and said bill passed its second reading as amended.

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.

A message was received from the House of Commons stating that they disagree to the amendments of the Senate, to the bill incorporating Holly Springs High School, in Wake county.

Mr. Wilder moved that the Senate do insist on its amendments to said bill; which motion prevailed, and a message was sent to the House of Commons informing thereof.

Mr. White introduced a bill to establish the standard bush-
el of wheat, rye, Indian corn, &c., which was read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

Mr. Clark gave notice of his intention to amend the 14th rule of the Senate.

Mr. Fennell introduced a bill to incorporate the town of Lillington in New Hanover county, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Chesson, a bill accompanied by a memorial to regulate the fishing with seins in the head waters of Albemarle and Cashie rivers, which was read the first time and passed; and, on motion, said bill and memorial were referred to the committee on propositions and grievances.

Mr. Person, a bill to authorize Joshua Small to reside in the county of Northampton for the space of three years, which was read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

Mr. A. J. Jones, a bill to exempt females from attending court to give evidence in civil suits, which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

Also, a bill to authorize the sale of the Serepta Common, in Duplin county, which was read the first time and passed; and on motion, referred to the committee on propositions and grievances.

Mr. A. Myers, a bill, accompanied by a memorial, giving a name to a town in the county of Anson, known as Carolina Female College, and to incorporate the same, which was read the first time and passed; and on motion, referred to the committee on education and the literary fund.

Mr. Gorrell, a bill to incorporate the Lockville Manufacturing Company, which was read the first time and passed; and on motion, referred to the committee on corporations.

Mr. Thomas, of Jackson, a bill to establish the system of free banking in the State of North-Carolina, which was read the first time and passed; and on motion, ordered to be laid on the table and printed.
On motion by Mr. Hill, leave of absence was granted to the Senator from Warren for to-morrow.

Mr. Cameron introduced a bill to incorporate the Historical Society of the University of North-Carolina, which was read the first time and passed; and on motion, referred to the committee on corporations.

Received a message from the House of Commons, stating 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 John Pepper, which was read the first time and passed; and on motion by Mr. Eaton, referred to the committee on propositions and grievances;

A resolution in favor of Thomas H. Willie;

A resolution in favor of Joseph Clarke;

A resolution in favor of Theodore Schroder;

A resolution in favor of James Morrison; and

A resolution in favor of Eliza Hemphill, which were severally read the first time and passed; and on motion, referred to the committee on claims.

Also, a bill to prevent the circulation of counterfeit bank notes; and

A bill extending the time for perfecting titles to lands already entered, which were severally read the first time and passed; and on motion by Mr. Eaton, referred to the committee on the judiciary.

On motion by Mr. Wiggins, the Senate now proceeded to the consideration of the bill to re-charter the Bank of the State of North-Carolina.

The pending question being on the amendment offered by Mr. Hill; on motion, said amendment, by leave of the Senate, was withdrawn.

Mr. Pool moved to amend the bill as follows: In section 38, line 4th, between the word "proceedings" and the word, "of" insert the words "and condition." The amendment was agreed to.

Mr. Myers, of Anson, now moved to amend the 35th section by adding to the same the following proviso, viz: "Provided always, That if any note or notes of the said bank shall
be presented for payment by this bank, or branch, or agency of said bank, either directly or indirectly, to any other bank for redemption, it shall be lawful to pay the same, or any part thereof, with the note or notes of the bank by or for which the demand shall have been made, whether made at the instance of the principal bank, its branch or agency, without regard to the place where the same may have been issued or may be payable; and any person or persons who may present the note or notes of the said bank for payment, shall if required, state on oath, before a justice of the peace, whether the demand was made for any bank, or branch, or agency of any bank, either directly or indirectly, or in case of refusing, shall not be entitled to recover any interest whatever on any note of said bank for which payment may be refused;" pending the consideration of which,

On motion by Mr. J. B. Jones, the Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The Senate resumed the consideration of the unfinished business of the morning, viz:

The bill to recharter the Bank of the State of North-Carolina.

The pending question being on the amendment offered by Mr. Myers, of Anson, and the question recurring on the adoption of said amendment, the same was determined in the affirmative—ayes 23, nay 21.

Mr. Wilder demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Battle, Burges, Cameron, Cherry, Clark, Dockery, Eaton, Fennell, Fonville, Gorrell, Grist, J. B. Jones, Lane,
Mr. Houston moved to reconsider the vote just taken, by which the amendment of Mr. Myers was adopted.

Mr. W. H. Thomas moved to lay the motion to reconsider on the table; which motion was lost—ayes 18, nays 26.

Mr. Eaton 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 the motion to reconsider on the table.

The question now recurred on the motion to reconsider, and was decided in the affirmative—yeas 28, nays 16.

Mr. J. B. Jones 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 adoption of the amendment of Mr. Myers, of Anson, and resulted as follows—ayes 28, nays 22.

Mr. Hill demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

There being 23 ayes and 22 nays, the Speaker voted in the negative, which produced an equal division, and the amendment was lost.

Mr. Thomas, of Jackson, now moved the following amendment, to come in after the word “in,” in line 3d, section 33d: “And all notes issued by said bank shall be made payable and redeemable at the principal bank in Raleigh.”

The amendment was rejected—yeas 7, nays 37.

Mr. W. H. Thomas demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Chesson moved further to amend the bill as follows: In section 32, line 3d, strike out “three” and insert “five,” then strike out all in said section, commencing in 6th line after “dollars.”

The amendment was adopted—yeas 26, nays 18.

Those who voted in the affirmative are,
Messrs. Battle, Boyd, Cameron, Carr, Chesson, Cherry, Clark, Coleman, Cunningham, Dillard, Eaton, Fennell, Fonville, Hill, Holmes, Houston, J. B. Jones, Person, Pool, Rives,

Those who voted in the negative are,

The question now recurred on the passage of the bill its second reading as amended, and was determined in the affirmative—yeas 34, nays 7.

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

Those who voted in the negative are,

On motion by Mr. Ward, the Senate adjourned until tomorrow morning 10 o'clock.

SATURDAY, JANUARY 10, 1857.

Received a message from the House of Commons stating that it insists upon its disagreement to the amendment proposed by the Senate to the bill to incorporate Holly Springs High School in the county of Wake.

Mr. Wilder moved that the Senate adhere to its amendments, which motion prevailed, and the House of Commons was informed thereof by message.

Mr. Clark, according to previous notice, moved to amend the 14th rule of the Senate by striking out the same and inserting the following in lieu thereof, viz:

"When a bill or resolution has been once rejected, post-
poned indefinitely, or to a day beyond the session, another of like provisions, without reference to the time or manner of its introduction, or the House it may have originated in, shall not be considered or acted on during the session."

The question on the adoption of said amendment resulted as follows—yeas 22, nays 18.

Mr. J. W. Thomas demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Two-thirds of the members present, not having voted in its favor, the Speaker announced that the amendment is lost.

A message was received from the House of Commons proposing to set apart this evening for the appointment of justices of the peace. Concurred in and the House of Commons informed thereof by message.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to protect the citizens of the town of Wilson, and the bill to authorize Thomas Underwood, sheriff of Sampson county, to collect arrears of taxes, reported said bills back to the Senate, and recommended their passage.

Mr. Boyd, from the same committee, to whom was referred the bill to amend an act entitled an act to incorporate the town of Graham in Alamance county, reported the same back to the Senate with amendments.

Mr. Boyd, from the same committee, to whom was referred the bill authorizing the magistrates of Nash county to establish a toll bridge or ferry line across Tar river, 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 memorial from sundry citizens of Gaston county, praying a change in the law respecting strays, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Clark, from the committee on education and the literary fund, to whom was referred the bill to authorize the Governor to furnish arms to principals of schools, reported the same back to the Senate, and recommended its passage.

Mr. A. J. Jones introduced a resolution in favor of James Melvin, which was read the first time and passed; and, on motion, referred to the committee on claims.

Mr. Miller introduced a bill to incorporate the town of Jackson, in the county of Craven, which was read the first time and passed; and, on motion, referred to the committee on corporations.

On motion by Mr. Pool, the Senate now took up for consideration the bill to regulate the fishing with seins in North river, which was read the third time.

Mr. J. B. Jones moved to amend the same as follows, viz: strike out "12" and insert "7 o'clock, P. M."

The amendment was agreed to, and the bill passed its third reading as amended, and was ordered to be engrossed.

On motion by Mr. Boyd, the Senate now took up the resolution heretofore introduced by him, instructing the committee on the judiciary to report a bill to alter the time for the meeting of the General Assembly, which said resolution was adopted—yeas 27, nays 14.

Mr. White demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,
Received a message from the House of Commons stating that they concur in the amendment proposed by the Senate to the engrossed resolution concerning Capitol Square. Ordered that said resolution be enrolled.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:

The bill concerning the Deep Gap and Stone Mountain Road in the county of Watauga; whereupon,

On motion by Mr. Bryan, the consideration of the same was postponed until Thursday next, and made the special order for that day at the hour of 11 o'clock, A. M.

On motion by Mr. Holt, the Senate now proceeded to the consideration of the bill to repeal sections 5th, 6th and 7th of the 36th chapter of the Revised Code, entitled "Currency;" which was read the third time and passed—yeas 30, nays 13.

Mr. Holt 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.

On motion by Mr. Holt, the title of the bill was amended so as to read: "A bill to amend section 6th and repeal section 7th of the 36th chapter of the Revised Code, entitled Currency."

On motion by Mr. Lane, the Senate now took up for consideration the bill to amend the 7th section of chapter 17, of the Revised Code concerning cattle and other stock; said bill being on its second reading,

Mr. Thomas, of Jackson, moved to amend the same by striking out all of said bill, except the enacting clause, and
inserting the following in lieu thereof, viz: "That in order to prevent the destruction of the lives of persons and stock on the lines of railroads in this State, all railroads now completed, shall be required to fence their tracks with lawful fences, within three years from the passage of this act; and that all railroads hereafter completed shall in like manner fence their tracks within three years from the time completed.

Said amendment was rejected—yeas 1, nays 40.

Mr. Thomas, of Jackson, demanded the yeas and nays.

Mr. W. H. Thomas voted in the affirmative.

Those who voted in the negative are,


Mr. W. R. Myers moved that said bill be indefinitely postponed, which motion did not prevail—yeas 15, nays 26.

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 second reading and was determined in the affirmative—yeas 27, nays 15.

Mr. Lane demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

A message was received from the House of Commons stating that they have passed the following engrossed resolution, in which they ask the concurrence of the Senate, viz:

A resolution concerning the reports of the geological survey of this State.

On motion by Mr. Clark, said resolution was referred to the joint-select committee on the subject.

On motion by Mr. Speight, the Senate took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

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 this 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 transmitting recommendations for justices of the peace for sundry counties, which were read and concurred in.

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 Cherokee, and asking the concurrence of the Senate.

On motion by Mr. W. H. Thomas, ordered that the same be laid on the table.

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 Camden, in which they ask the concurrence of the Senate.

On motion by Mr. J. B. Jones, ordered that the same be laid on the table.
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 Halifax, in which they ask the concurrence of the Senate.

On motion by Mr. Wiggins, ordered that the same be laid on the table.

Also, a message from the House of Commons informing that they had accepted the recommendation of certain justices of the peace for the county of Harnett, in which they ask the concurrence of the Senate.

On motion by Mr. McDiarmid, ordered that the same be laid on the table.

On motion by Mr. Hill, the Senate adjourned until Monday morning 10 o'clock.

MONDAY, JANUARY 12, 1857.

The Speaker announced that Messrs. Taylor, Hawkins and Burges, constitute the committee on enrolled bills for the present week; of which the House of Commons was informed by message.

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 body, viz:

A bill concerning the coupon bonds of the State;

A bill to amend section 6th, and to repeal section 7th of the 36th chapter of the Revised Code, entitled "Currency;" and,

A bill to regulate the fishing with seins in North river.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to amend an act, entitled an act to incorporate the Western North-Carolina Railroad Company, reported the same back to the Senate, with amendments; on motion, ordered that said report be printed.

On motion by Mr. Clark, said bill was now raken up, and
made the special order of the day for Thursday next, at the hour of 12 o'clock.

Mr. W. H. Thomas, from the same committee to whom was referred the bill to incorporate the Winston, Salem and Thomasville Turnpike and Plankroad Company, reported the same back to the Senate, and recommended its passage.

Mr. Thomas, from the same committee to whom was referred the bill to construct the Piedmont Turnpike Company, and the bill to amend an act, entitled an act to incorporate the Little River Turnpike Company, reported said bills back to the Senate, with amendments.

Mr. Thomas, from the same committee to whom was referred the bill to amend an act, entitled an act to incorporate the Gulph and Graham Plankroad Company, reported the same back to the Senate, and recommended that it do not pass.


Received a message from the House of Commons, transmitting recommendations for sundry justices of the peace; which were read and concurred in.

On motion by Mr. Wiggins, the recommendation of certain justices of the peace for the county of Halifax, heretofore transmitted from the House of Commons, was now taken up, and concurred in.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to lay off and establish a new county by the name of Alleghany, said bill being on its second reading.

Mr. Pool moved that the same be postponed indefinitely; which motion did not prevail—yeas 20, nays 25.

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

Those who voted in the negative are,

So the Senate refused to postpone the bill indefinitely.

The question now recurred on the passage of the bill its second reading, and was determined in the negative—yeas 19, nays 27.

Mr. J. B. Jones 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 message from his Excellency, the Governor, accompanied by a report from Col. Walter Gwynn, in relation to the improvements on the Cape Fear and Deep rivers, proposing to print the same. Concurred in, and the House of Commons informed thereof by message.

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

Resolved, That the president of the Cape Fear and Deep River Navigation Company be required to report at an early day to this General Assembly, what is the capital stock of
said company paid in by individuals, and how the same has been expended, and also what is the amount of indebtedness of the company under the present organization, and also what is the amount of its indebtedness under the former organization, previous to accepting the amended charter of 1854-'55, and also whether there be a mortgage upon the work and effects of the company, previous to the mortgage in favor of the State, executed under the provisions of the act of the last General Assembly, and for what amount.

Mr. Gorrell introduced a memorial on the subject of the Clubfoot and Harlow Creek Canal Company; which, on motion, was referred to the committee on internal improvements.

The hour of 12 o'clock, having now arrived, the Speaker announced the special order, viz:

The bill to remodel the courts and establish courts of common pleas in North-Carolina, which was read the second time.

Mr. Houston moved to amend the same by adding the following as section 15, viz:

*Be it further enacted.* That suits may be removed upon affidavit and good cause shown, from one county to another, under the same rules and regulations as are now prescribed by law, for the removal of suits from the superior court of one county to that of another. The amendment was adopted.

The question now recurred on the passage of the bill its second reading, and was determined in the negative—yeas 11, nays 31.

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,
Mr. Mills introduced a bill to establish a normal college in Polk county, which was read the first time and passed; and, on motion, referred to the committee on education and the literary fund.

Mr. Gorrell, a bill to repeal section 37, chapter 62, of the Revised Code, which was read the first time and passed; and on motion, referred to the committee on the judiciary.

Mr. Cameron, a bill to incorporate Shepard's Point Land Company, which was read the first time and passed; and on motion, referred to the committee on corporations.

Mr. Boyd, a bill to change the time of meeting of the General Assembly, which was read the first time and passed; and on motion, referred to the committee on the judiciary.

Mr. J. B. Jones, a bill to incorporate the Currituck Steamboat Company, which was read the first time and passed; and on motion, referred to the committee on corporations.

Mr. Coleman introduced two memorials from the citizens of Henderson county, which, on motion, were referred to the committee on the judiciary.

Mr. Ramsay moved that the Senate do now adjourn until to-morrow morning, 10 o'clock, which motion did not prevail—yeas 19, nays 21.

Mr. Boyd demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


So the Senate refused to adjourn.

On motion by Mr. Thomas, of Davidson, the Senate now adjourned until to-morrow morning, 10 o'clock.
TUESDAY, JANUARY 13, 1857.

Received a message from 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 Commons, to consider and report on the bill to regulate the sale, and fix the rate of interest of the coupon bonds of the North-Carolina Railroad Company. The proposition was concurred in, and the House of Commons informed by message, that said committee on behalf of the Senate consists of Messrs. Cameron and Cherry.

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

A bill to provide for the payment of talis jurors, which was read the first time and passed; and on motion, referred to the committee on the judiciary; and

A resolution in favor of Elizabeth Kissam, 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, announcing that their committee on enrolled bills for the present week, consists of Messrs. Love, Patterson, Outerbridge, Richardson and Eller.

Mr. W. H. Thomas introduced a memorial concerning the Cherokee Indians; which, on motion, was referred to the committee on the judiciary.

On motion by Mr. J. B. Jones, the recommendation of certain justices of the peace for the county of Camden, heretofore transmitted from the House of Commons, was now taken up and concurred in.

Mr. Hill, from the committee on the judiciary, to whom was referred the bill concerning justices of the peace, and the bill to prevent the circulation of counterfeit bank notes, reported the same back to the Senate and recommended that they do not pass.

Mr. Eaton, from the same committee, to whom was referred the bill to prevent the obstruction of fish in Notty river, in
Cherokee county, and the bill to prevent the obstruction of passage of fish up Grant's creek, in Rowan county, reported said bills back to the Senate with amendments.

Mr. Pool, from the same committee, to whom was referred the bill to change the time of meeting of the General Assembly, and the bill to exempt females from attending court to give evidence in civil suits, reported the same back to the Senate and recommended that they do not pass.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the resolution in favor of David Taylor and Elizabeth Welsh, reported the same back to the Senate and asked to be discharged from its further consideration. Discharged accordingly.

Whereupon, on motion, said resolution was recommitted to the committee on claims.

Mr. Boyd, from the same committee, to whom was referred the bill to authorize the sale of Sarecta Common, in Duplin 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 Joshua Small and others to reside in the county of Northampton for the space of three years, and the bill to attach a part of Moore county to Harnett county, reported said bills back to the Senate with amendments.

Mr. Lane, from the committee on claims, to whom was referred the resolution in favor of James Melvin, sheriff of Bladen county;

The resolution in favor of Joseph Clark;
The resolution in favor of Thomas H. Willie;
The resolution in favor of James Morrison;
The resolution in favor of Eliza Hemphill;
The resolution for the relief of Theodore Schrader; and
The bill to confirm the title of R. S. D. Bell to certain lands, reported said resolutions and bill back to the Senate and recommended their passage.

Mr. McDiarmid introduced a bill to alter the dividing line between the counties of Cumberland and Harnett, which was
read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

Mr. Cherry introduced a resolution in favor of Samuel Harlin, which was read the first time and passed; and, on motion, referred to the committee on claims.

Also, a resolution concerning the completion of Pungo river in the county of Washington, which was read the first time and passed; and, on motion, referred to the committee on education and the literary fund.

Mr. Boyd introduced the following resolution, which lies over one day for consideration, viz:

Resolved, That the Senate, from and after to-day, will meet at ten o'clock, and take a recess at half past one; meet again at three, and adjourn at five. The Speaker shall adjourn the Senate at the hours aforesaid without motion: Provided, That when a vote is about to be taken, the Speaker shall put the question, and, after announcing the result, then adjourn the Senate.

Mr. Grist introduced a bill concerning fish, which was read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

Mr. Cameron, a bill to incorporate the Hillsboro' Savings Institution, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. McDiarmid, a resolution in favor of Alexander Johnson, which was read the first time and passed; and, on motion, referred to the committee on claims.

Mr. Martin, a bill to incorporate the town of Germanton, in the counties of Stokes and Forsythe, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Ramsay, a bill to authorize A. M. Booe, late sheriff of Davie county, to collect arrears of taxes due him, which was read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

Mr. Coleman, from the committee on the judiciary, to whom was referred the engrossed bill to extend the provisions of an act passed by the General Assembly at its session
in 1854-'55, entitled an act to extend the time for perfecting titles to land heretofore entered, chapter 49, reported the same back to the Senate, and recommended its passage.

On motion by Mr. Holt, said bill was now taken up, read the second and third times, passed and ordered to be enrolled.

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

Mr. Christian, a bill to make all debts due from the estates of deceased persons of equal dignity, which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

On motion by Mr. Mills, the Senate took up for consideration the engrossed bill for the benefit of the Insane Asylum, which was read the second and third times, passed and ordered to be enrolled.

On motion by Mr. Hill, the resolution in favor of James Melvin, sheriff of Bladen county, was now taken up, read the second and third times, passed and ordered to be engrossed.

The hour of half-past 11 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to lay off and establish a new county by the name of Ruffin, which was read the second time and rejected—yeas 15, nays 28.

Mr. Eaton demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


On motion by Mr. Christian, the bill to charter the Cheraw and Coalfield Railroad Company, was now taken up and made
the special order of the day for to-morrow at the hour of 11 o'clock, A. M.

On motion by Mr. Ramsay, the Senate now took up the bill to establish the Salisbury Bank, which was made the special order of the day for Tuesday next, at the hour of 12 o'clock, M.

The Senate now proceeded to the consideration of the bill to recharter the Bank of the State of North-Carolina; which was read the third time.

Mr. A. Myers moved the following amendment as a proviso to the 31st section of the bill, viz:

"That if any note or notes of said bank shall be presented for payment, by or for any bank or branch or agency of any bank, either directly or indirectly, it shall be lawful to pay the same, or any part thereof, with the note or notes of the bank, by or for which the demand shall have been made, whether made at the instance of the principal bank, its branches or agency, without regard to the place where the same may have been issued or may be payable; and any person or persons who may present the note or notes of the said bank for payment, shall, if required, state on oath, before a justice of the peace, whether the demand was made for any bank, or branch or agency of any bank, either directly or indirectly; or, in case of refusing, shall not be entitled to recover any interest whatever on any note of said bank for which payment may be refused."

Mr. Hill now moved the following as an amendment to the amendment, viz:

"That if any note or notes of the said bank shall be presented for payment by this bank, or for any bank, or branch or agency of any bank, either directly or indirectly, it shall be lawful to pay the same, or any part thereof, with the note or notes of the bank by or for which the demand shall have been made, whether made at the instance of the principal bank, its branches or agency, without regard to the place where the same may have been issued or may be payable."

Said amendment to the amendment was adopted.

The question now recurred on the adoption of the amend-
ment as amended, and was determined in the affirmative—
ayes 25, nays 18.

Mr. Hill demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. A. Myers moved to reconsider the vote just taken, by which the amendment as amended was adopted, and moved that said motion to reconsider be laid upon the table.

And the question being taken on laying said motion to reconsider on the table, the same was determined in the negative—ayes 5, nays 39.

Mr. Gorrell 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 the motion to reconsider on the table.

The question now recurred on the motion to reconsider the vote by which the amendment as amended was adopted, and was determined in the negative—ayes 20, nays 25.

Mr. Hill demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Battle, Burges, Cameron, Cherry, Dockery, Eaton,
Those who voted in the negative are,


So the Senate refused to reconsider.

Mr. Wilder now moved the following as a substitute for the 15th section of the bill, viz:

*Be it further enacted*, That each share owned by individuals and corporations shall be subject to an annual tax of thirty cents, which shall be reserved out of the profits of individual and corporation 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 exceeding one dollar for each and every share, as the Legislature may direct, and the exigency of the State requires in equalizing taxation:

*Provided*, That the tax in this case shall not be greater than that imposed on shares in such other banks as may be chartered at this or some other succeeding General Assembly:

*And provided further*, That nothing herein contained shall be so construed as to restrain any future General Assembly from taxing dividends belonging to individuals or corporations; said tax not to exceed that which may be imposed on interest received for money loaned.

The amendment was read and adopted.

Mr. W. R. Myers moved further to amend the bill as follows: Strike out all after the enacting clause, and insert the following:

"That an act entitled an act to charter the Bank of the State of North-Carolina; passed in 1830, be so amended as to extend the limitation in said charter to the year 1866."

Pending the consideration of which,
On motion by Mr. Cherry, the Senate took a recess until half-past 3 o'clock, P. M.

Half-past three o'clock, P. M.

The Senate now resumed the consideration of the unfinished business of the morning, viz:

The bill to re-charter the Bank of the State of North-Carolina.

The pending question being on the amendment proposed by Mr. W. Myers; and the question being taken on the adoption of said amendment, the same was determined in the negative—yeas 22, nays 23.

Mr. Hill demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Holt moved to amend the bill as follows: add to section 37 the words, "and that in case of the insolvency of said bank the stockholders shall be liable to the creditors according to the shares of stock then held by them in double the amount of their respective shares of stock in said bank."

The amendment was adopted—yeas 43, nays 3.

Mr. Holt demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,
Messrs. Cameron, Eaton and Mills—3.

Mr. Dockery moved further to amend the bill as follows, viz: In section 3d strike out “one-third or any less number,” and insert “six thousand shares.” The amendment was adopted.

The question now recurred on the passage of the bill its third reading as amended, and was determined in the affirmative—yeas 37, nays 8.

Mr. J. B. Jones 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, Mr. Cameron was excused from serving on the joint-select committee, to consider and report on the bill to regulate the sale and fix the rate of interest of the coupon bonds of the North-Carolina Railroad Company, and Mr. Eaton appointed in his place, and a message sent to the House of Commons informing thereof.

On motion by Mr. Speight, the Senate took up for consideration the engrossed bill to protect the citizens of the town of Wilson, which was read the second and third times, passed, and ordered to be enrolled.

The bill to amend section 7th, chapter 17th of the Revised Code concerning cattle and other stock, was now read the third time, passed and ordered to be engrossed.
On motion by Mr. Houston, the Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, JANUARY 14, 1857.

Mr. Hill, from the committee on the judiciary, to whom was referred the memorial of sundry citizens of Gaston county, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to regulate the fishing with seins in the head waters of the Albemarle and Cashie rivers, reported the same back to the Senate, and recommended that it do not pass.

Mr. Eaton, from the committee on corporations, to whom was referred the bill to incorporate the Currituck Steam-boat Company, reported the same back to the Senate and recommended its passage: provided, it appears that notice has been given according to law.

Mr. Eaton, from the same committee, to whom was referred the bill to incorporate the town of Lillington, in New Hanover county, and the bill to incorporate Shepard's Point Land Company, reported said bills back to the Senate with amendments.

Mr. Eaton, from the same committee, to whom was referred the bill to incorporate the Hillsboro' Savings Institution, the bill to incorporate the historical society of the University of North-Carolina, and the bill to incorporate the town of Germanton, in the counties of Stokes and Forsythe, reported said bills back to the Senate without amendments, and recommended their passage.

Mr. Eaton, from the committee on the judiciary, to whom was referred a memorial from sundry citizens of Warren county, concerning the offence of selling spirituous liquors to slaves, reported a bill more effectually to prevent the selling of spirituous liquors to slaves.
Mr. Boyd introduced a resolution concerning the coupons in the Comptroller’s office, which 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.

The hour of 10 o’clock having now arrived, the Speaker announced the special order, viz:

The bill to charter the Cheraw and Coalfield Railroad Company, said bill being on its second reading; and the question recurring on the passage of the bill its second reading, the same was determined in the affirmative—yeas 34, nays 10.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


On motion by Mr. Dockery, the rules were suspended, and said bill read the third time.

Mr. Thomas, of Jackson, moved to amend the bill by inserting in the several blanks in the same, the sum of “two millions.” The amendment was adopted.

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

A message was sent to the House of Commons stating that the Senate has passed the following engrossed bill and resolution, in which it asks the concurrence of that body, viz:

A bill to amend section 7th, chapter 17, of the Revised Code concerning cattle and other stock;

A resolution in favor of James Melvin, sheriff of Bladen county; and

A resolution concerning the coupons in the Comptroller’s office.
Mr. Mills introduced a resolution in relation to the adjournment of the present General Assembly, which was read, and on motion, ordered to be laid on the table.

