JOURNAL
OF
THE SENATE
OF THE
GENERAL ASSEMBLY,
OF THE
STATE OF NORTH-CAROLINA.
AT ITS
SESSION OF 1860-'61.

RALEIGH, N. C.:
JOHN SPELMAN, PRINTER TO THE STATE.
1861.
At a General Assembly of the State of North-Carolina, begun and held in the city of Raleigh, on Monday, the nineteenth day of November, Anno Domini one thousand eight hundred and sixty, and in the eighty-fifth 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, were qualified according to law and took their seats, viz:

1st District, Pasquotank and Perquimons—J. M. Whedbee.  
2d " Camden and Currituck—B. T. Simmons.  
3d " Gates and Chowan—M. L. Eure.  
4th " Tyrrell and Hyde—Jones Spencer.  
5th " Northampton—J. M. Rogers.  
6th " Hertford—J. B. Slaughter.  
7th " Bertie—  
9th " Halifax—M. C. Whittaker.  
10th " Edgecombe and Wilson—H. T. Clark.  
11th " Pitt—E. J. Blount.  
12th " Beaufort—  
13th " Craven—N. H. Street.  
14th " Carteret and Jones—M. F. Arendell.  
15th " Green and Lenoir—J. P. Speight.  
16th " New Hanover—Eli W. Hall.  
17th " Duplin—James Dickson.  
18th " Onslow—Lotte W. Humphrey.  
19th " Bladen, Brunswick and Columbus—J. D. Taylor.
20th District, Cumberland and Harnett—Duncan Shaw.
22d " Wayne—Wm. K. Lane.
24th " Wake—M. A. Bledsoe.
26th " Franklin—W. Harris.
28th " Granville—
29th " Person—C. S. Winstead.
30th " Orange—Josiah Turner.
31st " Alamance and Randolph—Jonathan Worth.
32d " Chatham—W. J. Harris.
33d " Moore and Montgomery—W. D. Dowd.
34th " Richmond and Robeson—
35th " Anson and Union—S. H. Walkup.
36th " Guilford—J. M. Morehead.
37th " Caswell—Bedford Brown.
38th " Rockingham—F. L. Simpson.
39th " Mecklenburg—John Walker.
40th " Stanly and Cabarras—V. C. Barringer.
41st " Rowan and Davie—J. G. Ramsay.
42d " Davidson—
43d " Stokes and Forsythe—J. A. Waugh.
44th " Ashe, Surry, Watauga and Yadkin—Joseph Dobson.
45th " Iredell, Wilkes and Alexander—L. Q. Sharpe.
46th " Burke, McDowell and Caldwell—
47th " Lincoln, Gaston and Catawba—J. Stowe.
48th " Rutherford and Cleveland—A. W. Burton.
49th " Buncombe, Henderson, Madison and Yancey—M. Erwin.
50th " Haywood, Jackson, Cherokee and Macon—W. H. Thomas.

J. W. Thomas, the Senator elect from the county of Davidson, (being the forty-second Senatorial District) ; W. W.
Avery, the Senator elect from the counties of Burk, McDowell, and Caldwell, (being the forty-sixth Senatorial District); Alfred Dockery, Senator elect from the counties of Richmond and Robeson, (being the thirty-fourth Senatorial District), appearing without the usual certificates of election, and satisfactory evidence being adduced that they had been duly elected members of the Senate, and no objections being made, they were permitted to qualify and take their seats.

It appearing that a quorum of the whole number of members was present,

Mr. Avery nominated Henry T. Clark, of Edgecombe, for Speaker.

On motion of Mr. Arendell, the name of Victor C. Barringer, of Cabarrus, was added to the nomination, and the Senate voted as follows, to wit:

For Mr. Clark.—Messrs. Avery, Bledsoe, Brown, Burton, Dickson, Dobson, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker and Winstead—28.


Mr. Clark voted for Mr. Avery, and Mr. Barringer voted for Mr. Walkup.

Mr. Clark having received a majority of the votes given, was declared duly elected Speaker of the Senate, and being conducted to the chair by Messrs. Avery and Arendell, returned thanks to the Senate in an appropriate address.

Mr. Brown nominated J. W. Alspaugh, of Forsyth, for Principal Clerk.

On motion of Mr. Ramsay, H. W. Husted, of Wake, was added to the nomination; whereupon the Senate voted as follows, to wit:
For Mr. Alspaugh.—Messrs. Speaker, Avery, Bledsoe, Brown, Burton, Dickson, Dobson, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker and Winstead—29.


Mr. Alspaugh having received a majority of all the votes cast, was declared duly elected Principal Clerk of the Senate.

On motion of Lotte W. Humphrey, W. L. Saunders, of Rowan, was put in nomination for Assistant Clerk; whereupon the Senate voted as follows, to wit:

For Mr. Saunders.—Messrs. Speaker, Avery, Brown, Burton, Bledsoe, Dickson, Dobson, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker and Winstead—29.


Mr. Saunders having received a majority of all the votes cast, was declared duly elected Assistant Clerk of the Senate.

On motion of Mr. Walker, James Page, of Randolph, was put in nomination for Principal Doorkeeper of the Senate; whereupon the Senate voted as follows, to wit:

For Mr. Page.—Messrs. Speaker, Avery, Arendell, Barringer, Bledsoe, Blount, Brown, Burton, Dickson, Dobson, Dockery, Dowd, Eure, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Morehead, Pitchford, Ramsay, Rogers, Sharp, Shaw, Simmons, Simpson, Slaughter, Speight, Spencer, Street, Stowe, Stubbs, Taylor of Nash,

Mr. Speight nominated Mr. C. C. Talley, of Chatham, for Assistant Doorkeeper; and, on motion of Mr. Dockery, H. K. Kingsbury was added to the nomination; whereupon the Senate voted as follows, to wit:

For Mr. Talley—Messrs. Speaker, Avery, Bledsoe, Brown, Burton, Dickson, Dobson, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker and Winstead—29.


On motion of Mr. Avery the rules of order for the government of the last Senate were adopted for the government of the present Senate, until otherwise ordered.

On motion of Mr. Whitaker, a message was ordered to be sent to the House of Commons notifying that body of the due organization of the Senate by the election of Henry T. Clark, of Edgecombe, Speaker; J. W. Alspaugh, of Forsyth, Principal Clerk; W. L. Saunders, of Rowan, Assistant Clerk; James Page of Randolph, Principal Doorkeeper, and C. C. Talley, of Chatham, Assistant Doorkeeper.

A message was received from the House of Commons announcing the due organization of that body by the election of Wm. T. Dortch, of Wayne, Speaker; Edward Cantwell, of Wake, Principal Clerk; W. M. Hardy, of Buncombe, Assistant Clerk; W. S. Webster, Doorkeeper, and W. R. Lovell, Assistant Doorkeeper.

On motion of Mr. Simpson, the Senate adjourned until to-morrow morning ten o'clock.
TUESDAY, NOVEMBER 20, 1860.

Frederick Grist, the Senator elect from Beaufort, (being the 12th Senatorial District,) appeared, exhibited his credentials and was permitted to qualify and take his seat.

On motion of Mr. Simpson,

Ordered, That a message be sent to the House of Commons, proposing to raise a joint select committee of five, two from the Senate and three from the House of Commons, to prepare and report rules for the government of the intercourse between the two Houses.

On motion of Mr. Humphrey,

Ordered, That a committee of five be appointed to prepare rules for the government of the Senate; whereupon the chair appointed Messrs. Humphrey, Morehead, Avery, Stubbs and Speight.

Received, a message from the House of Commons, proposing to raise a joint committee of five, two on the part of the Senate, and three on the part of the House; to wait upon his Excellency, the Governor, informing him of the due organization of both Houses, and of their readiness to receive any communication he may wish to make them; and that Messrs. Ransom, Ferebee, and Merrimon had been appointed on the committee in behalf of the House.

The Senate concurred in the proposition, and the chair on behalf of the Senate appointed on the committee Messrs. Walker and Ramsay.

Mr. Walker from the joint committee to wait upon his Excellency, the Governor, reported that his Excellency would send in a message to-day at 12 o'clock, in writing.

Received a message from the House of Commons, proposing to go forthwith into the election of Public Printer, and that John Spelman and Messrs. Syme and Hall were in nomination.

The Senate concurred in the proposition; and Messrs. Bledsoe and Thomas of Davidson were appointed to superin-
tend the election; whereupon the Senate voted as follows, to wit:

For Mr. Spelman.—Messrs. Speaker, Burton, Brown, Bledsoe, Dickson, Dobson, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker and Winstead—29.


Mr. Bledsoe, from the committee to superintend the election, reported that the whole number of votes cast were 161, necessary to a choice, 81; that Mr. Spelman had received 88, and Messrs. Syme and Hall 73. Mr. Spelman having received a majority of all the votes cast, was therefore elected Public Printer.

The report was adopted.

Received a message from the House of Commons proposing to go forthwith into the election of Attorney General, and that Messrs. Wm. A. Jenkins and Kemp P. Battle were in nomination.

The Senate concurred in the proposition; and Messrs. Burton and Barringer were appointed on behalf of the Senate to superintend the election; whereupon the Senate voted as follows, to wit:

For Mr. Jenkins.—Messrs. Speaker, Avery, Burton, Brown, Blount, Bledsoe, Dickson, Dobson, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker and Winstead—30.

For Mr. Battle.—Messrs. Arendell, Barringer, Dockery, Dowd, Eure, Morehead, Ramsay, Sharpe, Slaughter, Spencer, Stubbs, Thomas of Davidson, Turner, Walkup, Whedbee and Worth—16.
Mr. Burton, from the committee to superintend the election, reported that 161 votes had been cast. Necessary to a choice 81. For Mr. Jenkins—89; for Mr. Battle—72; that Mr. Jenkins having received a majority of all the votes cast, was therefore elected Attorney General. The Senate concurred in the report of the committee.

Mr. Turner introduced a bill to amend the Constitution, which was read and ordered to be printed.

Mr. Slaughter introduced a bill to call a convention to alter the Constitution, which was read and ordered to be printed.

Mr. Street introduced a bill to amend an act, entitled an act to establish the Bank of Commerce, which was read and ordered to lay on the table for further reference.

Also a bill to amend the Revised Code, chapter 31, sections 31 and 40, which was read and ordered to lay on the table for further reference.

Marcus Erwin, the Senator elect from the counties of Buncombe, Henderson, Madison and Yancey (being the 49th Senatorial District) appeared, and, on motion of Mr. Burton, was permitted to present his credentials, qualify and take his seat.

On motion of Mr. Avery, the Senate adjourned till tomorrow morning 11 o'clock.

WEDNESDAY, NOVEMBER 21, 1860.

David Outlaw, the Senator elect from the county of Bertie, (being the seventh Senatorial District,) appearing, produced his credentials and was permitted to qualify and take his seat.

Received a message from the House of Commons, transmitting a message from his Excellency, the Governor, and proposing that said message be printed; and that each member of the General Assembly, and the clerks of both Houses,
be furnished with twenty copies each; and that the Governor be furnished with one hundred copies.

The Senate concurred in the proposition.

The Message is as follows:

GOVERNOR’S MESSAGE.

To the Honorable, the General Assembly
of North-Carolina.

GENTLEMEN: Elected by the universal suffrages of a free people, you have assembled at the time appointed by law, to consult together for the common good, and to adopt such measures as may be demanded by the public welfare.

Although your session opens amid political embarrassments in our Federal affairs of a character calculated to excite in every patriotic mind painful apprehensions for the maintenance of existing political relations with our confederate States, yet we are surrounded here at home with such evidences of happiness and prosperity as to impress us with a deep sense of our many obligations to the Supreme Being who has graciously directed our councils in the past, and upon whom must be our chief reliance for a safe deliverance from the evils that threaten the future of our country.

Within the political period embracing the past two years, our people have been signally blessed with physical health; the returns of agriculture, though somewhat diminished by the blighting influences of a drought that widely pervaded the country during the last season, have been such as to afford a reasonable reward to the labors of the husbandman; the increased yield of our mines furnishes gratifying evidence of the growing importance of that interesting branch of industry; the products of manufacturing and mechanical pursuits have steadily increased in amount and improved in quality; commerce has prospered, and the advantages of education have been more widely extended than heretofore,
exhibiting as ever the natural result of social development and moral elevation.

The moral and material progress thus satisfactorily evidenced, may be traced for a cause, directly and unerringly, to the great system of Internal Improvements that has, for the past ten years, been prosecuted under the patronage of the State.

Our public works have steadily advanced from their beginning point on the Atlantic ocean far into the interior of the country, stimulating as they progress, every department of industry, by offering new facilities of transportation, and opening up sources of public wealth that have heretofore slumbered and otherwise would have continued to slumber in their natural barrenness.

Guided by the example of my predecessors, I will proceed to lay before you the operations of the Government for the political period designated, and respectfully to suggest the adoption of such measures as, to me, the public interests may seem to require. More detailed statements than would be compatible with the nature of this communication, will be furnished by the heads of the several departments in their regular biennial reports.

PUBLIC DEBT AND FINANCES.

The subject to which I shall first invite your attention, deeming it of primary importance, is the condition of the finances of the State.

A rigid observance of the public faith, is a sentiment deeply impressed upon the minds and hearts of the people of North-Carolina, and the more sacrdely cherished, because of the fact that in all our past history that faith has received no tarnish. This well known disposition of the public mind forbids a doubt that you will see that ample provision is made to meet, beyond every contingency, the accruing interest on the public debt, and for the payment of the principal upon maturity. And happily for us, the discharge of this duty, as
will appear from an examination of our financial affairs, will not so much require additional legislation and the imposition of increased taxes, as the abstaining from such new and untried measures as may diminish the present receipts of the treasury.

The following abstract, taken from the books of the public treasurer, exhibits the amount of the debt of the State on the 1st day of October last, the beginning of the present financial year, together with the purposes for which it was contracted.

For the North-Carolina Railroad, $3,000,000

" Atlantic and North-Carolina Railroad, 1,466,505

For Western North-Carolina Railroad, 1,130,000

" Wilmington, Charlotte, and Rutherford Railroad, 400,000

For Fayetteville and Western Railroad, 300,000

For Gaston and Weldon Branch Railroad, 87,000

For Plank Roads, 180,000

" Rivers and Canals, 830,000

" Lunatic Asylum, 125,000

" Literary Fund, 81,000

" General Purposes, 1,530,000

Total indebtedness, $9,129,505

In the foregoing list is embraced a debt of $300,000 for which the State was originally liable, as endorser, for the Cape Fear and Deep River Navigation Company, and for which she became responsible, as principal, upon the purchase of the property and effects of that company.