Mr. Thomas, from the committee on internal improvements, to whom was referred the bill to amend an act entitled an act to incorporate the Indian Grave Gap Turnpike Company, passed at the session of 1854-'55, reported the same back to the Senate, with amendments.

The Senate now took up for consideration the resolution introduced by Mr. Boyd, on yesterday, concerning the daily sessions of the Senate.

Mr. Mills moved that the same be laid on the table, which motion was lost—yeas 4, nays 39.

Mr. J. B. Jones demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Wilder moved to amend the resolution by providing that the same take effect from and after Monday next. The motion was lost.

The resolution was now adopted.

On motion by Mr. Hill, the claim of David Patton, State Architect, was now taken up and recommitted to the committee on claims.

A message was received from the House of Commons, announcing that their branch of the select committee on the bill regulating the sale and fixing the rate of interest on the coupon bonds of the North-Carolina Railroad Company, consists of Messrs. Sharp, Montgomery and Hill, of Halifax.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:
The bill to amend the 99th chapter of the Revised Code, entitled "Revenue," which was read the second time.

Mr. Dockery moved to amend the same as follows, viz:

In section 4, line 2, strike out "50" and insert "45," and in line 4, strike out "50" and insert "45."

Mr. Speight called for a division of the question, and the question being first taken on striking out, the same was determined in the negative—yeas 18, nays 25.

Mr. Boyd 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.

Mr. Speight moved further to amend the bill as follows, viz: In section 19, line 7th, strike out the word "four" and insert "five;"

Pending the consideration of which, the Senate took a recess until 3 o'clock, P. M.

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Three o'clock, P. M.

The Senate now resumed the consideration of the unfinished business of the morning, viz:

The bill to amend the 99th chapter of the Revised Code, entitled "Revenue."

The pending question being on the amendment of Mr. Speight. The amendment was lost.

Mr. Christian moved to amend the 22d section of the bill, as follows, viz:—in line 2d, strike out "33½ cents," and insert "20 cents."
The amendment was disagreed to—yeas 11, nays 33.
Mr. Christian demanded the yeas and nays.
Those who voted in the affirmative are,
Those who voted in the negative are,
Mr. Pool moved to amend the 22d section, as follows:—In line 2d, after the word “slaves,” insert “upon speculation.”
The amendment was adopted.
Mr. Eaton moved further to amend said section, by inserting after the word “trade,” in the 4th line, the words “not in this chapter specially taxed.”
Mr. Pool moved to amend the amendment, by inserting before the word “not,” in said amendment, and immediately after the word “trade,” in 4th line, the words “for profit, by buying and selling;” which was agreed to; and the amendment, as thus amended, was adopted.
Mr. Ramsay moved further to amend said section, as follows, viz:—After the word “credit,” in line 6th, add the following:

“Provided, That the profits arising from such trade exceed the sum of five hundred dollars.”

Mr. Battle moved to amend the amendment, by striking out the words “profits arising,” and inserting the words “capital invested.”

The amendment to the amendment was disagreed to, and the amendment of Mr. Ramsay was rejected.
Mr. Battle moved to amend the 23d section of the bill, line 4th, by striking out “one per cent.” and inserting “one-half of one per cent.” The amendment was lost.
Mr. Holt moved to amend said section in the 9th line, as follows: strike out the words “one dollar and twenty-five
cents," and insert "one and one-half per cent. on the value." The amendment was disagreed to.

Mr. Cameron moved to amend the 23d section, by adding to the same the following proviso, after the word cents in the 13th line, viz:

"Provided, No tax shall be imposed on harps or pianos used in public schools."

The amendment was lost.

Mr. Battle moved the following amendment to the said 23d section, viz:—In the 15th and 16th lines, strike out "one dollar and twenty-five cents," and insert "two dollars and fifty cents," and in the 16th and 17th lines, strike out "sixty-five cents," and insert "one dollar." The amendment was disagreed to.

Mr. Martin moved further to amend said section of the bill in the 22d line, by striking out "thirty," and inserting "twenty." Said amendment was lost.

Mr. Ramsay moved further to amend said section, as follows:—In line 22, strike out all after the word "dollars;" which was lost.

Mr. Christian now moved to amend said section, as follows: Strike out all after the word "one," in line 26th, down to the word provided, in the 28th line, and insert in lieu thereof the words "hundred dollars, and less than one thousand dollars, shall pay a tax of one per cent. upon such receipts; and upon all receipts over and above one thousand dollars, a tax of one-half of one per cent."

Pending the consideration of which, the Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, JANUARY 15, 1857.

On motion by Mr. Boyd, the special order for to-day at 12 o'clock, M., viz:

The bill to amend an act, entitled an act to incorporate the Western North-Carolina Railroad Company, was now taken
up and made the special order for Saturday next at the hour of 12 o'clock, M.

On motion by Mr. Boyd, the bill to amend the 99th chapter of the Revised Code, entitled "Revenue," was now taken up and made the special order for this day at the hour of 12 o'clock, M.

Mr. Houston introduced a bill, accompanied by a memorial, to amend an act, entitled an act to establish the town of Stricklandsville, in the county of Duplin, and to incorporate the commissioners of said town, which was read the first time and passed; on motion, the rules were suspended and said bill read the second and third times, passed and ordered to be engrossed.

Mr. Dillard introduced a bill to change the time of holding courts of pleas and quarter sessions in Chowan county, which was read the first time and passed; on motion, the rules were suspended and said bill read the second and third times, passed and ordered to be engrossed.

Under a further suspension of the rules,

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

Mr. Cherry introduced a bill concerning mortgages of personal estate, and for other purposes, which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

Mr. Cunningham, from the committee on education and the literary fund, to whom was referred the bill to incorporate York Collegiate Institute, in the county of Alexander, and the bill to incorporate Chowan College at Reynoldson, in Gates county, reported said bills back to the Senate with amendments.

Mr. Gorrell, from the same committee, to whom was referred the bill to provide for the distribution of the proceeds of the literary fund among the several counties of the State, reported the same back to the Senate and recommended its passage.

Mr. Gorrell, from the same committee, to whom was referred the bill concerning the common schools of North-Carolina, reported the same back to the Senate with amendments.
Mr. Eaton, from the committee on corporations, to whom was referred the bill to incorporate the town of Jackson, reported the same back to the Senate with amendments.

Mr. Lane, from the committee on claims, to whom was referred the resolution in favor of Elizabeth Kissam, and the resolution in favor of Alexander Johnson, reported the same back to the Senate and recommended their passage.

Mr. Wilder, from the committee on education and the literary fund, to whom was referred the bill giving a name to a town in the county of Anson, known as Carolina Female College, and to incorporate the same, reported the same back to the Senate, and recommended its passage.

Mr. Lane, from the same committee, to whom was referred the resolution in favor of David Taylor and Elizabeth Welsh, reported the same back to the Senate, and recommended that it do not pass.

Mr. Lane moved to reconsider the vote by which was passed the bill to charter the Cheraw and Coalfield Railroad Company.

Mr. Christian moved to lay the motion to reconsider on the table; and the question being taken thereon, the same was determined in the negative—yeas 19, nays 22.

Mr. Lane 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 the motion to reconsider on the table.

The question now recurred on the motion to reconsider, and was determined in the affirmative—yeas 24, nays 19.

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

Those who voted in the negative are,

Mr. Fonville introduced the following resolution, which was read and adopted, viz:
Resolved, That the clerks and reporters of the two Houses be furnished, each with a copy of Emmons' report.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, viz:

The bill concerning the Deep Gap and Stone Mountain Road, in the county of Watauga, which was read the second time; and the question recurring on the passage of the bill its second reading, the same was determined in the negative—yeas 20, nays 23.

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.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the resolution in favor of Thomas J. Williams, late sheriff of Surry county, reported the same back to the Senate with amendments.

Mr. Boyd, from the same committee to whom was referred the bill to establish the standard bushel of wheat, rye, Indian
corn, &c., reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the same committee, to whom was referred the bill to alter the dividing line between the counties of Cumberland and Harnett, reported the same back to the Senate, and recommended that it do not pass.

Mr. Wilder introduced a bill to allow the superior courts of Wake to continue two weeks, and for other purposes, which was read the first time and passed; and on motion, referred to the committee on the judiciary.

On motion by Mr. Mills,

Resolved, That the committee on the judiciary be instructed to enquire and report whether, in their opinion, it is expedient that the present General Assembly should adjourn to meet again on the 3d Monday in November next; and that said committee also report the proper mode of proceeding on the part of the two Houses to effect the adjournment above suggested.

Mr. A. J. Jones introduced a bill to aid the erection of a monument commemorative of the Declaration of American Independence, which was read the first time and passed.

On motion by Mr. Mills,

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 Commons, to take into consideration the erection of a national monument, in Independence Square, in the city of Philadelphia.

Mr. Holt introduced a bill to incorporate the American Exchange Mining and Smelting Company, which was read the first time and passed; and on motion, referred to the committee on corporations.

The Speaker laid before the Senate a report from the President of the Deep River and Cape Fear Navigation Company, which, on motion by Mr. Holt, was referred to the committee on internal improvements.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:
The bill to amend the 99th chapter of the Revised Code, entitled "Revenue."

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

Mr. Wiggins moved to amend the amendment as follows, viz: Strike out "one half of one per cent;" which said amendment to the amendment was lost.

The question now recurred on the adoption of the amendment offered by Mr. Christian, and was determined in the negative—yeas 13, nays 27.


Mr. Gorrell now moved to amend the said 23d section of the bill, as follows, viz: Insert "annual" before the word "receipts," in the 26th line. The amendment was adopted.

Mr. Dockery moved still further to amend said section, as follows, viz: In line 25, after "entertainment" insert the words "whether in town or country." Said amendment was adopted.

Mr. Coleman now offered the following amendment to said 23d section, viz: In lines 33 and 34 strike out the words "one hundred and twenty-five," and insert "thirty;" in line 36 strike out "one hundred and twenty-five," and insert "thirty;" in line 37 strike out "sixty-five," and insert "fifteen;" in line 38 strike out the word "twenty-five," and insert "two dollars and fifty cents." The amendment was lost.

Mr. Wilder moved further to amend said section, as follows, viz: In line 41, strike out "thirty," and insert "fifty." The amendment was adopted.
Mr. Dockery moved to amend said section, as follows, viz; In line 44, strike out “twenty-five,” and insert “fifteen.” The amendment was lost.

The Senate now took a recess until 3 o’clock, P. M.

Three o’clock, P. M.

The Senate resumed the consideration of the unfinished business of the morning, viz:

The bill to amend the 99th chapter of the Revised Code, entitled “Revenue.”

Mr. Speight moved to amend the 23d section of the bill, by striking out so much of the same as imposes a tax of one dollar on marriage license. The amendment was lost.

Mr. A. J. Jones offered the following amendment, viz: Strike out all of the 24th section after the word “owners” in the 30th line, down to the word “cents” in 38th line.

Mr. Battle moved an amendment to the amendment; which was lost.

The question now recurred on the adoption of the amendment proposed by Mr. Jones, and was determined in the affirmative—yeas 19, nays 17.

Mr. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Gibson now moved to amend the 29th section of the bill, as follows, viz: Strike out all after the word “State,” in line 4th, to the word “provided,” in line 9th.

Mr. White moved the following as an amendment to the amendment, viz: Strike out the words “twelve dollars and
fifty cents” in line 7, and insert the words “one dollar and fifty cents” for each horse or mule; which amendment to the amendment was rejected.

By consent of the Senate, the amendment of Mr. Gibson was now withdrawn.

Mr. Cherry moved to amend said 29th section, as follows, viz: Strike out in the 5th line, the words “whether by citizens of the State, or others,” and insert, “by citizens of other States,” in lieu thereof.

The question on which said amendment, resulted as follows—yeas 19, nays 10.

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 negative and the amendment was lost.

Mr. Dockery moved to strike out the proviso in the first paragraph of the 35th section. The motion prevailed.

Mr. Wilder moved to amend the 39th section of the bill as follows: In line 7th, after the first word, “dollars” insert “whether payable annually, quarterly, monthly or otherwise.” The amendment was adopted.

Mr. A. Myers moved the following amendment to the 39th section, viz: In 9th line after the words “one per cent.” add “and upon every shaver or person who makes it a business to purchase notes of hand at a discount, shall be levied a tax of five dollars.” The amendment was lost.

Mr. Pool now moved to amend the said 39th section as follows, viz: In line 8, after the word “sums,” insert the words “so received.” The amendment was adopted.
Mr. A. J. Jones moved to amend the 41st section of the bill as follows, to wit: In 5th line after the word "established" insert the words "and on each mining or navigation company the sum of one hundred dollars." But before any question was taken thereon,

On motion by Mr. Boyd, the further consideration of said bill and amendment was postponed and made the special order of the day for to-morrow at the hour of 12 o'clock, M.

Whereupon,

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

FRIDAY, January 16, 1857.

A message was sent to the House of Commons announcing that the Senate has passed the following engrossed bill and resolution, in which it asks the concurrence of that body viz:

A bill to re-charter the Bank of the State of North-Carolina; and

A resolution concerning the Geological Report.

Mr. Cunningham, from the committee on education and the literary fund, to whom was referred the resolution concerning the completion of Pungo river, in the county of Washington, reported the same back to the Senate and recommended that it do not pass.

Mr. Wilder, from the committee on banks and currency, to whom was referred the bill to establish the Metropolitan Bank in Raleigh, North-Carolina, reported the same back to the Senate with amendments.

Mr. A. J. Jones moved that said bill be now taken up and made the special order of the day for Monday next, at the hour of 12 o'clock, M. The motion prevailed—yeas 21, nays 19.

Mr. Mills demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to amend an act entitled an act to incorporate the Cape Fear and Deep Rivers above Fayetteville, and also to amend an act to authorise the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes, reported the same back to the Senate with amendments.

Mr. Holt introduced a bill to incorporate the Graham Female Seminary, which was read the first time and passed; and, on motion, referred to the committee on education and the literary fund.

Mr. Gorrell a bill to incorporate the Greensboro' Mining and Smelting Company, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Christian a bill to charter the Cape Fear Coal and Iron Mining Company, in Chatham county, North-Carolina, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Fennell, a bill concerning the Bank of Cape Fear; which was read the first time and passed; and, on motion, referred to the committee on banks and currency.

Mr. Hill, a bill to incorporate the Yanceyville Savings Institution; which was read the first time and passed; and, on motion, referred to the committee on banks and currency.

Mr. Wilder, a bill to charter the Citizen's Bank, in Raleigh, North-Carolina; which was read the first time and passed; and, on motion, referred to the committee on banks and currency.

Mr. Gorrell, a bill to incorporate the Cambridge Copper Mining and Manufacturing Company; which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Bryan, a bill to ascertain the federal population of
Ashe and the proposed county, Alleghany; which was read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

Also a bill, (accompanied by a memorial,) to improve Baker's Gap and Deep Gap Road, in the county of Watauga; which was read the first time and passed; and, on motion, referred to the committee on internal improvements.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to expedite the construction and increase the capacity of the Albemarle and Chesapeake Canal, reported a substitute for the same.

On motion by Mr. Dillard, said bill was now taken up, and made the special order of the day for Wednesday next, at the hour of 12 o'clock, M.

Mr. Thomas, from the same committee to whom was referred the bill to authorize Samuel S. Biddle to build a bridge across Neuse river, in Craven county, reported the same back to the Senate, and recommended its passage.

The bill more effectually to prevent the selling of spirituous liquors to slaves, was read the first time and passed.

Mr. Houston introduced a bill to incorporate the Kenansville Female Seminary, in the county of Duplin, which was read the first time and passed; and, on motion, referred to the committee on education and the literary fund.

On motion by Mr. Coleman, the bill to repeal the 9th section of the act passed by the General Assembly at its last session of 1854-'55, entitled an act to incorporate the Greenville and French Broad Railroad Company, was now taken up; and made the special order of the day for Thursday next, at the hour of 12 o'clock, M.

On motion by Mr. Dockery, the bill to amend the 1st section of the 28th chapter of the Revised Code, entitled "County Revenue and charges," was now taken up, and made the special order of the day for Friday next, at the hour of 12 o'clock, M.

On motion by Mr. Lane, the bill to incorporate the bank of Goldsboro' was now taken up, and made the special order of the day for Tuesday next, at the hour of 11 o'clock, A. M.
On motion by Mr. White, the bill to incorporate the Bank of Lincolnton was now taken up, and made the special order of the day for Tuesday next, at the hour of half past 11 o'clock, A. M.

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

A bill to revise and consolidate the charter of the city of Raleigh, which was read the first time and passed; and, on motion by Mr. A. J. Jones, referred to the committee on corporations;

A bill to provide the more effectually for the enlistment of lands for taxation, which was read the first time and passed; and, on motion by Mr. A. J. Jones, referred to the committee on finance;

A bill extending the powers of the Roanoke Valley Railroad Company, which was read the first time and passed; and, on motion by Mr. Lane, referred to the committee on internal improvements;

A bill to encourage the formation of a military company in the town of Wilmington, North-Carolina, which was read the first time and passed; and, on motion by Mr. White, referred to the committee on military affairs;

A bill to prevent the sale of spirituous liquors within two miles of Western North-Carolina Male Academy, in the county of Cabarrus;

A bill to open Yadkin River to the free passage of fish;

A bill concerning the competency of corporators as witnesses;

A bill to repeal Revised Code, section 34, chapter 61;

A bill to amend chapter 34, section 99 of the Revised Code;

A bill to repeal the 4th section of chapter 20 of the Revised Code, and to compel clerks and masters in equity to keep their office at the proper places; and

A bill to establish a superior court for Harnett county, which said bills were severally read the first time and passed; and,
on motion by Mr. Eaton, referred to the committee on the judiciary;

Also, a bill concerning the militia in the county of Union, which was read the first time and passed; and, on motion by Mr. White, the rules were suspended, and said bill read the second and third times, passed and ordered to be enrolled;

Also, a resolution concerning the public arms in the towns of Elizabeth City and Plymouth, which was read the first time and passed; and, on motion by Mr. Eaton, referred to the committee on military affairs;

Also, a resolution authorizing the literary board to loan ten thousand dollars to the Concord Presbyterian Female College, which was read the first time and passed; and, on motion, referred to the committee on corporations.

A resolution authorizing the literary board to loan ten thousand dollars to the Concord Presbyterian Female College, which was read the first time and passed; and, on motion, referred to the committee on corporations.

A resolution authorizing the literary board to loan ten thousand dollars to the Concord Presbyterian Female College, which was read the first time and passed; and, on motion, referred to the committee on education and the literary fund;

Also a resolution authorizing the literary board to loan ten thousand dollars to the Concord Presbyterian Female College, which was read the first time and passed; and, on motion, referred to the committee on education and the literary fund.

Mr. A. J. Jones introduced the following resolution, viz:

Whereas, The bill entitled an act to amend the Constitution of the State, has been before the committee on constitutional reform for four weeks, and has not been reported upon,

Resolved, That the committee on constitutional reform, be instructed to report said bill back to the Senate.

Mr. Hill moved that said resolution be laid on the table, which motion prevailed—yeas 30, nays 11.

Mr. A. J. Jones demanded the yeas and nays.
Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Hill, from the committee on constitutional reform, to whom was referred the bill to amend the Constitution of the State, reported the same back to the Senate and recommended that it do not pass.

Mr. A. J. Jones moved that the report accompanying said bill be printed, which motion was lost—yeas 18, nays 22.

Mr. Jones, of Brunswick, demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to amend the 99th chapter of the Revised Code, entitled "Revenue." The pending question being on the amendment proposed by Mr. A. J. Jones, to the 41st section of the same,

Mr. Gorrell moved to amend the amendment by striking out "mining companies;" which was agreed to. The amendment as amended was then rejected.

Mr. Pool moved to amend the said 41st section as follows: In line 16 strike out "shall pay" and insert after the word tax "shall be paid." The amendment was adopted.

Mr. Wilder moved further to amend said section as follows,
viz: In line 10, after the word "in" strike out "which an office or agency shall be established," and insert "which articles or packages may be delivered." The amendment was adopted.

Mr. Pool moved the following amendment to section 44, viz: In line 7, in said section, after the word "dollars" insert "in every county in which such exhibition is made or lectures delivered." The amendment was adopted.

On motion by Mr. Speight, section 110 was amended by striking out the words "turpentine distillers," in lines 25 and 26.

On motion by Mr. Boyd, said section was further amended by striking out the words "or private," in the 8th line of the same.

Mr. Martin now moved to strike out the whole of the 114th section.

Mr. Boyd moved to amend the same as follows: In the 1st line of said section, strike out the words "one gallon or less," and insert the words "less than one gallon;" which amendment to the amendment was rejected.

Mr. Myers, of Mecklenburg, moved the following as an amendment to the amendment, viz: In line 1st, between the word "persons" and the word "who" insert the word "peddling;" which said amendment to the amendment was lost.

The question now recurred on the motion to strike out the whole of section 114, and was determined in the affirmative—yeas 37, nays 4.

Mr. Fonville demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,
Pending the consideration of said bill, the Senate took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

Received a message from the House of Commons transmitting a message from his Excellency, the Governor, accompanied by a communication from Mr. Shaw concerning the Plymouth and Pungo Turnpike Road, proposing to print the same. Concurred in, and the House of Commons informed thereof by message.

The Senate now resumed the consideration of the unfinished business of the morning, viz:

The bill to amend 99th chapter of the Revised Code, entitled "Revenue."

Mr. Myers, of Mecklenburg, offered the following as an additional section to the bill, viz:

"That a tax of $20 be levied on each and every peddler of ardent spirits, for each and every county in which said peddler may sell; and on refusal to pay said tax when required so to do by the sheriff of the county, it shall be the duty of the said sheriff, or any person deputed by a justice of the peace to distrain the wagon and horse, or any other property of such delinquent, for the payment of the said tax; and upon sale thereof the remainder of the proceeds, after paying said tax, if any there shall be, shall be paid to the owner or owners as aforesaid. The possession of spirituous liquors by such persons in any greater quantity than five gallons, shall be deemed and held as prima facie evidence of such traffic, any declaration to the contrary notwithstanding."

Mr. Battle moved the following proviso as an amendment to the amendment, viz:

Provided, nevertheless, That this act shall extend only to the counties of Mecklenburg, Richmond and Davidson; which said amendment to the amendment was rejected.
Mr. Dockery moved to amend the amendment as follows, viz.: Strike out all of the same after the word "aforesaid." Which motion did not prevail.

The question now recurred on the adoption of the amendment proposed by Mr. Myers, of Mecklenburg, and was determined in the negative—yeas 8, nays 33.

Mr. White demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Hill moved an amendment to the bill, which was adopted.

The question now recurred on the passage of the bill its second reading, and was determined in the affirmative—yeas 41, nays 4.

Mr. J. B. Jones demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Holt moved that said bill be now taken up and made the special order of the day for Tuesday next at the hour of 6 o'clock, P. M.

Mr. Boyd moved to amend said motion by substituting Monday for Tuesday.

The question being taken on the proposition of Mr. Holt,
the same was determined in the negative—yeas 14, nays 29.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


By consent of the Senate, the proposition of Mr. Boyd was withdrawn.

Mr. Holt moved a suspension of the rules, in order that said bill be now taken up and put upon its third reading.

The motion prevailed—yeas 28, nays 12.

Mr. Holt demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


So the rules were suspended, and the bill put upon its third reading.

But before any question was taken thereon,

On motion by Mr. Boyd, the further consideration of the same was postponed, and said bill made the special order of the day for Monday next, at the hour of one quarter past 3 o'clock, P. M.

Whereupon, the Senate adjourned until to-morrow morning, 10 o'clock.
SATURDAY, January 17, 1857.

Received a message from the House of Commons stating that they have passed the engrossed bill to increase the pay of witnesses in the county of Duplin, with amendments, in which they ask the concurrence of the Senate.

The amendments were concurred in, and the Commons informed thereof by message.

Also a message concurring in the proposition of the Senate to raise a joint-select committee, to take into consideration the erection of a monument in Independence Square, and informing that the committee on behalf of the Commons consists of Messrs. Settle, Green and Little; whereupon,

The Commons were informed by message that the committee on behalf of the Senate, consists of Messrs. A. J. Jones and Dillard.

On motion by Mr. A. J. Jones, the bill to aid the erection of a monument, commemorative of the Declaration of American Independence, was now taken up and referred to the select committee on the subject.

Mr. Wilder, from the committee on education and the literary fund, to whom was referred the bill to establish a Normal School in Polk county, reported the same back to the Senate and recommended its passage.

Mr. Cunningham introduced a bill to amend the 19th section of the 59th chapter of the Revised Code, which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

Mr. Thomas, of Jackson, introduced a bill to amend the charter of the Tuckasege Turnpike Company, passed at the session of 1854-55, which was read the first time and passed.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill extending the powers of the Roanoke Valley Railroad Company, reported the same back to the Senate and recommended its passage.

Mr. Thomas, of Jackson, introduced a memorial from J. R. Siler, of Macon county; which, on motion, was referred to the committee on Cherokee lands.
On motion by Mr. Ramsay, the engrossed bill to alter an act to incorporate the trustees of New Institute, in Iredell county, passed in the year 1855-'56, was now taken up, read the second time, amended on motion by Mr. Ramsay, by striking out the proviso in the 2d section, and passed its second reading as amended; under a suspension of the rules, 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.

On motion by Mr. Ward, the bill to incorporate the Pollocksville Lodge, No. 175, in Jones county, was now taken up, read the second and third times, passed, and ordered to be engrossed.

On motion by Mr. Christian, the Senate took up from the table the bill to incorporate the Yadkin Manufacturing Company, in the county of Montgomery, which was read the second time, the amendments proposed by the committee agreed to, and the bill passed its second reading, as amended; under a suspension of the rules, said bill was read the third time, passed, and ordered to be engrossed.

On motion by Mr. McDiarmid, the resolution in favor of Alexander Johnson, sheriff of Cumberland county, was now taken up, read the second and third times, passed, and ordered to be engrossed.

On motion by Mr. Myers, of Anson, the resolution in favor of William Thompson was taken up, read the second and third times, passed, and ordered to be engrossed.

Mr. Chesson called up the engrossed resolution in favor of Elizabeth Kissam, which was read the second and third times, passed, and ordered to be enrolled.

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 that body, viz:

A bill to amend an act, entitled act to establish the town of Stricklandsville, in the county of Duplin, and to incorporate the commissioners of said town.

The following enrolled bills and resolution were returned to and ratified in the Senate, viz:
A bill to authorise the inspectors of naval stores in the town of Wilmington, to guage the article of spirits of turpentine;

A bill for the benefit of the Insane Asylum;

A bill concerning the coupon bonds of the State;

A bill to extend the provisions of an act passed by the General Assembly, at its session of 1854-'55, entitled an act to extend the time for perfecting titles to land heretofore entered, chapter 49;

A bill to protect the citizens of the town of Wilson;

A resolution concerning Capitol Square; and

A bill to prevent the felling of timber in Enoe river, in the county of Orange, and Fisher's river, in the county of Surry, Jenning's creek, in the county of Davidson, and McAlpin's creek, and Big Sugar creek and its four principal tributaries of the same name, in the county of Mecklenburg.

On motion by Mr. Cunningham, the Senate took up for consideration the bill to incorporate the Shepard's Point Land Company, which was read the second time, and the amendments reported by the committee agreed to; but

Pending the consideration of said bill, the hour of 12 o'clock having arrived, the Speaker announced the special order, viz:

The bill to amend an act, entitled an act to incorporate the Western North-Carolina Railroad Company.