In addition to the foregoing actual indebtedness, the public
faith is pledged to the following railroad companies in the amounts named, upon a compliance with certain conditions set forth in their respective charters, and in a balance of the appropriation to the Cape Fear and Deep River Navigation Works:

To Wilmington, Charlotte, and Rutherford Railroad Company, $1,709,900
To Western North-Carolina Railroad Company, 2,870,000
" Fayetteville and Western Railroad Company, 100,000
" Cape Fear and Deep River Navigation Works, 20,000

$4,699,900

These companies have so far complied with the provisions of their charters, entitling them to the aid of the State, as to leave no doubt that the whole of the above sum will be called for by them, within a very few years, with the exception of $1,000,000 of the amount guarantied to the Western North-Carolina Railroad Company, which will not be required, because of the fact that their road will be completed to the French Broad river, its present terminus, less by that amount, than was originally contemplated.

The State is also liable, by endorsement for the Wilmington and Weldon Railroad Company, in the sum of $150,000. A loss on account of which, however, need not be apprehended, as the company has ample means to discharge their debt at maturity.

The precise time at which the moneys becoming due the foregoing railroad companies will be applied for is by no means certain. It is not at all probable, however, that more than $1,500,000 will be required during the present and ensuing financial years. This sum would swell the amount of indebtedness to $10,629,505; the annual interest on which, together with the average annual expenditures of the government, $93,000, will give the sum of $728,424.76 as an annual charge upon the public treasury for the present and
coming years. This, it will be observed, embraces the interest on the maximum amount of debt for that period, which will not, however, have been contracted until some time in the next year, for which reason a deduction of several thousand dollars should be made from the sum stated as necessary for the one year, and the same amount added to that required for the other.

The receipts into the treasury, from the ordinary sources of revenue, were, for the past two years, as follows:

Receipts for 1857-'58, $618,964.48
" " 1859-'60, 691,319.54

Total receipts for past two years, $1,310,884.02

To this sum should be added $14,279.72, due from two defaulting sheriffs, and for which judgment has been obtained against the sureties on their official bonds.

The estimated receipts for the present and ensuing fiscal years are, as I am informed by the public treasurer, as follows:

Estimated receipts for 1860-'61, $866,602.39
" " 1861-'62, 889,822.67

Total estimated receipts for next two years, $1,726,425.06

It thus appears that the liabilities of the State can be met without any increase of the taxes at your present session, and, indeed, that they may be reduced without detriment to the public service.

This statement, however, is predicated on the supposition that the sinking fund will be charged with the payment of $170,000 of the public debt falling due prior to the 1st October, 1863. The present condition and prospective receipts of that fund, as will hereafter more fully appear, will justify such a
course, and I, therefore, recommend that it be directed by the Legislature.

To meet the principal of the public liabilities, the State has the following stocks and effects:

Raleigh & Gaston R. R. stocks, par value, $487,500
North-Carolina " " " 2,000,000
" " preferred 6 per ct. " 1,000,000
At. & N. Carolina R. R. stocks " 1,066,600
West'n N. Carolina " " " 1,130,000
Alb. & Ches. Canal " " " 350,000
B'ds of Wil., Ch. & Ruth. R. R. Co. 400,000
" of Fayt. & West. " 300,000
Debt due from At. & N. C. R. R. Co., 400,000
Interest on At. & N. C. R. R. Co., 72,000
Principal of Sinking Fund, 457,040

$7,663,140

A reliable provision has been made for the payment of the public debt as it falls due, by the creation of a sinking fund. The receipts of this fund consist of the dividends of all the railroad stocks owned by the State, and such balances as may remain in the public treasury, from time to time, after paying all current demands upon it. The whole amount of the fund at this time is $457,040. The following are its receipts for the two past fiscal years, together with the sources from whence derived:

Receipts by dividends on N. Carolina R. R. stock, $220,000
" " Ral. & Gast. " " 78,000
" " Surplus Revenue, 100,000
" " Interest on Bonds, 21,570

Total receipts for two last years, $419,570
The rapidly increasing business of our railroads gives the highest assurances that this Fund will prove fully equal to the great purpose for which it was established. After the present year its annual receipts will probably not fall short of half a million of dollars, and may possibly exceed that amount.

An obvious reason why our railroads may be relied upon for reasonable dividends, when prudently managed as at the present time, is to be found in the fact that they are constructed mainly by slave labor; which, for all purposes, not requiring mechanical skill, is undoubtedly the cheapest that can be employed.

No more conclusive evidence of this fact could be desired than that furnished by a comparison of the cost of ours with the cost of roads constructed with a different kind of labor.

Our great line of road, from Beaufort Harbor to Cowana, (Duck Town,) on the Tennessee line, a distance of five hundred and sixty miles, will, when completed, cost $12,610,000. Of this line of road, three hundred and forty-eight miles have been actually completed; fifty miles more let to contract, and the remainder, one hundred and sixty-two miles, has been surveyed and careful estimates made of the cost, so that the entire cost of the road, when finished, may be stated with almost exact certainty. On the other hand we find that the Erie road, in the State of New York, some four hundred miles in length, cost $32,000,000. Or, differently stated, the cost of our road will be $22,500, while that of the Erie is $80,000 per mile. A clear profit on the former of $1,550 per mile would give a dividend of 6 per cent., while on the latter it would require a nett profit of $4,800 per mile to give the same dividend.

Like comparison between roads similarly situated will never fail, it is believed, to develop the fact of the superior cheapness of slave labor when employed in the construction of railroads.
Financially and socially this is an important fact for us. It gives the assurance that our railroad investments will prove dividend-paying stocks, and that the public debt, contracted for the construction of these works, will be finally liquidated thereby. I have an abiding conviction that many of the present generation will live to see our public debt paid off by receipts from railroads, and the roads themselves left unencumbered, yielding a richer revenue to the State than has heretofore been collected by taxation, and superseding, entirely, the necessity for taxation.

The fact is an important one, too, in a social point of view, as it teaches us that there is a proper division of labor, which, if wisely observed, will avoid all possible conflict of interests, and enure to the advantage of all. This division consists in the employment of slave labor, where physical force rather than an exercise of the mental faculties is required, and the assignment of that field of labor, demanding the employment of skill and educated reasoning faculties in its profitable pursuit, to the white race, where these qualities are mainly and almost exclusively to be found.

The marshalling of labor upon this principle is dictated, it is believed, by a sound public policy, extending to the development of that variety of the industrial employments, and the perfection of that mechanical and manufacturing skill that go to make up the power of a State, and to that harmony of interests so necessary to every well organized society.

RAILROADS.

The State having embarked largely in works of internal improvement, their condition and prospects will furnish, doubtless, an interesting subject of your deliberations.

By virtue of an act of the Legislature, at its last session, the Cape Fear and Deep River Navigation Works were purchased for the State by the Governor, at a sale directed by the
first mortgage creditors, for the sum of $365,000. No pur-
chase money was paid beyond that on debts of prior lien to
those for which the State was responsible, and which were
secured by a second mortgage. The amount thus paid is
$34,730.97, and the amount secured by second mortgage to
the State is $300,000, upon which $35,385 of interest was due
at the time of the sale.

Soon after the sale the entire works and property of the
Company were transferred to the State, and have been since
managed by a Commission, as directed by the act. Many
useful repairs have been made under the direction of this
Commission and the river has been opened for navigation,
with a minimum depth of five feet water, from Fayetteville
to the Gulf, in the midst of the Coalfields, a distance of
eighty-one miles. The navigation is temporarily suspended
in consequence of an accident occasioned by a recent freshet,
to which these works will be more or less liable until sub-
stantially rebuilt. A report from the Commission, giving a
detailed account of their operations, will be laid before you at
an early day, for which occasion I will reserve such sugges-
tions relative to this improvement as I may deem necessary
to its maintenance.

By the provisions of an Act of 1856-'57, the Public Treas-
urer was required to deliver to the Albemarle and Chesapeake
Canal Company $100,000, in the bonds of the State, upon the
opening of their work for navigation.

In April, 1859, I made a personal examination of that
improvement, throughout its entire length, and found that it
afforded fair navigation for the class of vessels engaged in
our inland commerce, which fact being duly certified to the
Treasur er, by the Board of Internal Improvements, the bonds
of the State, to the amount named, were delivered to the
Company. This canal, when fully completed, will give a
depth of eight feet water throughout, and a uniform width of
sixty-five feet, and is destined to exert an important influence
upon the commerce of a very productive section of the State.
Further reference will be made to it before your session terminates.

The Fayetteville and Western Railroad is now completed, as I am informed, to the Coalfields in Chatham county. A connexion between that and the North-Carolina Railroad is much to be desired, and I respectfully recommend the subject to your favorable consideration.

The Wilmington, Charlotte and Rutherford Railroad is progressing satisfactorily towards completion, and promises advantages to the public fully commensurate with the gigantic character of the undertaking. The many difficulties already overcome by the Company having it in charge afford the highest evidences of the energy and enterprise of the people residing in the section of country through which it passes, and of the capabilities of that portion of our State. The eastern division of the road has been completed from a point near Wilmington to the distance of seventy-five miles, and the western division from Charlotte, a distance of twenty-miles. The greater part of the remaining portion of the work is under contract and well advanced.

I am informed that the Company will probably ask a further loan from the State, to enable them to complete their work, and, all things considered, such a request will present high claims upon your favorable consideration.

It will be recollected that the terms upon which the patronage of the State has been extended to this enterprise are not so favorable as those upon which others of our leading works of improvement have been aided. In others of our railroad companies two-thirds of the capital stock has been taken by the State, and a liberal loan made afterwards for the completion of their works; while, in the case of this Company the aid of the State consists of a loan of $8,000 per mile of finished road, secured by a mortgage on all the property of the Company. When the importance of this road to the public is considered, it is apprehended that it will be difficult to discover a satisfactory reason for making so wide a differ-
ence between it and other works of a similar character, in dispensing the public patronage. In view of which, and the further fact that the mortgage now held by the State will prove an ample security for the loan heretofore made, and the one that will probably be asked for, I would respectfully but earnestly recommend that such further loan as may be necessary to complete their works be made to the Company. Otherwise it will be driven to effect a loan upon second mortgage, at a great sacrifice of the interests of the stockholders, and to the embarrassment of the enterprise itself.

The first division of the Western North Carolina Railroad, extending from Salisbury to Morganton, a distance of eighty miles, has been completed to within eleven miles of its termination, and the second division, from Morganton to the western portal of the Blue Ridge Tunnel, a distance of forty miles, let to contract, upon which the grading is now being executed. From this point to the present terminus of the road on the French Broad River, near Asheville, a distance of but twenty miles, the work has not been let to contract, because of the prohibitory restrictions of the Company's charter.

These restrictions now interpose serious obstacles to the progress of this great work, and can no longer subserve any useful purpose. I therefore recommend that they be removed by the Legislature.

The importance of such legislation will more fully appear when it is borne in mind that the second division of the road extends to the western portal of the Blue Ridge Tunnel, and, consequently, embraces what is known as the mountain section, which is by far the most costly part of the work. Now, if it be required to fully complete this division before letting the work beyond the mountains to contract, that part of the road lying within the limits of the mountain section, and costing some million and a half of dollars, will be rendered totally useless while the division beyond the mountains is being constructed.
It was originally designed to extend this road so as to form a connection with the chain of road passing through the State of Tennessee to the Mississippi river, and the work has now progressed to that point when sound policy indicates the propriety of locating the western connection and allowing the Company to progress with the work as rapidly as the circumstances of the country will admit.

From the present terminus of the road, near Asheville, two routes have been surveyed to the Tennessee line and both found to be entirely practicable at comparatively a moderate cost. The one lies in almost a due west course, through the counties of Haywood, Macon, Jackson and Cherokee, terminating at Cowana (Duck Town) and the other in a northerly direction, along the French Broad River, and terminating at the Paint Rock, forty-six miles below Asheville. At both of these points of termination connections can be had with the Tennessee roads.

The selection of either one of these routes to the exclusion of the other, would fail to accommodate a large number of our fellow-citizens residing beyond the Blue Ridge, who have heretofore cheerfully contributed their rateable part towards appropriations for the construction of roads east of the mountains, with no other advantage to themselves than the mere hope held out of their extension among them at a future day. To disappoint this reasonable expectation, now that millions have been expended to overcome the great mountain barrier, would prove a sore disappointment to them, and would, in my opinion, be a departure from a true economical policy. These routes point in different directions, and, consequently, each would secure a business that the other could not, and both would serve as valuable contributors to the main line of road east of Asheville.

I would therefore earnestly recommend that the Western North-Carolina Railroad Company be allowed to construct their road over both the routes above designated, and that the State contribute the same proportion as heretofore.
As every delay in forming these connections will result in injury to investments already made, I would suggest no other restriction upon the progress of the work than a simple limitation as to the amount of money to be paid annually by the State; such a limitation being, in my opinion, necessary to a safe administration of the public finances.

The Atlantic and North-Carolina Railroad is an unusually well constructed work and in successful operation. As was the case with others of our roads for the first few years after completion, it has as yet yielded no dividends to the stockholders; but the present earnings of the road, as reported to me, give satisfactory assurances that it will at an early day be classed among our dividend-paying roads.

This Company will, as I am informed, ask that the State loan of $400,000, with the back interest, amounting to $72,000, be converted into preferred stock, and the road released from the mortgage upon it in favor of the State. The acceding to such a proposal would tend to facilitate the operations of the Company, and could not result in an injury to the State, as no reasonable doubt can exist that the Company would be able to pay six per cent. annually on such preferred stock, after the present year. A similar policy was pursued towards the North-Carolina Railroad Company with marked beneficial consequences.

The report of the Commissioner to examine into the affairs of this Company has been handed in within the past few days, and is herewith transmitted.

The Wilmington and Manchester road, in which the State has a small interest, has as yet yielded no dividends, in consequence, as is believed, of pecuniary embarrassments incurred in its construction.

The condition of the other companies in which the State is a stockholder, will more satisfactorily appear from the following exhibit of dividends paid by them in the last and present years:
By N. C. R. R. Co., 6 per ct. on preferred stock, $120,000
By 2 and 3 per ct. on common stock, 150,000
By Wil. & Weld. R. R. Co., 8 per ct., 212,632
Ral. & Gast. R. R. Co., 4 and 6 per cent., 97,330
Total dividends paid in 1859-'60, $579,962

The fact of the Raleigh and Gaston Railroad Company paying but four per cent. dividend in 1860, is to be accounted for by a change of their financial year, which embraces but eight months of that period.

In support of the policy here recommended as the proper one to be pursued towards our works of internal improvement, no more weighty argument could be offered than the general benefits resulting from such as have already been completed. These are everywhere to be witnessed, and especially in the increased value of real estate. The assessed value of real estate in North-Carolina, at the several periods named below, is as follows:

In 1815, $53,521,513—in 1836, $51,021,317—in 1850, $55,600,000—in 1855, $98,075,969—in 1860, $126,000,000.

It thus appears that from 1815 to 1836, a period of twenty years, the value of our real estate actually decreased, while there was only an increase of $2,100,000 from 1815 to 1850. A period of thirty-five years. From 1850 to 1860, ten years, the increase has been $70,400,000. Now, it will be recollected that most of our works of internal improvement have been constructed since the year 1850.