Whereupon, on motion by Mr. Cherry, the Senate resolved itself into the committee of the whole to take the same into consideration, Mr. Hill in the chair; and after some time spent therein, the Speaker resumed the chair, and Mr. Hill reported that the committee having, according to order, had the said bill under consideration, had come to no conclusion thereon, but had directed him to report progress, and ask leave to sit again this day at half past three o'clock, P. M., which was granted.

Whereupon, the Senate took a recess until 3 o'clock, P. M.
Three o’clock, P. M.

The following enrolled bill and resolution were returned to, and ratified in the Senate, viz: A bill to change the time of holding the courts of pleas and quarter sessions for Chowan county; and A resolution concerning the distribution of the geological report.

On motion by Mr. J. B. Jones, the bill to incorporate the Currituck Steamboat Company was now taken up, when on motion, the same was ordered to be laid on the table.

The hour of half-past 3 o’clock having now arrived, the Speaker announced the special order, viz: The unfinished business of the morning, being the bill to amend an act entitled an act to incorporate the Western North-Carolina Railroad Company; whereupon the Senate again resolved itself into the committee of the whole, to take the same under consideration, Mr. Hill in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Hill reported that the committee having, according to order, had said bill under consideration, had come to no conclusion thereon, but had directed him to report progress, and ask leave to sit again on Monday next, at half-past 11 o’clock, A. M., which was granted.

Mr. Thomas, of Jackson, moved that the Senate do now adjourn until Monday morning, 10 o’clock, which motion was lost—yeas 11, nays 18.


The Senate now resumed the consideration of the bill to incorporate the Shepard’s Point Land Company, which passed
its second reading; said bill was read the third time, passed, and ordered to be engrossed.

The resolution in favor of David Taylor and Elizabeth Welch was read the second time, and on motion by Mr. J. B. Jones, recommitted to the committee on the judiciary.

On motion by Mr. Martin, the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, JANUARY 19, 1857.

The Speaker announced that the committee on enrolled bills, on behalf of the Senate, for the present week, consists of Messrs. Cunningham, Pool and Rives, of which the House of Commons was informed by message.

A message was received from the House of Commons, stating that they have passed the accompanying engrossed joint resolution concerning the Mexican Preamble, in which they ask the concurrence of the Senate.

The resolution was read the first time and passed; and, on motion by Mr. Cunningham, referred to the committee on the judiciary.

On motion, Mr. Holmes was added to the committee on corporations, until the return of Mr. Cowper, who is absent from the Senate.

Mr. Thomas, of Jackson, presented a petition in favor of the Cherokee Indians; which, on motion, was referred to the committee on the judiciary.

Mr. Eaton, from the committee on corporations, to whom was referred the bill to incorporate the American Exchange Gold Mining Company;

The bill to amend the charter of the town of Hillsboro; and

The bill to incorporate the Trustees of Warsaw High School, in Duplin county, reported said bills back to the Senate, with amendments.

Mr. Thomas, of Jackson, introduced a bill to incorporate the Forks of the Tennessee River Turnpike Company, which
was read the first time and passed; and, on motion, referred to the committee on internal improvements.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill for the relief of Thomas Wilson, reported the same back to the Senate, and recommended its passage.

On motion by Mr. A. J. Jones, the bill to establish the Metropolitan Bank of North-Carolina, which was made the special order for to-day, at the hour of 12 o'clock, M., was now taken up, and made the special order for to-morrow at half-past 3 o'clock, P. M.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to amend an act entitled an act to incorporate the Western North-Carolina Railroad Company; whereupon, the Senate again resolved itself into a committee of the whole, to take the same under consideration, Mr. Hill in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Hill reported that the committee having, according to order, had said bill under consideration, had instructed him to report the same back to the Senate, with amendments, and recommend its passage. The bill was read the second time, the amendments recommended by the committee of the whole agreed to, and the bill passed its second reading as amended—yeas 17, nays 13.

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

Those who voted in the negative are,

The bill to incorporate the Tuckaseege Mining Company, was read the second time, the amendments reported by the committee agreed to, and the bill passed its second reading as amended. On motion by Mr. Thomas, of Jackson, the
rules were suspended, and said bill 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.

She hour of one quarter past three o'clock having now arrived, the Speaker announced the special order, viz:

The bill to amend the 99th chapter of the Revised Code, entitled "Revenue."

Whereupon, on motion by Mr. Cherry, ordered that said bill be laid on the table.

On motion by Mr. Cunningham, the bill to charter the Cheraw and Coalfield Railroad Company, was now taken up and made the special order of the day for Wednesday next, at the hour of 11 o'clock, A. M.

The bill to amend an act to incorporate the town of Pittsboro', in Chatham county, was read the second time, the amendments reported by the committee agreed to, and the bill passed its second reading, as amended; on motion, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate York Collegiate Institute, in the county of Alexander, was read the second time, the amendments reported by the committee agreed to, and the bill passed its second reading, as amended; on motion, the rules were suspended, and said bill 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 authorizing the magistrates of Nash county to establish a toll-bridge or ferry line across Tar river was now taken up, and on motion by Mr. Battle, ordered to be laid on the table.

The bill to incorporate the trustees of the Female College of the Methodist Protestant Conference of North-Carolina, was read the second and third times, passed, and ordered to be engrossed.
The bill to authorize Thomas Underwood, late sheriff of Sampson county to collect arrears of taxes, was read the second time; and, on motion by Mr. Holmes, ordered to be laid on the table.

The engrossed bill to amend an act, entitled an act to incorporate the town of Graham, in Alamance county, was read the second time, the amendments reported by the committee agreed to, and the bill passed its second reading, as amended; said bill was now 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 engrossed bill to authorise Samuel S. Biddle to build a bridge across Neuse river, in Craven county, was read the second and third times, passed, and ordered to be enrolled.

The engrossed bill to incorporate Chowan College, at Reynoldson, in the county of Gates, was read the second time, and, on motion by Mr. Dillard, ordered to be laid on the table.

On motion by Mr. Coleman, the Senate took up for consideration the bill to amend an act, entitled an act to incorporate the Indian Grave Gap Turnpike Company, passed at the session of 1854-'55, which was read the second time, the amendments reported by the committee adopted, and the bill passed its second reading as amended; said bill was read the third time, passed, and ordered to be engrossed.

The engrossed resolution in favor of Elizabeth Hemphill;

The engrossed resolution in favor of James Morrison;

The engrossed bill to incorporate the town of Marion, in the county of McDowell; and

The engrossed bill to incorporate the town of Waynesville, in the county of Haywood, were severally read the second and third times, passed, and ordered to be enrolled.

The Senate now adjourned until to-morrow morning, 10 o'clock.
TUESDAY, JANUARY 20, 1857.

Received a message from the House of Commons stating that their branch of the committee on enrolled bills for the present week consists of Messrs. Lewis of Nash, Cox of Perquimons, Long, Harrell and Slaughter.

A message was received from the House of Commons concurring in the amendment of the Senate to the engrossed bill to alter an act to incorporate the Trustees of New Institute, in Iredell county; ordered that said bill be enrolled.

Mr. Eaton, from the committee on corporations, to whom was referred the bill to amend an act, entitled an act to incorporate the Normal College, reported the same back to the Senate with amendments.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to authorise A. M. Booe, late sheriff of Davie county, to collect arrears of taxes due him, reported the same back to the Senate with amendments.

Mr. Boyd, from the same committee, to whom was referred the bill to ascertain the federal population of Ashe county, &c., reported the same back to the Senate with amendments.

Mr. Thomas, of Jackson, introduced a bill to amend an act entitled an act to incorporate Rich Mountain Turnpike Company, in the county of Haywood, 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 now arrived, the Speaker announced the special order, viz:

The bill to incorporate the Bank of Goldsboro'.

On motion by Mr. Wilder, ordered that said bill be laid on the table.

On motion by Mr. J. B. Jones, the Senate now took up for consideration the bill to incorporate the Currituck Steamboat Company, which was read the second and third times, passed and ordered to be engrossed.

Mr. Cunningham introduced a resolution concerning wood, which was read the first time and passed; on motion, the rules were suspended and said resolution read the second time.
Mr. Dockery moved that said resolution be laid on the table. The motion was lost.

The resolution now passed its second reading.

The said resolution was now read the third time; amended, on motion by Mr. Wilder, and passed its third reading, as amended, and under a further suspension of the rules, ordered that a message be sent to the House of Commons asking their concurrence in the same.

A message was received from the House of Commons proposing to raise a committee of conference on the engrossed bill to incorporate Holly Springs High School in Wake county.

On motion by Mr. Hill, ordered that the same be laid on the table.

The hour of half-past 11 o'clock having arrived, the Speaker announced the special order, viz:

The bill to incorporate the Bank of Lincolnton, North-Carolina, which was read the second time.

Said bill was amended on motion by Mr. White.

Mr. J. B. Jones moved further to amend the bill as follows, viz: In section 19, lines 3 and 4, strike out "one" and insert "five dollars."

Mr. White moved to amend the amendment by striking out "five" and inserting "three;" which said amendment to the amendment was disagreed to.

The amendment proposed by Mr. J. B. Jones was now agreed to.

Mr. Hill moved further to amend the bill as follows, viz: In section 2d, line 3d, strike out the words "or in bonds of the State of North-Carolina," which amendment was adopted.

Mr. Hill moved still further to amend the bill as follows: In 6th section, 79th line, strike out the words "the legal rate of interest in this State" and insert the words "6 per cent. per annum." The amendment was adopted.

Mr. Speight moved the following amendment, which was agreed to, viz: In section 2d, line 21st, strike out the words "or State bonds as aforesaid."

Mr. A. J. Jones moved to amend the bill as follows, viz:
In section 5th, line 2d, strike out "fifty" and insert "one hundred." Which amendment was adopted.

Mr. Hill moved to amend said bill by striking out the 20th section of the same. The amendment was agreed to.

Mr. A. J. Jones moved further to amend the bill as follows, viz: In section 1st, line 6th, strike out "one hundred" and insert "fifty," which said amendment did not prevail.

The question now recurred on the passage of the bill its second reading, and was determined in the negative—yeas 12, nays 20.

Mr. Wilder 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 hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:
The bill to establish the Salisbury Bank, which was read the second time.

Mr. Speight moved to amend the bill as follows, viz: In section 7th, line 2, strike out "three" and insert "five." The amendment was adopted.

The question now recurred on the passage of the bill its second reading, and was determined in the negative—yeas 12, nays 19.

Mr. Ramsay demanded the yeas and nays.
Those who voted in the affirmative are,
Those who voted in the negative are,
Messrs. Battle, Burges, Carr, Cherry, Cunningham, Dillard, Eaton, Hawkins, Holmes, Holt, J. B. Jones, A. J. Jones, Mc-

So the bill was rejected.

The bill to attach part of Moore county to Harnett county, was now taken up; and, on motion by Mr. Christian, ordered to be laid on the table.

The bill to confirm the title of R. S. D. Bell to certain lands, was now taken up; and, on motion by Mr. Ward, referred to the committee on the judiciary.

A message was sent to the House of Commons stating that the Senate has passed the following bills and resolutions, in which it asks the concurrence of the House of Commons, viz:

A bill to amend an act, entitled an act to incorporate the Indian Grave Gap Turnpike Company;
A bill to incorporate the Shepard's Point Land Company;
A bill to incorporate the Tuckasege Land Company;
A bill to incorporate Pollocksville Lodge, No. 175, in Jones county;
A bill to incorporate the Yadkin Navigation Company;
A resolution in favor of William Thompson; and
A resolution in favor of Alexander Johnson, sheriff of Cumberland county.

The bill vesting in *femae coevert* the right of their slave estates, was taken up; and, on motion by Mr. Battle, ordered to be laid on the table.

The bill to construct the Piedmont Turnpike Road Company, was read the second time; and, on motion by Mr. Martin, ordered to be laid on the table.

The engrossed bill concerning the common schools of the State of North-Carolina, was read the second time and the amendments reported by the committee agreed to.

Mr. W. H. Thomas moved to amend the bill by adding the following as an additional section, viz:

*Be it further enacted,* That as soon as the Congress of the United States shall pass a law releasing the State from the payment of the fund deposited with the State, the distribution shall thereafter be made agreeably to the number of
children in each county entitled to the benefits of the school fund.

Pending the consideration of which said bill and amendment,

The Senate took a recess until 3 o’clock, P. M.

Three o’clock, P. M.

The bill to incorporate the Historical Society of the University of North-Carolina;

The bill to incorporate the Male and Female Academy in Swansboro’, North-Carolina; and

The bill to incorporate the Greensboro’ Hotel Company, in the town of Greensboro’, were severally read the second and third times, passed, and ordered to be engrossed.

The bill to incorporate the Trustees of Warsaw High School, in Duplin county, was read the second time, the amendments proposed by the committee agreed to, and the bill passed its second reading as amended; said bill was read the third time, passed and ordered to be engrossed.

The bill to incorporate the Currituck Hotel Company was now taken up; and, on motion by Mr. J. B. Jones, ordered to be laid on the table.

The bill to incorporate the town of Yanceyville, was read the second time, the amendments proposed by the committee agreed to, and the bill passed its second reading as amended; said bill was read the third time, passed and ordered to be engrossed.

Mr. Eaton introduced a bill to repeal section 68 of chapter 107 of the Revised Code, which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill enlarging the powers of the trustees of Green Hill Academy, in Haywood county, was read the second and third times, passed, and ordered to be enrolled.

The engrossed bill to incorporate the trustees of Mount Olivet Academy, in the county of Randolph, was taken up,
and, on motion by Mr. Holt, ordered to be laid on the table.

The resolution in favor of Lemuel Wilkerson and A. C. Murdock was read the second time; and, on motion by Mr. Holt, ordered to be laid on the table.

The resolution in favor of E. D. Davis, sheriff of Jackson county, was read the second and third times, passed, and ordered to be engrossed.

The resolution in favor of Thomas J. Williams, former sheriff of Surry county, was read the second time, and the amendments proposed by the committee agreed to.

Mr. White moved to amend the resolution as follows, viz: add the names of Mills Higgins, of McDowell county, and Jonas Cline, of Catawba county. The amendment was adopted.

On motion by Mr. Holmes, said resolution was further amended, by adding to the same the name of Thomas Underwood, late sheriff of Sampson county.

Mr. Rives now moved further to amend the resolution, by adding the name of M. H. Kilpatrick, late sheriff of Rutherford county.

Mr. Cunningham moved that said resolution and amendments be laid on the table, which motion was lost—yeas 5, nays 25.

Mr. White demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Carr, Cunningham, Hill, Speight and Wilder—5.

Those who voted in the negative are,


By consent of the Senate the amendment proposed by Mr. Rives was withdrawn.

The question now recurred on the passage of the resolution its second reading, as amended, and was determined in the affirmative—yeas 22, nays 8.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

On motion by Mr. Holt, the rules were suspended, and said resolution read the third time.

Mr. Dockery moved to amend the same by striking out all the names but Thomas J. Williams, which motion prevailed—yeas 19, nays 10.

Mr. White demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

The resolution now passed its third reading as amended, and was ordered to be engrossed.

By consent of the Senate, Mr. J. B. Jones introduced a bill to alter the place of comparing polls in the first Congressional District, which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

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

WEDNESDAY, JANUARY 21, 1857.

On motion by Mr. Boyd, the bill to amend the 99th chapter of the Revised Code, entitled "Revenue," was now taken up, and made the special order of the day for to-morrow, at 11 o'clock, A. M.

On motion by Mr. Wilder, the bill to amend an act entitled
an act to incorporate the Western North-Carolina Railroad Company, was now taken up and made the special order for this day, at the hour of 4 o'clock, P. M.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the petition of John Gibbs, of Jackson county, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Mr. White introduced a resolution in favor of Jonas Cline, which was read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

Mr. A. J. Jones introduced a bill to amend an act passed in 1852-'53, entitled an act concerning the place of trial for civil process returnable before justices of the peace, which was read the first time and passed. On motion, the rules were suspended, and said bill read the second and third times, passed, and ordered to be engrossed.

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 incorporate the Salisbury and Eagle City Railroad Company, which was read the first time and passed; and, on motion by Mr. Ramsay, referred to the committee on internal improvements;

A bill to incorporate the Garysburg and Windsor Railroad Company, which was read the first time and passed.

On motion by Mr. Holt, the engrossed bill to incorporate the Trustees of Mount Olivet Academy, in the county of Randolph, was now taken up, read the second and third times, passed, and ordered to be enrolled.

Received a message from the House of Commons, transmitting the report of the joint-select committee on the Deep River improvements, accompanied by a statement from the President and Directors of the Cape Fear and Deep River Navigation Company, with a proposition to print the same. Concurred in, and the House of Commons informed thereof by message.

Mr. Cherry moved a reconsideration of the vote by which
on yesterday was rejected the bill to establish the Salisbury Bank.

Mr. Cherry moved to reconsider the vote by which was rejected on yesterday the bill to incorporate the Bank of Lincoln, North-Carolina.

Mr. Cunningham moved that said motion to reconsider be laid on the table. The motion was lost—yeas 12, nays 18.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


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 the charter of the Atlantic and North-Carolina Railroad Company, which was read the first time and passed.

A bill to incorporate the Rockingham Coalfield Railroad Company, which was read the first time and passed; and, on motion by Mr. Cunningham, referred to the committee on internal improvements.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to charter the Cheraw and Coalfield Railroad Company.

Said bill being on its third reading, and the question recurring on the passage of the bill its third reading, the same was determined in the affirmative—yeas 19, nays 10.

Mr. White 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. Coleman moved to reconsider the vote just taken, by which the bill to charter the Cheraw and Coalfield Railroad Company was passed, and moved that said motion to reconsider be laid on the table, which motion was carried.

Mr. Wilder, from the committee on banks and currency, to whom was referred the bill concerning the Bank of Cape Fear, reported the same back to the Senate and recommended its passage.

Mr. Eaton, from the committee on corporations, to whom was referred the bill to incorporate the Cape Fear, Coal and Iron Company;

The bill to incorporate the American Exchange and Mining Company;

The bill to incorporate the Cambridge Copper Mining and Manufacturing Company; and

The bill to incorporate the Greensboro' Mining and Smelting Company, reported said bills back to the Senate with amendments.

Mr. Eaton, from the same committee, to whom was referred the bill authorising and empowering the Neuse Manufacturing Company to increase their capital stock, reported the same back to the Senate and recommended its passage: provided it shall be made to appear that notice has been given according to law.

Mr. Holt now called up for consideration the bill to incorporate the American Exchange Mining Company, which was read the second time, and the amendments proposed by the committee adopted; said bill, after being further amended, on motion by Mr. Holt, passed its second reading as amended.

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

On motion by Mr. A. J. Jones, the bill to establish the Metropolitan Bank of North-Carolina, was now taken up and made the special order for to-day at 1 o'clock, P. M.
The Senate now took up for consideration the bill concerning the Common Schools of the State of North-Carolina, the pending question being on the amendment proposed by Mr. Thomas, of Jackson.

Before any question was taken on said bill or amendment, the consideration of the same was suspended; and the hour of 12 o'clock having arrived, the Speaker announced the special order, viz:

The bill to expedite the construction and increase the capacity of the Albemarle and Chesapeake Canal Company, which was read the second time, and the amendment proposed by the committee as a substitute adopted.

Mr. Ward now moved the following as an additional section to the bill, viz:

"Be it further enacted, That for the purpose of effecting a more certain and easy Navigation of Trent River, in the county of Jones, a corporate company by the name and style of the Trent River and Tuckaho Navigation Company, with a capital stock of twenty-two thousand dollars, are hereby authorised to be formed under the provisions of the corporate law, chapter twenty-six of the Revised Statute, and when formed and seven thousand dollars shall have been subscribed by good and solvent subscribers, and certified to by the president and treasurer of the company, to the Governor of the State of North-Carolina, the board of internal improvements are hereby authorised to subscribe for and in behalf of the State of North-Carolina the sum of fifteen thousand dollars; payments to be made by individual stockholders and the State pari passu."

The question recurring on the adoption of said amendment, the same was determined in the negative—yeas 9, nays 18.

Mr. Ward demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Battle, Burges, Carr, Cunningham, Dillard, Eaton,
Before any question was taken on the passage of said bill, The Senate took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The Senate resumed the consideration of the unfinished business of the morning, viz:

The bill to expedite the construction and increase the capacity of the Albemarle and Chesapeake Canal Company.

Pending debate on said bill,

The hour of four o'clock arrived, and the Speaker announced the special order of the day for that hour, viz:

The bill to amend an act, entitled an act to incorporate the Western North-Carolina Railroad Company.

Mr. Pool moved that the consideration of said bill be postponed until half-past four o'clock, P. M.

Mr. Hill moved that the consideration of the same be postponed until to-morrow morning half-past 11 o'clock, A. M., and the question being taken thereon, the same was determined in the negative—yeas 12, nays 21.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


On motion by Mr. Battle, the further consideration of said bill was now postponed, and made the special order of the day for to-morrow at the hour of half-past 3 o'clock, P. M.

On motion by Mr. A. J. Jones, the bill to establish the Metropolitan Bank of North-Carolina, was taken up and made
the special order of the day for to-morrow at the hour of half-past 10 o'clock, A. M.

The Senate now resumed the consideration of the bill to expedite the construction and increase the capacity of the Albemarle and Chesapeake Canal, and the question recurring on the passage of the bill its second reading, the same was determined in the affirmative—yeas 19, nays 12.

Mr. White 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 stating that the Senate has passed the following engrossed bills, in which it asks the concurrence of that body, viz:
A bill to incorporate the Cheraw and Coalfield Railroad Company;
A bill to incorporate the Currituck Steamboat Company;
A bill to incorporate the Trustees of the Female College of the Methodist Protestant Conference of North-Carolina;
A bill to incorporate the Historical Society of the University of North-Carolina;
A bill to incorporate the Trustees of Warsaw High School, in Duplin county; and
A bill to amend an act to incorporate the town of Pittsboro, in Chatham county.

On motion by Mr. Speight, the Senate now took up for consideration the engrossed bill to amend the charter of the Atlantic and North-Carolina Railroad Company, which was read the second time and passed.

Mr. Speight moved a suspension of the rules that said bill be now read the third time.

The motion prevailed—yeas 20, 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 rules were suspended, and said bill read the third time.

Mr. Cunningham moved that the bill be laid on the table, which motion did not prevail—yeas 12, nays 19.

Mr. Holt demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative, are,

Pending the consideration of said bill, the Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, JANUARY 22, 1857.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the resolution in favor of Jonas Cline, reported a bill as a substitute for the same, and recommended its passage.

Mr. Wilder, from the committee on the judiciary, to whom was referred the bill to make all debts due from the estates of deceased persons of equal dignity, reported the same back to Senate, and recommended that it do not pass.

Mr. Wilder, from the same committee to whom was referred the bill to establish a superior court for Harnett county, and the bill to repeal part of the 34th section of chapter 61st
of the Revised Code, reported the same back to the Senate, and recommended their passage.

Mr. Cunningham, from the committee on education and the literary fund, to whom was referred the bill to incorporate the Kenansville Female Seminary, in the county of Duplin, and the bill to incorporate the Graham Female Seminary, reported the same back to the Senate, and recommended their passage.

The hour of half past 10 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to establish the Metropolitan Bank of North-Carolina, which was read the second time.

The first, second and third amendments proposed by the committee were read and adopted.

The amendment proposed by the committee, viz: In section 5, strike out all after the word "provided," in the 7th line, to the word "and," in line 10, was read and rejected—yeas 12, nays 26.

Mr. Lane demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Pending the further consideration of said bill, the hour of 12 o'clock arrived, and the Speaker announced the special order for that hour, viz:

The bill to amend the 99th chapter of the Revised Code, entitled "Revenue."

Mr. A. J. Jones moved to postpone the consideration of said bill until 3 o'clock, P. M., which motion did not prevail—yeas 9, nays 29.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,


The bill was now read the third time.

Mr. Holt moved to amend the same as follows, viz:

In 2d section, 3d line, strike out the word “fifteen” and insert the word “twelve.”

The amendment was rejected—yeas 15, nays 23.

Mr. Holt demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Dockery moved the following amendment, viz:

In section 4, line 2, strike out “50” and insert “40,” and in line 4, strike out “50” and insert “40.”

The amendment was rejected—yeas 14, nays 26.

Mr. Dockery demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Mr. Thomas, of Jackson, moved to amend the bill as follows:
In section 5th, line 1st, strike out “fifteen” and insert “twelve dollars and fifty cents.” The amendment was rejected.

Mr. Holt moved the following amendment, viz:
In section 19th, line 7th, strike out the word “four” and insert the word “three.” The amendment was disagreed to—yeas 9, nays 29.

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

Mr. Battle moved the following amendment, viz:
In section 23d, 1st paragraph and 4th line, strike out “one per cent.” and insert “one-half of one per cent.”
The amendment was lost.

Mr. Battle moved further to amend the bill as follows, viz:
In the 13th line of the 23d section, paragraph 4th, strike out all after the word “cents” and insert “on every single barrel pistol, a tax of one dollar, and on every revolving pistol two dollars, except such as are used exclusively for mustering, and on every bowie-knife two dollars, on dirks and sword canes seventy-five cents.”
The amendment was rejected.

Mr. Cherry now moved the following amendment, viz: On every bowie-knife “ten dollars.”
Mr. Battle moved to amend the amendment, by striking out “ten” and inserting “five.”
Said amendment to the amendment was lost, and the amendment rejected.

Mr. Wiggins moved further to amend the bill as follows viz:
In section 23d, paragraph 5th, strike out in 23d line “one
dollar” and insert “fifty cents,” and in 24th line, strike out “50 cents” and insert “25 cents.”

The amendment was adopted.

Mr. Christian moved further to amend the bill as follows viz:
In the 21st line of the 23d section, strike out “thirty” and insert “twenty.”

The amendment was rejected—yeas 13, nays 26.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Battle moved further to amend the bill as follows, viz:
In section 23, line 22, strike out “thirty dollars,” and insert “twenty-five dollars.”

The amendment was rejected—yeas 16, nays 24.

Mr. Battle demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Christian moved to amend the 6th paragraph of the 23d section of the bill, so as to make it read as follows:
All houses of entertainment, a tax of one per cent., whose receipts are one thousand dollars, or less, and one-half of one per cent. for sums over one thousand dollars.

The amendment was rejected.
Pending the further consideration of the bill, the hour of 12 o'clock arrived, and the Speaker announced the special order for that hour, viz:

The bill to repeal the 9th section of the act passed by the General Assembly at its last session of 1854-'55, entitled an act to incorporate the Greenville and French Broad Railroad Company; whereupon, the consideration of said bill was postponed, and made the special order of the day for Saturday next, at the hour of 11 o'clock, A. M.

Mr. J. B. Jones gave notice of his intention to amend the rules of the Senate in regard to its meeting and adjournment.

Mr. Coleman moved to suspend the rules which requires an adjournment of the Senate at 5 o'clock, so that the Senate should take a recess at that hour, to-day, and meet again at 7 o'clock, P. M.

The question on which said motion resulted as follows—yeas 24, nays 14.

Mr. Coleman demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Two-thirds of the Senators present, not voting in favor of a suspension of the rules, the Speaker announced that the motion was lost.

The Senate now resumed the consideration of the bill to amend the 99th chapter of the Revised Code, entitled "Revenue."

Mr. Wiggins moved to amend the bill as follows, viz: In section 23d, paragraph 6th, strike out lines 26, 27 and 28, to the word "provided," and insert "shall pay a tax of twenty dollars." The amendment was lost.

Mr. Wiggins moved further to amend the bill as follows,
viz: In section 23d, strike out in 27th line "one half of one per cent." and insert "one fourth of one per cent." The amendment was rejected—yeas 14, nays 18.

Mr. Wiggins demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Cherry moved the following amendment to the 23d section of the bill, viz: Strike out "one hundred and twenty-five" in lines 33 and 34, and insert "thirty dollars;" and in line 36 strike out "one hundred and twenty-five" and insert "thirty;" and in line 37 strike out "sixty-five" and insert "fifteen;" and in line 38 strike out "twenty-five" and insert "five."

Mr. Coleman called for a division of the question, and moved that the question be first taken on so much of said amendment as relates to public billiard tables; and the question being taken thereon, the same was disagreed to—yeas 4, nays 31.

Those who voted in the affirmative are,


Those who voted in the negative are,


The question was now taken on the adoption of the second branch of said amendment which relates to private billiard tables, and was determined in the negative.

Mr. Bryan moved to amend said 23d section by adding the following to the 7th paragraph of the same, viz: "And upon
each and every Faro bank the sum of one thousand dollars." The amendment was rejected.

Mr. Lane moved to strike out the 13th paragraph of the 23d section. The motion prevailed—yeas 23, nays 14.

Mr. Lane demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Coleman moved further to amend the 23d section of the bill as follows, viz:

In paragraph 14th, insert in line 82d, after the word same, "Provided, That whenever the proprietor of any billiard table shall notify the sheriff that he proposes to use the same as a public billiard table during only a part of the year, then the sheriff shall grant to such person a license for the said time, to be valid during the time specified therein, and no longer, and thereupon the tax levied and paid for such table shall be such proportion of the annual tax as will correspond to said time." In line 86th, strike out the words "double tax" and insert "a tax double the annual tax." The amendment was rejected.

Mr. A. J. Jones moved further to amend the bill as follows, viz: In section 24th, line 9th, strike out "seven per cent." and insert "two per cent." The amendment was rejected—yeas 13, nays 24.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Battle, Boyd, Cameron, Chesson, Coleman, Cunningham-

Mr. Martin moved further to amend the bill as follows, viz:
In section 24th, in lines 9th and 10th, strike out the words "and upon those made in this State six per cent."

Pending which said amendment,

The Senate took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

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 resolution in favor of Thomas J. Williams, former sheriff of Surry county;
A bill to incorporate the town of Yanceyville;
A resolution in favor of E. D. Davis, sheriff of Jackson county;
A bill to incorporate the Greensboro' Hotel Company, in the town of Greensboro'; and
A bill to incorporate the Male and Female Academy, in Swansboro', North-Carolina.

The Senate now resumed the consideration of the unfinished business of the morning, viz:
The bill to amend the 99th chapter of the Revised Code, entitled "Revenue."

The pending question being on the amendment proposed by Mr. Martin, and the question recurring on the adoption of said amendment, the same was determined in the negative—yeas 14, nays 17.

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

Pending the consideration of said bill, the hour of half past three o'clock arrived, and the Speaker announced the special order, viz:

The bill to amend an act, entitled an act to incorporate the Western North-Carolina Railroad Company.

Whereupon, on motion by Mr. Boyd, the consideration of said bill was postponed, and made the special order of the day for to-morrow, at the hour of half past three o'clock, P. M.

The Senate now resumed the consideration of the bill to amend the 99th chapter of the Revised Code, entitled "Revenue."

Mr. Holmes now moved to amend the bill, as follows, viz:
In section 24, 8th line, strike out all after the word "cordials" in said line, down to the word "upon," in the 10th line, and insert the words "three and one-third per cent."

Mr. Lane moved to amend the amendment, by striking out "three" and inserting "one."

The amendment to the amendment was disagreed to—yeas 12, nays 24.

Mr. Lane demanded the yeas and nays.
Those who voted in the affirmative are,
Messrs. Battle, Carr, Cherry, Fonville, Gibson, Holmes, A. J. Jones, Lane, McDiarmid, Martin, Pool and Taylor—12.

Those who voted in the negative are,

The question now recurred on the amendment of Mr. Holmes, and was determined in the negative—yeas 14, nays 21.

Mr. A. J. Jones demanded the yeas and nays.
Those who voted in the affirmative are,
Messrs. Battle, Burges, Carr, Cherry, Dillard, Fennell, Fon-
Those who voted in the negative are,

Mr. Ward moved to amend the bill as follows, viz:
In section 24th, line 9, strike out "seven per cent" and insert "five per cent." In line 10th, strike out "six per cent" and insert "four per cent."

Mr. Pool moved to amend the amendment by striking out "5" and inserting "4."
The amendment to the amendment was rejected—yeas 15, nays 21.

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

Those who voted in the negative are,

Mr. Rives now moved to amend the amendment by striking out "four" and inserting "five."
Said amendment to the amendment was agreed to, and the amendment as amended adopted—yeas 25, nays 9.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. A. J. Jones moved to amend the bill as follows, viz:
Strike out all of the 24th section, from the 6th line to the word “on” in the 11th line.

The amendment was rejected—yeas 4, nays 31.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Holt moved the following amendment, viz:

In section 24, line 26th, strike out the words “whether of this or any other State” and insert “which are not the manufactures of this State.”

The amendment was rejected.

Mr. Martin moved further to amend the bill as follows, viz:

In section 29, strike out the following words, “and on all horses and mules brought into the State for sale, whether by citizens of the State or others, there shall be paid to the sheriff a tax of twelve dollars and fifty cents for each county, in which any sale of such horses and mules may be made.”

The amendment was lost.

Pending the consideration of the bill,

Mr. Cunningham moved a suspension of the rules requiring the Senate to adjourn at 5 o’clock.

The question on which said proposition, resulted as follows: yeas 25, nays 13.

Mr. Ramsay demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,
Messrs. Bryan, Burges, Cherry, Christian, Coleman, Dock-
There being 25 in the affirmative and 13 in the negative, and a vote of two-thirds of the Senators present being necessary to suspend the rules, the Chair voted with the majority, and the motion prevailed.

Mr. A. J. Jones moved that the Senate adjourn until tomorrow morning 10 o'clock, which motion did not prevail—yeas 11, nays 28.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Gibson moved that the Senate do now take a recess until 10 o'clock, P. M., and demanded the yeas and nays thereon.

The motion was lost—yeas 5, nays 32.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Coleman moved that the Senate do now adjourn until to-morrow morning, 10 o'clock.

The motion was lost—yeas 8, nays 28.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,
Those who voted in the negative are,
Messrs. Battle, Boyd, Bryan, Cameron, Carr, Cherry, Ches-
son, Christian, Cunningham, Dillard, Eaton, Fennell, Fonville,
Hawkins, Hill, Holmes, J. B. Jones, Lane, McDiarmid, Mar-
tin, Mills, Miller, Pool, Rives, Speight, Taylor, Ward and
Wilder—28.

The Senate now resumed the consideration of the bill to
amend the 99th section of the Revised Code, entitled "Reve-
 nue."

Mr. Cherry moved to amend the 35th section by adding
the following proviso to the first paragraph of the same, viz:
"Provided, That when such licensed peddler shall peddle
altogether on the waters of the south-side of Albemarle sound,
and tributaries entering that side of the sound, (Roanoke and
Cashie excepted,) he shall pay a tax of six dollars only." The
amendment was agreed to.

Mr. Holt moved further to amend the said section, in the
3d line, so as to make it read, "may be entitled to such order
at the discretion of the Court." The amendment was adopted.

Mr. Chesson moved further to amend the bill as follows,
viz: 35th section, 2d paragraph, in 16th line, after the word
"fruits" insert "oysters, fresh or salt fish." Said amendment
was adopted.

Mr. Mills moved that the Senate adjourn until to-morrow
morning 10 o'clock, which motion was lost—yeas 12, nays 23.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative are,
Messrs. Burges, Cherry, Christian, Coleman, Gibson, Holt,
A. J. Jones, Mills, A. Myers, Pool, Ramsay and Wiggins—12.

Those who voted in the negative are,
Messrs. Battle, Boyd, Bryan, Cameron, Carr, Chesson, Cun-
ningham, Dillard, Dockery, Eaton, Fonville, Hawkins, Holmes,
J. B. Jones, Lane, McDiarmid, Martin, Miller, Rives, Speight,
Ward, White and Wilder—23.

So the Senate refused to adjourn.

The Senate now resumed the consideration of the bill to
amend the 99th section of the Revised Code, entitled "Reve-
 nue."
Mr. Holt moved to amend the bill as follows, viz: Strike out "five" and insert "three" in the 7th line of the 39th section. The amendment was rejected.

Mr. Coleman moved that the Senate do now adjourn until to-morrow morning 10 o'clock.

The motion was lost—yeas 8, nays 29.

Mr. Coleman demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The Senate again resumed the consideration of the bill to amend the 99th chapter of the Revised Code, entitled "Revenue."

Mr. Coleman moved to amend the same by striking out the 44th section. The motion was lost.

Mr. Coleman now moved that the Senate adjourn until to-morning 10 o'clock.

The motion did not prevail—yeas 14, nays 24.

Mr. Coleman demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The Senate now resumed the consideration of the bill to amend the 99th section of the Revised Code, entitled "Revenue."
Mr. Christian offered the following amendment as an additional section to the bill, viz:

Be it further enacted, That there shall be levied an annual tax of seventy-five cents on every one hundred dollars worth of stock subscribed for and owned by individuals in any of the banks of this State, which tax the president and cashier shall retain out of the profits of the respective banks, and pay into the treasury of the State, on or before the first day of October, in each and every year.

Mr. A. J. Jones moved the following amendment to the amendment, viz: "When it is not inconsistent with their chartered rights."

The amendment to the amendment was disagreed to.

The question on the adoption of the amendment was determined in the negative—yeas 4, nays 32.

Mr. A. Myers demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Dockery now offered the following as an additional section to the bill, viz:

Be it further enacted, There shall be levied on every railroad company in the State, a tax of twenty-five cents on every through passenger, and twenty-five cents on every ton of through freight passed over their roads.

Mr. Holt moved to amend the amendment by inserting the words "each of" between the words "over" and "their."

The amendment to the amendment was adopted.

The question now recurred on the adoption of the amendment as amended, and was determined in the affirmative—yeas 24, nays 14.

Mr. A. Myers demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. A. J. Jones offered the following as an additional section to the bill, viz:

That any person or persons dissatisfied with any assessment upon his property or estate, under this act, shall have the right of appeal as in all other cases, as now provided by law. The amendment was rejected.

Mr. Coleman moved that the Senate do now adjourn until to-morrow morning 10 o’clock, which motion did not prevail—yeas 16, nays 23.

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

Those who voted in the negative are,

The Senate again resumed the consideration of the bill to amend the 99th section of the Revised Code, entitled “Revenue,” and the question now recurring on the passage of the bill its third reading as amended, the same was determined in the affirmative—yeas 28, nays 12.

Mr. J. B. Jones demanded the yeas and nays.
Those who voted in the affirmative are,
Messrs. Boyd, Cameron, Chesson, Cherry, Coleman, Cunningham, Dillard, Dockery, Eaton, Fennell, Fonville, Hawkins, Hill, Holmes, J. B. Jones, McDiarmid, Mills, Miller, A.

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. Rives, the bill to amend an act, entitled an act to improve the Cape Fear and Deep rivers above Fayetteville, and also to amend an act to authorize the Cape Fear and Deep River Navigation Company to issue bonds and for other purposes, was now taken up, and made the special order of the day for to-morrow, at the hour of 11 o’clock.

The Senate now adjourned until to-morrow morning, 10 o’clock.

FRIDAY, January 23, 1857.

Mr. Hill, from the committee on the judiciary, to whom was referred the bill to allow the superior courts of Wake to continue two weeks, and for other purposes;

The bill to amend the 19th section of the 59th chapter of the Revised Code;

The bill to alter the place of comparing the polls in the first Congressional District; and

The bill to repeal section 68, of chapter 107, of the Revised Code, reported said bills back to the Senate, and recommended their passage.

Mr. Hill, from the same committee, to whom was referred the bill to confirm the title of R. S. D. Bell to certain lands; and

The resolution in favor of David Taylor and Elizabeth Welsh, reported said bill and resolution back to the Senate, and recommended that they do not pass.

Mr. Hill, from the same committee, to whom was referred the bill to amend chapter 34, section 99 of the Revised Code, and the bill to amend the 5th section of the 100th chapter of
the Revised Code, entitled Rivers and Creeks, reported said bills back to the Senate with amendments.

Mr. Hill, from the same committee, to whom was referred the bill to prevent the sale of spirituous liquors within two miles of Western Carolina Male Academy, in the county of Cabarrus, reported the same back to the Senate, and recommended its passage.

Mr. Pool, from the committee on the judiciary, to whom was referred the bill to give courts of law jurisdiction in cases of sales of land for the purposes of partition;

The bill to give courts of law jurisdiction over real and personal property belonging to wards;

The bill concerning mortgages of personal estate, and for other purposes; and

The bill concerning the competency of corporators as witnesses; reported said bills back to the Senate, and recommended that they do not pass.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial of sundry citizens of Bladen county, praying to be attached to Cumberland county, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

The Speaker laid before the Senate a letter from the Hon. D. L. Swain, in relation to the derelict and escheated property of the University; which, on motion, was referred to the committee on education and the literary fund, and ordered to be printed.

A message was received from the House of Commons proposing to rescind the joint resolution of the two Houses to adjourn on Monday the 26th instant, at 7½ o'clock, A. M.

Concurred in, and a message sent to the House of Commons informing thereof.

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 incorporate the Albemarle and Suffolk Railroad Company, which was read the first time and passed;
A bill to encourage the planting of oysters and clams;
A bill to amend chapter 26th of the Revised Code;
A bill to restore jury trials in civil cases in the courts of pleas and quarter sessions of Robeson county; and
A bill to incorporate the Southern Air-Line Railway Company.

On motion, and by the unanimous consent of the Senate, leave was granted to Messrs. Thomas, of Jackson, and Myers, of Mecklenburg, to have their names recorded in the affirmative, on the final passage of the bill to amend the 99th chapter of the Revised Code, entitled "Revenue."

On further motion, leave was granted to Messrs. Mills, Coleman and Myers, of Anson, to change their votes on the passage of said bill from the negative to the affirmative side of the question.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to amend an act, entitled an act to incorporate the Cape Fear and Deep Rivers, above Fayetteville; and, also, to amend an act to authorise the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes.

Said bill was read the second time.

The first amendment proposed by the committee, viz: In the 10th line of the 3d section, strike out "three" and insert "two," and insert after company the words "of one hundred dollars each," so as to make it read two thousand instead of three thousand shares, being read,

Mr. Rives offered the following as an amendment to the amendment, viz: Strike out "three thousand" in the 10th line, in the 3d section, and insert "four thousand five hundred, of one hundred dollars each."

Mr. Mills moved that said bill and amendments be laid on the table; which said motion did not prevail—yeas 9, nays 27.

Mr. Mills demanded the yeas and nays.

Those who voted in the affirmative are,
Messrs. Battle, Carr, Chesson, Cunningham, Holmes, Lane, McDiarmid, Mills and Miller—9.

Those who voted in the negative are,
By consent of the Senate the amendment proposed by Mr. Rives was withdrawn.
The question now recurred on the first amendment proposed by the committee, and was determined in the negative—yeas 10, nays 28.
Mr. Battle demanded the yeas and nays.
Those who voted in the affirmative are,
Those who voted in the negative are,
So the amendment was rejected.
The subsequent amendments in relation to the first amendment were severally read and rejected.
The amendment proposed by the committee to the 8th section of the bill was read and adopted.
The amendment proposed by the committee as an additional section to the bill, was also read and agreed to.
On motion by Mr. Myers, of Mecklenburg, the bill was amended, by striking out the proviso to the 4th section of the same.
Mr. McDiarmid now offered a substitute for the bill, to come in after the enacting clause, which was read and rejected—yeas 9, nays 26.
Mr. McDiarmid demanded the yeas and nays.
Those who voted in the affirmative are,
Messrs. Battle, Carr, Chesson, Cunningham, Dillard, Fonville, Holmes, Lane and McDiarmid—9.
Those who voted in the negative are,

The question now recurred on the passage of the bill its second reading, as amended, and was determined in the affirmative—yeas 22, nays 16.

Mr. Lane demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The Senate now took a recess until 3 o'clock, P. M.

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Three o'clock, P. M.

On motion by Mr. Dockery, the bill to amend the first section of the 28th chapter of the Revised Code, entitled "County Revenue and charges," was now taken up, and made the special order of the day for to-morrow, at the hour of 11 o'clock, A. M.

On motion by Mr. McDiarmid, the bill to complete the Fayetteville and Albemarle Plankroad was now taken up, and made the special order of the day, at the hour of half past 3 o'clock, P. M.

On motion by Mr. Speight, the Senate now took up for consideration the engrossed bill to amend the charter of the Atlantic and North-Carolina Railroad Company, and the question recurring on the passage of the bill its third reading, the same was determined in the affirmative—yeas 20, nays 17.

Mr. Lane 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.

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

Resolutions concerning Cape Fear improvement, which were read the first time and passed. On motion by Mr. Mills, the rules were suspended, and said resolutions read the second and third times, passed, and ordered to be enrolled.

The hour of half-past 3 o'clock having arrived, the Speaker announced the special order, viz:

The bill to amend an act entitled an act to incorporate the Western North-Carolina Railroad Company, which was read the third time.

Mr. Dockery offered the following amendment as an additional section to the bill, viz:

Be it further enacted, That it shall be competent for the present or any future General Assembly of this State to authorise any other railroad company, or other company formed for the construction of any public improvement to connect with the railway of said Western North-Carolina Railroad Company, at any point on its line; and that whenever any such connection shall be made, the Western North-Carolina Railroad Company shall join in the erection of any warehouses and passenger sheds that may be necessary to render such connection as perfect as possible, and regularly use the same for the receipts and delivery of all passengers, goods or other articles, whatever, and that said railroad company shall not discriminate by its charges against the company or com-
panies so connecting with its railway, but shall at all times maintain uniform rules of fares and freights throughout its lines.

Mr. Wilder moved to amend the amendment as follows, viz: Strike out all of the same after the word "railway," which said amendment was adopted.

The question now recurred on the adoption of the amendment as amended, and was determined in the affirmative—yeas 27, nays 11.

Mr. Ramsay demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Wiggins now offered the following proviso as an amendment to the 7th section of the bill, viz:

Provided, nevertheless, That if the State shall hereafter be called upon to make any other appropriation for the completion of the said third or mountain section, than the twelve hundred thousand dollars provided for in this bill, then the toll on freight and passengers shall continue in perpetuity to the State.

The amendment was adopted.

Mr. White moved to amend the amendment made to the second section of the bill on its second reading, by striking out "two" and inserting "one."

The amendment was rejected.

The question now recurred on the passage of the bill its third reading, and was determined in the affirmative—yeas 20, nays 18.

Mr. Hill demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Bryan, Cherry, Christian, Coleman, Dockery, Fen-
They who voted in the negative are,  

So the bill passed its third reading as amended, and was ordered to be engrossed.

On motion, the rules were suspended, and the Senate took up for consideration the engrossed bill to incorporate the Atlantic and Suffolk Railroad Company, which was read the second time.

Mr. Thomas offered the following amendment as an additional section to the bill, viz:  

*Be it further enacted,* That the said company shall pay to the State of North-Carolina a bonus of twenty cents for each passenger and twenty cents for each ton of freight that passes over said road, under such regulations as may be adopted by law.

The amendment was rejected—yeas 11, nays 23.

Mr. Thomas 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 second reading, and was determined in the affirmative—yeas 27, nays 4.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative are,  
Messrs. Boyd, Burges, Carr, Cherry, Chesson, Christian, Cunningham, Dillard, Eaton, Fennell, Fonville, Gibson, Hawk-

Those who voted in the negative are,
The bill was now read the third time.
Mr. Battle moved that the same be laid on the table. The motion was disagreed to—yeas 3, nays 30.
Mr. Thomas 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 the bill on the table.
Mr. Thomas moved that the Senate adjourn until to-morrow morning 10 o’clock.
The motion did not prevail—yeas 6, nays 26.
Mr. Thomas demanded the yeas and nays.
Those who voted in the affirmative are,
Those who voted in the negative are,
So the Senate refused to adjourn.
The Senate now resumed the consideration of the engrossed bill to incorporate the Atlantic and Suffolk Railroad Company, which passed its third reading, and was ordered to be enrolled.
On motion by Mr. Hill, the Senate adjourned until to-morrow morning, 10 o’clock.
A message was sent to the House of Commons, stating that the Senate has passed the following engrossed bills and asking the concurrence of the Commons therein, viz:

A bill to amend the 99th chapter of the Revised Code, entitled "Revenue;"

A bill to incorporate the American Exchange and Mining Company; and

A bill to amend an act of 1852-'53, entitled an act concerning the places of trial for civil process, returnable before justices of the peace.

Mr. Dockery moved to reconsider the vote by which on yesterday was passed the bill to amend an act, entitled an act to incorporate the Western North-Carolina Railroad Company.

Mr. Wilder moved that said motion to reconsider be laid on the table. The motion was lost—yeas 11, nays 29.

Mr. Wilder 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 the motion to reconsider on the table.

Whereupon, on motion by Mr. Wilder, the Senate resolved itself into a committee of the whole, Mr. Hill in the chair, to take under consideration the motion to reconsider the vote by which was passed the bill to amend an act, entitled an act to incorporate the Western North-Carolina Railroad Company; and after some time spent therein, the Speaker resumed the chair, and Mr. Hill reported that the committee had, according to order, had the matter referred to them under consideration, and directed him to report the same back to the Sen-
ate, and asked to be discharged from the further consideration of the subject. Discharged accordingly.

The question now recurred on the motion to reconsider the vote by which was passed the bill to amend an act, entitled an act to incorporate the Western North-Carolina Railroad Company, and was determined in the affirmative—yeas 25, nays 13.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


So the Senate agreed to reconsider.

The following resolution was returned to, and ratified in the Senate, viz:

Resolution concerning Cape Fear Improvements.

The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

Mr. Cunningham, from the committee on education and the literary fund, to whom was referred the bill to explain the intent and meaning of the grants heretofore made to the University by derelict and escheated property, reported the same back to the Senate and recommended its passage.

Mr. W. R. Myers introduced a bill to provide for the maintenance of the Lunatic Asylum, which was read the first time and passed; and, on motion, referred to the committee on finance.

Mr. Eaton introduced a bill to change the name of Governor's creek Steam Transportation and Mining Company, which
was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial from sundry citizens of Cleveland and other counties, reported the same back to the Senate and asked to be discharged from its further consideration. Discharged accordingly.

Mr. McDiarmid introduced a bill giving aid to the Western Railroad Company in order to complete their road from Fayetteville to the Coal Fields on Deep River, which was read the first time and passed; and, on motion, referred to the committee on internal improvements.

On motion by Mr. Taylor, the Senate now took up the engrossed bill extending the powers of the Roanoke Valley Railroad Company, which was read the second and third times, passed and ordered to be enrolled.

On motion by Mr. Dockery, the bill to amend an act, entitled an act to incorporate the Western North-Carolina Railroad Company was now taken up and made the special order of the day for Monday next, at the hour of 11 o'clock, A. M.

On motion by Mr. A. J. Jones, the bill concerning the charter of the Cape Fear Bank was now taken up and made the special order of the day for Monday next at the hour of half-past 3 o'clock, P. M.

On motion by Mr. Coleman, the bill to repeal the 9th section of the act passed by the General Assembly at its session of 1854-55, entitled an act to incorporate the Greenville and French Broad Railroad Company, was now taken up and made the special order of the day for Tuesday next at the hour of 11 o'clock, A. M.

The hour of half-past 3 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to complete the Fayetteville and Albemarle Plankroad Company, which was read the second time and rejected

—yeas 13, nays 18.

Mr. Sanders demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Boyd, Christian, Dockery, Fennell, Gorrell, Holt,

Those who voted in the negative are,


On motion by Mr. Dockery, the Senate now took up for consideration the bill to amend the first section of the 28th chapter of the Revised Code, entitled “County Revenue and Charges,” which was read the second time.

Mr. Dockery moved to amend the same as follows:

In section 1st, line 13th, after “profit,” strike out all to the word “and,” in line 17th, and insert “shall be 4½ cents on the dollar.” The amendment was agreed to.

Mr. Dockery moved the following as a further amendment to the bill, viz:

In line 19th, after the word “slaves,” strike out all the remainder of the section and insert “of 16½ cents.”

The amendment was adopted.

The question now recurred on the passage of the bill its second reading, and was determined in the negative—yeas 9, nays 21.

Mr. Dockery 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 Senate now adjourned until Monday morning 10 o’clock.
MONDAY, JANUARY 26, 1857.

Mr. J. B. Jones gave notice of his intention to move an amendment to the rules, so that hereafter the Senate take a recess at 5 o'clock, P. M., and meet again at 7 o'clock, P. M., on each and every day for the remainder of the session.

Received a message from the House of Commons, proposing that the two Houses adjourn sine die on Monday, the 2d of February next, at the hour of 7 1/2 o'clock, A. M.

Mr. W. R. Myers moved that said message be laid on the table. The motion was lost—yeas 10, nays 30.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

The question now recurred on concurring in said message, and was determined in the affirmative—yeas 25, nays 15.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

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

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill concerning fish, reported
the same back to the Senate, and recommended its passage.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the memorial concerning the Clubfoot and Harlow's Creek Canal Company, reported a bill to amend the charter of said company.

Mr. Thomas, of Jackson, from the same committee, to whom was referred the resolution authorising a survey of the North-Carolina Western Railroad, reported the same back to the Senate, with amendments.

Mr. Thomas, of Jackson, from the same committee, to whom was referred the bill to incorporate the Salisbury and Eagle City Railroad Company;

The bill concerning Colerain Wharf;

The bill to incorporate the Rockingham Coalfield Railroad Company;

The bill to incorporate the Forks of the Tennessee River Turnpike Company; and

The bill to amend an act to incorporate the Rich Mountain Turnpike Company, in the county of Haywood, reported said bills back to the Senate, and recommended their passage.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to amend an act, entitled an act to incorporate the Western North-Carolina Railroad Company; whereupon,

On motion by Mr. Coleman, the Senate resolved itself into a committee of the whole, to take the same under consideration;

Mr. Hill in the chair, and after some time spent therein, the Speaker resumed the chair; and

Mr. Hill reported that the committee having according to order, had the said bill under consideration, had instructed him to report the same back to the Senate, with the following amendment as an additional section to the bill, viz:

*Be it further enacted,* and it is hereby expressly declared as a fundamental condition annexed to the granting the foregoing amendments, That the State shall not be called upon by said company to pay in upon her subscription to the capital stock of said company, more than five hundred thousand
dollars annually, except that if the French Broad and Greenville Railroad Company shall surrender their chartered rights and privileges to the State as hereinbefore provided; then the State shall pay in on her subscription the additional sum of one hundred thousand dollars annually for two years.

Mr. Myers, of Mecklenburg, proposed to amend said amendment by adding to the same the following proviso, viz:

*Provided, That no portion of said amount be employed in the mountain section of said road.*

The amendment to the amendment was rejected—yeas 15, nays 26.

Mr. Myers, of Mecklenburg, demanded the yeas and nays. Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Myers, of Mecklenburg, now proposed to amend said amendment by adding to the same the following proviso: viz:

*Provided, That the amount hereby appropriated, or any part thereof, shall in no case be used beyond the town of Morganton, and that the first section of said road is hereby understood to be, and is hereby extended to said town, and that no portion of said road shall be put under contract till the completion of said first section to the town of Morganton as aforesaid shall be completed.*

Pending the consideration of which,

On motion by Mr. Cameron, the further consideration of said bill and amendment was postponed until 4 o'clock this day, and made the special order of the day for that hour.