In that year we had but two hundred and fifty miles of railroad, and that of a very imperfect character, while in the present year we have eight hundred and thirty-four miles of road in actual operation.
The increased value of real estate since 1850, will alone yield a revenue, at the present rate of taxation, of $140,400. Results like these will remove all doubt that the State has pursued a wise policy since 1850, towards works of this character.

AGRICULTURE.

An increase in the value of real estate is naturally accompanied by improvements in agriculture and an increase in the returns of agricultural labor. Among the most interesting evidences of the advance made in this branch of our industry, and of the spirit manifested in the cultivation of the soil, are the agricultural fairs now annually held in many parts of the State. These assemblies of the people greatly tend to the dissemination of intelligence and practical information upon the subject of farming; and it is well worthy of your consideration whether they be not deserving the patronage of the State.

Further, to give direction to individual enterprise, I would respectfully recommend the establishment of a Board of Agriculture, with the power to divide the State into agricultural districts, and to make suitable provisions for the giving of instruction in this branch of science. The creation of such a Board would be attended with a trifling expense, and the appropriation of a small amount towards the salary of a teacher in each district, in aid of individual and county contributions, it is confidently believed, would be a wise expenditure of the public money.

EDUCATION.

Since the last session of the Legislature our system of public education, under the supervision of the able and zealous Superintendent of Common Schools, has been still further improved in its practical operation, and attended, perhaps, with greater usefulness than at any former period. Under
this system the means of education, in its primary branches, are placed within the reach of every child of the State.

There was distributed to the several counties for school purposes, by the Commissioners of the Literary Fund, in 1859, $180,850.08, and a like amount the present year.

By virtue of a provision contained in the charter of the Bank of North-Carolina, the Public Treasurer subscribed for the Literary Fund, to the capital stock of that Bank, an amount equal to the stock belonging to the fund in the Bank of the State of North-Carolina, the charter of which expired on 1st of January last. In order to make payment of the first and second instalments of the newly subscribed stock, that officer visited the city of New York and negotiated a temporary loan in specie, upon highly favorable terms, and such as could not have been procured otherwise than by his presence there. This loan has been since paid off by payments made upon the stock in the Bank of the State of North-Carolina.

A report from the Commissioner of the Literary Fund will be laid before you.

Our Common School system was established in the year 1840, before which time there was no instruction imparted in the State at the public expense. After an experience of twenty years it will not prove uninteresting to observe the extent of the influence of this system upon the general interests of education. And while it will not be pretended that the progress made within that period is wholly attributable to our Common Schools, yet it must be confessed that they have been mainly instrumental in awakening among our people a lively spirit on the subject of education.

The following comparative statement exhibits, with reasonable accuracy, the extent of that progress:
Number of Male Colleges, 3 6
  do. Female do., 1 13
  do. Academies and Select Schools, 141 350
  do. Primary Schools, 632 4,000

Whole number of Schools and Colleges, 777 4,369

Number of scholars at College, 158 900
  do. at Female do., 125 1,500
  do. at Academies & Select Schools, 4,398 15,000
  do. at Primary Schools, 14,000 160,000

Whole number of Scholars, 18,681 177,400

Most of our Colleges and High Schools have been established by, and are now under the control of the several denominations of christians, which is a fact not to be regretted, since the natural friends of education are to be found among those who are engaged in the advancement of religion and morals.

Before closing with this subject, I would make brief mention of the two military institutions recently established at Charlotte and Hillsboro'. Though not so classed, they maintain a standard of education, in the branches taught, fully as high as that which obtains in our best colleges. I respectfully commend these institutions to your favorable consideration, as worthy of the patronage of the State.

BOUNDARY LINE.

An act of the Legislature, at its last session, made provision for running and re-marking the boundary line between North-Carolina and Virginia. By virtue of the powers invested in me by the act, I made several ineffectual efforts to
procure a Commissioner to act on the part of this State with such Commissioner as might be appointed by the Governor of Virginia. It is believed that the compensation allowed by the law is inadequate to procure the services of a competent person to discharge the duty assigned. The importance and delicacy of the office cannot well be over-estimated, and the best talent should be employed in its execution.

In the course of my correspondence with the Governor of Virginia on the subject, I was advised that there was then a proposition before the Legislature of that State for running the line throughout its entire length. Whether the proposition was adopted or not, I have not been informed. This was the first intimation I had heard that the line was not already distinctly marked in other parts than those designated in our act.

It is important that the location of the line should be clearly understood by the people of the two States, for which reason I would respectfully suggest the adoption of such legislation as may be thought necessary to accomplish that object.

Since the last adjournment of the Legislature, the Hon. Thomas Ruffin resigned his office of Judge of the Supreme Court, in consequence of his health failing to such an extent as to conflict, in his opinion, with an efficient discharge of his duties. The retirement of this able and faithful officer furnishes a suitable occasion for a public acknowledgment of the inestimable value of his services to the State.

The vacancy thus caused was temporarily filled by the Governor and Council of State, by the appointment of the Hon. Matthias E. Manly to that office. Upon the acceptance of which he resigned his office of Judge of the Superior Court, and the Hon. George Howard was appointed to fill the vacancy.

The Hon. David F. Caldwell and the Hon. Jesse G. Shepherd, also resigned their offices as Judges of the Superior Courts. The Hon. James W. Osborne was appointed to fill
the vacancy caused by the resignation of the former, and the
Hon. Robert S. French that of the latter.

It will devolve upon you, at your present session, to fill
these vacancies by permanent appointments.

TAXATION AND REVENUE.

During the present year the question of taxation, and
the principles upon which taxes should be imposed, have
occupied, to a very considerable extent, the attention of the
people. Propositions have been presented in the public discus-
sions of the day, favoring the mode of taxing property
according to value; in some instances, with a limited power
in the Legislature of discrimination, and in others, without
the power of discriminating, either "in favor of, or against
any particular class of persons, or any particular species of
property." All of these propositions involve, as an inci-
dent, such an alteration of the Constitution of the State, as
to require of the Legislature to tax slaves according to value,
instead of by enumeration, as at present.

The principle of taxing property according to value, may
certainly be introduced with advantage, to a limited extent,
in every revenue system; and could we imagine a condition
of society where the circumstances of men and their mode of
life were the same, and the property owned by them of a
like nature and kind, it might be introduced generally, with
equity and justice. But it is apprehended that such a state
of society will not be found anywhere to exist, and certainly
not in North-Carolina.

The kind of property owned by our people and the uses
to which applied, are widely variant in their character. So,
with their mode of life, their occupations and pursuits.
Some own property of a useful and necessary kind, and
which tends in its use to increase the public wealth and the
general comforts of life; others, such as is not necessary
and which, in its employment, fosters the growth of luxury,
ministers merely to the pleasures, and too often to the
vicious propensities of our nature.

Now, to act upon the general principle of taxing all prop-
erty a uniform percentage upon the value, without regard
to its character or kind and the uses to which it may be
applied—whether it be employed in creating and multiply-
ing the means of human existence, or in the wasting of life
and the enervation of the vital powers of man, by cherishing
luxurious indulgences—whether, in the encouragement of
that honest industry that strengthens both body and mind,
or the growth of vice and idleness that weaken both—is
to my mind, to violate the plainest principles of political
economy, to disregard the intelligent experience of mankind,
and to sacrifice the best interests of society to the delusive
teachings of a false philosophy.

It is claimed for this plan of taxation, that it involves a
principle of equality. It certainly does, and therein lies
the argument against it. It would treat as equal those
things which, in themselves, are not equal, and which the
public welfare requires should not be treated with equal
favor by the government. It would impose an equal tax on
a given amount invested by the merchant in sugar and
coffee, which are among the necessaries of life, and the same
amount invested by the retailer of ardent spirits in the mer-
chandise pertaining to his vocation; an equal tax upon books
of useful instruction, and others of like value, that tend to
the cultivation of a vitiated taste; in fine, it would oblit-
erate the ordinary distinctions between virtue and vice which
a moral people should keep constantly in view in every
branch of legislation.

It is said, however, by some of the advocates of this plan,
that property when employed in a way to lead to vice and
idleness, should be taxed at a higher rate than when other-
wise used, and that this may be done by requiring persons
thus employing it to pay a tax for the license or privilege of
so using their property.
This, certainly, would be an ingenious mode of escaping from some of the evil consequences of a practical application of this principle, and carries with it the admission, that it is not a principle that will admit of a general, but only a limited and qualified employment.

A further consideration of the subject will discover still other considerations that will require a departure from this principle.

According to our present revenue law, most of the banking capital bears a tax of seventy-five cents on the share of $100, in addition to an amount paid upon the profits of banking equal to the tax upon the profits of money loaned at interest. The business of banking, as is well known, usually yields with us a clear profit of from eight to twelve per cent annually, while persons having money at interest are prohibited by law from receiving more than six per cent.

Now, here is an instance of a discrimination between property employed in different ways, which, it is believed, will generally be conceded to be just. It is a distinction founded in the fact that though both modes of employment may be equally useful to the public, the one yields a larger profit than the other, and consequently, is capable of bearing a heavier tax.

A discrimination should be made, it is submitted, between the different kinds of property, with reference to their relative advantages to the public at large. For instance: by our revenue law, a tax of one dollar on the hundred dollars value, is imposed upon pleasure carriages, gold and silver plate, jewelry and luxuries of the like kind; while a tax of but twenty cents is imposed on a hundred dollars worth of land. And this because of the fact that the one is a mere luxury, while the other is a necessary; the one diminishes the public wealth, the other increases it. Yet the principle of ad valorem taxation would make no distinction between them, but place an equal amount of taxes upon equal values of each. And shall it be said that land, upon which human habitations are
built and bread is made for the sustenance of life, and from the productions of which commerce and manufactures, and indeed all the occupations of men, derive vitality and support, shall be placed upon a footing of equality, as regards taxation, with pleasure carriages, gold and silver plate and the like articles of property, that minister merely to our luxurious tastes and withdraw from useful employments the amount of capital invested in them?

There are still other considerations that should be kept in view, in the shaping of a proper system of revenue, wholly inconsistent with the idea of making no discrimination between different kinds of property.

A very considerable number of our citizens make no surplus from the employment of their property, beyond the bare support of their families; and a law that would impose a tax upon every article of property, without distinction, would have the effect to deprive them of some of the prime necessaries of life. The interests of the people of this State require in my opinion, that many articles of property should be entirely exempt from taxation.

Thus far the principle upon which it is proposed to collect the revenue of the State has been considered with reference to its application to the various objects of property and the different modes of their employment. It is proposed now to consider the rule as applicable to persons in their several occupations requiring the employment of the mental and physical powers alone.

The proposition that in the collection of revenue it is unjust and inexpedient "to discriminate in favor of or against any particular class of persons," it is submitted, will be found equally as fallacious as that which would forbid a discrimination between the different kinds of property.

The injustice and inexpediency of such a rule cannot be more clearly illustrated than by citing an instance of its application in our present revenue law.

One of the provisions of that law imposes a tax of one per
cent. on the incomes from the various learned professions, the salaries of State and county officers, of the officers of corporations and individual employments, when the amount received by any one person exceeds five hundred dollars.

Here there is no discrimination made between the lawyer and the mechanic, the physician and the overseer, the State or county officer, whose labor is performed within doors, and the railroad engineer, who, in conducting the locomotive, is exposed to the inclemencies of the weather, and the many dangers incident to his profession; they are all treated alike under this rule of equal taxation.

Such a rule, I maintain, is erroneous in its application to persons, that it is eminently just and proper, in the imposition of taxes to discriminate in favor of particular classes of persons engaged in certain pursuits. While I regard it as altogether proper to impose a tax upon the income of persons engaged in many of the learned professions; upon salaried officers of the State and counties, and of some corporations, I consider it as inexpedient to impose any tax at all upon the mechanical and like employments, for the reason that the former are capable of bearing a tax, while the latter are not, in consequence of the fact that such employments are as yet in their infancy with us, and usually yield but little more than a bare support for the persons engaged in them. They are rather the proper objects of the fostering care and protection of the government than fit subjects of taxation.

In the collection of revenue from the proceeds of individual occupations, especial regard should be had, first to the lucrative character of the employments; second, the comparative ease and freedom from risk with which the labor pertaining to them is performed; third, their relative advantages to the public at large, and consequent claim upon the government for protection; and discriminations should be made for or against the particular classes of persons engaged in them, accordingly as these considerations may indicate.

It were difficult, indeed, to lay down any general rule of
taxation suitable to every condition of society and adapted to
the ever changing circumstances of a people. However this
may be, it is confidently believed that upon a full considera-
tion of the subject it will clearly appear that a general and
unqualified system of *ad valorem* taxation is not adapted to
the condition of our people. In which event, there would be
no necessity for an amendment of the Constitution to produce
conformity to such a system.

It will be borne in mind that there is, in the Constitution,
no limitation upon the power of the Legislature to increase
or reduce the taxes upon slave property, whenever the one or
the other may become necessary to produce a just relation
between the amount of taxes collected from that and other
kinds of property. The limitation consists in requiring a
uniformity of the poll tax upon white persons and slaves; white *males* only between the ages of twenty-one and forty-
five years, and *all* slaves, between the ages of twelve and
fifty years, being subject to a tax.

Whether this provision be a just one or not, can in no way
be more satisfactorily determined than by a consideration of
its practical operation. The slaves of the State, according
to an estimate made from the late census, may be stated at
three hundred and fifteen thousand in number, while the
white population numbers some eight hundred thousand. The
amount of taxes collected from the former, as appears from
the Comptroller's books, is $127,662, and from the latter
$53,332, for the present year. These sums, when apportioned
among our entire population of each, would allow forty cents
for every slave and six and three-fourth cents for each white
person.

Now when the advantages derived from the government
by the various classes of our citizens be considered, it is sub-
mitted that the provision of our Constitution referred to is,
in its practical operation, as above illustrated, substantially
just towards all.

It is not, however, as a financial but as a social question.
that this proposition of amendment assumes its chief importance.

The entire exports of the surplus products of North-Carolina amount, in value, as far as a careful enquiry enables me to determine, to $12,000,000 annually, of which $11,000,000, at the least, may be stated as resulting directly and immediately from slave labor. This being taken as correct, it appears then, that our whole social fabric is based upon and sustained by slave labor. There is scarcely an occupation of our people, whether mechanical, manufacturing, mercantile or professional, that does not mainly depend upon it for a support. Without it, not a railroad could be built, and of those already constructed there would not exist the means of preventing their going to decay. Upon this labor rests the public credit, and without it the State could not procure a dollar in the market, though for the most useful purpose, because she would be wholly unable to pay the interest on the public debt already contracted. In a word, the social and material prosperity of our people and their means of living, greatly depend upon this species of labor. Its loss, with us, could never be fully supplied, for the most productive portion of our territory would not and could not be cultivated by the white race.

In view of these facts, it is clearly the part of a prudent legislation, to avoid carefully, every measure that would tend to the expulsion of this species of labor from the State. Already there exists a heavy drain upon it, in consequence of the greater profits resulting from its employment in the more southern States.