The Senate now took a recess until 3 o'clock, P. M.
Three o'clock, P. M.

The hour of half past 3 o'clock having arrived, the Speaker announced the special order, viz:

The bill concerning the Bank of Cape Fear, which was read the second time.

Mr. Hill called for a division of the question, which was ordered; and the question being first taken on the repeal of the 17th section, the same was determined in the affirmative—yeas 24, nays 16.

Mr. McDiarmid 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 repeal of the 18th section, and was determined in the affirmative—yeas 29, nays 13.

Mr. A. J. Jones 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 repeal of the 22d section, which was agreed to.

The second section of the bill was also agreed to, so the bill passed its second reading.
On motion by Mr. A. J. Jones, the rules were suspended and said bill read the third time.

On motion by Mr. Wilder, the same was amended by adding the following as an additional section, viz:

No president or salaried officer shall represent any stock by proxy.

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

Mr. Pool moved to reconsider the vote by which was rejected on Saturday last the bill to complete the Fayetteville and Albemarle Plankroad Company.

The hour of 4 o'clock having now arrived, the Speaker announced the special order, viz;

The bill to amend an act, entitled an act to incorporate the Western North-Carolina Railroad Company.

The pending question being on the amendment to the amendment, proposed by Mr. Myers, of Mecklenburg.

By consent of the Senate, the amendment to the amendment offered by Mr. Myers, was withdrawn.

The amendment reported by the committee of the whole as an additional section to the bill was now adopted.

Mr. Dockery moved to amend the bill, by striking out all from the 3d to the 10th section inclusive. The motion prevailed—yeas 23, nays 18.

Mr. Dockery demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


On motion by Mr. Gorrell, said bill was now referred to a select committee of five, consisting of Messrs. Gorrell, Eaton, Hill, Coleman and Cherry.

On motion by Mr. Lane, the bill to establish the Metropo-
litan Bank in Raleigh, North-Carolina, was now taken up, and made the special order for to-morrow, at half-past 11 o'clock, A. M.

On motion by Mr. Pool, the bill to ascertain the federal population of Ashe, &c., was now taken up and made the special order for to-morrow at one-quarter before 11 o'clock, A. M.

The Senate now adjourned until to-morrow morning, 10 o'clock.

TUESDAY, January 27, 1857.

The Speaker announced that the committee on enrolled bills for the present week consists of Messrs. Sanders, Cherry, Lane, A. J. Jones, and Clark, of which the House of Commons was informed by message.

In obedience to the notice given on yesterday, Mr. J. B. Jones moved to amend the rule requiring the Speaker to adjourn the Senate at 5, P. M., so as to hereafter take a recess from that hour until 7 o'clock, P. M.

Mr. Pool moved to amend the proposition by fixing the hour of 10 o'clock as the time of adjournment.

Mr. Mills moved that said proposition and the amendment proposed thereto, be laid on the table. The motion was lost—yeas 3, nays 34.

Mr. J. B. Jones demanded the yeas and nays.

Those who voted in the affirmative are, Messrs. Hill, Holt and Mills—3.


Pending the consideration of said proposition and amend-
ment, the hour of one-quarter before 11 o'clock having arrived, the Speaker announced the special order, viz:

The bill to ascertain the federal population of Ashe, &c., which was read the second time, the amendments proposed by the committee agreed to, and the bill passed its second reading as amended.

The bill was now read the third time.

Mr. J. B. Jones moved to amend the same by striking out the second section, which motion did not prevail.

The question now recurred on the passage of the bill its third reading, and was determined in the affirmative—yeas 23, nays 18.

Mr. J. B. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Battle, Cameron, Carr, Chesson, Clark, Cunningham, Dillard, Fonville, Hawkins, Holmes, J. B. Jones, Lane, Martin, Miller, Sanders, Speight, Taylor and Wilder—18.

So the bill passed its third reading, and was ordered to be engrossed.

The following bills and resolutions were returned to and ratified in the Senate, viz:

A bill to incorporate the Salem Cemetery Company;

A bill to amend an act, entitled an act to incorporate the Quallatown and Ocoanalufa Turnpike Company, in the county of Jackson, passed at the session of 1854–'55;

A bill to incorporate the Trustees of Mount Olivet Academy, in the county of Randolph;

A bill to amend an act, entitled an act to incorporate the Tuckasege and Nantahala Turnpike Company, passed at the session of 1854–'55;

A resolution in favor of Thos. J. Williams, former sheriff of Surry county;

A bill concerning clerks of the supreme court;
A bill to be entitled, an act to incorporate the Tuckasege Mining Company;
A bill to amend an act, entitled an act to incorporate the Tuckasege and Keowee Turnpike Company;
A bill to increase the pay of witnesses in Duplin, Rowan and Robeson counties;
A bill to allow the clerk of the county court of Craven more time to make out his tax list;
A bill to abolish jury trials in the county courts of Polk county;
A bill enlarging the powers of Green Hill Academy in Haywood county;
A resolution concerning the coupons in the Comptroller's office;
A resolution concerning the militia in the county of Union;
A bill to incorporate the town of Waynesville, in the county of Haywood;
A bill to alter an act to incorporate the Trustees of the New Institute in Iredell county, passed in the year of 1855-'56;
A bill to authorise Samuel S. Biddle to build a bridge across Neuse River in Craven county;
A resolution in favor of Elizabeth Kissam, administratix of Samuel Kissam;
A resolution in favor of James Morrison;
A bill to incorporate the town of Marion, in the county of McDowell;
A resolution concerning wood;
A resolution in favor of a naval depot at Beaufort, in North Carolina; and
A resolution in favor of Eliza Hemphill.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to repeal the 9th section of the act passed by the General Assembly at its session of 1854-'55, entitled an act to incorporate the Greenville and French Broad Railroad Company, which was read the second time, and amended on motion by Mr. Coleman.
Mr. Thomas, of Jackson, moved the following amendment as an additional section to the bill, viz:

*Be it further enacted,* That the Greenville and French Broad Company shall pay annually to the State of North-Carolina, twenty cents per ton, and twenty cents for each passenger passing over said road, under such laws and regulations as may be adopted.

The amendment was rejected.

Pending the consideration of the bill,

Mr. Coleman moved that the rules requiring a recess of the Senate at half-past 1 o'clock, be extended for half an hour. The motion prevailed—yeas 30, nays 8.

Mr. Holt demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


So the rules were suspended; and

The Senate resumed the consideration of the bill to repeal the 9th section of the act passed by the General Assembly at its session of 1854–'55, entitled an act to incorporate the Greenville and French Broad Railroad Company.

Mr. Thomas, of Jackson, moved the following amendment as an additional section to the bill, viz:

*Be it further enacted,* That before the provisions of the act of last session shall be changed south of Ashville, North-Carolina shall have eight years allowed to extend the road to connect with it, as provided under the act of last session.

The amendment was rejected—yeas 9, 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,

The question now recurred on the passage of the bill its second reading, and was determined in the negative—yeas 13, nays 26.

The yeas and nays being demanded,
Those who voted in the affirmative are,

Those who voted in the negative are,

So the bill was rejected.

Mr. McDiarmid introduced a resolution for the loan of money by the literary board to the Female High School, which was read the first time and passed; and, on motion, referred to the committee on education and the literary fund.

Mr. Holmes introduced the following resolution, which lies over one day for consideration, viz:

Resolved, That from and after to-day, no Senator shall be allowed to speak on any bill or other matter under consideration more than fifteen minutes, without the unanimous consent of the Senate.

The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The Senate resumed the consideration of the unfinished business of the morning, viz:

The proposition of Mr. J. B. Jones to amend the rule re-
inquiring the Speaker to adjourn the Senate at 5 o'clock, so as hereafter to take a recess from that hour until 7 o'clock, P. M.

The pending question being on the motion of Mr. Pool to amend the proposition of Mr. Jones, by fixing the hour of 10 o'clock as the time of adjournment; and

The question recurring on the adoption of the amendment proposed by Mr. Pool, the same was determined in the affirmative—yeas 29, nays 10.

Mr. J. B. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The proposition of Mr. Jones was now adopted as amended.

Mr. Cherry, from the committee on banks and currency, to whom was referred the bill to charter the Citizen's Bank, in Raleigh, North-Carolina, reported the same back to the Senate, and recommended that it do not pass.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to repeal an act to fix and settle the dividing line between the counties of Chatham and Alamance, reported the same back to the Senate, and recommended its passage.

Mr. Thomas, of Jackson, to whom was referred the bill to aid the Western Railroad Company to complete the road from Fayetteville to the coalfields on Deep River, reported the same back to the Senate, and recommended its passage.

Mr. Eaton, from the committee on corporations, to whom was referred the bill to revive and consolidate the charter of the city of Raleigh, reported the same back to the Senate, and recommended its passage.

Mr. Wilder, from the committee on banks and currency,
to whom was referred the bill to incorporate the Yanceyville Savings Institution, reported the same back to the Senate, and recommended its passage, if it should appear that notice has been given according to law.

On motion by Mr. Wiggins, the bill to expedite the construction and increase the capacity of the Albemarle and Chesapeake Canal Company, was now taken up, and made the special order of the day for to-morrow at the hour of 4 o'clock, P. M.

Mr. Gibson introduced a bill to save costs to the people and to put an end to frivolous prosecutions, which was read the first time and passed; and, on motion by Mr. Eaton, referred to the committee on the judiciary—yeas 26, nays 13.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Speight introduced a bill to amend an act entitled an act to incorporate the town of Kinston, in Lenoir county, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Rives, a bill to incorporate the Pioneer Steamboat Company, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Also, a bill to change the name of the Deep River Mining and Transportation Company, which was read the first time and passed; and, on motion, referred to the committee on corporations.

On motion by Mr. Burges, the bill to incorporate the Hyde County Steamboat Joint-stock Company, was now taken up and read the second and third times, passed, and ordered to be engrossed.
Mr. A. J. Jones introduced a bill to exempt a freehold homestead and one negro slave from execution sale, which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

On motion by Mr. Cherry, the engrossed bill to incorporate the Garysburg and Windsor Railroad Company, was now taken up, read the second and third times, passed, and ordered to be enrolled.

Mr. Gorrell, from the select committee, to whom was referred the bill to amend an act entitled an act to incorporate the Western North-Carolina Railroad Company, reported the same back to the Senate, with amendments.

Mr. Eaton, from the same committee, submitted a minority report; whereupon,

On motion by Mr. Gorrell, the Senate resolved itself into a committee of the whole, to take the same under consideration, Mr. Hill in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Hill reported that the committee having, according to order, had the said bill under consideration, had come to no conclusion thereon, but had directed him to report progress, and ask leave to sit again to-day at half-past 7 o'clock, P. M. Leave was granted.

The Senate now took a recess until 7 o'clock, P. M.

Seven o'clock, P. M.

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 correct a mistake in the law of 1854-'55, chapter 131, section 4, which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill to lay off and establish a public road in the counties of Davie and Davidson, and to establish a public ferry across the Yadkin river, was read the first time and passed; and, on motion, referred to the committee on internal improvements.
The engrossed bill to incorporate the Middleton Academy and Minervian Library Association, in the county of Randolph, was read the first time and passed; and, on motion, referred to the committee on corporations.

The engrossed resolution in favor of John W. Wilson, of Alamance county, was read the first time and passed; and, on motion, referred to the committee on claims.

The engrossed resolution in favor of Alexander Johnson, late sheriff of Cumberland county, and M. L. F. Redd, sheriff of Onslow county, was read the first time and passed; and on motion, referred to the committee on propositions and grievances.

The engrossed resolution authorising the literary board to change the State debt into State bonds, was read the first time and passed; and, on motion, referred to the committee on finance.

The engrossed resolution in favor of Concord Female College, was read the first time and passed; and, on motion, referred to the committee on education and the literary fund.

The engrossed bill to amend the acts incorporating the town of Lincolnton, was read the first time and passed; and, on motion, referred to the committee on corporations.

The engrossed resolution concerning Emmon's report, was read and adopted, and ordered to be enrolled.

The engrossed bill to create a sinking fund was read the first time and passed.

The engrossed bill to incorporate the Patterson Manufacturing Company, in the county of Caldwell, was read the first time and passed; and, on motion, referred to the committee on corporations.

The engrossed bill to amend section 78, chapter 99, of the Revised Code, was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill concerning mortgages and deeds in trust was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill to authorise the banks of this State to
issue small notes was read the first time and passed; and, on motion, referred to the committee on banks and currency.

The engrossed bill concerning Burke square, in the city of Raleigh, was read the first time and passed; and, on motion, referred to the committee on public buildings.

A message was received from the House of Commons concurring in the amendment proposed by the Senate to the bill to incorporate York Collegiate Institute, in the county of Iredell; and

The bill to amend an act, entitled an act to incorporate the town of Graham, in Alamance county.

Ordered, That said bills be enrolled.

The hour of half-past 7 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to amend an act, entitled an act to incorporate the Western North-Carolina Railroad Company. Whereupon,

The Senate again resolved itself into a committee of the whole to take the same under consideration, Mr. Hill in the chair; and,

After some time spent therein, the Speaker resumed the chair, and Mr. Hill reported that the committee having, according to order, had the said bill under consideration, had directed him to report said bill back to the Senate with amendments.

The first amendment proposed by the Senate committee to the 2d section, viz: After the word "granted," in the 9th line, insert the words "which first section or division shall extend to the town of Morganton, in the county of Burke, and no further."

Mr. Thomas, of Jackson, moved to amend the amendment by striking out the words "and no further."

The amendment to the amendment was rejected—yeas 10, nays 31.

Mr. Thomas, of Jackson, demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

The amendment proposed by the committee, viz: To add an additional section to the 3d, and to retain part of section 7th of the original bill, and to strike out sections 14th and 15th, were also severally adopted, and the question being on the amendment proposed by the committee to strike out section 16th,

Mr. Thomas moved to amend said 16th section by adding to the same the following proviso, viz:

Provided, however, That the State shall not be required to make any advance of money for the use of the branch west of the Blue Ridge, until satisfactory proof is furnished the board of internal improvements that the State of Tennessee has made provisions to extend the road from the Paint rock to the East Tennessee and Virginia road, and that part of the road is under contract.

Said amendment to section 16th was rejected—yeas 16, nays 25.

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

Those who voted in the negative are,

Mr. Thomas, of Jackson, moved to amend said 16th section by adding the following proviso, viz:

Provided, however, No State aid shall be given to the road west of the Blue Ridge until satisfactory proof is furnished the Governor of the State that the road from the Paint Rock, to
the East Tennessee and Virginia road, and that with the State aid and private subscriptions, the means have been furnished to build and equip that part of the road.

Said amendment was rejected—yeas 18, nays 23.

Mr. Thomas, of Jackson, 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 amendment proposed by the committee, and was determined in the affirmative—yeas 31, 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,


And the question being on the amendment proposed by the committee to strike out section 18,

Mr. Dockery moved to amend the same by striking out and inserting the following, viz:

**Be it further enacted, That if the French Broad and Greenville Railroad Company shall surrender their chartered rights and privileges to the State as hereinbefore provided for, then the State shall pay in on her subscription the additional sum of two hundred thousand dollars, to be used on the French Broad or 5th section: Provided, The board of Internal im-**
provements shall be fully satisfied a connection on the part of Tennessee will be made.

Mr. Gorrell called for a division of the question, which was ordered, and the question being first taken on striking out, the same was agreed to.

The question now recurred on inserting the amendment proposed by Mr. Dockery, and was determined in the negative—yeas 11, nays 27.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Gorrell moved a proviso to the 3d section, which was adopted.

The question now recurring on the passage of the bill its third reading as amended,

Mr. Eaton called for a division of the question, which was ordered; and the question being first taken on the passage of the first two sections of the bill, the same was determined in the affirmative—yeas 29, nays 14.

Mr. Eaton 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 3d sec-
tion of the bill, and was determined in the affirmative—yeas 24, nays 16.

Mr. Eaton demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The question was now put on the passage of the remaining sections of the bill, and was determined in the affirmative.

So the bill passed its third reading as amended, and was ordered to be engrossed.

The Senate now adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, JANUARY 28, 1857.

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 that body, viz:

A bill to amend an act, entitled an act to incorporate the Western North-Carolina Railroad Company.

Received a message from the House of Commons transmitting a communication from his Excellency, the Governor, in relation to W. J. Hubard's bronze statue of Washington.

On motion by Mr. Wilder, ordered that the same be referred to the committee on public buildings and be printed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the resolution in favor of John Pepper, reported the same back to the Senate, and recommended that it do not pass.

Mr. Wilder, from the committee on public buildings, to whom was referred the bill concerning Burke Square, in the
city of Raleigh, reported the same back to the Senate, and recommended its passage.

Mr. Wilder, from the committee on banks and currency, to whom was referred the bill to authorize the banks of this State to issue small notes, reported the same back to the Senate, and recommended that it do not pass.

Mr. Hill, from the committee on the judiciary, to whom was referred the bill to amend the 71st section of the 34th chapter of the Revised Code, reported the same back to the Senate and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Hill, from the same committee, to whom was referred the bill to repeal the 4th section of chapter 20, of the Revised Code, and to compel clerks and masters in equity to keep their office at the proper places, reported the same back to the Senate, and recommended that it do not pass.

Mr. Hill, from the same committee, to whom was referred the resolution concerning the adjournment, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Boyd, from the committee on finance, to whom was referred the bill to provide for the more effectual enlistment of lands for taxation, reported the same back to the Senate, and recommended that it do not pass.

Mr. Lane, from the committee on claims, to whom was referred the resolution in favor of Samuel Harlan, and the memorial of David Patton, made an unfavorable report on the same.

Mr. Eaton, from the committee on corporations, to whom was referred the bill to amend an act passed in 1838, incorporating Davidson College, 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 to change the name of Governor’s Creek Steam Transportation and Mining Company, reported the same back to the Senate, and recommended its passage.

Mr. Eaton, from the same committee, to whom was referred
the bill to incorporate the Lockville Manufacturing Company, reported the same back to the Senate with amendments.

Mr. Eaton, from the same committee, to whom was referred the bill to change the name of the Deep River Mining and Transportation Company; and

The bill to incorporate the Pioneer Steam-boat Company, reported the same back to the Senate, and recommended their passage, if it appears that notices have been given according to law.

Mr. Cunningham introduced a resolution concerning the investment of the literary fund, which was read the first time and passed; said resolution was read the second time.

Mr. Cameron moved to amend the same as follows, viz: Strike out "either" before the words in "State bonds," and all after said words. The amendment was disagreed to.

Mr. J. W. Thomas offered the following amendment as an additional resolution, viz:

Resolved, That the directors of the literary board be authorized and instructed out of any funds not otherwise appropriated, to loan to the trustees of such female institutions in the State, as shall provide by loan or otherwise, for the boarding and education of ten indigent young ladies for teachers, ten thousand dollars, in sums not exceeding two thousand dollars each, on their giving satisfactory personal security for the same.

Mr. Pool moved to amend the amendment of Mr. Thomas, by adding the following to the same, viz:

Said loans to continue for ten years, provided the interest is paid annually; but not to continue longer than one year unless such interest is paid.

The amendment to the amendment was adopted.

The question on the adoption of the amendment as amended, was determined in the negative—yeas 20, nays 22.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Bryan, Burges, Cherry, Christian, Coleman, Dillard, Dockery, Fennell, Fonville, Gibson, Grist, Houston, J. B.

Those who voted in the negative, are,

The question now recurred on the passage of the resolution its second reading, and was determined in the affirmative—yeas 26, nays 18.

Those who voted in the affirmative are,

Those who voted in the negative are,

The resolution was now read the third time, passed and ordered to be engrossed.

The Speaker laid before the Senate a memorial from the Hon. R. M. Saunders, concerning the bill to revise and consolidate the charter of the city of Raleigh; whereupon,

On motion by Mr. Wilder, said bill was taken up and made the special order for this day, at the hour of 7½ o'clock, P. M.

Mr. Mills moved that a message be sent to the House of Commons proposing that when the two Houses of this General Assembly adjourn, at the close of the present session, they adjourn to meet again on the third Monday of November next.

The motion was lost—yeas 4, nays 39.
Mr. Mills demanded the yeas and nays.
Those who voted in the affirmative are,
Those who voted in the negative are,
Messrs. Battle, Boyd, Bryan, Cameron, Carr, Cherry, Ches-
Mr. Christian introduced a bill to abolish the freehold qualification for jurors, which was read the first time and passed.

On motion the Senate now took up the bill concerning the common schools of the State of North-Carolina,

The question pending being on the amendment proposed by Mr. Thomas, of Jackson.

The amendment was rejected—yeas 7, nays 32.

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. 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.

On motion, the Senate now took up for consideration the bill to provide for the distribution of the proceeds of the literary fund among the several counties of the State, which was read the third time, passed, and ordered to be engrossed.

The resolution introduced by Mr. Holmes on yesterday, limiting the time of debate to fifteen minutes, was now taken up and adopted—yeas 28, nays 13.

Mr. White demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Battle, Boyd, Bryan, Carr, Cherry, Chesson, Clark, Cunningham, Dillard, Eaton, Fennell, Fonville, Hawkins,

Those who voted in the negative are,


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 amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company, which was read the first time and passed; and, on motion, referred to the committee on internal improvements.

Mr. Clark gave notice that he should move to amend on to-morrow the rule requiring the Speaker to adjourn the Senate at 10 o'clock, P. M.

Mr. Ramsay gave notice that on to-morrow he should move to amend the rules of the Senate, so as to consider private bills only in the night sessions.

Mr. Houston introduced a bill to amend an act of 1852-'53, entitled an act to incorporate the town of Kenansville, in Duplin county, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Grist, a bill to incorporate the Albemarle and Pamlico Steamboat Company, which was read the first time and passed.

Mr. Coleman, a bill to amend an act entitled an act to incorporate the Greenville and French Broad Railroad Company, passed at the session of 1854-'55, chapter 229, which was read the first time and passed; and, on motion, referred to the committee on internal improvements.

Mr. Coleman introduced a memorial, which, on motion, was referred to the committee on military affairs.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to incorporate the Normal College and Thomasville Turnpike Company, reported the same back to the Senate, with amendments.
Mr. Thomas, of Jackson, from the same committee, to whom was referred a memorial from the citizens of Macon county, reported a bill to amend the charter of the Tennessee River Railroad in the county of Macon, passed at the session of 1850, which was read the first time and passed.

On motion by Mr. Dockery, the bill to aid the Western Railroad Company to complete the road from Fayetteville to the coalfields on Deep River, was now taken up, and made the special order of the day for to-morrow, at the hour of half-past 12 o'clock, M.

On motion by Mr. Rives, the bill to amend an act, entitled an act to improve the Cape Fear and Deep Rivers above Fayetteville; and, also, to amend an act to authorise the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes, was now taken up and made the special order for to-day at the hour of one-quarter past 4 o'clock, P. M.

Mr. Thomas, from the committee on internal improvements, to whom was referred a memorial concerning Cherokee lands, reported a bill to correct the errors in entries of land assigned to the use of the Western Turnpike and its branches, which was read the first time and passed.

Mr. Thomas, of Jackson, introduced a bill to prevent the sale of spirituous liquors within one mile of a Railroad while in progress of construction, which was read the first time and passed.

Also, a bill to extend the period of the Nantahala Mining Company, which was read the first time and passed.

On motion by Mr. Thomas, of Jackson, the committee on the judiciary were instructed to enquire into the expediency of passing a law to prevent the punishment of innocent tax payers by authorising assaults and batteries to be adjusted out of court.

The engrossed resolution concerning executive mansion was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to provide for the construction and repair of public roads in the counties of Alexander, Iredell and
Cabarrus, and all the counties west of the Blue Ridge except Henderson, was read the first time and passed; and, on motion, referred to the committee on corporations.

The engrossed bill to encourage the planting of oysters and clams was read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

The engrossed bill to amend chapter 26th of the Revised Code was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill to restore jury trials in civil cases in the courts of pleas and quarter sessions of Robeson county was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill to incorporate the town of Townsville, in the county of Granville, was read the first time and passed; and, on motion, referred to the committee on corporations.

The engrossed bill to consolidate the officers of superior court clerk and clerk and master in equity in certain counties was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill to incorporate the Greenwood and Murfreesborough Railroad Company was read the first time and passed.

The engrossed bill to repeal the 12th section of chapter 44th of the Revised Code relating to evidence was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill to reinstate jury trials in the county courts of Cleaveland and Gaston was read the first time and passed.

The engrossed bill to incorporate Eagle Mills Manufacturing Company was read the first time and passed; and, on motion, referred to the committee on corporations.

The engrossed resolution in favor of John Alexander, and others of the county of Wilkes, was read the first time and passed; and, on motion, referred to the committee on claims.

The engrossed resolution for the benefit of Jackson county 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 engrossed bill to incorporate the Southern Air-Line Railway Company was read the first time and passed.

The engrossed bill to authorise William Davenport to build a dam across Main Broad River, in Rutherford county, was read the first time and passed.

The engrossed bill relating to the Comptroller of the State was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill to amend the charter of Carolina Female College, in the county of Anson, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to amend the charter of Hendersonville was read the first time and passed.

The engrossed bill to incorporate Uwharrie Lodge, No. 58, I. O. O. F., was read the first time and passed.

The engrossed bill to increase the pay of witnesses was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill to amend the 2d section of the 34th chapter of the Revised Code, was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill to provide for the settlement of disputed boundaries was read the first time, passed, and, on motion, referred to the committee on the judiciary.

The engrossed bill concerning a portion of the common school funds, in the county of Alexander, was read the first time and passed; and, on motion, referred to the committee on education and the literary fund.

The engrossed bill concerning pilots at Ocracock and Hatteras Inlets, was read the first time and passed; and, on motion, referred to the committee on corporations.
The engrossed bill to incorporate Davenport Female College, in the county of Caldwell, was read the first time and passed; and, on motion, referred to the committee on education and the literary fund.

The engrossed bill concerning the county courts of Granville county, was read the first, second and third times, passed, and ordered to be enrolled.

The engrossed bill to amend the 3d section of the 102d chapter of the Revised Code, was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill to incorporate the Yadkin County Mining Company, was read the first time and passed.

The engrossed bill to revive an act, passed at the session of 1846-'7, entitled an act to incorporate the New River and Bear Creek Canal Company, in Onslow county, was read the first time and passed.

The engrossed resolution in favor of P. H. Dozier, was read the first, second and third times, passed, and ordered to be enrolled.

The engrossed resolution authorizing the Governor to purchase twenty-five copies of Hawks' History of North-Carolina, was read the first time and passed.

The engrossed resolution in favor of J. M. Lovejoy, was read the first, second and third times, passed, and ordered to be enrolled.

The engrossed resolution in favor of West Truett, of Macon county, was read the first time and passed; and, on motion, referred to the committee on claims.

The engrossed resolution in favor of Sarah Charlton, was read the first time and passed; and, on motion, referred to the committee on claims.

Received a message from the House of Commons, concurring in the amendments of the Senate to the engrossed bill concerning the common schools of the State of North-Carolina. Ordered that said bill be enrolled.

Received a message from the House of Commons, proposing a substitute for the amendments heretofore proposed by
the Senate to the engrossed bill ceding Mount Tirzah to the United States.

Mr. Thomas, of Davidson, moved to amend the amendment proposed by the House of Commons, by striking out "fifty" and inserting "one hundred and fifty." The amendment was rejected.

The question was now taken on agreeing to the substitute proposed by the House of Commons, and was determined in the affirmative—yeas 34, nays 8.

Mr. J. W. Thomas demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


So the substitute proposed by the House of Commons was agreed to, and ordered to be enrolled.

Mr. A. J. Jones now moved to reconsider the vote just taken, by which the substitute proposed by the House of Commons to the bill ceding Mount Tirzah to the United States, was agreed to.

The hour of 4 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to expedite the construction and increase the capacity of the Albemarle and Chesapeake Canal Company, which was read the third time.

Mr. Pool offered a substitute for the 2d section of the bill, which was adopted.

The question now recurred on the passage of the bill its third reading as amended, and was determined in the affirmative—yeas 26, nays 19.

Mr. Martin 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.

On motion, the title of said bill was amended so as to read,
A bill to provide for the enlargement, and increase the depth and completion of the Albemarle and Chesapeake Canal.

The hour of one quarter past 4 o'clock having arrived, the Speaker announced the special order, viz:

The bill to amend an act entitled an act to improve the Cape Fear and Deep Rivers above Fayetteville, and also to amend an act to authorise the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes, which was read the third time.

Mr. Cameron now moved an amendment as a substitute for said bill. Pending the consideration of which,

The Senate took a recess until 7 o'clock, P. M.

Seven o'clock, P. M.

Mr. Thomas, of Jackson, from the committee on internal improvements, to whom was referred the bill to alter and amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company, reported the same back to the Senate, and recommended its passage.

Mr. Thomas, of Jackson, from the same committee, to whom was referred the bill to amend an act, entitled an act to incor-
porate the Sulphur Springs and Paint Rock Turnpike Company; and

The bill to amend an act, entitled an act to incorporate the Greenville and French Broad Railroad Company, passed at its session of 1854-'55, chapter 229, reported said bills back to the Senate, and recommended their passage.

Mr. Thomas, of Jackson, from the same committee, to whom was referred the resolution concerning the free passage of fish on the Pedee River, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

The Senate now resumed the consideration of the unfinished business of the previous session, viz:

The bill to amend an act, entitled an act to incorporate the Cape Fear and Deep Rivers above Fayetteville, and also to amend an act to authorise the Cape Fear and Deep River Navigation Company to issue bonds and for other purposes.

The question being on the amendment offered by Mr. Cameron, as a substitute for the bill, and the question being taken thereon, the same was adopted.

Mr. Cameron moved further to amend the bill by adding the section proposed by the committee to the original bill, which amendment was agreed to.

Mr. McDiarmid now offered the following amendment as additional sections to the bill, viz:

*Be it further enacted, That no portion of the money here-in authorized to be subscribed on the part of the State, and intended to be applied to the work, shall be paid until the work intended to be done, shall have been taken by contractors, and bond and good security, by persons resident in this State, payable to the State of North-Carolina, for the execution and completion of the same, shall be given, to be approved of by the Governor and the Attorney General.*

*Be it further enacted, That the money appropriated by this act shall be, as far as practicable, in good faith, so expended and appropriated, that the lock and dam at Cross Creek shall be completed, and the locks and dams at Jones' Falls, Silver Run and Red Rock, or at other places in their stead, shall be*
reconstructed, as advised by Col. Walter Gwynn in his report to the present Legislature, in preference to any other work along the line of the Cape Fear and Deep River Improvement.

Mr. Rives called for a division of the question, which was ordered, and the question being first taken on the adoption of the first section of the amendment, the same was agreed to.

The question being now taken on the adoption of the second section of the amendment, the same was determined in the negative—yeas 14, nays 24.

Mr. McDiarmid demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. McDiarmid moved the following as an additional section to the bill, viz:

Be it further enacted, That no one who has been a director in or contractor with said company heretofore, shall be appointed a director under this act within the next two years.

The amendment was rejected.

Mr. Myers now moved the following amendment, to come in after section 2d, viz:

That the said amount shall, in no case, be subscribed on the part of the State, until the sum of one hundred and fifty thousand dollars shall first be subscribed by private stockholders in said company, and whenever one-third of the individual subscription on behalf of private stockholders shall be paid in by said stockholders, the Public Treasurer shall pay in two-thirds of said amount, and whenever another third of said subscription of private stockholders is paid in, the State shall pay in two-thirds more, and that the residue of said
stock in behalf of the State shall be paid when the remaining
third is paid by the private stockholders.

The amendment was adopted—yeas 32, nays 12.

Mr. Myers, of Mecklenburg, demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Dockery moved to strike out so much of the 3d section as makes the stock subscribed for by the State preferred stock.

Mr. Battle moved that the bill and amendment be indefinitely postponed. Not carried.

The question now recurred on the adoption of the amendment proposed by Mr. Dockery, and was determined in the affirmative—yeas 24, nays 16.

Mr. Dockery demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Wilder offered the following amendment as an additional section to the bill, viz:

*Be it further enacted*, That nothing herein contained shall be construed to operate as a release of the mortgage or lien which the State holds upon the property of this company.
Mr. Rives moved that the bill and amendment be laid on the table, which motion prevailed—yeas 33, nays 11.

Mr. Battle demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

The hour of half-past 7 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to revise and consolidate the charter of the city of Raleigh, which was read the second time.

Mr. Cherry moved to amend the bill by striking out the third paragraph of the 44th section. The motion was lost.

Mr. Sanders proposed the following amendment; add to the said paragraph the following words, viz: Except such articles as are of the growth and manufacture of the State.

The amendment was rejected.

The question now recurred on the passage of the bill its second reading, and was determined in the affirmative—yeas 32, nays 4.

Mr. Mills demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

The bill was now read the third time, passed and ordered to be enrolled.
Mr. Dillard moved to reconsider the vote by which the bill to revise and consolidate the charter of the city of Raleigh was passed.

Mr. Mills moved that said motion to reconsider be laid on the table. The motion prevailed.

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

THURSDAY, JANUARY 29, 1857.

The engrossed bill to provide for procuring accurate statistics of crimes in this State was read the first and second times, passed, and, on motion, referred to the committee on the judiciary.

The engrossed resolution authorising the Governor to furnish the Departments of the General Government with the acts of Assembly was read the first, second and third times, passed and ordered to be enrolled.

The following engrossed bills and resolutions were severally read the first time, passed and referred, viz:

A resolution in favor of B. Henline;
A resolution in favor of Henry Troutman;
A resolution in favor of York Collegiate Institute, in Alexander county;
A resolution in favor of Frank N. Roberts and R. M. Orrell;
A bill to prevent the felling of timber in Second Creek, Third Creek, Fourth Creek and Withers Creek, in the county of Rowan;
A bill requiring the banks of this State to make quarterly returns to the Governor; and
A bill to prevent the felling of timber in South Yadkin River and Big Rocky Creek, in Iredell county.

The engrossed bill to incorporate the town of Albemarle, in Stanly county, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to amend the 60th and 73d sections of the
99th chapter of the Revised Code, entitled "Revenue," was read the first time and passed.

Said bill was read the second time and amended, on motion by Mr. Eaton, by striking out the proviso to the first section.

After being further amended by motion of Mr. Eaton, the bill passed its second reading as amended.

The bill was now read the third time and passed—yeas 30, nays 7.

Mr. Martin 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 a message was sent to the House of Commons asking their concurrence in the amendments of the Senate.

Messrs. Hill, Gorrell, Wilder and Coleman, from the committee on the judiciary, and Mr. Boyd, from the committee on finance, reported sundry bills back to the Senate.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to alter and amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company, which was read the second time.

Mr. Ramsay offered to amend the same as follows, viz: Strike out the 13th section of the bill, or that relating to a connection with the Western Railroad Company. The amendment was rejected—yeas 9, nays 34.

Mr. Ramsay demanded the yeas and nays.
Those who voted in the affirmative are,
Messrs. Cameron, Eaton, Gorrell, Lane, Martin, Miller, Ramsay, Sanders and Speight—9.
Those who voted in the negative are,

Mr. Gorrell moved to amend the bill by striking out the 4th section of the same. The amendment was rejected—yeas 19, nays 23.

Mr. Gorrell 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 second reading, and was determined in the affirmative—yeas 23, nays 17.

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

Those who voted in the negative are,
Messrs. Battle, Cameron, Carr, Chesson, Clark, Cunningham, Eaton, Gorrell, Hawkins, Holmes, J. B. Jones, Lane, Martin, Ramsay, Sanders, Taylor and Wilder—17.

On motion by Mr. Coleman, the bill to amend an act, entitled an act to incorporate the Greenville and French Broad Railroad Company, passed at the session of 1854-'55, chapter
229, was now taken up and made the special order for to-day, at the hour of 4 o'clock, P. M.

On motion by Mr. Boyd, the bill to incorporate the Rockingham Coalfield Railroad Company, was now taken up and made the special order for to-day, half-past 7 o'clock, P. M.

On motion by Mr. Lane, the bill to establish the Metropolitan Bank in Raleigh, North-Carolina, was now taken up and made the special order for to-day, at the hour of 8 o'clock, P. M.

On motion by Mr. Person, the bill to authorise Joshua Small and others, to reside three years in the county of Northampton, was now taken up and made the special order for to-day, at 9 o'clock, P. M.

According to notice given on yesterday, Mr. Ramsay introduced the following resolution, which was read and adopted, viz:

Resolved, That from and after to-day, there shall be no orders of the day for the night sessions, but the night sessions shall be devoted to the consideration of bills on the calendar, to be taken up in regular order, unless the Senate by a two-thirds vote shall otherwise order.

Mr. Holmes, from the committee on corporations, and Mr. Pool, from the committee on the judiciary, reported sundry bills back to the Senate.

The hour of half-past 12 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to aid the Western Railroad Company to complete the road from Fayetteville to the Coalfields on Deep River, which was read the second time; and, on motion, made the special order for to-day, at half-past 3 o'clock, P. M.

The Senate now took a recess until 3 o'clock, P. M.

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Three o'clock, P. M.

On motion by Mr. Rives, the bill to amend an act, entitled an act to improve the Cape Fear and deep rivers above Fayetteville; and also to amend an act to authorize the Cape
Fear and Deep River Navigation Company to issue bonds and for other purposes, was now taken up and made the special order of the day for to-morrow, at the hour of 11 o'clock, P. M.

On motion by Mr. Cunningham, the Senate now took up the bill to amend the 19th section of the 59th chapter of the Revised Code, which was read the second and third times, passed, and ordered to be engrossed.

Mr. J. B. Jones now called up the bill to incorporate the town of Jackson, in the county of Craven, which was read the second time, the amendments proposed by the committee agreed to, and the bill passed its second reading as amended; said bill was read the third time, passed, and ordered to be engrossed.

On motion by Mr. Holmes, the engrossed bill to amend an act, entitled an act for the better regulation of the town of Clinton, in the county of Sampson, was now taken up, read the second and third times, passed, and ordered to be enrolled.

On motion by Mr. Cameron, the Senate now took up the bill to amend the charter of the town of Hillsboro', which was read the second time, the amendment proposed by the committee agreed to, and the bill passed its second reading as amended; said bill was now read the third time, passed, and ordered to be engrossed.

Mr. Gibson called up the engrossed bill to prevent the sale of spirituous liquors within two miles of Western Carolina Male Academy, in the county of Cabarrus, which was read the second and third times, passed, and ordered to be enrolled.

On motion by Mr. Dockery, the Senate now took up the engrossed bill to restore jury trials in civil cases to the court of pleas and quarter sessions in Robeson county, which was read the second time, amended on motion by Mr. Dockery, and passed its second reading as amended. Said bill was now 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 engrossed bill for the completion of the Atlantic and North-Carolina Railroad was read the first time and passed; and, on motion, referred to the committee on internal improvements, and made the special order for to-morrow, 12 o'clock, M.

The engrossed resolution in favor of Thomas H. Willie; and

The engrossed resolution in favor of Joseph Clark, were severally read the second and third times, passed, and ordered to be enrolled.

The hour of half-past 3 o'clock having arrived, the Speaker announced the special order, viz:

The bill to aid the Western Railroad Company to complete the road from Fayetteville to the Coalfields on Deep River.

The pending question being on agreeing to the substitute proposed by the committee,

Mr. Houston proposed to amend the substitute offered by the committee, by the extension of the road to Beaufort Harbor, under the same rules, regulations and restrictions, as the road from Fayetteville to the Coalfields.

The amendment proposed by Mr. Houston was adopted—yeas 21, nays 19.

Mr. Sanders demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Myers, of Mecklenburg, now moved to reconsider the vote just taken by which the amendment proposed by Mr. Houston was adopted.

The motion prevailed—yeas 26, nays 11.

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

Those who voted in the negative are,
Messrs. Cameron, Cherry, Chesson, Fennell, Fonville, Gibson, Holmes, Houston, Pool, Speight and Ward—11.

So the Senate agreed to reconsider.

The question now recurred on the adoption of the amendment proposed by Mr. Houston, and was determined in the negative—yeas 18, nays 23.

Those who voted in the affirmative are,

Those who voted in the negative are,

Before any further action was had on said bill,

The hour of 4 o'clock arrived, and the Speaker announced the special order, viz:

The bill to amend an act, entitled an act to incorporate the Greenville and French Broad Railroad Company, passed at the session of 1854-'55, chapter 229, which was read the 2d time and passed.

On motion by Mr. Coleman, the rules were suspended and said bill read the third time and passed—yeas 27, nays 11.

Mr. Lane demanded the yeas and nays.

Those who voted in the affirmative are,
Those who voted in the negative are,
Messrs. Battle, Cameron, Carr, Chesson, Gorrell, Grist, A. J. Jones, Lane, Ramsay, Sanders and Speight—11.
So the bill passed its third reading and was ordered to be engrossed.
The Senate now took a recess until 7 o’clock, P. M.

Seven o’clock, P. M.
The engrossed bill to alter the time for laying taxes in Craven county was read the first time and rejected.
The engrossed bill for the better government and regulation of the town of Gatesville, in Gates county, was read the first, second and third times, passed, and ordered to be enrolled.
Mr. White gave notice of his intention to move an amendment to the rules of the Senate, so as to have the bills introduced in the Senate acted upon before the engrossed bills from the House of Commons.
The engrossed bill to amend section 17 of chapter 119th of the Revised Code;
The engrossed bill to repeal part of the 8th section of the 81st chapter of the Revised Code; and
The bill to amend chapter 118, section 2 of the Revised Code, entitled “widows,” were severally read the first time and passed; and, on motion, referred to the judiciary committee.
The engrossed bill to authorize the wardens of the poor, of Rutherford county, to sell and convey the lands on which the poor houses are situate, was read the first, second and third times, passed, and ordered to be enrolled.
The engrossed bill to incorporate the Trustees of New Hope Institute; and
The engrossed bill to incorporate the Albemarle Rifles, in the town of Edenton, were severally read the first time and passed.
The hour of half-past 7 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to incorporate the Rockingham Coalfield Railroad Company, which was read the second time.

Pending the consideration of the bill, the hour of 9 o'clock arrived, and the Speaker announced the special order, viz:

The bill to authorize Joshua Small and others to reside in the county of Northampton for the space of three years, which was read the second time, the amendments proposed by the committee, which limits the time of residence to eighteen months, agreed to, and the bill passed its second reading as amended. Said bill was read the third time, passed, and ordered to be engrossed.

The Senate now resumed the consideration of the bill to incorporate the Rockingham Coalfield Railroad Company; but before any question was taken thereon,

On motion by Mr. Boyd, said bill was made the special order of the day for to-morrow, 4 o'clock, P. M.

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

FRIDAY, January 30, 1857.

Mr. Person introduced a memorial on the subject of negroes carrying dogs.

Mr. Boyd, from the committee on finance, reported favorably the resolution authorising the literary board to change the State debt into State bonds, which was read the second and third times, passed and ordered to be enrolled.

Mr. Eaton, from the committee on corporations,
Mr. Lane, from the committee on claims,
Mr. Hill, from the committee on the judiciary, and
Mr. Boyd, from the committee on propositions and grievances, severally reported sundry bills and resolutions back to the Senate.

Mr. Lane introduced a resolution in favor of Henry D.
Turner, which was read the first, second and third times, passed and ordered to be engrossed.

Mr. Coleman a resolution in favor of Alexander Wiseman, which was read the first, second and third times, passed and ordered to be engrossed.

On motion by Mr. Eaton, the Senate now took up the engrossed bill to incorporate the town of Townsville, in the county of Granville, which was read the second time, the amendment proposed by the committee 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. Coleman introduced a resolution in favor of Jesse W. Dixon, which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

Mr. Wilder a bill to charter the Neuse River and Beaufort Harbor Canal Company, which was read the first time and passed; and, on motion, referred to the committee on internal improvements.

Mr. White a bill to incorporate Lincolnton Savings Institution, which passed its first reading and was referred to the committee on banks and currency.

A message was received from the House of Commons stating that they have passed the accompanying engrossed resolution, in which they ask the concurrence of the Senate, viz: A resolution concerning the principal clerks of the two Houses of the General Assembly, which was read the first time and passed.

The resolution was read the second time, amended, on motion by Mr. Cameron, by striking out "$75" and inserting "$125," and passed its second reading as amended.

Said resolution was now read the third time and passed, and a message sent to the House of Commons asking their concurrence in the amendments of the Senate.

Said message also stated that the House of Commons concur in the Senate's amendments to the bill to restore jury
trials in civil cases in the courts of pleas and quarter sessions of Robeson county.

Ordered, That said bill be enrolled.

Mr. Cameron introduced a bill to further prescribe the duties of the Public Treasurer, which was read the first, second and third times, passed and ordered to be engrossed.

Mr. Coleman, from the committee on the judiciary, reported back to the Senate the resolution in favor of J. W. Dixon, which was read the second and third times, passed and ordered to be engrossed.

A message was received from the House of Commons stating that they have passed the engrossed bill from the Senate to amend the 99th chapter of the Revised Code, entitled "Revenue," with amendments, in which they ask the concurrence of the Senate.

The 3d, 4th, 5th, 6th, 7th and 8th amendments proposed by the House of Commons were agreed to.

The following amendment, proposed as a substitute for section 114th of the engrossed bill, being read, viz:

On every through and way passenger, over every railroad in this State, one-eighth of one per cent. per mile travel, and on every ton of freight transported on every railroad in this State, one-eighth of one per cent. per mile, to be paid semi-annually by the presidents of the several railroads in this State to the Public Treasurer.

Mr. Speight moved that the Senate agree to said amendments, and the question being taken thereon, the same was determined in the negative—yeas 19, nays 26.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Battle, Cameron, Christian, Coleman, Eaton, Fennell, Gibson, Gorrell, Grist, Hawkins, Hill, Holmes, A. J. Jones, Lane, Martin, Mills, W. R. Myers, Person, Pool, Ram-

So the Senate disagreed to said amendment.

The 10th, 11th and 1st amendments proposed by the House of Commons were agreed to.

Mr. Ramsay moved to amend the 12th amendment by striking out the exception relating to the State Bank of North-Carolina.

The amendment of Mr. Ramsay was disagreed to and said amendment of the Commons agreed to.

Mr. W. R. Myers moved to amend the second amendment proposed by the Commons by striking out "300" and inserting "$500."

The motion did not prevail—yeas 15, nays 26.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The amendment proposed by the House of Commons was now agreed to; whereupon,

A message was sent to the House of Commons informing thereof.

Mr. Holmes introduced the following resolution, viz:

Resolved, That a joint-select committee of three on the part of the House of Commons, and two on the part of the Senate, be appointed to enquire into the state of the business before this General Assembly, and that said committee report forthwith.

Mr. Cunningham moved that the resolution be laid on the table, which motion was lost—yeas 15, nays 25.

Mr. Cunningham demanded the yeas and nays.
Those who voted in the affirmative are,
Messrs. Battle, Cameron, Carr, Chesson, Cunningham, Dillard, Fonville, Gibson, J. B. Jones, McDiarmid, Martin, Mills, Parks, Sanders and Ward—15.

Those who voted in the negative are,

So the Senate refused to lay on the table; whereupon,
Mr. Wilder moved the following resolution as an amendment, viz:

Resolved, That a message be sent to the House of Commons proposing to rescind the joint resolution to adjourn sine die on Monday next, which said amendment to the amendment was agreed to—yeas 27, nays 17.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Speight moved to amend the resolution by striking out "forthwith," and inserting "at what time the General Assembly can consistently with the public interest adjourn sine die," which was agreed to.

The question now recurred on the adoption of the resolution as amended, and was determined in the affirmative—yeas 22, nays 17.

Mr. Battle demanded the yeas and nays.

Those who voted in the affirmative are,
Messrs. Burges, Cameron, Cherry, Christian, Dockery, Ea-

Those who voted in the negative are,

Received a message from the House of Commons, informing that they insist on their amendment marked 9, to the bill to amend the 99th chapter of the Revised Code, entitled “Revenue” and propose a committee of conference.

Mr. Boyd moved that the Senate recede from its disagreement to said amendment, and the question being taken thereon, the same was determined in the negative—yeas 20, nays 21.

Mr. Boyd demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

The proposition for a conference was now concurred in, and Messrs. Dockery, Boyd and Clark, appointed the committee on behalf of the Senate, and the Commons informed thereof by message.

Mr. Clark introduced the following resolution, viz:
Resolved, That no new bill shall be introduced into the Senate after to-day.
Pending the consideration of which,
The Senate took a recess until 3 o’clock, P. M.
Mr. Wilder, from the committee on banks and currency, reported sundry bills back to the Senate.

The engrossed bill to amend an act to incorporate the Wake, Chatham and Orange Mining Company, was read the first time and passed; said bill was read the second time and referred to the committee on corporations.

The engrossed resolution concerning engrossing clerks, was read and adopted.

The engrossed resolution concerning the statue of Washington, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to incorporate the Ivy and Laurel Turnpike Company, was read the first time and passed; and, on motion, referred to the committee on internal improvements.

The hour of half-past 3 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to amend an act, entitled an act to improve the Cape Fear and Deep Rivers above Fayetteville, and also to amend an act to authorise the Cape Fear and Deep River Navigation Company to issue bonds and for other purposes.

The question being on the passage of the bill its third reading,

Mr. Gorrell moved to amend the same by striking out the amendment of Mr. Cameron as amended, and insert a substitute therefor.

The question was first taken on striking out, and resulted as follows—yeas 25, nays 15.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Battle, Carr, Chesson, Fonville, Gibson, Holmes,
Houston, A. J. Jones, Lane, McDiarmid, Martin, Mills, Person, Sanders and Ward—15.

So the Senate agreed to strike out; whereupon,

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

**Be it further enacted,** That the money appropriated by this act, be as far as practicable, in good faith, so expended and appropriated, that the lock and dam at Cross Creek shall be completed, and the locks and dams at Jones' Fall, Silver Run and Red Rock, or at other places in their stead, shall be constructed as advised by Col. Walter Gwynn in his report to the present Legislature, in preference to any other work along the line of the Cape Fear and Deep River Improvement.

Said amendment to the amendment was rejected.

Mr. McDiarmid now moved the following proviso to the 6th section, which was rejected, viz:

**Provided, however,** That no person or persons who has once been a director in said company, or a contractor, shall be eligible to the office of director from and after the passage of this act.

Said amendment to the amendment was lost.

Mr. McDiarmid demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Battle, Carr, Chesson, Coleman, Cunningham, Dillard, Fonville, Gibson, Hill, Holmes, McDiarmid, Martin, Sanders, Taylor and White—15.

Those who voted in the negative are,


The substitute offered by Mr. Gorrell was now adopted.

The question now recurred on the passage of the bill its third reading, and was determined in the negative—yeas 16, nays 24.

Those who voted in the affirmative are,

Messrs. Cameron, Cherry, Christian, Cunningham, Dock-

Those who voted in the negative are,


The hour of half after 4 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to incorporate the Rockingham Coalfield Railroad Company. Said bill being on its second reading,

Mr. A. J. Jones moved to amend the bill as follows, viz: Strike out "Greensboro" wherever it occurs in the bill, and insert "Graham."

The amendment was rejected—yeas 16, nays 20.

Mr. A. J. Jones 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 second reading, and was determined in the affirmative—yeas 21, nays 20.

Mr. Sanders demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Battle, Cameron, Clark, Cunningham, Eaton, Fennell, Fonville, Grist, Hill, Holmes, Houston, A. J. Jones,
Lane, McDiarmid, Mills, Miller, Person, Sanders, Taylor and Wilder—20.

The Senate now took a recess until 7 o’clock, P. M.

Seven o’clock, P. M.

On motion by Mr. Pool, the engrossed bill to incorporate the Southern Air Line Railway Company, was now taken up, read the second time, amended on motion by Mr. Pool, and passed its second reading as amended. On motion, said bill was referred to the committee on internal improvements.

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

A resolution concerning enrolled bills. Said resolution was read and adopted.

On motion by Mr. J. W. Thomas, the motion to reconsider the vote of the Senate agreeing to the amendment of the House of Commons to the bill to cede Mt. Tirzah to the United States, was now taken up.

On motion by Mr. Fennell, said motion to reconsider was laid on the table—yeas 25, nays 14.

Mr. A. J. Jones 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 stating that they have passed the engrossed bill from the Senate to recharter the Bank of the State of North-Carolina, with an
amendment as a substitute for the same, in which they ask
the concurrence of the Senate.

On motion by Mr. Wilder,

Ordered, That the same be referred to the committee on
banks and currency.

Received a message from the House of Commons proposing
to raise a joint-select committee of two on the part of each
House to examine into the unfinished business and report
when the two Houses can adjourn with due regard to the
public interest. Concurred in, and the House of Commons
informed by message that Messrs. Hill and Pool constitute the
committee on behalf of the Senate.

Mr. Hawkins moved to reconsider the vote by which was
passed the bill to incorporate the Rockingham Coal Field
Railroad Company, which motion prevailed—yeas 22, nays 20.

Mr. Hawkins demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Battle, Cameron, Chesson, Clark, Cunningham,
Eaton, Fennell, Fonville, Hawkins, Hill, Holt, Houston, A. J.
Jones, Lane, Mills, Person, Rives, Sanders, Taylor, Ward,
Wiggins and Wilder—22.

Those who voted in the negative are,

Messrs. Boyd, Bryan, Burges, Carr, Cherry, Christian,
Dockery, Gibson, Gorrell, Grist, Holmes, J. B. Jones, Martin,
W. R. Myers, Pool, Ramsay, Speight, J. W. Thomas, W. H.
Thomas and White—20.

Received a message from the House of Commons stating
that they have passed the bill concerning the Bank of Cape
Fear, 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.

Also, a message informing that the House branch of the
committee to examine into the unfinished business and report
the proper time for adjournment, consists of Messrs. Gilliam
and Blow.

Mr. Coleman introduced a bill to incorporate the Abbeville
Gas Light Company, which was read the first time and passed, and referred.

The engrossed bill to amend an act passed at the session of the General Assembly of 1854-'55, entitled an act to incorporate the town of Lenoir, in Caldwell county, was read the first time and passed.

On motion by Mr. W. R. Myers, the bill to provide for the maintenance of the Insane Asylum was taken up, read the second and third times, passed and ordered to be engrossed.

Mr. Clark, from the joint-select committee of conference on the Revenue bill, submitted the following report, viz:

The joint-select committee of conference, on the part of the two Houses, on the disagreement to an amendment of the Revenue bill, after a full conference have instructed the following report to be made: That the proposed tax on railroad freight and passengers will operate most unequally from the difference of provisions in the charters of the various Railroad Companies. The charters of the Raleigh and Gaston and the Wilmington and Welden Railroad contain such provisions as would exempt them from the operation of such taxation. Our great North-Carolina Central road belongs almost entirely to the State, and any tax on that would so far be a tax on the State itself. In the Manchester road the literary fund of our State is largely interested, and can certainly claim the protection of the State from any burdens that would oppress it. Our railroads are now struggling for existence, and pleading for State aid, and it would seem an inconsistent policy to oppress with one hand while you would aid with the other. Under these views the committee deem it the most correct course that each House should recede from its amendment, and they would most respectfully recommend that under existing circumstances each House adopt this course and pass the Revenue bill without such tax.