That the repeal of the clause of the Constitution in question and the consequences that would inevitably flow from that act, would add another and a powerful influence to those already existing to expel slaves from the State, does not, to my mind, admit of a doubt.

Furthermore, the Constitution as it exists, is consistent with itself. All free men have the right of voting for members of both branches of the Legislature, and all are required
to pay a poll tax towards the support of the government. Were this tax repealed, there would exist that anomaly in free government, of the power of imposing taxes resting with one portion of our people, while the duty of paying them would remain to the other. Considered from this point of view, this feature of our Constitution, which is sought to be abrogated, affords a highly useful protection to all kinds of property of whatever nature.

Before concluding this subject, I would respectfully suggest a revision of our revenue law with a view to its amendment in such particulars as the public interests may require. I would especially recommend an amendment of the clause imposing a tax upon incomes and salaries, upon the principle heretofore indicated.

It is believed that the condition of the public finances will admit of a reduction of the tax upon land, from twenty to fifteen cents on the hundred dollars value. Such a reduction I deem necessary to the establishing of a just relation between the land tax and that imposed upon other property of a like kind.

I would that I could, consistently with a due regard to the public interests, conclude this communication with a reference simply to our domestic affairs. It is impossible, however, to close the eyes to the perilous condition of the Confederacy, growing out of the agitation that has for many years been kept up against the institution of African Slavery as existing in the South.

The Republic has at last fallen upon those evils against which the Father of the Country so solemnly warned us in his parting advice—it is distinctly and widely divided by "parties founded upon geographical discriminations."

The great body of the people of the Northern and Southern States entertain diametrically opposite opinions upon the subject of African Slavery: the former, that it is a social and political evil and a sin; the latter, that it is a system of labor eminently well adapted to our climate and soil, right and proper within itself, and that so far from being a sin, its
establishment among us is one of the providences of God for civilizing and christianizing that benighted race.

Were those sentiments entertained as abstract opinions merely, they would occasion but little disturbance to the government. It is far otherwise, however. This sentiment, with the people of the North, has assumed the form of a bold and aggressive fanaticism, that seeks the annihilation of slavery in the South at all hazards and regardless of consequences. That such is its aim, the object and end of its daily and hourly labors, can no longer be the subject of a doubt.

Impelled by this spirit, the people of the Northern States have violated our rights to an extent that would scarcely have been borne by any other people on earth. They have deprived us of our property, through lawless mobs, acting under the sanction of a high public opinion, and often, too, with the connivance of their constituted authorities. Organized societies, with them, have sent emissaries among us to incite slaves to insurrection and to bloodshed. Inflammatory publications, counselling slaves to rise against their masters, have been systematically circulated throughout the South by the dominant party of the North, sanctioned and endorsed by its most influential leaders. The Legislatures of a large majority of the non-slaveholding States have, by solemn enactments, openly and shamelessly annulled a provision of the Constitution of the United States for the rendition of fugitive slaves, and have legislated, directly and pointedly, with the view to prevent the owner from recovering such property.

Courts of justice among them have, upon more than one occasion, totally disregarded a law of Congress, enacted to secure our rights of property, and delivered over fugitive slaves to attendant mobs with a knowledge of their purpose to prevent their reclamation by force.

But little more than a year since, an armed organization was deliberately planned and set on foot by political societies
and men high in public confidence at the North, for the purpose of heading an insurrection of slaves against their masters. The invaders came, and in the night time fell upon a weak and unsuspecting community, and murdered peaceable and unarmed citizens.

When captured and executed for their treason and murder, they were lamented by the great body of the people of the North, as though they had fallen in the performance of some meritorious public service. It may be doubted whether history furnishes another instance among a civilized people where treason and murder have been so sympathized with and applauded. Since which time, men most prominent in these demonstrations have been elevated to the highest offices of state, thus evidencing the deep and pervading sentiment of hostility in the North towards the institutions and the people of the South.

Such of the invaders as escaped were harbored in the non-slaveholding States, and upon demand, made according to the forms of the Constitution, the Executives of two of those States, Ohio and Iowa, pointedly refused to perform their sworn constitutional obligations by surrendering them to the justice they had fled.

Enormities like these could not have been perpetrated towards the people of any foreign nation without involving the country in a war. Indeed, it is now but too manifest that the people of the Southern States have not in this Confederacy that protection for their property which the subjects of Great Britain, France, or any other foreign country, can claim and enforce against us. Should the subjects of any foreign government be despoiled of their property by the people of Massachusetts or any other non-slaveholding State, restitution and indemnity would be made by our Government, upon demand, or reprisals and war against the United States would enforce indemnity. But should the people of Massachusetts forcibly deprive a citizen of North-Carolina of his property, he would have no such remedy, and indeed no
remedy at all, since the Constitution which provides for such cases has been wholly annulled by the State of Massachusetts.

The forbearance with which the South has borne these indignities and wrongs, has utterly failed to secure a corresponding forbearance upon the part of our aggressors. The spirit of fanaticism by which they are influenced, growing bolder by its lawless riot and unobstructed indulgence, has at last so far united the northern masses as to enable them to seize upon the General Government with all its power of purse and sword. Two persons have been elected, respectively, to the offices of President and Vice-President, exclusively by the people of one section of the country, upon a principle hostile to the institutions and domestic polity of the other. Neither of them received an electoral vote in all the fifteen Southern States, and neither could have uttered, in many of them, the political sentiments upon which they are elevated to power, without subjecting himself to the penalties of the local criminal laws. A clearer case of a foreign domination as to us could not well be presented; and that it will be a hostile domination, past occurrences and the circumstances under which they have been elected, forbid us to doubt. That any people, having a due appreciation of the principles of liberty, could long submit to such a domination, it is impossible to suppose.

They now tell us, that this election has been conducted according to the forms of the Constitution, and that, therefore, the people of the South should take no exception to the fact. They who themselves have utterly refused to be bound by that Constitution, now hold it up to us as a bond to secure us from defending our property and lives against their oppressions.

It is true, Abraham Lincoln is elected President according to the forms of the Constitution; it is equally true, that George the Third was the rightful occupant of the British throne, yet our fathers submitted not to his authority. They
rebelled not against the man, because of any defect of his title to the crown, but against the more substantial fact—the tyranny of his ministers and parliament. That power "behind the throne," and which, in the name of the throne, attempted to deprive them of their liberties, is the one with which they grappled. So it is with us. It is not the man, Abraham Lincoln, that we regard, but the power that elevated him to office, and which will naturally maintain a controlling influence in his administration. And can it reasonably be expected, that men who have totally disregarded their constitutional obligations and proved so dangerous in the administration of their State governments, will learn moderation by this new gratification of their lust of power and dominion?

When it is considered that the sentiment of hostility to African Slavery is deeply fixed in the minds of the northern people—that for twenty-five years it has formed a part of their education—been inculcated in the family circle, and taught to them from the pulpit, as a leading principle of their religion, together with the duty of its practical enforcement "everywhere and on every occasion"—it must be confessed that there exists but little ground upon which to rest a hope that our rights will be secured to us by the General Government administered at their hands.

This condition of public affairs, as was to have been expected, threatens the most deplorable consequences to the Confederacy. Already, it is rendered more than probable that several of the Southern States, in the exercise of the natural rights of nations, will separate from the Federal Union before the termination of your present session. Such an occurrence would present a grave state of facts, commanding your most serious and solemn deliberation.

It cannot for a moment be supposed, that we could submit to have the policy of the Abolition party, upon which their candidate for the Presidency has been elected, carried out in his Administration, as it would result in the destruction of
our property and the placing the lives of our people in daily peril; and even though this should not be immediately attempted, yet an effort to employ the military power of the General Government against one of the Southern States would present an emergency demanding prompt and decided action on our part. It can but be manifest that a blow thus aimed at one of the Southern States would involve the whole country in a civil war, the destructive consequences of which, to us, could only be controlled by our ability to resist those engaged in waging it.

The civilization of the age surely ought to be a sufficient guarantee for the prevention of so great a calamity as intestine war, even though amid political changes of the magnitude of those going on around us. But should the incoming Administration be guilty of the folly and the wickedness of drawing the sword against any Southern State whose people may choose to seek that protection out of the Federal Union which is denied to them in it, then we of North-Carolina would owe it to ourselves—to the liberties we have inherited from our fathers—to the peace of our homes and families, dearer to us than all governments—to resist it to the last extremity.

Ours is a Government of public opinion and not of force; and the employment of military force to control the popular will would, if successful, result in a galling and inexorable despotism.

The prevention, then, of civil war, and the preservation of peace amongst us, are the great objects which North-Carolina should resolve upon securing, whatever changes the Government may undergo.

In view of the perilous condition of the country, it is, in my opinion, becoming and proper that we should have some consultation with those States identified with us in interest and in the wrongs we have suffered; and especially those lying immediately adjacent to us. As any action of ours would of necessity materially affect them, it would be but
consistent with the amicable relations that have ever existed between us, to invite them to a consultation upon a question that so deeply affects us all. From a calm and deliberate consideration of the best mode of avoiding a common danger, much good might result, and no evil could.

In thus proceeding we should show to the world a disposition to exhaust every peaceable remedy for the solution of our difficulties, and a firm determination to maintain our rights "in the Union, if possible, and out of it, if necessary."

Such a step, too, would be but a becoming mark of respect to that considerable portion of the people of the non-slaveholding States who have ever been disposed to acknowledge us as equals in the Union, and who have, on many occasions, gallantly struggled to secure our constitutional rights.

I therefore respectfully recommend that you invite the Southern States to a conference, or such of them as may be inclined to enter into consultation with us, upon the present condition of the country. Should such a conference be found impracticable, then I would recommend the sending of one or more delegates to our neighboring States with the view of securing concert of action.

I also think, that the public safety requires a recurrence to our own people for an expression of their opinion. The will of the people, once expressed, will be a law of action with all, and secure that unanimity so necessary in an emergency like the present.

I therefore recommend that a Convention of the people of the State be called, to assemble immediately after the proposed consultation with other Southern States shall have terminated.

The subject of our military defences will require your early attention. I would recommend a thorough reorganization of the militia and the enrollment of all persons between the ages of eighteen and forty-five years. With such a regulation, our muster roll would contain nearly a hundred and ten thousand men.
I would also recommend the formation of a corps of ten thousand volunteers, with an organization separate from the main body of the militia, and that they be suitably armed and equipped.

That your proceedings may be conducted in a spirit of harmony and conciliation, and that they will redound to the honor and welfare of North-Carolina and our common country, is my fervent wish.

JOHN W. ELLIS.

EXECUTIVE DEPARTMENT,
RALEIGH, NOV. 20, 1860.

On motion of Mr. Burton, the vote concurring in the proposition from the House was reconsidered and laid upon the table—yeas 21, nays 18.

Mr. Burton now moved that a message be sent to the House of Commons proposing to print the Governor's Message, and to furnish fifty copies for each member and one hundred for the Governor. The motion prevailed.

Mr. Ramsay 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 committee, consisting of five on the part of the House and three on the part of the Senate, to take into consideration that part of the Governor's Message relating
to Federal Relations; and the committee to be styled "The Committee on Federal Relations."

On motion of Mr. Avery, the Message was laid upon the table.

The following resolution was then offered by Mr. Avery, to wit:

Resolved, That a message be sent to the House of Commons proposing to raise a joint select committee of five on the part of the Senate and five on the part of the House, to take into consideration so much of the Message of his Excellency, the Governor, as relates to Federal Relations; said committee to be styled "The Joint Committee on Federal Relations."

Mr. Bledsoe moved to amend the resolution by striking out the word "five," and inserting the word "eight."

The motion to strike out was lost—yeas 19, nays 21.

Mr. Walkup moved to amend by striking out the word "five," and inserting the word "six."

The Senate refused to strike out, and the resolution was adopted.

On motion of Mr. Simpson,

Ordered, That a message be sent to the House of Commons proposing to raise a joint select committee on the subject of Finance, consisting of eight members on the part of each branch of the General Assembly.

Mr. Turner introduced a series of resolutions upon Federal Relations, which were read and, on motion of Mr. Avery, were ordered to be printed.

Mr. Bledsoe moved that a joint standing committee on Constitutional Reform be appointed.

The motion was not agreed to.

Mr. Bledsoe introduced a bill to alter the Constitution by legislative enactment.

The bill was read and, on motion of Mr. Bledsoe, was ordered to be printed.

On motion of Mr. Outlaw, the Senate adjourned until 11 o'clock to-morrow morning.
THURSDAY, NOVEMBER 22, 1860.

Mr. Morehead introduced a bill to amend the 18th section of the 31st chapter of the Revised Code, which was read the first time and passed.

Mr. Street introduced a bill to bind out certain free persons of color, which was read first time and passed.

Received, a message from the House of Commons, transmitting a letter and statement from the Treasurer, upon the condition of the Banks, and proposing to print.

The Senate concurred in the proposition.

Mr. Humphrey from the committee on rules for the government of the Senate, reported the following recommendation, to-wit:

That the Senate adopt for the government of its present session the same rules that were adopted for the government of the session of 1858-'59, by adding an additional standing committee, to be styled "the Committee on Military Affairs."

The same to be inserted in clause 20, and after the words "committee and corporations."

Mr. Eure moved to amend the 12th rule by adding after the word "place," the following clause, to-wit: and no petition, memorial, or paper, shall be received, if the same be abusive of any Senator for the performance of a public duty assigned by the Senate.

The amendment was adopted.

On motion of Mr. Bledsoe, the vote adopting the amendment to the 12th rule, was reconsidered.

Mr. Outlaw then moved to amend the amendment by striking out the words "shall be received," and inserting the words "shall be presented." The motion prevailed.

The question then recurring on the adoption of the amendment as amended,

Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Blount, Dockery, Dowd, Eure, Grist, Morehead, Outlaw, Ramsay, Sharpe, Street, Slaughter,
Spencer, Stubbs, Thomas of Davidson, Turner, Walkup, Whedbee, and Worth—19.

Those who voted in the negative are:

The amendment was rejected.

The report of the committee, recommending the rule of the Senate of 1858-'59, as amended, for the government of the Senate, was then adopted.

Received, a message from the House proposing to go forthwith into an election of a Solicitor for the fourth Judicial District, and stating that Thomas Settle was in nomination.

The Senate concurred in said proposition, and ordered that a message be returned announcing the fact, and the appointment of Messrs. Simpson and Slaughter to superintend said election on the part of the Senate.

Whereupon the Senate proceeded to vote as follows:
For Mr. Settle.—Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Blount, Dickson, Dobson, Dowd, Eure, Faison, Grist, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Morehead, Outlaw, Pitchford, Ramsay, Rogers, Shaw, Sharp, Simmons, Speight, Street, Stowe, Slaughter, Spencer, Stubbs, Taylor of Nash, Taylor of Brunswick, Thomas of Davidson, Walker, Watson, Waugh, Whitaker, Winstead, Walkup and Worth—42.