Respectfully submitted.

HENRY T. CLARK, Senate Committee.

Received a message from the House of Commons stating that they have concurred in the report of the committee of
conference on the amendment to the Revenue bill. Whereupon,

The report of the committee on behalf the Senate was agreed to—yeas 33, nays 10.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Pool, from the joint-select committee to examine the unfinished business before the two Houses of the General Assembly, made a report thereon, which was ordered to be laid on the table.

Mr. Clark called up the engrossed bill to create a sinking fund, which was read the second and third times, passed, and ordered to be enrolled.

In obedience to notice given, the rules requiring the Speaker to adjourn the Senate at 10 o'clock, was rescinded.

Mr. Bryan called up the bill to alter the county line of Surry and Ashe, which was read the second time, the amendment proposed by the committee agreed to, and the bill passed its second reading as amended. Said bill was read the third time, passed, and ordered to be engrossed.

A message was received from the House of Commons, stating that they have passed the engrossed bill to incorporate the Shepard's Point Land Company, 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.

The engrossed resolution in favor of B. H. Stanmire, was now taken up, read the first time and passed.

Mr. Lane moved a suspension of the rules, that said reso-
tion might be put on its second reading, which motion was
lost—yeas 20, nays 18.
Mr. Thomas, of Jackson, demanded the yeas and nays.
Those who voted in the affirmative are,
Those who voted in the negative are,
Two-thirds of the Senators present not voting for a suspen-
sion of the rules, the Speaker announced that the motion was
lost; whereupon, said resolution, on motion, was referred to
the committee on propositions and grievances.
The bill to incorporate the Bank of Greensboro' was read
the second time, and on motion by Mr. A. J. Jones, ordered
to be laid on the table—yeas 24, nays 15.
Mr. Gorrell demanded the yeas and nays.
Those who voted in the affirmative are,
Those who voted in the negative are,
Received a message from the House of Commons, trans-
mitting a message from his Excellency, the Governor, con-
cerning the Deep River improvements, and proposing to
raise a joint-select committee, of two on the part of the Sen-
ate, and three on the part of the House, to consider the sub-
ject, and report thereon. Concurred in; and the House of
Commons informed by message, that the committee on behalf
of the Senate consists of Messrs. Gorrell and Eaton.
The bill to incorporate the Bank of Goldsboro' was taken
up, but on motion by Mr. J. B. Jones, ordered to be laid on the table.

On motion by Mr. White, the bill to establish the standard bushel of wheat, rye, Indian corn, &c., was taken up, read the second time, the substitute proposed by the committee adopted, and the bill passed its second reading as amended. Said bill was read the third time, passed, and ordered to be engrossed.

On motion by Mr. White, the bill to alter and amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company, was now taken up and made the special order of the day for to-morrow, 11 o'clock, A. M.

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

SATURDAY, January 31, 1857.

Mr. Cherry introduced resolutions concerning the public lands, which were read the first time and passed.

Mr. Thomas introduced a bill to exempt a freehold homestead from execution sale, which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill to incorporate the town of Burnsville, in Yancy county;

The engrossed bill to revise the charter of the Neuse River Manufacturing Company and for other purposes; and

The engrossed resolution concerning the geological cabinet, were severally read the first, second, and third times, passed and ordered to be enrolled;

The engrossed resolution concerning State Geologist, was read the first time and passed.

A message was received from the House of Commons concurring in the amendments of the Senate to the bill to incorporate Townsville in Granville county;

To the resolution in favor of the principal clerks; and to the
bill to amend Revised Code, 99th chapter, entitled "Revenue."

Ordered, That said bills and resolution be enrolled.

The engrossed resolution in favor of Samuel Williams, Jr., was read the first, second and third times, passed and ordered to be enrolled.

The resolution in favor of Lemuel Wilkerson, &c., was taken up, read the second and third times, passed, and ordered to be engrossed.

The engrossed resolution in favor of Sarah Charlton, and the engrossed resolution in favor of Henry Troutman, were severally read the second and third times, passed and ordered to be enrolled.

Mr. Wilder, from the committee on banks and currency, to whom was referred the amendment proposed by the House of Commons to the engrossed bill to recharter the Bank of the State of North-Carolina, reported favorably on the same.

The question being on agreeing to said amendment proposed by the Commons, the same was determined in the affirmative—yeas 35, nays 3.

Those who voted in the affirmative are,

Those who voted in the negative are,
Messrs. Chesson, Carr and Sanders—3.

So the amendment was agreed to, and the House of Commons informed thereof by message.

The engrossed bill to establish a superior court for Harnett county, was read the second and third times, passed and ordered to be enrolled.

The Senate now took up for consideration the bill to aid the Western Railroad Company to complete the road from Fayetteville to the Coalfields, on Deep River.

The pending question being on the adoption of the substi-
tute proposed by the committee; the same being agreed to, the question recurred on the passage of the bill the second time as amended, and was determined in the negative—yeas 17, nays 27.

Mr. Fonville 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. A. J. Jones moved a reconsideration of the vote by which was rejected the bill to amend an act, entitled an act to improve the Cape Fear and Deep Rivers above Fayetteville, and also to amend an act to authorise the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes.

Mr. Boyd introduced a resolution, authorising the Public Treasurer to borrow money, which was read the first, second and third times, passed, and ordered to be engrossed.

The hour of 11 o'clock having arrived, the Speaker announced the special order, viz:

The bill to alter and amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company, which was read the third time and passed—yeas 21, nays 18.

Mr. Sanders demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Battle, Cameron, Carr, Chesson, Clark, Cunningham-
ham, Dillard, Eaton, Gorrell, Hawkins, Holt, Lane, Martin, Miller, Parks, Ramsay, Sanders and Taylor—18.

So the bill passed its third reading, and was ordered to be enrolled.

Mr. Taylor laid before the Senate a communication from R. A. Hamilton, declining to accept the office of Trustee of the University.

On motion, Messrs. Holmes, Holt, Ramsay, Taylor and Dillard were added to the committee on enrolled bills.

Mr. Thomas, of Jackson, to whom was referred the bill for the completion of the Atlantic and North-Carolina Railroad, reported the same back to the Senate, and recommended its passage. Said bill was now taken up and read the second time.

Mr. Myers, of Mecklenburg, moved to amend the same by adding the following; as an additional section, viz:

Be it further enacted, That the bonds with coupons attached, hereby authorised to be sold, be made payable in the city of Raleigh.

The amendment was rejected—yeas 10, nays 30.

Mr. Myers demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative, are,

Mr. Clark now offered the following amendment as an additional section to the bill, viz:

Be it further enacted, That no part of said loan or bonds shall be delivered to the said company until the president and directors thereof shall execute and deliver to the Governor of this State a mortgage on the entire road and its warehouses and rolling stock, conditional to save the State harmless against loss of both principal and interest of said loan.
The amendment was adopted.

The question recurred on the passage of the bill the second time, as amended, and was determined in the affirmative—yeas 26, nays 14.

Those who voted in the affirmative are,

Those who voted in the negative are,

The bill was now read the third time and passed—yeas 24, nays 17.

Mr. A. J. Jones 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 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 they have passed the engrossed bill from the Senate to exempt from taxation and fix the rate of interest on the bonds of the North-Carolina Railroad 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 Senate now took a recess until 3 o’clock, P. M.
Three o'clock, P. M.

The engrossed bill to incorporate the Rock Bridge and Toxaway Turnpike Company, in the county of Jackson; and

The engrossed bill to change the time of the meeting of the winter term of the supreme court, were severally read the first time and passed;

The engrossed bill requiring the weighing of all cotton sold in the town of Wilmington, was read the first time and passed; said bill was read the second time.

Mr. Houston moved to amend the same as follows: Strike out the word "articles" in the first line of section 4, and insert "cotton."

The amendment was agreed to, and the bill passed its second reading as amended—yeas 23, nays 16.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Received a message from the House of Commons proposing to rescind the resolution to adjourn on Monday next, and that the two Houses adjourn on Wednesday next, at half-past 7 o'clock, A. M.

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

The engrossed bill to lay off and establish a new county by the name of Avery, was read the first time and passed.

Mr. Coleman moved a suspension of the rules that the bill be put on its second reading.

The vote was as follows—yeas 16, nays 16.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Two-thirds of the Senators present not voting to suspend the rules, the motion was lost.

Mr. Coleman moved that said bill be now taken up and made the special order of the day for Monday next, at the hour of 11 o'clock.

The motion prevailed—yeas 33, nays 1.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,

Mr. A. J. Jones voted in the negative.

Mr. A. J. Jones moved that the bill to establish the Metropolitan Bank be now taken up and made the special order for Monday next at half-past 11 o'clock.

The motion prevailed—yeas 35, nays 1.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,

Mr. Sanders voted in the negative.

Received a message from the House of Commons concurring in the amendment of the Senate to the engrossed bill for
the completion of the Atlantic and North-Carolina Railroad.

Ordered, That said bill be enrolled.

Received a message from the House of Commons stating that they have passed the engrossed bill to incorporate the Cheraw and Coal Field Railroad Company, with amendments, in which they ask the concurrence of the Senate.

Mr. Houston moved to amend the amendment proposed by the Commons by striking out “other railroads in North-Carolina.”

Mr. Cameron moved that the message and amendments be laid on the table.

Not agreed to—yeas 15, nays 25.

Mr. Fennell demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Cameron, Chesson, Clark, Cunningham, Eaton, Fennell, Grist, Hawkins, Holmes, Houston, A. J. Jones, Lane, Mills, Miller and Sanders—15.

Those who voted in the negative are,


So the Senate refused to lay on the table.

The amendment proposed by Mr. Houston was rejected.

Mr. Clark now called for a division of the question, which was ordered, and the question being taken on the several amendments separately, they were severally agreed to, and the House of Commons informed thereof by message.

The Senate now took a recess until 7 o’clock, P. M.

Seven o’clock, P. M.

The engrossed bill concerning Pilots at Ocracock and Hat-eras Inlets, was read the second and third times, passed and ordered to be enrolled.

The engrossed resolution in favor of Frank N. Roberts, &c.,
was read the second and third times, passed and ordered to be enrolled.

The bill to establish a Normal School in Polk county was read the second and third times, passed and ordered to be engrossed.

The engrossed bill to open the Yadkin River to the free passage of fish, was read the second time and passed.

The engrossed bill concerning public roads in Yancy and Burke counties was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to lay off a road in Caldwell county was read the first time, passed and referred to the committee on internal improvements.

The engrossed bill to alter the line between Wilkes and Caldwell was read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

The engrossed bill to incorporate the Salem and Germanton Railroad Company was read the first time and passed.

The engrossed bill to incorporate the Mountain Railroad Company was read the first, second and third times, passed and ordered to be enrolled.

The motion to reconsider the vote by which was rejected the bill to amend an act, entitled an act to improve the Cape Fear and Deep Rivers above Fayetteville, and also an act to amend an act to authorise the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes, was now taken up and agreed to.

Said bill being now on its third reading,

Mr. Gorrell, from the joint-select committee appointed to take into consideration the Cape Fear and Deep River improvements, made a detailed report thereon, and moved an amendment as a substitute for the bill. The substitute was adopted.

The question now recurred on the passage of the bill its third reading as amended, and was determined in the affirmative—yeas 18, nays 16.

Those who voted in the affirmative are,

Messrs. Boyd, Cameron, Cherry, Coleman, Dockery, Eaton,

Those who voted in the negative are,


So the bill passed its third reading, and was ordered to be engrossed; the rules were suspended, and a message sent to the House of Commons, asking their concurrence in the same.

On motion by Mr. Cameron,

Ordered, That the report of the committee, and the message of his Excellency, the Governor, in relation thereto, be printed.

On motion by Mr. Boyd, the Senate now took up for consideration the bill to incorporate the Rockingham Coalfield Railroad Company; the same being on its second reading, and the question recurring on the passage of the bill its second reading, it was determined in the affirmative—yeas 19, nays 15.

The yeas and nays being demanded,

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Lane now called up the engrossed resolution in favor of B. H. Stanmire, which was read the second time.

Mr. Thomas, of Jackson, offered the following resolution as an amendment to the same, viz:

Be it further resolved, That the Public Treasurer also pay David Taylor and Elizabeth Welch the amount expended by them in defending the State's title, under the purchase of 1838.

The amendment was rejected—yeas 3, nays 28.
Mr. Thomas 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 resolution its second reading, and was determined in the affirmative—yeas 23, nays 13.
Mr. Thomas demanded the yeas and nays.
Those who voted in the affirmative are,
Those who voted in the negative are,
Mr. Clark moved that the Senate adjourn until Monday morning, 10 o'clock, which motion was lost—yeas 12, nays 23.
Mr. Houston 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 to incorporate the Rockingham Coalfield Railroad Company, was now taken up, and made the special order of the day for Monday next, at the hour of 12 o'clock, M.
On motion by Mr. Houston, the resolution in favor of B.
H. Stanmire was taken up, and made the special order of the day for Monday next, at the hour of half-past 12 o'clock, M.

On motion by Mr. J. B. Jones, the Senate now adjourned until Monday morning, 10 o'clock.

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MONDAY, February 2, 1857.

The engrossed bill to alter the line between Wilkes and Caldwell, was read the second and third times, passed, and ordered to be enrolled.

On motion by Mr. Dockery, leave of absence was granted to Mr. Parks, from and after to-day, for the remainder of the session.

Mr. Eaton introduced the following resolution, which was read its first, second and third times, passed, and ordered to be engrossed, viz:

Resolved, That Rufus H. Page, the deputy of the Secretary of State, be authorised to countersign grants in the name of his principal, from and after the ratification of this resolution.

Mr. Boyd introduced a resolution in favor of James Roberts, which was read the first, second and third times, passed, and ordered to be engrossed.

Mr. Hill introduced a resolution requesting the assistant clerk of the Senate to collect and arrange the records belonging thereto, which was read the first, second and third times, passed, and ordered to be engrossed.

The engrossed bill in favor of the Clerks of the General Assembly, was read the first, second and third times, passed, and ordered to be enrolled.

The bill to incorporate the town of Germanton, in the counties of Stokes and Forsythe, was read the second and third times, passed and ordered to be engrossed.

The engrossed bill to incorporate the Sepano Mining and Manufacturing Company, was read the second time and passed.

The engrossed resolution in favor of Alexander Johnson,
late sheriff of Cumberland County, and M. L. F. Redd, sheriff of Onslow county, was read the second time.

Mr. McDiarmid moved to amend the same by striking out "M. L. F. Redd, sheriff of Onslow county."

The amendment was adopted, and the resolution passed its second reading as amended.

Said resolution 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 Speaker announced that the committee on enrolled bills for the present week, consists of Messrs. Wilder, Wiggins, Pool, W. R. Myers, Houston, Hill, Dockery, Cherry, Cameron, Hawkins and Person, of which the House of Commons was informed by message.

The engrossed bill incorporating the Green Swamp Land Company, was read the first time and passed, and referred.

The engrossed bill to amend the 6th section of the 120th chapter of the Revised Code, concerning wreck sales, was read the second time, amended on motion by Mr. J. B. Jones, and 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 amendment of the Senate.

Mr. Holt moved to reconsider the vote by which was rejected the bill giving aid to the Western Railroad Company, in order to complete their road from Fayetteville to the Coalfields, on Deep River. The motion did not prevail—yeas 18, nays 22.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Battle, Burges, Cameron, Carr, Chessel, Clark, Cunningham, Dillard, Eaton, Grist, J. B. Jones, Lane, Mar-
Gas Light Company, which was read the first time and passed, and referred.

The engrossed bill to amend an act passed at the session of the General Assembly of 1854–55, entitled an act to incorporate the town of Lenoir, in Caldwell county, was read the first time and passed.

On motion by Mr. W. R. Myers, the bill to provide for the maintenance of the Insane Asylum was taken up, read the second and third times, passed and ordered to be engrossed.

Mr. Clark, from the joint-select committee of conference on the Revenue bill, submitted the following report, viz:

The joint-select committee of conference, on the part of the two Houses, on the disagreement to an amendment of the Revenue bill, after a full conference have instructed the following report to be made: That the proposed tax on railroad freight and passengers will operate most unequally from the difference of provisions in the charters of the various Railroad Companies. The charters of the Raleigh and Gaston and the Wilmington and Welden Railroad contain such provisions as would exempt them from the operation of such taxation. Our great North-Carolina Central road belongs almost entirely to the State, and any tax on that would so far be a tax on the State itself. In the Manchester road the literary fund of our State is largely interested, and can certainly claim the protection of the State from any burdens that would oppress it. Our railroads are now struggling for existence, and pleading for State aid, and it would seem an inconsistent policy to oppress with one hand while you would aid with the other. Under these views the committee deem it the most correct course that each House should recede from its amendment, and they would most respectfully recommend that under existing circumstances each House adopt this course and pass the Revenue bill without such tax.

Respectfully submitted.

HENRY T. CLARK, Senate Committee.

Received a message from the House of Commons stating that they have concurred in the report of the committee of
conference on the amendment to the Revenue bill. Whereupon,

The report of the committee on behalf the Senate was agreed to—yeas 33, nays 10.

Those who voted in the affirmative are,


Those who voted in the negative are,


Mr. Pool, from the joint-select committee to examine the unfinished business before the two Houses of the General Assembly, made a report thereon, which was ordered to be laid on the table.

Mr. Clark called up the engrossed bill to create a sinking fund, which was read the second and third times, passed, and ordered to be enrolled.

In obedience to notice given, the rules requiring the Speaker to adjourn the Senate at 10 o'clock, was rescinded.

Mr. Bryan called up the bill to alter the county line of Surry and Ashe, which was read the second time, the amendment proposed by the committee agreed to, and the bill passed its second reading as amended. Said bill was read the third time, passed, and ordered to be engrossed.

A message was received from the House of Commons, stating that they have passed the engrossed bill to incorporate the Shepard's Point Land Company, 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.

The engrossed resolution in favor of B. H. Stanmire, was now taken up, read the first time and passed.

Mr. Lane moved a suspension of the rules, that said reso-
lution might be put on its second reading, which motion was lost—yeas 20, nays 18.

Mr. Thomas, of Jackson, demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Two-thirds of the Senators present not voting for a suspension of the rules, the Speaker announced that the motion was lost; whereupon, said resolution, on motion, was referred to the committee on propositions and grievances.

The bill to incorporate the Bank of Greensboro' was read the second time, and on motion by Mr. A. J. Jones, ordered to be laid on the table—yeas 24, nays 15.

Mr. Gorrell demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


Received a message from the House of Commons, transmitting a message from his Excellency, the Governor, concerning the Deep River improvements, and 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, and report thereon. Concurred in; and the House of Commons informed by message, that the committee on behalf of the Senate consists of Messrs. Gorrell and Eaton.

The bill to incorporate the Bank of Goldsboro' was taken
up, but on motion by Mr. J. B. Jones, ordered to be laid on the table.

On motion by Mr. White, the bill to establish the standard bushel of wheat, rye, Indian corn, &c., was taken up, read the second time, the substitute proposed by the committee adopted, and the bill passed its second reading as amended. Said bill was read the third time, passed, and ordered to be engrossed.

On motion by Mr. White, the bill to alter and amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company, was now taken up and made the special order of the day for to-morrow, 11 o'clock, A. M.

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

SATURDAY, JANUARY 31, 1857.

Mr. Cherry introduced resolutions concerning the public lands, which were read the first time and passed.

Mr. Thomas introduced a bill to exempt a freehold homestead from execution sale, which was read the first time and passed; and, on motion, referred to the committee on the judiciary.

The engrossed bill to incorporate the town of Burnsville, in Yancey county;

The engrossed bill to revise the charter of the Neuse River Manufacturing Company and for other purposes; and

The engrossed resolution concerning the geological cabinet, were severally read the first, second, and third times, passed and ordered to be enrolled;

The engrossed resolution concerning State Geologist, was read the first time and passed.

A message was received from the House of Commons concurring in the amendments of the Senate to the bill to incorporate Townsville in Granville county;

To the resolution in favor of the principal clerks; and to the
bill to amend Revised Code, 99th chapter, entitled "Revenue."

Ordered, That said bills and resolution be enrolled.

The engrossed resolution in favor of Samuel Williams, Jr., was read the first, second and third times, passed and ordered to be enrolled.

The resolution in favor of Lemuel Wilkerson, &c., was taken up, read the second and third times, passed, and ordered to be engrossed.

The engrossed resolution in favor of Sarah Charlton, and the engrossed resolution in favor of Henry Troutman, were severally read the second and third times, passed and ordered to be enrolled.

Mr. Wilder, from the committee on banks and currency, to whom was referred the amendment proposed by the House of Commons to the engrossed bill to recharter the Bank of the State of North-Carolina, reported favorably on the same.

The question being on agreeing to said amendment proposed by the Commons, the same was determined in the affirmative—yeas 35, nays 3.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Chesson, Carr and Sanders—3.

So the amendment was agreed to, and the House of Commons informed thereof by message.

The engrossed bill to establish a superior court for Harnett county, was read the second and third times, passed and ordered to be enrolled.

The Senate now took up for consideration the bill to aid the Western Railroad Company to complete the road from Fayetteville to the Coalfields, on Deep River.

The pending question being on the adoption of the substi-
tute proposed by the committee; the same being agreed to, the question recurred on the passage of the bill the second time as amended, and was determined in the negative—yeas 17, nays 27.

Mr. Fonville 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. A. J. Jones moved a reconsideration of the vote by which was rejected the bill to amend an act, entitled an act to improve the Cape Fear and Deep Rivers above Fayetteville, and also to amend an act to authorize the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes.

Mr. Boyd introduced a resolution, authorising the Public Treasurer to borrow money, which was read the first, second and third times, passed, and ordered to be engrossed.

The hour of 11 o'clock having arrived, the Speaker announced the special order, viz:

The bill to alter and amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company, which was read the third time and passed—yeas 21, nays 18.

Mr. Sanders demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Battle, Cameron, Carr, Chesson, Clark, Cunning-
So the bill passed its third reading, and was ordered to be enrolled.

Mr. Taylor laid before the Senate a communication from R. A. Hamilton, declining to accept the office of Trustee of the University.

On motion, Messrs. Holmes, Holt, Ramsay, Taylor and Dillard were added to the committee on enrolled bills.

Mr. Thomas, of Jackson, to whom was referred the bill for the completion of the Atlantic and North-Carolina Railroad, reported the same back to the Senate, and recommended its passage. Said bill was now taken up and read the second time.

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

*Be it further enacted*, That the bonds with coupons attached, hereby authorised to be sold, be made payable in the city of Raleigh.

The amendment was rejected—yeas 10, nays 30.

Mr. Myers demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative, are,


Mr. Clark now offered the following amendment as an additional section to the bill, viz:

*Be it further enacted*, That no part of said loan or bonds shall be delivered to the said company until the president and directors thereof shall execute and deliver to the Governor of this State a mortgage on the entire road and its warehouses and rolling stock, conditional to save the State harmless against loss of both principal and interest of said loan.
The amendment was adopted.

The question Recurred on the passage of the bill the second time as amended, and was determined in the affirmative—yeas 26, nays 14.

Those who voted in the affirmative are,


Those who voted in the negative are,


The bill was now read the third time and passed—yeas 24, nays 17.

Mr. A. J. Jones 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 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 they have passed the engrossed bill from the Senate to exempt from taxation and fix the rate of interest on the bonds of the North-Carolina Railroad 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 Senate now took a recess until 3 o'clock, P. M.
The engrossed bill to incorporate the Rock Bridge and Toxaway Turnpike Company, in the county of Jackson; and

The engrossed bill to change the time of the meeting of the winter term of the supreme court, were severally read the first time and passed;

The engrossed bill requiring the weighing of all cotton sold in the town of Wilmington, was read the first time and passed; said bill was read the second time.

Mr. Houston moved to amend the same as follows: Strike out the word "articles" in the first line of section 4, and insert "cotton."

The amendment was agreed to, and the bill passed its second reading as amended—yeas 23, nays 16.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Received a message from the House of Commons proposing to rescind the resolution to adjourn on Monday next, and that the two Houses adjourn on Wednesday next, at half-past 7 o'clock, A. M.

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

The engrossed bill to lay off and establish a new county by the name of Avery, was read the first time and passed.

Mr. Coleman moved a suspension of the rules that the bill be put on its second reading.

The vote was as follows—yeas 16, nays 16.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Two-thirds of the Senators present not voting to suspend the rules, the motion was lost.

Mr. Coleman moved that said bill be now taken up and made the special order of the day for Monday next, at the hour of 11 o'clock.

The motion prevailed—yeas 33, nays 1.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,

Mr. A. J. Jones voted in the negative.

Mr. A. J. Jones moved that the bill to establish the Metropolitan Bank be now taken up and made the special order for Monday next at half-past 11 o'clock.

The motion prevailed—yeas 35, nays 1.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,

Mr. Sanders voted in the negative.

Received a message from the House of Commons concurring in the amendment of the Senate to the engrossed bill for
the completion of the Atlantic and North-Carolina Railroad.

Ordered, That said bill be enrolled.

Received a message from the House of Commons stating that they have passed the engrossed bill to incorporate the Cheraw and Coal Field Railroad Company, with amendments, in which they ask the concurrence of the Senate.

Mr. Houston moved to amend the amendment proposed by the Commons by striking out "other railroads in North-Carolina."

Mr. Cameron moved that the message and amendments be laid on the table.

Not agreed to—yeas 15, nays 25.

Mr. Fennell demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Cameron, Chesson, Clark, Cunningham, Eaton, Fennell, Grist; Hawkins, Holmes, Houston, A. J. Jones, Lane, Mills, Miller and Sanders—15.

Those who voted in the negative are,


So the Senate refused to lay on the table.

The amendment proposed by Mr. Houston was rejected.

Mr. Clark now called for a division of the question, which was ordered, and the question being taken on the several amendments separately, they were severally agreed to, and the House of Commons informed thereof by message.

The Senate now took a recess until 7 o'clock, P. M.

Seven o'clock, P. M.

The engrossed bill concerning Pilots at Ocracock and Hannah Inlets, was read the second and third times, passed and ordered to be enrolled.

The engrossed resolution in favor of Frank N. Roberts, &c.,
was read the second and third times, passed and ordered to be enrolled.

The bill to establish a Normal School in Polk county was read the second and third times, passed and ordered to be engrossed.

The engrossed bill to open the Yadkin River to the free passage of fish, was read the second time and passed.

The engrossed bill concerning public roads in Yancy and Burke counties was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to lay off a road in Caldwell county was read the first time, passed and referred to the committee on internal improvements.

The engrossed bill to alter the line between Wilkes and Caldwell was read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

The engrossed bill to incorporate the Salem and Germanton Railroad Company was read the first time and passed.

The engrossed bill to incorporate the Mountain Railroad Company was read the first, second and third times, passed and ordered to be enrolled.

The motion to reconsider the vote by which was rejected the bill to amend an act, entitled an act to improve the Cape Fear and Deep Rivers above Fayetteville, and also an act to amend an act to authorise the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes, was now taken up and agreed to.

Said bill being now on its third reading,

Mr. Gorrell, from the joint-select committee appointed to take into consideration the Cape Fear and Deep River improvements, made a detailed report thereon, and moved an amendment as a substitute for the bill. The substitute was adopted.

The question now recurred on the passage of the bill its third reading as amended, and was determined in the affirmative—yeas 18, nays 16.