Mr. Slaughter from the committee to superintend the election, reported the whole number of votes cast 157. Necessary to a choice 79. Mr. Settle received 151, Mr. J. F. Poindexter 5, Mr. Kerr 1. Mr. Settle having received a majority of all the votes cast, was therefore duly elected.

The report was adopted.

Received a message from the House concerning 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 for the government of the intercourse between the two branches of the General Assembly, and that Messrs. Ramsom, Donnell and Green constitute the committee on the part of the House.

Received a message from the House transmitting a report of the State Librarian, with a proposition to print.

It was ordered to return a message announcing the concurrence of the Senate in the proposition of the House proposing to print the State Librarian’s report.

Mr. Avery introduced a bill for the relief of the banks and the people. The bill was placed upon its first reading and passed.

Mr. Avery now moved that the rules be suspended and the bill be read the second time.

Objections being made, Mr. Bledsoe moved to reconsider the vote adopting the report of the committee on rules for the government of the Senate.

The motion prevailed.

On motion of Mr. Avery, the 28th rule was amended, by adding the following as an additional provision, to wit: but the rules may be suspended temporarily, at any time, for a special purpose, by the concurrence of two-thirds of the members present.

The rules recommended by the committee, as amended, were now adopted; and are as follows, to wit:

RULES OF ORDER.

Rules of Order for the government of the Senate.

1. It shall be the duty of the Speaker to invite the pastors of the several churches in this city, under such arrangements as they may make among themselves, to perform the service of prayer at the opening of the daily sessions of the Senate.

2. 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.
3. After the reading of the Journal of the preceding day, the Senate shall proceed to business in the following order, namely: 1. The receiving of petitions, memorials, pension certificates, and papers addressed either to the General Assembly or to the Senate. 2. The reports of standing committees. 3. The reports of select committees. 4. Resolutions. 5. Bills. 6. Bills, resolutions, petitions, memorials, messages, pension certificates, and other papers on the table. Then, the orders of the day. But motions and messages proposing to elect officers shall always be in order.

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

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

6. If any member, in speaking or otherwise, transgress the rules of the Senate, 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 Senate 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 requires it, he shall be liable to the censure of the Senate.

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

8. 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 majority, or a division be called for, the Speaker shall call on those in the affirmative of the question to rise from their seats, and afterwards those in the negative. If the Speaker still doubts, 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 Senate 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, unless he shall have been absent on some committee, and the row of pillars shall be the bar of the Senate.

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

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

11. No member shall depart the service of the Senate without leave, or receive pay as a member for the time he is absent.

12. Petitions, memorials, and other papers addressed to the Senate, 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 Senate.

13. Resolutions for the appropriations of public money, and all other 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 readings. And the clerk shall keep a calendar of all such resolutions and bills, with the order taken on each, in the order in which they are introduced, 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, and all bills shall be numbered and dispatched in the order in which they stand upon the calendar.

14. 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.

15. 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 session.

16. When a question has been once decided, it shall be in order for any member in the majority to move a reconsideration thereof, on the same or succeeding day, if the bill, resolution or paper upon which the question has been taken be in possession of the Senate; and no bill or resolution of a public nature shall be sent from the Senate until 12 o'clock the succeeding day; but when the motion to reconsider is laid on the table, it shall not again be called up.

17. 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 required to decide
any question for amendments or extending to the merits short of the final question.

18. When a 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.

19. The Speaker shall examine and correct the Journal before it is read; he shall have the general direction of the hall; he shall designate who shall compose all committees, except when otherwise ordered; and the select committees of the Senate shall consist of five members.

20. 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; A Committee on Corporations; A Committee on Military Affairs, consisting of seven members each, and a Committee on Agriculture, consisting of seven members.

21. When the Senate 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.

22. When a petition, memorial, or other paper addressed to the Senate 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 referred.

23. In case of any disturbance or disorderly conduct in the lobby or gallery, the Speaker or Chairman of the committee of the whole shall have power to have the same cleared.

24. 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.

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

26. When the Senate adjourns the members shall keep their seats until the Speaker leaves the chair.

27. Saturday in every week shall be set apart for the consideration of private bills and private business, in preference to any other, unless otherwise determined by the majority of the Senate, and the Clerk shall keep a separate calendar of the same.

28. 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; but the rules may be suspended temporarily for a special purpose, by the concurrence of two-thirds of the members present.

Mr. Avery then renewed his motion to suspend the rules and place the bill for the relief of the banks and people on its second reading.

Upon this motion, Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Arendell, Avery, Burton, Bledsoe, Brown, Blount, Dickson, Dobson, Dowd, Erwin, Faison, Grist, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Morehead, Outlaw, Pitchford, Rogers, Shaw, Sharpe, Simmons, Simpson, Speight, Street, Stowe, Spencer, Thomas of Davidson, Thomas of Jackson, Walker, Watson, Waugh, Winstead and Whedbee—38.

Those who voted in the negative, are:

The Speaker announced that two-thirds of the members present having voted in the affirmative, the rules were suspended so as to admit the reading of the bill the second time; whereupon, the bill for the relief of the banks and the people was read the second time.

Pending its passage, Mr. Avery offered the following amendment, to be inserted immediately after the first section, to wit:

*Provided, That said banks, or any of them, while in a state of suspension, shall not curtail the aggregate amount of their discounts. The amendment, after considerable discussion, prevailed.*

The question now recurring upon the passage of the bill on its second reading, Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill passed the second reading. No objection being made, it was now put upon its third and last reading.

Pending its passage, Mr. Arendell offered the following amendment, to be attached to the first section, to wit: and no bank shall sue on any debt due and well secured during said suspension.

The amendment was rejected; whereupon the bill, recurring upon its third reading, was passed and ordered to be engrossed.
On motion of Mr. Avery, the rules were again suspended, and no objection being made, the bill was ordered immediately to be engrossed and transmitted to the House of Commons.

On motion of Mr. Arendell, the Senate adjourned until 11 o'clock to-morrow.

FRIDAY, NOVEMBER 23, 1860.

Received a message from the House of Commons, proposing to go forthwith into an election of a Solicitor, for the 6th Judicial Circuit, and announcing that WM. LANDER and THOMAS H. CRUMPLER were in nomination.

The proposition was concurred in, and a message ordered to be returned announcing said concurrence, and the appointment of Messrs. Waugh and Eure to superintend the election on the part of the Senate.

Under the superintendence of Messrs. Waugh and Eure, the Senate proceeded to vote as follows, to wit:

For Mr. Lander.—Messrs. Speaker, Avery, Burton, Brown, Bledsoe, Dickson, Dobson, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Walker, Waugh, Watson, Whitaker, Winstead and Walkup—29.

For Mr. Crumpler.—Messrs. Arendell, Blount, Dockery, Dowd, Eure, Grist, Morehead, Outlaw, Ramsay, Sharpe, Slaughter, Spencer, Stubbs, Turner, Whedbee and Worth—16.

Mr. Street moved that a message be sent to the House of Commons proposing to go forthwith into an election for a Judge of the Supreme Court, and that Mathias E. Manly had been put in nomination.

The motion prevailed.

On motion of Mr. Avery, leave of absence for a few days was granted to the Senator from New Hanover.
Received, a message from the House of Commons, announcing the refusal of that body to concur in the proposition of the Senate to print fifty copies of the Governor's Message for the use of each member of the General Assembly, but its concurrence in the proposition to print one hundred for the Governor, and proposing to print thirty for each member.

The Senate concurred in said proposition, and ordered a message to be returned announcing the concurrence.

Received a message from the House, announcing the concurrence of that body in the proposition of the Senate, concerning Federal Relations; and that Messrs. Person, Hoke, Newby, Green of Franklin, and Poindexter, constitute the committee on the part of the House. Whereupon the chair appointed on the committee in behalf of the Senate, Messrs. Brown, Avery, Outlaw, Barringer, and Stowe.

Received a message from the House, proposing to print in pamphlet form, for the use of the members and the various departments, and each of the clerks of the Legislature, the Constitution of the United States, the Bill of Rights, the Constitution of the State of North-Carolina, the rules and order of conducting the business in the two Houses, and the joint rules of the Senate, the standing and select committees, also the names of the members of both Houses, the names of the counties represented, and the post office nearest the residence of each member.

The proposition was concurred in, and a message sent announcing said concurrence.

Mr. Hall introduced a memorial from citizens of New Hanover, which was read, and on motion of Mr. Hall, was referred to the committee on Federal Relations.

On motion of Mr. Grist the hour of 11 o'clock was adopted as the time for the Senate to meet each morning until otherwise ordered.

On motion of Mr. Bledsoe, a Committee of five was ordered to be appointed, to be styled the committee on Constitutional Reform.
Mr. Morehead introduced a bill to incorporate "The Gardner Valley," which was read the first time and passed.

Mr. Lane introduced a bill to appoint a tax collector for the counties of Wayne and Haywood, which was read first time and passed.

Mr. Taylor, of Brunswick, introduced a bill to authorize J. H. Allen, late sheriff of Brunswick county, to collect arrears of taxes due said sheriff, during his term of office, which was read first time and passed.

Mr. Morehead introduced a bill to amend chapter 61 of the Revised Code, entitled Internal Improvement. The bill was read first time and passed.

Mr. Stubbs introduced a bill to diminish the cost of suits at law, which was read first time and referred to the Committee on Judiciary.

Received a message from his Excellency, the Governor, transmitting the report of the Directors of the Lunatic Asylum, together with the statement of the Superintendent and Treasurer of that institution. Also a package containing the resignation of justice of the peace, sent in since the adjournment of the session of 1858-'9; and also resolutions of the Legislatures of other States.

On motion of Mr. Bledsoe, it was

Ordered, That a message be sent to the House of Commons, transmitting the report of the Directors, Superintendent and Treasurer of the Lunatic Asylum, with a proposition to print.

On motion of Mr. Turner, the resolutions of the Legislatures of other States were ordered to be read; whereupon resolutions from South-Carolina, Mississippi and New York were read.

Received a message from the House, concurring in the proposition of the Senate to go forthwith into an election of a Judge of the Supreme Court; whereupon the Chair appointed Messrs. Ramsay and Street to superintend the election.

Under the superintendence of Messrs. Ramsay and Street, the Senate voted as follows:
For M. E. Manly.—Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Dickson, Dobson, Dowd, Eure, Faison, Hall, Harris, of Franklin, Harris of Chatham, Humphrey, Lane, Morehead, Outlaw, Pitchford, Rogers, Simmons, Simpson, Speight, Street, Stowe, Slaughter, Stubbs, Taylor of Nash, Taylor of Brunswick, Turner, Watson, Waugh, Whitaker, Winstead, Walkup, Whedbee and Worth—39.

For Mr. Moore.—Messrs. Dockery, Ramsay and Sharpe—3.

For J. H. Bryant.—Messrs. Blount, Spencer and Bryant—3.

Mr. Street, from the committee to superintend the election of a Judge of the Supreme Court, reported as follows, to wit:

Whole number of votes cast 163. Necessary to a choice 82.

For M. E. Manly 138; B. F. Moore 11; J. H. Bryant 3; Wm. A. Graham 3; R. S. Donnell 2; Geo. E. Badger 1; Mr. Winston 1; David Outlaw 1; Mr. Shaw 1; Mr. Mitchell 1; Mr. Shepherd 1.

Mr. M. E. Manly having received a majority of all the votes cast, is therefore elected.

The Senate concurred in the report.

Mr. Waugh, from the committee to superintend the election of Solicitor for the 6th Judicial Circuit, reported as follows:

Whole number of votes cast 163; necessary to a choice 82; Wm. Lander received 92; T. N. Crumpler 70; Mr. Armfield 1.

Wm. Lander having received a majority of all the votes cast is duly elected.

The Senate concurred in the report of the committee.

Mr. Avery moved to send a message to the House of Commons transmitting the resolutions from South Carolina and Mississippi, with request to refer the same to the Committee on Federal Relations.

The motion prevailed.

Mr. Turner moved to send a message to the House of Commons, transmitting the memorial concerning the Washington Monument, with request to refer the same to the Committee on Federal Relations.
Mr. Outlaw moved to amend the motion of Mr. Turner by striking out the words "Federal Relations," and inserting the words a "joint committee of three." The amendment was adopted. The question then recurred upon the motion of Mr. Turner, and it was adopted.

Mr. Turner moved to refer the resolutions from New York to the Committee on Federal Relations.

Mr. Stowe moved to amend the motion to refer by instructing the committee to answer the resolution by indicating to New York that North Carolina desired to attend to her own affairs.

Mr. Avery moved to lay the resolution upon the table. The motion prevailed.

On motion of Mr. Walkup a message was ordered to be sent to the House of Commons proposing to go forthwith into an election of a Superior Court Judge for the 6th Judicial Circuit, and stating that Jas. W. Osborne was in nomination.

On motion of Mr. Sharpe, Anderson Mitchell was added to the nomination.

Mr. Turner moved to take up the resolutions from New York upon the table.

The motion did not prevail.

On motion of Mr. Speight, the Senate adjourned until 11 o'clock to-morrow.

SATURDAY, NOVEMBER 24, 1860.

The Journal of the preceding day was read.

The Speaker announced the following as the Standing Committees of the Senate, to wit:

On Internal Improvements:—Thomas of Jackson, Burton, Morehead, Grist, Erwin, Taylor of Brunswick, Arendell.

On Elections and Literary Fund:—Messrs. Walker, Morehead, Barringer, Street, Stowe, Thomas of Davidson, Dowd.
On the Judiciary:—Messrs. Avery, Hall, Outlaw, Erwin, Dobson, Stubbs, Barringer.

On Claims:—Messrs. Bledsoe, Dickson, Sharpe, Slaughter, Harris of Franklin, Dockery, Simmons.


On Propositions and Grievances:—Messrs. Lane, Waugh, Faison, Turner, Spencer, Harris of Chatham, Eure.


Mr. Thomas of Davidson introduced a bill to incorporate the Salem and Thomasville Turnpike Company, which was read first time and passed.

Mr. Morehead introduced an additional bill for the relief of the banks and people, which was read first time and passed.

Mr. Humphrey introduced a bill concerning free persons of color, which was read first time and passed.

Mr. Avery moved that the rules be suspended so far as to permit the additional bill, for the relief of the banks and people, to be read second time.

Upon this motion Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
The motion was decided in the affirmative.

The additional bill for the relief of the banks and people was now read second time and passed.

Mr. Dockery, from the joint committee on rules for the government of the intercourse between the two branches of the General Assembly, reported the same rules as were adopted for the government of the Session of 1858-'9; and which are as follows:

JOINT RULES OF BOTH HOUSES.

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

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, and the other House shall also appoint a committee to confer, each committee shall consist of an equal number; and they shall meet and state to each other the reasons of their respective Houses, for and against the amendment, and confer freely thereon, and make a report in writing to their respective Houses, of the results of their conference.

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

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.

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.