Those who voted in the affirmative are,

Messrs. Boyd, Cameron, Cherry, Coleman, Dockery, Eaton,

Those who voted in the negative are,

So the bill passed its third reading, and was ordered to be engrossed; the rules were suspended, and a message sent to the House of Commons, asking their concurrence in the same.

On motion by Mr. Cameron,
Ordered, That the report of the committee, and the message of his Excellency, the Governor, in relation thereto, be printed.

On motion by Mr. Boyd, the Senate now took up for consideration the bill to incorporate the Rockingham Coalfield Railroad Company; the same being on its second reading, and the question recurring on the passage of the bill its second reading, it was determined in the affirmative—yeas 19, nays 15.

The yeas and nays being demanded,
Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Lane now called up the engrossed resolution in favor of B. H. Stanmire, which was read the second time.

Mr. Thomas, of Jackson, offered the following resolution as an amendment to the same, viz:

Be it further resolved, That the Public Treasurer also pay David Taylor and Elizabeth Welch the amount expended by them in defending the State's title, under the purchase of 1838.

The amendment was rejected—yeas 3, nays 28.
Mr. Thomas 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 resolution its second reading, and was determined in the affirmative—yeas 23, nays 13.
Mr. Thomas demanded the yeas and nays.
Those who voted in the affirmative are,
Those who voted in the negative are,
Mr. Clark moved that the Senate adjourn until Monday morning, 10 o'clock, which motion was lost—yeas 12, nays 23.
Mr. Houston 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 to incorporate the Rockingham Coalfield Railroad Company, was now taken up, and made the special order of the day for Monday next, at the hour of 12 o'clock, M.
On motion by Mr. Houston, the resolution in favor of B.
H. Stanmire was taken up, and made the special order of the day for Monday next, at the hour of half-past 12 o'clock, M.

On motion by Mr. J. B. Jones, the Senate now adjourned until Monday morning, 10 o'clock.

MONDAY, FEBRUARY 2, 1857.

The engrossed bill to alter the line between Wilkes and Caldwell, was read the second and third times, passed, and ordered to be enrolled.

On motion by Mr. Dockery, leave of absence was granted to Mr. Parks, from and after to-day, for the remainder of the session.

Mr. Eaton introduced the following resolution, which was read its first, second and third times, passed, and ordered to be engrossed, viz:

Resolved, That Rufus H. Page, the deputy of the Secretary of State, be authorised to countersign grants in the name of his principal, from and after the ratification of this resolution.

Mr. Boyd introduced a resolution in favor of James Roberts, which was read the first, second and third times, passed, and ordered to be engrossed.

Mr. Hill introduced a resolution requesting the assistant clerk of the Senate to collect and arrange the records belonging thereto, which was read the first, second and third times, passed, and ordered to be engrossed.

The engrossed bill in favor of the Clerks of the General Assembly, was read the first, second and third times, passed, and ordered to be enrolled.

The bill to incorporate the town of Germanton, in the counties of Stokes and Forsythe, was read the second and third times, passed and ordered to be engrossed.

The engrossed bill to incorporate the Sepano Mining and Manufacturing Company, was read the second time and passed.

The engrossed resolution in favor of Alexander Johnson,
late sheriff of Cumberland County, and M. L. F. Redd, sheriff of Onslow county, was read the second time.

Mr. McDiarmid moved to amend the same by striking out "M. L. F. Redd, sheriff of Onslow county."

The amendment was adopted, and the resolution passed its second reading as amended.

Said resolution 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 Speaker announced that the committee on enrolled bills for the present week, consists of Messrs. Wilder, Wiggins, Pool, W. R. Myers, Houston, Hill, Dockery, Cherry, Cameron, Hawkins and Person, of which the House of Commons was informed by message.

The engrossed bill incorporating the Green Swamp Land Company, was read the first time and passed, and referred.

The engrossed bill to amend the 6th section of the 120th chapter of the Revised Code, concerning wreck sales, was read the second time, amended on motion by Mr. J. B. Jones, and 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 amendment of the Senate.

Mr. Holt moved to reconsider the vote by which was rejected the bill giving aid to the Western Railroad Company, in order to complete their road from Fayetteville to the Coalfields, on Deep River. The motion did not prevail—yeas 18, nays 22.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Messrs. Battle, Burges, Cameron, Carr, Chesson, Clark, Cunningham, Dillard, Eaton, Grist, J. B. Jones, Lane, Mar-
A joint resolution concerning the Principal Clerks of the two Houses of the General Assembly;
A resolution concerning the statue of Washington;
A resolution authorizing the Governor to furnish the Departments of the General Government with the acts of Assembly;
A bill to amend the charter of the town of Hillsboro';
A bill to authorize Johna. Small and his wife Polly, Robert and Elizabeth Small, Anthony Copeland and Warren Boon, to reside in the county of Northampton for eighteen months;
A bill to incorporate the town of Jackson;
A bill to incorporate the North-Carolina Gas, Coal and Transportation Company;
A bill to incorporate the town of Albemarle, in Stanly county;
A bill to provide for the maintenance of the Insane Asylum;
A bill to alter the line between the counties of Wilkes and Caldwell;
A bill to re-charter the Bank of the State of North-Carolina;
A bill to amend an act entitled an act to incorporate the Western North-Carolina Railroad Company;
A bill to amend an act entitled an act to incorporate the Cheoili Turnpike Company, passed at the session of 1854-'55;
A bill to incorporate the Albemarle and Suffolk Railroad Company;
A bill to amend section 6th, and repeal section 7th, of chapter 36th of the Revised Code, entitled "Currency;"
A bill to amend the charter of Carolina Female College, in the county of Anson;
A bill to incorporate the American Exchange, Mining and Smelting Company;
A bill to amend an act, entitled an act to incorporate the town of Graham, in Alamance county;
A bill to restore jury trials in civil causes in the courts of pleas and quarter sessions, of Robeson county;
A bill to amend an act, entitled an act for the better regulation of the town of Clinton, in the county of Sampson, passed at the session of 1852;
A bill to amend an act, entitled an act to incorporate the Indian Grave Gap Turnpike Company, passed at the session of 1854-'55;
A bill to incorporate the Mountain Railroad Company;
A bill to incorporate the Male and Female Academy, in Swansboro', North-Carolina;
A bill to authorize the wardens of the poor, in Rutherford county, to sell and convey the lands on which the poorhouses are situated;
A bill concerning pilots at Ocracoke and Hatteras Inlets;
A bill to create a sinking fund;
A bill to alter and amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company, as amended;
A bill entitled Revenue;
A bill to authorize the examination of the wife, in certain cases;
A bill to establish the standard weight of wheat, rye, Indian corn, &c.;
A bill to incorporate the town of Townsville, in the county of Granville;
A bill concerning the county courts of Granville county;
A bill to incorporate the Shepard's Point Land Company;
A bill to incorporate the town of Burnsville, in the county of Yancy;
A bill to amend an act, entitled an act to incorporate the Greenville and French Broad Railroad Company, passed at the session of 1854-'55, chapter 229;
A bill to establish a superior court for Harnett county;
A bill for the better regulation of the town of Gatesville, in Gates county;
A bill concerning the common schools of the State of North-Carolina;
A bill to incorporate the Garysburg and Windsor Railroad Company;
A bill extending the powers of the Roanoke Valley Railroad Company;
A bill to prevent the sale of spirituous liquors within two
miles of Western Carolina Male Academy, in the county of Cabarrus;
A bill to amend section 7th chapter 17th of the Revised Code concerning cattle and other stock;
A bill concerning Albemarle and Chesapeake Canal Company;
A bill to amend the 6th section of the 120th chapter of the Revised Code concerning wreck sales;
A resolution concerning the Geological cabinet;
A resolution concerning engrossing clerks;
A resolution in favor of Frank N. Roberts and R. M. Gorrell;
A resolution in favor of Thomas H. Willie;
A resolution in favor of J. M. Lovejoy;
A resolution in favor of Henry Troutman;
A bill in favor of the clerks of the General Assembly;
A bill to incorporate the Yadkin Manufacturing Company, in the county of Montgomery;
A resolution in favor of P. H. Dozier;
A resolution concerning the further distribution of Emmons' report;
A resolution in favor of Alexander Johnson, sheriff of Cumberland county;
A resolution concerning Executive mansion;
A resolution authorising the literary board to change the State debt into State bonds;
A resolution in favor of Joseph Clark;
A resolution requiring the Secretary of State to furnish the clerks and sheriffs in the several counties of this State with copies of the Revenue law;
A resolution in favor of Lemuel Wilkerson, A. C. Murdock and Hurdle & Hurdle, all of Orange county;
A resolution authorising the Public Treasurer to borrow money;
A resolution in favor of James Melvin, sheriff of Bladen county;
A resolution in favor of E. D. Davis, sheriff of Jackson county;
A resolution requesting the assistant clerk of the Senate to collect and arrange the records belonging thereto, and the assistant of the House to perform the same duty;
A resolution in favor of Sarah Charlton;
A resolution in favor of Samuel Williams and Son;
A bill to incorporate the Warrenton Female College;
A bill to regulate the fishing with seins in North River;
A bill to extend the time of payment of the bonds due from the Seaboard and Roanoke Railroad Company to the State;
A bill to amend the charter of the Atlantic and North-Carolina Railroad Company;
A bill to amend an act, entitled an act to establish the town of Stricklandsville, in the county of Duplin, and to incorporate the commissioners of said town;
A bill to provide for the distribution of the proceeds of the literary fund among the several counties of the State;
A bill to incorporate the town of Columbus;
A bill to extend the charter of New Garden Boarding School, and for other purposes;
A bill to incorporate the Hyde county Steamboat Joint Stock Company;
A 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;
A bill for the corporation of Atlantic and North-Carolina Railroad;
A bill to lay off a public road from some suitable point on the new road leading from Childsville, in Yancy county, to Peidmont Springs, in Burke county, by way of the Cranberry iron works to the Tennessee line; and
A bill to revive the charter of Neuse River Manufacturing Company, and for other purposes.

The engrossed bill requiring the weighing of all cotton sold in the town of Wilmington 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. Person moved that the Senate adjourn until to-morrow morning 10 o'clock.
The motion prevailed—yeas 22, nays 13.
Mr. White demanded the yeas and nays.
Those who voted in the affirmative are,
Those who voted in the negative are,

TUESDAY, FEBRUARY 3, 1857.
Mr. Pool introduced a bill to amend the charter of the town of Elizabeth City, in the county of Pasquotank, which was read the first, second, and third times, passed and ordered to be engrossed.

Received a message from the House of Commons transmitting a message from his Excellency, the Governor, concerning justices of the peace.

Mr. Boyd moved that the bill to incorporate the Rockingham Coalfield Railroad Company be now taken up, and made the special order for this day, at half-past 11 o'clock.

Mr. A. J. Jones moved that said motion be laid on the table, which was carried—yeas 20, nays 17.

Mr. A. J. Jones demanded the yeas and nays.
 Those who voted in the affirmative are,

Those who voted in the negative are,

On motion by Mr. Lane, the resolution in favor of B. H.
Stanmire was now taken up and made the special order for this day, at the hour of 12 o'clock, M.

On motion by Mr. Ramsay, the Senate now took up the resolution to authorise A. M. Booe, sheriff of Davie county, to collect arrears of taxes due him, which was read the second time, amended and passed; and, on motion by Mr. Speight, ordered to be laid on the table—yeas 22, nays 13.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The engrossed bill to lay off a public road in Yancy and Burke counties; and

The engrossed bill concerning public roads in Wilkes and Caldwell counties, were severally read the first, second and third times, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Oak City Guards, a military company in the city of Raleigh; and

The engrossed bill to lay off and establish a public road in the counties of Davie and Davidson, and to establish a public ferry across the Yadkin river, were severally read the second and third times, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Tar River Navigation Company, was read the first time and passed; said bill was read the second time; and

On motion by Mr. Clark, ordered to be laid on the table—yeas 25, nays 14.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

The engrossed resolution in favor of the Doorkeepers was now read the first, second and third times, passed, and ordered to be enrolled.

The bill to amend the militia law was read the second and third times, passed, and ordered to be engrossed.

The bill to amend the 5th section of the 100th chapter of the Revised Code, entitled "Rivers and Creeks," was read the second time, amended and passed; said bill was read the third time, and, on motion by Mr. Ramsay, ordered to be laid on the table.

The bill to revive an act, passed at the session of 1854-'55, entitled an act to incorporate the Chatham Railroad Company, was read the second time.

Mr. A. J. Jones moved that said bill be indefinitely postponed, which motion did not prevail—yeas 13, nays 23.

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 second reading, and was determined in the affirmative—yeas 24, nays 13.

Mr. A. J. Jones demanded the yeas and nays.
Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Wilder moved a suspension of the rules, that said bill be now put upon its third reading.

The motion prevailed—yeas 24, nays 12.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


So the rules were suspended, and said bill read the third time.

Mr. Wilder moved that the further consideration of the bill be postponed until 4 o'clock, P. M., and that it be made the special order of the day for that hour.

The motion prevailed—yeas 24, nays 5.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:

The engrossed resolution in favor of B. H. Stanmire, which was read the third time.

Mr. Thomas, of Jackson, moved the following as an amendment to the resolution, viz:

That B. H. Stanmire, assignee of Alsey Medlin, be, and he is hereby authorised to locate six hundred and forty acres of
land on any unappropriated land owned by the State, to be in lieu of the same quantity he was authorised to locate under the act of 1848.

The amendment was rejected—yeas 13, nays 25.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative are,

Those who voted in the negative are,

Mr. Thomas moved the following amendment as an additional resolution, viz:

Resolved, That the payment to B. H. Stanmire, of the sum provided in this resolution, shall not be made until he furnishes a proper transfer deed for the lands granted to him as assignee of Alsey Medlin, under the act of 1848.

The vote on which said amendment, resulted as follows—yeas 19, nays 19.

Mr. Thomas 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 was rejected.

Mr. W. H. Thomas moved the following amendment as an additional resolution, viz:

Be it further resolved, That the payment of the claim as provided for in the foregoing resolution, shall not be construed
into an admission of the five hundred and twenty-one claims like it that remain unpaid.

The amendment was rejected—yeas 10, nays 25.

Mr. Thomas, of Jackson, 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 resolution its third reading, and was determined in the affirmative—yeas 27, nays 12.

Those who voted in the affirmative are,

Those who voted in the negative are,

So the resolution passed its third reading, and was ordered to be enrolled.

The engrossed bill to incorporate the Currituck Hotel Company, was read the second and third times, passed and ordered to be enrolled.

The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The engrossed bill to amend the act of 1854-'55, in relation to the Bank of Clarendon, in Fayetteville, was read the first time and passed. Said bill was read the second time, amend-
ed on motion by Mr. Fennell, and passed its second reading as amended. The bill was now 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 amend the charter of the Western Railroad Company, was read the first time and passed. Said bill was now read the second time, amended on motion by Mr. Pool, and passed its second reading as amended—yeas 33, nays 3.

Mr. Sanders demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative, are,

Messrs. Chesson, Martin and Sanders—3.

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

Mr. Mills introduced a bill to amend the charter of the Wilmington, Charlotte and Rutherford Railroad, which was read the first time and passed.

The bill to incorporate the American Exchange Gold Mining Company 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.

On motion by Mr. Dillard,

Ordered, That a message be sent to the House of Commons, proposing that the two Houses adjourn sine die, at 1 o'clock, to-morrow morning.

The hour of 4 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to revive an act passed at the session of 1854-'55, entitled an act to incorporate the Chatham Railroad Company. The same being on its third reading,
Mr. A. J. Jones moved the following amendment to come in after the word 1860:

Provided, however, That it shall never be so constructed as to connect with any railroad running into the State of South-Carolina, and its terminus at the coalfields in Chatham county shall not be located within five miles of the Cheraw and Coalfield Railroad terminus at the coalfields in Chatham county; and in the event of the violation of this provision in any particular by the said railroad company, the chartered rights herein and hereby granted are forfeited, and shall then and thereafter be null and void.

The amendment was adopted—yeas 21, nays 14.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Battle, Boyd, Burges, Cameron, Clark, Cunningham, Fennell, Grist, Hill, Holmes, Holt, Houston, A. J. Jones, Lane, McDiarmid, Martin, Mills, Miller, Person, Rives and Speight—21.

Those who voted in the negative are,


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

The bill to incorporate the Cambridge Copper Mining and Manufacturing Company was read the second time, amended, and passed its second reading as amended. Said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Greensboro' Mining and Smelting Company was read the second time, amended, and passed its second reading as amended.

Received a message from the House of Commons, concurring in the proposition of the Senate to adjourn sine die at 1 o'clock, to-morrow morning.

The Senate took a recess until 7 o'clock, P. M.
Seven o'clock; P. M.

The bill to incorporate the Greensboro' Mining and Smelting Company was read the third time, passed and ordered to be engrossed.

The bill to incorporate the Hillsboro' Savings Institution was read the second time and passed; the rules being suspended, said bill was read the third time and passed—yeas 31, nays 1.

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

Mr. Sanders voted in the negative.
So the bill passed its third reading and was ordered to be engrossed.

The engrossed resolution in favor of William Watson;
The engrossed bill to amend the charter of the town of Plymouth; and
The engrossed bill concerning fishing in Salmon creek, in Bertie county, were severally read the first, second and third times, passed and ordered to be enrolled.

The bill to amend the charter of the Wilmington, Charlotte and Rutherford Railroad was read the second time.

Mr. Sanders moved that said bill be indefinitely postponed.
The motion was lost—yeas 14, nays 16.

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

Those who voted in the negative are,
Messrs. Boyd, Cherry, Christian, Coleman, Gibson, Hill,
So the Senate refused to postpone the bill indefinitely.

The question now recurred on the passage of the bill its second reading, and was determined in the affirmative—yeas 15, nays 14.

Mr. Eaton demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The bill was now read the third time and rejected—yeas 17, nays 18.

Mr. Sanders demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


The bill to save costs to the people and to put an end to frivolous prosecutions was read the second time.

Mr. Speight moved that said bill be laid on the table.

The motion prevailed—yeas 21, nays 8.

Mr. A. J. Jones demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,

Mr. Hill called up the engrossed bill to repeal the 12th section of chapter 44111 of the Revised Code relating to evidence, which was read the second time.

Mr. Eaton moved that said bill be laid on the table. Not carried.

The question now recurred on the passage of the bill its second reading, and was determined in the affirmative—yeas 22, nays 14.

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

Those who voted in the negative are,

Said bill was now read the third time, passed and ordered to be enrolled.

The following engrossed bills and resolutions were severally read the first, second and third times, passed and ordered to be enrolled, viz:

The bill concerning the Institution for the Deaf and Dumb and Blind;
The resolution concerning the cabinet of minerals;
The bill to alter the time of holding the county courts of Davie; and
The bill to alter the time of holding the superior courts of Davie and Alexander counties.

Mr. White introduced a resolution to pay assistant engrossing clerks, which was read the first, second and third times, passed, and ordered to be engrossed.

On motion by Mr. Clark, the Senate agreed to take a recess from half-past 11, until half-past 12.

A message was received from the House of Commons stat-
ing that they disagree to the amendments of the Senate to
the bill to open the Yadkin River to the free passage of fish.
Mr. Ramsay moved that the Senate insist on its amend-
ment, which was carried, and the House of Commons inform-
ed thereof by message.
A message was also received from the House of Commons
stating that they concur in the amendments of the Senate to
the bill to amend the charter of the Western Railroad Com-
pany;
To the bill to amend the charter of the Bank of Clarendon;
To the bill requiring the weighing of cotton sold in Wil-
mingston; and
To the bill to incorporate the Southern Air-Line Railway
Company.
Ordered, That said bills be enrolled.
The engrossed bill to lay off a road in Caldwell county, was
read the second time.
Mr. Sanders moved that the same be indefinitely postponed,
which motion did not prevail—yeas 14, nays 20.
Mr. Sanders demanded the yeas and nays.
Those who voted in the affirmative are,
Messrs. Burges, Chesson, Clark, Dillard, Eaton, Grist, Haw-
kins, J. B. Jones, A. J. Jones, Lane, Sanders, Speight, Tay-
lor and White—14.
Those who voted in the negative are,
Messrs. Boyd, Cameron, Cherry, Christian, Coleman, Dock-
and Wilder—20.
The bill now passed its second reading: under a suspen-
sion of the rules, said bill was read the third time, passed, and
ordered to be enrolled.
The bill to provide for the extension west of the North-
Carolina Western Railroad, was read the second time.
Mr. A. J. Jones moved that said bill be laid on the table.
The motion was lost—yeas 15, nays 16.
Mr. A. J. Jones demanded the yeas and nays.
Those who voted in the affirmative are,

Those who voted in the negative are,


The amendment proposed as a substitute was adopted, and the bill passed its second reading—yeas 18, nays 15.

Those who voted in the affirmative are,


Those who voted in the negative are,


Said bill was now read the third time and passed—yeas 18, nays 16.

Mr. Sanders 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.

The engrossed bill to amend the acts incorporating the town of Lincolnton, was read the second time, the amendments proposed by the committee disagreed to, and the bill passed its second reading. The bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to provide for the payment of tales jurors; and

The engrossed bill to incorporate the Salem and German-
ton Railroad Company, were severally read the second and third times, passed, and ordered to be enrolled.

The engrossed bill to amend an act, passed at the session of 1854 and ’55, entitled an act to amend an act passed at the session of 1848-’9, entitled an act for the incorporation of the town of Salisbury, was read the first, second and third times, passed, and ordered to be enrolled.

The engrossed resolution in favor of B. Henline, was read the second and third times, passed, and ordered to be enrolled.

The engrossed resolution in favor of James Blunt of Robeson county were severally read the first, second and third times, passed, and ordered to be enrolled.

The engrossed bill to amend an act, passed at the session of the General Assembly of 1854-55, entitled an act to incorporate the town of Lenoir, in Caldwell county, was read the second time and rejected.

The bill to repeal part of the 8th section of 81st chapter of the Revised Code was read the second time; and, on motion, ordered to be laid on the table.

The engrossed bill to repeal part of an act of the General Assembly, passed at its session of 1854-’55, entitled an act to prevent the felling of timber in Big and Little Ivey; and

The engrossed bill to amend an act, entitled an act to incorporate the Sulphur Springs and Paint Rock Turnpike Company, were severally read the second and third times, passed, and ordered to be enrolled.

Received a message from the House of Commons, stating that they have passed the engrossed resolution to pay assistant engrossing clerks, 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 engrossed bill to correct a mistake in the law of 1854-’5, chapter 131, section 4; and

The engrossed bill concerning Burke Square, in the city of
Raleigh, were severally read the second and third times, passed, and ordered to be enrolled.

The following enrolled bills and resolutions were returned to, and ratified in the Senate, viz:

A bill to amend the charter of the town of Elizabeth City;
A resolution concerning the fees of the Governor's private secretary;
A resolution in favor of B. H. Stammler;
A bill to incorporate the Oak City Guards, a military company in the City of Raleigh;
A bill to revise and consolidate the charter of the City of Raleigh;
A bill to incorporate the Cheraw and Coalfields Railroad;
A resolution concerning the Secretary of State;
A resolution in favor of James Roberts;
A bill to repeal an act to fix and settle the dividing line between the counties of Chatham and Alamance;
A bill to incorporate the trustees of Warsaw High School, in Duplin county;
A bill to incorporate the trustees of the Female College of the Methodist Protestant Conference of North-Carolina;
A bill concerning public roads in Wilkes and Caldwell counties;
A bill to lay off and establish a public road in the counties of Davie and Davidson, and to establish a public ferry across the Yadkin river;
A resolution in favor of the Doorkeepers;
A bill to incorporate the town of Germanton, in the counties of Stokes and Forsythe;
A bill to lay off a public road in Yancey and Burke counties;
A bill to amend the charter of Pittsboro' ;
A resolution in favor of Alexander Johnson, late sheriff of Cumberland county;
A bill relating to the Fayetteville and Albemarle Plankroad Company;
A resolution in favor of Wm. J. Joyner;
A resolution in favor of B. Henline;
A bill concerning Burke square in the city of Raleigh;
A resolution concerning cabinet of minerals;
A bill requiring the weighing of all cotton sold in the town of Wilmington;
A bill further prescribing the duties of the Public Treasurer;
A bill concerning fishing in Salmon creek, in Bertie county;
A resolution in favor of W. Watson;
A bill to amend an act, entitled an act to incorporate the Sulpher Springs and Paint Rock Turnpike Company, passed at the session of 1854-'55;
A bill to provide for the appointment of inspectors of wood and fish for the town of Washington;
A bill to amend an act passed at the session of 1854-'55, entitled an act to amend an act passed at the session of 1848 and 1849, entitled an act for the incorporation of the town of Salisbury;
A bill to repeal the 12th section of chapter 44th of the Revised Code relating to evidence;
A bill to alter the time of holding the county courts of Davie;
A resolution in favor of the engrossing clerks, and to pay the assistant engrossing clerks;
A bill to incorporate the Salem and Germanton Railroad Company;
A bill to amend the acts incorporating the town of Lincoln;
A bill to provide for the payment of talis jurors;
A bill to alter the time of holding the superior courts of law and equity in and for the counties of Davie and Alexander;
A bill to lay off a road in Caldwell county;
A bill to alter and amend an act passed at the session of 1852-'3 of the General Assembly to improve a road in the county of Ashe;
A resolution in favor of James Blunt, of Robeson county;
A bill authorising and empowering the Neuse Manufacturing Company to increase their capital stock;
A bill to repeal part of an act of the General Assembly
passed at its session of 1854-'55, entitled an act to prevent the felling of timber in Big and Little Ivy;
A bill to amend the charter of the Western Railroad Company;
A bill to amend an act of the session of 1854-'55, entitled an act to incorporate the Bank of Clarendon at Fayetteville;
A bill to amend the charter of the town of Plymouth;
A bill to incorporate the Trustees of Columbus Normal School in the county of Polk;
A bill to incorporate the Southern Air-Line Railway Company;
A bill to amend an act to incorporate the town of Pittsboro' Chatham county;
A bill to incorporate the Currituck Hotel Company;
A bill to correct a mistake in the law of 1854-'55, chapter 4; and
A bill concerning the institution for the deaf and dumb and blind.

The hour of half-past 11 o'clock having now arrived,
The Senate took a recess until half-past 12 o'clock.

Half-past twelve o'clock.
The engrossed resolution in favor of W. J. Lougee, was read the first, second and third times, passed, and ordered to be enrolled.
The resolution in favor of Jonas Cline was read the second time, and the substitute proposed by the committee agreed to. Sundry additional amendments being proposed,
On motion by Mr. White, ordered that said resolution and amendments be laid on the table.
Mr. Thomas, of Jackson, introduced the following resolution, viz:
Whereas, A large number of bills remain to be acted on, on the table of the Senate, therefore,
Resolved, That a message be sent to the House of Com-
mons, proposing to rescind the order to adjourn at one, and that the two Houses adjourn at 5 o'clock, A. M.

On motion by Mr. Dillard, ordered that said resolution be laid on the table—yeas 29, nays 6.

Mr. Thomas, of Jackson, demanded the yeas and nays.

Those who voted in the affirmative are,


Those who voted in the negative are,


On motion by Mr. Cherry,

Ordered, That a message be sent to the House of Commons, informing that the Senate, having dispatched the public business before it, is now ready to adjourn sine die.

Mr. Cherry 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 the Hon. W. W. Avery, Speaker of the Senate, for the urbanity, impartiality and ability with which he has presided over its deliberations.

Whereupon, the Speaker made his acknowledgments to the Senate, and adjourned the same without day.

W. W. AVERY,
Speaker of the Senate.

By order,
Jno. Hill, Clerk.