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

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 to carefully compare the enrollment with the engrossed bills, as passed in the two Houses, and to correct any errors that may be discovered in the enrolled bills, and make their report of the said bills to the House.

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.

9. All orders and votes of the House shall be examined, engrossed and signed in the same manner as bills.

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.

11. The committee in each House shall in all cases, make in writing, 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.

12. The Committee of Finance shall be joint, consisting of eight members from each House. The Committee on Public Buildings and Grounds shall be a joint committee of two from the Senate, and three from the House of Commons. The Library Committee shall be a joint standing committee of three members from each House, appointed by the Speaker thereof respectively. The Committee on the Deaf and Dumb and Blind Asylum, the Insane Asylum, Military Affairs, Swamp Lands, and Cherokee Lands and Western Turnpikes, shall be joint standing committees, consisting each of three members from the Senate and five from the House of Commons.
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 convened they shall choose their own chairman.

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

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 the State, and are ordered to be printed, they shall be designated "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 required to have them neatly bound.

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 committee shall confer together and report the result of such election to their respective Houses.

17. The foregoing rules shall be permanent Joint Rules of the Legislature of North-Carolina, until altered or amended.

Mr. Avery moved to suspend the rules and put the additional bill for the relief of the banks and the people upon its third and last reading.

There being no objection raised, said bill passed its third reading, and was ordered to be engrossed.

Mr. Avery now moved to reconsider the vote by which the
bill passed its third and last reading; and then moved to lay the motion to reconsider upon the table, which motion prevailed.

The Speaker announced that Messrs. Worth and Humphrey constitute the committee on enrolled bills for the present week.

Mr. Morehead moved that the rules be suspended, so as to take up the bill to incorporate Garden Valley, and put it upon its second reading.

There being no objection made, the bill was read second time and passed.

Mr. Dockery gave notice that on Monday next he would make a motion to amend the rules for the government of the Senate, so as to dispense with the Committee on Military Affairs.

Mr. Morehead now moved that the rules be suspended so as to put the bill to incorporate Garden Valley upon its third and last reading.

There being no objection, the bill was read the third and last time and passed, and ordered to be engrossed.

Received a message from the House of Commons transmitting an enrolled bill, entitled "A Bill for the Relief of the Banks and People," for the signature of the Speaker.

On motion of Mr. Thomas, of Jackson,

Resolved, That so much of the Governor's Message as related to the Western North-Carolina Railroad, be referred to the Committee on Internal Improvements.

On motion of Mr. Pitchford, the Senate adjourned until 11 o'clock on Monday next.

MONDAY, NOVEMBER 26, 1860.

On motion of Mr. Ramsay, leave of absence was granted to the Senator from Martin for the present week.

Received a message from the House of Commons proposing
to go forthwith into an election of a Judge of the Superior Court of Law and Equity for the Second Judicial Circuit.

The Senate concurred in the proposition, and Messrs. Humphrey and Arendell were appointed to superintend said election; whereupon the Senate voted as follows:

For Mr. George Howard.—Messrs. Speaker, Arendell, Burton, Brown, Bledsoe, Barringer, Dickson, Dobson, Dowd, Eure, Erwin, Faison, Grist, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Morehead, Pitchford, Ramsay, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Slaughter, Spencer, Stubbs, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Watson, Waugh, Whitaker, Winstead and Whedbee—39.

Mr. Blount voted for Mr. G. Strong—1.

Mr. Walker moved to send a message to the House proposing to go forthwith into an election of a Judge of the Superior Court of Law and Equity for the Sixth Judicial Circuit, and put in nomination James W. Osborne.

On motion of Mr. Sharpe, the name of Anderson Mitchell was added to the nomination.

The motion of Mr. Walker prevailed, and a message was sent.

The Speaker announced the following as constituting the joint standing committees of the Senate:

**Joint Standing Committee of the Senate.**

*Lunatic Asylum:*—Messrs. Pitchford, Worth, and Whitaker.

*Deaf and Dumb Asylum:*—Messrs. Winstead, Ramsay and Turner.

*Military Affairs:*—Messrs. Street, Erwin, Walkup and Simpson.

*Swamp Lands:*—Messrs. Stubbs, Humphrey and Arendell.


*Library:*—Messrs. Outlaw, Hall and Taylor of Brunswick.

*Finance:*—Messrs. Rogers, Thomas of Davidson, Winstead, Morehead, Shaw, Worth, Taylor of Nash, and Harris of Franklin.
Select Committee on Constitutional Reform:—Messrs. Bledsoe, Outlaw, Hall, Avery and Slaughter.

Mr. Erwin introduced a bill to provide for the calling of a Convention of the people of the State, which was read first time, passed and ordered to be referred to the Committee on Federal Relations.

Mr. Avery introduced a bill to authorize and require the Governor of North-Carolina to call a Convention of the people of this State, and for other purposes therein named, which was read first time, passed, ordered to be printed and referred to Committee on Federal Relations.

Received, a message from the House, announcing the concurrence of the same in the proposition of the Senate, to go forthwith into an election of a Judge of the Superior Court of Law and Equity, for the Sixth Judicial Circuit; whereupon the Senate voted as follows:

For James W. Osborne.—Messrs. Avery, Burton, Brown, Bledsoe, Barringer, Dickson, Dobson, Erwin, Faison, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Morehead, Pitchford, Ramsay, Rogers, Simmons, Shaw, Simpson, Speight, Street, Stowe, Slaughter, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Watson, Waugh, Whitaker, Winstead and Walkup—33.


Mr. Avery introduced a bill authorizing and empowering the Governor of North-Carolina to organize, arm and equip volunteer companies in this State; and if need be, the militia of the State, and purchase munitions of war.

The bill was read first time and passed.

Mr. Avery now moved that said bill be referred to Committee on Federal Relations.

Mr. Walkup moved to amend the motion of Mr. Avery, by striking out the words "Federal Relations" and inserting
the words "Military Affairs," which motion did not prevail.

The question then recurring on the motion of Mr. Avery, the bill was referred to the Committee on Federal Relations.

On motion of Mr. Bledsoe, the bill to provide for the calling of a Convention of the people of the State, and also the bill authorizing and empowering the Governor of North-Carolina to organize, arm and equip volunteer companies, &c., was ordered to be printed.

Mr. Humphrey, from the Committee on the election of a Judge of the Superior Court of law and equity for the Second Judicial Circuit, reported as follows:

Whole number of votes cast 144. Necessary to a choice 73.

Mr. Howard received 137; Hon. R. S. Donnell, 2; Geo. V. Strong, Esq., 1; Mr. Warren, 2; C. C. Clark, 2.

Hon. Geo. Howard, Having received a majority of all the votes cast, is therefore duly elected.

The report was adopted.

Mr. Barringer introduced a bill to repeal certain sections of the 2nd chapter of the Revised Code, which was read first time and passed.

Mr. Thomas of Jackson, introduced a bill to confirm the location of the Western North-Carolina Railroad, which was read first time, passed, and ordered to be referred to the Committee on Internal Improvements.

On motion of Mr. Lane, the bill to provide for the appointment of a tax collector, for the counties of Wayne and Haywood, was referred to the Committee on Finance.

On motion of Mr. Simpson,

Ordered, That a message be sent to the House of Commons, proposing to go forthwith into an election of an engrossing clerk, and put in nomination Mr. Lewis W. Joyner.

On motion of Mr. Eure, Thomas J. Garner was added to the nomination.

Mr. Lane asked leave of absence for three days for the Senator from Warren, which was agreed to.
Mr. Sharp introduced a bill to prevent the falling of timber in certain streams in Iredell county, which was read first time, passed and referred to Committee on Propositions and Grievances.

On motion of Mr. Street, the bill to amend the Revised Code, chapter 31st, sections 31st and 40th, was referred to Committee on Judiciary.

On motion of Mr. Bledsoe, the bill to alter the Constitution was referred to Committee on Constitutional Reform.

Received a message from the House concurring in the proposition of the Senate to go forthwith into an election of an engrossing clerk; whereupon the Senate voted as follows, to wit:

For Mr. Joyner.—Messrs. Speaker, Avery, Burton, Brown, Bledsoe, Dickson, Dobson, Dockery, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Morehead, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Watson, Waugh, Whitaker and Winstead—30.


Mr. Dockery, in accordance with notice given on Saturday last, now moved to amend the rules for the government of the Senate so far as to dispense with the Committee on Military Affairs.

The motion prevailed.

On motion of Mr. Humphrey,

Resolved, That the doorkeeper be authorized to procure a clock for the use of the Senate; and at his discretion to have the old one repaired, or to exchange it for a new one.

Mr. Walker, from the committee to superintend the election of a Judge of the Superior Court of Law and Equity, for the Sixth Judicial Circuit, reported as follows:

Whole number of votes cast, 148; necessary to a choice, 75.
Mr. James W. Osborne received 104; Mr. Mitchell 20; Mr. Lenoir 20; Mr. Ashe 3; Mr. Cotrell 1.

Mr. J. W. Osborne having received a majority of all the votes cast is duly elected.

The Senate concurred in the report.

Received a message from the House, concurring in proposition of the Senate to print resolutions from South-Carolina and Mississippi.

Mr. Walkup, from the committee on election of Engrossing Clerk, reported as follows:
Whole number of votes cast 151. Necessary to a choice 76.
Mr. Joyner received 88; Mr. Garner 63.
Mr. Joyner having received a majority of all the votes cast, is therefore duly elected.

The Senate concurred in the report.

On motion of Mr. Street, the bill to amend an act entitled "An Act to establish the Bank of Commerce," was referred to the Committee on Banks and Currency.

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

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TUESDAY, NOVEMBER 27, 1860.

Mr. Barringer introduced a memorial from the citizens of the counties of Mecklenburg, Iredell and Cabarrus, asking the passage of more stringent laws in regard to trading with slaves, which was read and referred to Committee on Proposition and Grievances.

Mr. Lane, a memorial from citizens of Wilson county, in regard to Federal relations, which was read and ordered to be printed, and referred to Committee on Federal Relations.

Mr. Arendell, resolutions to instruct our members in Congress to take steps to secure North-Carolina's share in the public lands, which were read, and on motion of Mr. Walker, were laid upon the table.
Upon this motion Mr. Dockery demanded the yeas and nays. Those who voted in the affirmative are:


Those who voted in the negative are:


So the resolutions were laid upon the table.

Mr. Arendell introduced a resolution in favor of John M. Morehead and William H. Arendell, which was read the first time, passed and referred to Committee on the Judiciary.

Mr. Bledsoe, resolutions on Federal Relations, which were read, ordered to be printed, and referred to Committee on Federal Relations.

Mr. Lane, a resolution in favor of John Pate, which was read the first time, passed and referred to the Committee on Claims.

Mr. Lane, a bill for the management of insolvent estates, which was read the first time, passed and ordered to be printed and referred to Committee on the Judiciary.

Mr. Thomas of Davidson, a bill to incorporate the Bank of Thomasville, which was read first time, passed and ordered to be printed and referred to the Committee on Banks and Currency.

The Speaker announced that Messrs. Avery and Whedbee constitute the committee for the present week on enrolled bills.

Mr. Ramsay moved to refer the resolutions on Federal Resolutions to the committee on Federal Relations.

The motion prevailed.

On motion of Mr. Street, the resolutions in favor of A. C.
Latham, late sheriff of the County of Craven, were referred to the Committee on Propositions and Grievances.

On motion of Mr. Ramsay, the bill to amend the Constitution was referred to the Committee on Constitutional Reform.

On motion of Mr. Morehead, the bill to amend the 8th section of the 33d chapter of the Revised Code, was referred to the Committee on the Judiciary.

On motion of Mr. Barringer, the bill to repeal certain sections of the 2nd chapter of the Revised Code, was referred to the Committee on Education.

Mr. Avery introduced the following resolution, to wit:  

Resolved, That a message be sent to the House of Commons, proposing to vote by ballot, to-morrow, at twelve o'clock meridian, upon the proposition now submitted, that the two Houses, when they adjourn on to-morrow, Wednesday, adjourn until eleven o'clock A. M., on Monday, the third of December, 1860; and those favorable to such adjournment shall write on their ballot the word "Yes," and those opposed to such adjournment shall write on their ballot the word "No."

The resolution was lost.

On motion of Mr. Taylor, of Brunswick, the bill to authorize and empower James H. Allen, late sheriff of Brunswick county, to collect arrears of taxes due said sheriff during his term in office, was referred to Committee on Claims.

On motion of Mr. Thomas, of Davidson, the bill to incorporate the Salem and Thomasville Turnpike Company was referred to Committee on Corporations.

Mr. Barringer introduced a bill to rescind the 30th section of the 4th article of the Amended Constitution of North-Carolina, which was read first time, passed and referred to Committee on Constitutional Reform.

Mr. Thomas, of Davidson, offered the following resolution:  

Resolved, That the Committee on Finance be and the
same are hereby instructed to inquire into the expediency of levying a high tax upon all goods, wares and merchandize brought into this State from any of the Northern States which have passed personal liberty laws, and have thereby nullified the fugitive slave law; and that said committee be instructed to report a bill to that effect.

The resolution was adopted.

Mr. Simmons introduced a bill to continue the improvement and provide for the completion of the Albemarle and Chesapeake Canal, which was read first time, passed and referred to Committee on Internal Improvements.

Mr. Lane moved to consider the vote by which the resolution of Mr. Avery concerning adjournment until 11 o'clock on the morning of the 3rd of December next was lost.

The motion prevailed.

The question then recurring upon the passage of the resolution, Mr. Worth demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Avery, Bledsoe, Barringer, Dobson, Eure, Faison, Harris of Chatham, Humphrey, Lane, Morehead, Outlaw, Rogers, Shaw, Sharpe, Speight, Stowe, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Watson and Winstead—22.

Those who voted in the negative are:


So the resolution prevailed.

Mr. Lane moved that the bill to appoint a tax collector for the Counties of Wayne and Haywood be ordered to be printed.

The motion was not agreed to.

On motion of Mr. Slaughter, the bill to call a Convention to alter the Constitution was referred to the Committee on Constitutional Reform.
On motion of Mr. Outlaw, the Senate adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, NOVEMBER 28, 1860.

Mr. Humphrey introduced a resolution to request the Committee on Finance to inquire into the expediency of reducing the tax on peddlers, and other vendors of spirituous liquors. The resolution was read and not agreed to.

On motion of Mr. Simmons, a message was ordered to be sent to the House of Commons proposing to go forthwith into an election of a Solicitor for the First Judicial Circuit, and put in nomination Elias C. Hines.

On motion of Mr. Walker, leave of absence was granted to the Senator from Burke, from this day until Monday next.

On motion of Mr. Whitaker, a message was ordered to be sent to the House, proposing to go forthwith into an election of Secretary of State, and put in nomination Mr. R. H. Page.

Received a message from the House concurring in the proposition of the Senate to go forthwith into an election for Secretary of State.

Whereupon the Senate voted as follows:

For Mr. Page.—Messrs. Speaker, Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Blount, Dickson, Dobson, Dockery, Dowd, Erwin, Faison, Grist, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Morehead, Ramsay, Rogers, Shaw, Simpson, Speight, Street, Stowe, Slaughter, Spencer, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Waugh, Whitaker, Winstead, Walkup, Whedbee and Worth—40.

Received a message from the House, concurring in proposition of Senate, to print the report of the Directors, Superintendent and Treasurer of Lunatic Asylum.

Received a message from the House, proposing to go forthwith into an election for State Superintendent of Common
Schools, and announcing that the name of Calvin H. Wiley was in nomination.

The Senate concurred in the proposition, and a message was returned announcing the fact, and that Messrs. Ramsay and Thomas of Davidson were appointed in behalf of the Senate to superintend said election.

Under the superintendence of Messrs. Ramsay and Thomas, the Senate voted as follows:

For Mr. Wiley.—Messrs. Speaker, Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Blount, Dickson, Dobson, Dockery, Erwin, Faison, Grist, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Morehead, Ramsay, Rogers, Shaw, Speight, Street, Stow, Slaughter, Spencer, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Turner, Walker, Watson, Walkup, Whedbee and Worth—40.

On motion of Mr. Hall, a message was ordered to be sent to the House, proposing to go forthwith into an election for Judge of the Superior Court of Law and Equity for the Fifth Judicial Circuit, and put in nomination Mr. Robert French.

On motion of Mr. Faison, the name of Mr. Hardie L. Holmes was added to the nomination.

Mr. Eure from the committee to superintend the election for Solicitor for the First Judicial Circuit, reported as follows:

Whole number of votes cast, 153; necessary to a choice, 77.

Elias C. Hines received 86; Jesse J. Yates 66; James H. Hinton 1.

Mr. Hines having received a majority of all the votes cast, is therefore duly elected.

The Senate adopted the report.

Mr. Dowd from the committee to superintend the election of Secretary of State, reported as follows:

Whole number of votes cast, 149; necessary to a choice, 75.

Mr. Page received 149.
Mr. Page having received all the votes cast, is therefore duly elected.

The Senate adopted the report.

Received a message from the House, transmitting a letter from his Excellency, the Governor, together with the returns of the sheriffs of the counties of the State of North-Carolina, of the votes cast in the late election for President of the United States, which,

On motion of Mr. Avery, was ordered to be filed in the archives of the State.

Received a message from the House of Commons, concurring in proposition of the Senate to go forthwith into an election for a Judge of the Superior Courts of Law and Equity for the Fifth Judicial Circuit; whereupon the Senate, under the superintendence of Messrs. Hall and Turner, voted as follows:

For Mr. French.—Messrs. Speaker, Arendell, Burton, Brown, Bledsoe, Dickson, Dobson, Dockery, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker and Winsted—28.


Received a message from the House, proposing to go forthwith into an election for a Solicitor for the Seventh Judicial Circuit, and stating that Messrs. David Coleman and C. T. N. Davis were in nomination.

The Senate concurred in the proposition, and a message was sent stating said concurrence, and that Messrs. Stowe and Dickson were appointed in behalf of the Senate to superintend the election; whereupon the Senate proceeded to vote as follows:

For Mr. Coleman.—Messrs. Speaker, Avery, Burton, Bledsoe, Dickson, Dobson, Erwin, Faison, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Rogers, Shaw,

For Mr. Davis.—Messrs. Arendell, Barringer, Blount, Dockery, Eure, Grist, Morehead, Outlaw, Ramsay, Slaughter, Spencer, Thomas of Davidson, Whedbee and Worth—13.

Mr. Dowd voted for Mr. Burton.

Mr. Thomas, from the committee to superintend the election of a State Superintendent of Common Schools, reported as follows:

Whole number of votes cast 149, of which Mr. Wiley received 147, and is therefore elected.

The Senate adopted the report.

On motion of Mr. Simpson, a message was ordered to be sent to the House proposing to go forthwith into an election for Comptroller of the State, and stating that C. H. Brogden was in nomination.

Received a message from the House, concurring in said proposition; whereupon the Senate voted as follows:

For Mr. Brogden.—Messrs. Speaker, Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Blount, Dobson, Dowd, Eure, Erwin, Faison, Grist, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Outlaw, Ramsay, Rogers Shaw, Simmons, Simpson, Slaughter, Speight, Street, Stowe, Spencer, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Watson, Waugh, Whitaker, Winstead, Walkup, Whedbee and Worth—42.

Received a message from the House proposing to go forthwith into an election of a second Engrossing Clerk, and announcing that Messrs. Pinnix and R. H. Seawell were in nomination.

Mr. Faison moved to lay said proposition upon the table. The motion of Mr. Faison did not prevail.

The question then recurring upon the proposition to go into an election for a second Engrossing Clerk, was decided in the affirmative.
So a message was ordered to be returned, announcing concurrence, and that Messrs. Lane and Slaughter would superintend the election; whereupon the Senate voted as follows:

For Mr. Pinnix.—Messrs. Speaker, Avery, Burton, Bledsoe, Dickson, Dobson, Dowd, Erwin, Faison, Harriss of Franklin, Harris of Chatham, Humphrey, La Rogers, Shaw, Simmons, Simpson, Speight, Street, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Walk Watson, Waugh, Whitaker and Winstead—29.

For Mr. Seawell.—Messrs. Arendell, Barringer, Blou Eure, Grist, Morehead, Outlaw, Ramsay, Slaughter, Spence, Thomas of Davidson, Turner, Walkup and Whedbee—14.

Mr. Stowe from the Committee to superintend the election for a Solicitor for the Seventh Judicial Circuit, reported as follows:

Whole number of votes cast, 152; necessary to a choice, Mr. Coleman received 89; Mr. Davis 62.

Mr. Coleman having received a majority of all the votes cast, is therefore duly elected.

The Senate adopted the report.

Mr. Hall from the committee to superintend the election of a Judge of the Superior Courts of Law and Equity, reported as follows:

Whole number of votes cast, 156; necessary to a choice, Robert French received 88; H. L. Holmes 66; Geo. Davis 1; Thos. S. Ashe 1.

Mr. French having received a majority of all the votes cast, is therefore duly elected.

The Senate concurred in the report.

On motion of Mr. Faison, a message was ordered to be sent to the House, proposing to go forthwith into an election of a third Engrossing Clerk, and put in nomination Edward Vail.

Mr. Simpson, from the committee to superintend the election for the State Comptroller, reported as follows:
The number of votes cast, 151; necessary to a choice, 76.
Mr. Brogden received 149; Mr. Russ 1; Mr. Collins 1.
Mr. Brogden having received a majority of all the votes,
is therefore duly elected.
The Senate adopted the report.

A message from the House, proposing to adjourn at 12 o'clock, until 11 o'clock on Friday next, A. M.
The proposition was not agreed to.

Mr. Humphrey introduced a bill to permit free persons of to select their own masters and become slaves, which read first time, passed, and ordered to be printed and referred to Committee on Judiciary.

Mr. Lane from the committee to superintend the election, second Engrossing Clerk, reported as follows:
The number of votes cast, 155; necessary to a choice, 78.
Mr. Pinnix received 95; Mr. Seawell 52; Mr. Small 3; Garner 4; Mr. Ferrell 1.
Mr. Pinnix having received a majority of all the votes,
is therefore duly elected.
The Senate adopted the report.

Mr. Avery introduced the following resolution, to wit:
Resolved, That the Senate will not consider any bill or resolution of a public nature, nor any nomination, until day next, and that this order take effect from and after day. The resolution was rejected. Affirmative 17; negative 18.

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

THURSDAY, NOVEMBER 29, 1860.
The Senate convened pursuant to adjournment, and a motion not being present, adjourned until 11 o'clock tomorrow morning.
FRIDAY, NOVEMBER 30, 1860.

Mr. Street introduced the following resolution:

Resolved, That the Committee on the Judiciary be requested to inquire into the expediency of consolidating the office of Clerk and Master, and Clerk of the Superior and County Courts of Law and Equity, and conferring upon said officers the right to resign their offices to the Justices of the County Courts; and that said Committee report a bill otherwise.

Mr. Burton introduced a bill to increase the salaries of the Judges of the Superior Courts of Law and Equity and for other purposes, which was read the first time, passed, and ordered to be printed and referred to Committee on the Judiciary.

Mr. Turner, a bill to incorporate Hillsboro' Military Academy, which was read the first time, passed, and

On motion of Mr. Eure, was referred to the Committee on Corporations.

Mr. Bledsoe, a bill to amend chapter 101, Revised Code, which was read first time and passed.

Mr. Walkup, a bill to revise and amend the Militia system of North-Carolina, which was read first time, passed and referred to Committee on Military Affairs.

The Senator from Granville appearing in the Chamber,

On motion of Mr. Winstead, was permitted to present his credentials, to qualify and take his seat.

On motion of Mr. Dockery, leave of absence was granted to the Senator from Northampton, from and after to-day, for a few days.

Received a message from the House of Commons, transmitting the following engrossed bills, and asking the concurrence of the Senate in amendments as follows, to wit: A bill to incorporate Garden Valley—see section 4th, second line, after the word "Company," strike out the "one" and insert the words, "a majority;" and in section 5th and second line, strike out the word "sixty," and insert the word "thirty."
On motion of Mr. Morehead, the Senate concurred in the amendments.

Mr. Simpson now moved that the Senate adjourn until 11 o'clock to-morrow morning.

Pending said motion, the Speaker arose and asked leave of absence during to-morrow.

On motion of Mr. Morehead, leave was granted; whereupon, the Speaker appointed to the Chair, during his absence, Mr. Walker.

The motion to adjourn, now recurring, was agreed to.

SATURDAY DECEMBER 1, 1860.

Mr. Bledsoe introduced, a bill to amend section 1st, chapter 8th of the Revised Code, which was read first time, passed, and ordered to be printed and referred to the committee on Finance.

Mr. Thomas, of Davidson, introduced a bill to authorize D. Hampton, late sheriff of the county of Davidson, to collect arrears of taxes due said sheriff, which was read first time, passed, and referred to Committee on Propositions and Grievances.

On motion of Mr. Dowd, Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of establishing another judicial circuit, and of dividing the State into divisions, and to assign four judges to each, and report a bill or otherwise.

Mr. Burton introduced a bill to divide the State into eight judicial circuits, which was read first time, passed, and ordered to be printed and referred to Committee on the Judiciary.

Mr. Thomas, of Jackson, introduced a bill to amend an act of 1783, which was read first time, passed, and referred to Committee on the Judiciary.
Mr. Arendell introduced a bill to incorporate the City of Morehead, which was read first time, passed and referred to Committee on Corporation.

On motion of Mr. Turner,
Resolved, That the Governor be requested to furnish the Senate with all reports and letters of correspondence in the Executive office, which relates to the management of the Albemarle and Chesapeake Canal Company; and also a copy of the contracts under which the work is now progressing; and that he inform the Senate whether the property of said Company is under mortgage; if so, to whom, and for what amount, and upon what terms.

Mr. Thomas, of Jackson, introduced a bill to amend the charter of the Hanging Dog Turnpike, which was read first time, passed, and referred to Committee on Internal Improvements.

On motion of Mr. Thomas, of Jackson,
Resolved, That the Committee on Internal Improvements be instructed to inquire into the expediency of amending the act of 1848, with reference to the establishment of the Western Turnpike, and that they report a bill providing for the amendments deemed necessary.

On motion of Mr. Walkup, the Senate adjourned until 11 o'clock on Monday next.

MONDAY, DECEMBER 3, 1860.

Mr. Erwin introduced a bill to incorporate the Buncombe Riflemen, which was read first time, passed and referred to Committee on Corporations.

Mr. Shaw introduced a bill to amend the Fayetteville and Western Plankroad Company, the Fayetteville and Albemarle Plankroad Company, and the Fayetteville and Northern Plankroad Company, which was read first time, passed and referred to Committee on Internal Improvements.
The Speaker announced that Messrs. Grist, Whitaker and Winstead, on the part of the Senate, constitute the committee for the present week on enrolled bills.

On motion of Mr. Bledsoe,

Resolved, That the Committee on Federal Relations be, and they are hereby required to report upon the questions referred to them on our federal relations, and upon the bill proposing an appropriation to put the State in a condition of defence at the earliest moment practicable.

Received a message from the House, transmitting for the signature of the Speaker, an enrolled bill entitled a bill to incorporate Gordon Valley.

Mr. Pitchford presented a series of resolutions from the citizens of Warren county, concerning our federal relations, which were read and referred to Committee on Federal Relations.

The following bill was now put upon its second reading, to wit:

A bill to amend chapter 101 of the Revised Code, and on motion of Mr. Dobson, was referred to the Committee on the Judiciary.

Received a message from his Excellency, Governor Ellis, transmitting a report of a meeting of the stockholders, together with a report of the Engineer of the French Broad Railroad Company, which, on motion of Mr. Dobson, was transmitted to the House of Commons.

Mr. Turner introduced a bill to incorporate the Orange Light Infantry, which was read first time, passed and referred to Committee on Corporations.

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

TUESDAY, DECEMBER 4, 1860.

Mr. Lane, from the Committee on Propositions and Griev-
ances, reported back to the Senate the following bills and resolutions, and recommended their passage, to wit:

A bill to prevent the felling of timber in certain streams in Iredell county.

A resolution in favor of A. C. Latham, sheriff of Craven county.

A bill to authorize E. D. Hampton, late sheriff of Davidson county, to collect arrears of taxes.

Also, a memorial from citizens of Cabarrus county, asking the passage of more stringent laws against dealing with slaves, from which the committee asked to be discharged from further consideration; whereupon,

On motion of Mr. Barringer, said memorial was referred to the Committee on the Judiciary.

Received a message from the Governor, transmitting the report of Mr. Q. Busbee, as Attorney on the part of the State, upon the condition and management of the Chesapeake and Albemarle Canal Company, together with a printed report of the last meeting of the stockholders in said Company.

On motion of Mr. Turner, said message and documents were referred to Committee on Internal Improvements.

The Speaker announced that Messrs. Dockery, Lane, Shaw, Speight, Watson, Grist and Dowd, on the part of the Senate, constitute the Committee on Agriculture.

Received a message from the Governor, transmitting a memorial from Messrs. Thomas Hill, Elias Bryant, Isaac Clegg, J. H. Horton, P. G. Evans and L. J. Horton, setting forth certain grievances in regard to the Cape Fear and Deep River Navigation Company, and asking relief of the General Assembly, which,

On motion of Mr. Pitchford, was referred to the Committee on Claims.

Received a message from the House of Commons, proposing to appoint a joint select committee of three on the part of the House and three on the part of the Senate, to superintend the Public Printing.
Mr. Avery moved to lay said resolution on the table.
Upon this question Mr. Ramsay demanded the yeas and nays.
Those who voted in the affirmative are:
Messrs. Avery, Burton, Dickson, Dobson, Erwin, Faison, Hall, Harriss of Franklin, Harris of Chatham, Lane, Pitchford, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker and Winstead—24.
Those who voted in the negative are:
The motion prevailed.
Received a message from the House stating that the House had passed a resolution assigning the room, now occupied by the Supreme Court Reporter, to the Engrossing Clerks, and asking the concurrence of the Senate.
The proposition was agreed to.
Mr. Ramsay introduced the following resolutions, to wit:
Resolved, That the Treasurer of the State be requested to report to this body, at as early a day as practicable, his opinion as to the policy of the State making an increase of its present indebtedness, either by appropriations to works of internal improvement or the appropriation of money for the purpose of placing the State on a war footing.
Resolved, That the Treasurer also communicate to this body, his opinion as Treasurer, and as one presumed to know the means of the State, what amount of money can be raised by it at this time, either for meeting its present and prospective obligations, or for warlike purposes.
Mr. Avery moved that the resolutions be laid upon the table.
Upon this question, Mr. Ramsay demanded the yeas and nays.
Those who voted in the affirmative are:
Messrs. Avery, Burton, Bledsoe, Barringer, Dickson, Erwin, Faison, Hall, Harriss of Franklin, Harris of Chatham, Lane, Pitchford, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Walker, Watson, Waugh, Whitaker and Winstead—26.

Those who voted in the negative are:

So the resolutions were laid upon the table.
Mr. Faison presented a memorial and resolutions from the citizens of Sampson county, which were read and referred to the Committee on Federal Relations.

On motion of Mr. Simpson,
Resolved, That the Committee on Finance be instructed to inquire into the expediency of so amending the revenue law as to exempt the owners of slaves from the payment of taxes on any slave that shall die after he or she has been listed for taxation, and before the time of the collecting of the same, and that said committee report by bill or otherwise.

Mr. Hall introduced a bill for the appointment of an additional inspector for flour, provisions and forage, in the town of Wilmington, which was read first time, passed, and on motion of Mr. Hall, the rules were so far suspended as to permit said bill to be put upon its second and third readings, which was severally done, and the bill passed and was ordered to be engrossed.

Received a message from the House, stating that the following engrossed bills and resolutions had passed that body, and asking the concurrence of the Senate, to wit:

A resolution in favor of Thomas Diggs, of Anson county, which was read first time, passed and referred to Committee on Propositions and Grievances.

A resolution to amend a resolution in favor of certain entries of Cherokee lands, passed at the last General
Assembly, which was read first time, passed and referred to Committee on Internal Improvements.

A bill to provide for taking the list of taxables in Oregon District, Beaufort county, which was read first time and passed.

A bill to incorporate the Duplin Riflemen, which was read first time, passed and referred to Committee on Corporations.

A bill to incorporate the Independent Order of Odd Fellows, Swananoa Lodge, which was read first time, passed and referred to Committee on Corporations.

A bill to authorize and empower the sureties of William Pollock, late sheriff of Jones county, to collect arrears of taxes, which was read first time, passed and referred to Committee on Propositions and Grievances.

A bill to incorporate the Edinboro' Male and Female Academy, in the county of Montgomery, which was read first time, passed and referred to Committee on Education and the Literary Fund.

A bill concerning the magistrates of Chatham county, which was read first time, passed and referred to Committee on the Judiciary.

A bill to incorporate Judson Female College in the town of Hendersonville, which was read first time, passed and referred to the Committee on Education and the Literary Fund.

A bill to repeal an act passed at session 1858'-'59, concerning Cherokee and Robeson counties, which was read first time, passed and referred to Committee on the Judiciary.

Mr. Slaughter introduced a bill to prevent the falling of timber in the streams of Nickacon Creek and Bear Swamp, Stony Creek and Shospie Swamp, in the county of Hertford, which was read first time, passed and referred to Committee on Judiciary.

Mr. Lane introduced a bill in regard to hiring of slaves, which was read first time, passed, and ordered to be printed, and referred to the Committee on the Judiciary.
Mr. Hall introduced a bill to amend the 3d section of 85th chapter of the Revised Code, entitled "Pilots," which was read first time, passed and referred to Committee on Propositions and Grievances.

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

WEDNESDAY, DECEMBER 5, 1860.

Mr. Walker presented a memorial from citizens of Mecklenburg, which was read and referred to Committee on Federal Relations.

Received a message from the House, proposing to go forthwith into an election for a third Engrossing Clerk, and stating that Messrs. Edward Vail and Thomas A. Futral were in nomination.

The Senate concurred in the proposition, and Messrs. Blount and Simpson were appointed to superintend the election.

Whereupon the Senate voted as follows:

For Mr. Vail.—Messrs. Speaker, Burton, Bledsoe, Blount, Dickson, Faison, Hall, Harris of Franklin, Harris of Chatham, Lane Pitchford, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Waugh, Whitaker, Winstead and Walkup—27.

For Mr. Futral.—Messrs. Barringer, Dockery, Dowd, Grist, Outlaw, Sharpe, Slaughter, Spencer, Turner, Whedbee, and Worth.—11.

In this election Mr. Avery stated that he had paired off with Mr. Arendell, Mr. Ramsay with Mr. Humphrey, and Mr. Eure with Mr. Rogers.

Received a message from the House, proposing to raise a joint select committee of three on the part of the House, and two on the part of the Senate, to take into consideration the subject of Geology and the office of State Geologist.
The Senate concurred in the proposition, and Messrs. Morehead and Avery were appointed on the part of the Senate as the committee.

Received a message from the House, transmitting the report of the Committee on Finance upon the subject of the Treasurer's books, and stating that the House had concurred in said report, and asked the concurrence of the Senate. The report was adopted.

The Speaker presented a communication from the Stockholders of the Wilmington, Charlotte and Rutherford Railroad Company, which,

On motion of Mr. Walker, was ordered to be sent to the House, with a proposition to print.

On motion of Mr. Walker, 

Resolved, That the Senate tender to the Electoral College of North-Carolina, the use of the Senate Chamber at the hour of 2 o'clock to-day, for the purpose of holding their session, and that the Senate adjourn at 12 o'clock for that purpose.

Mr. Walker presented a memorial from the Salisbury Military Convention, which,

On motion of Mr. Walkup, was referred to the Committee on Military Affairs.

Mr. Hall introduced a bill to authorize and empower E. D. Hall, late sheriff of New Hanover, to collect arrears of taxes due said sheriff, which was read first time, passed and referred to Committee on Propositions and Grievances.

Received a message from the House, proposing to go forthwith into an election of State Treasurer, and stating that D. W. Courts was in nomination.

The Senate concurred in the proposition, and Messrs. Simpson and Worth were appointed to superintend the election; whereupon the Senate voted as follows: 

For Mr. Courts—Messrs. Speaker, Avery, Burton, Bledsoe, Barringer, Dickson, Dobson, Dockery, Dowd, Eure, Grist, Hall, Harriss of Franklin, Harris of Chatham, Lane, Out-

Mr. Hall introduced a bill for a Mechanics' Lien Law, which was read first time, passed and ordered to be printed, and referred to the Committee on the Judiciary.

Mr. Thomas, of Davidson, introduced the following resolution:

Resolved by the General Assembly of North-Carolina, That—and—be and they are hereby appointed Commissioners on the part of the State of North-Carolina, to attend the Convention of the State of South-Carolina, to be held in Columbia on the 17th instant, with power and authority to confer with said Convention and other authorities of said State, with the view of prevailing with our sister State to suspend further action in regard to pending difficulties between the North and the South, until an effort can be made by the Southern States, and such Northern States as shall assent to the measure, to call a Convention of all the United States to obtain, in a constitutional manner or way, proper assurance and guarantees that the rights of the slaveholding States will be hereafter fully respected and protected.

Pending the vote on said resolution, the hour of 12 o'clock arrived, and the Speaker declared the Senate adjourned until 11 o'clock to-morrow.

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THURSDAY, December 6, 1860.

Mr Harris, of Chatham, presented a memorial from certain creditors of the Cape Fear and Deep River Navigation Company, which, On motion of Mr. Outlaw, was referred to the Committee on Claims.
Mr. Blount, a memorial from citizens of Pitt county, which was read and referred to Committee on Federal Relations.

Received a message from the House of Commons, concurring in proposition of the Senate to print report of the Stockholders of the Wilmington, Charlotte and Rutherford Railroad Company.

Mr. Faison, from the Committee to superintend the election of third Engrossing Clerk, reported as follows, to wit:
Whole number of votes cast, 141; necessary to a choice, 71.
Mr. Vail received 98; Mr. Futral 43.

Mr. Vail having received a majority of all the votes cast, is therefore duly elected.

The Senate concurred in the report.

Mr. Faison, from the Committee to superintend the election of State Treasurer, reported as follows:
Whole number of votes cast, 146; necessary to a choice, 74.
Mr. Courts received 146.

Mr. Courts having received all the votes cast, is therefore duly elected.

The Senate concurred in the report.

Mr. Street presented a memorial from Messrs. R. Lance and F. Lewis, which was ordered to be transmitted to the House of Commons.

Mr. Ramsay, a memorial from citizens of Rowan county, which was read and referred to Committee on Federal Relations.

Mr. Avery, a memorial from citizens of McDowell county, and moved a reference of the same to the Committee on Federal Relations.

Pending the vote on this question, an extended debate arose between Messrs. Brown and Avery, upon Federal Relations.

On motion of Mr. Thomas, of Jackson, the Senate adjourned until 11 o'clock to-morrow.
FRIDAY, DECEMBER 7, 1860.

The Speaker stated that the Senate on yesterday adjourned pending a vote on the question to refer a memorial from citizens of McDowell county to the Committee on Federal Relations; whereupon the question was put and decided in the affirmative. So the memorial was referred.

On motion of Mr. Simpson,

Resolved, That a message be sent to the House of Commons, proposing to raise a joint select committee of two on the part of the Senate, and three on the part of the House, to make necessary arrangements for comparing the vote polled in August last for Governor of the State of North-Carolina.

Mr. Hall introduced a bill to authorize and empower Washington Harris, late sheriff of Franklin county, to collect arrears of taxes due said sheriff, which was read first time, passed and referred to Committee on Propositions and Grievances.

Mr. Winstead introduced a bill to incorporate the Bank of Roxboro', which was read first time, passed and ordered to be printed, and referred to Committee on Banks and Currency.

Mr. Street introduced a bill to grant to a company the land covered by the waters of Lake Ellis and Little Lake, in the county of Craven, which was read first time, passed and referred to Committee on Corporations.

Mr. Bledsoe asked leave of absence until Tuesday next for the Senator from Franklin, which was granted.

Mr. Shaw asked leave of absence until Thursday next for the Senator from Cleaveland, which was granted.

Mr. Speight, from the Committee on Corporations, reported back to the Senate the bill to incorporate the Independent Order of Odd Fellows, Swananoa Lodge, No. 56, at Asheville, in the county of Brunswick, and recommended its passage.

Also a bill to incorporate the Buncombe Riflemen, and recommended its passage, with the following amendments, to wit: See section 1st, 7th line, after the word "associate" add the words "and successors"
Also, a bill to incorporate the Salem and Thomasville Turnpike Company, and recommended its passage.

Also, a bill to incorporate the Hillsboro’ Military Academy, and asked to be discharged from its further consideration.

The committee was discharged; whereupon, on motion of Mr. Street, said bill was referred to Committee on Military Affairs.

Mr. Blount, from the same committee, reported a bill to incorporate the Orange Light Infantry, and recommended its passage.

Mr. Barringer asked leave of absence until Monday next for the Senator from Carteret and Jones. Leave was granted.

Received a message from the House, transmitting statements of the Bank of Fayetteville.

Received a message from the House, concurring in the proposition of the Senate to raise a joint select committee to compare the votes cast in August last for Governor, and stating that Messrs. Ferebee, Green of Franklin and Crawford constitute the committee on the part of the House; whereupon the Chair appointed Messrs. Simpson and Barringer on the part of the Senate.

Mr. Turner offered the following preamble and resolutions, to wit:

Whereas, The people of North-Carolina are dependent upon the Northern States for shoes and clothes, and for most of the household articles necessary to their comfort and ease; therefore,

Resolved, That such dependence should be thrown off, as incompatible with the prosperity, dignity, safety and independence of the State.

Resolved, That we recommend to the matrons and daughters of North-Carolina, a non-use of Northern tubs and brooms, and to the husbands and sons, a non-use of Northern axe-helves, and that our merchants be requested not to import either of these articles after the year 1860; nor any other article which can be made so easily and cheaply at home.
Resolved, That after the first day of January, 1861, each Senator be, and he is hereby requested to take his seat in the Senate, clad in North-Carolina made clothes and wearing North-Carolina made boots or shoes; and that all persons who serve the State be, and they are hereby requested, to serve in her own manufactory.

Resolved, That when we return to our constituents we will endeavor to impress upon them the importance, both to the State and its citizens, of buying less from abroad and of manufacturing more at home.

Mr. Bledsoe moved that the resolutions be laid upon the table.

Upon this question, Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the resolutions were laid upon the table.

Received a message from the House, transmitting statements of the Commercial Bank of Wilmington.

Mr. Turner now moved to reconsider the vote by which his resolutions were just laid upon the table, and demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:


So that the motion did not prevail.

Mr. Street moved to adjourn.

The motion did not prevail.

The bill to prevent the felling of timber in certain streams in Iredell county, was then taken up and put upon its second reading and passed.

On motion of Mr. Slaughter, the Senate adjourned until 11 o'clock to-morrow.

SATURDAY, December 8, 1860.

The Speaker presented a memorial and resolutions from citizens of Edgecombe county, relating to federal affairs, which was read and referred to Committee on Federal Relations.

Mr. Walker, from the Committee on Education and the Literary Fund, reported back to the Senate the bill to incorporate the Edinboro' Male and Female Academy, and recommended its passage.

Also, a bill to incorporate Judson Female College, in the town of Hendersonville, and recommended its passage.

Mr. Simpson, from the joint select committee to report arrangements to count and compare the vote for Governor, reported the following resolution, to wit:

Resolved, That the two Houses of the General Assembly will assemble in the Hall of the House of Commons, this, the 8th day of December, A. D. 1860, at 12 o'clock, and that the Speaker of the Senate shall be the presiding officer. That one person shall 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, together with the list of votes, shall be entered upon the Journals of the two Houses.

The resolution was adopted, and a message sent to the House, asking a concurrence, and stating that Mr. Hall, on the part of the Senate, had been appointed a teller.

Received a message from the House, transmitting a letter from the Governor, together with a report from the Treasurer of the University of the State.

Received a message from the House, transmitting the following engrossed bills, to wit:

A bill to amend an act entitled an act to incorporate the Town of Charlotte, in Mecklenburg county.

A bill to prohibit the emancipation of slaves by will.

In each of which the concurrence of the Senate was asked.

On motion of Mr. Ramsay, the letter of Governor Ellis, together with the report of the Treasurer of the University of the State, was ordered to be printed.

The engrossed bill from the House, to prohibit the emancipation of slaves by will, was now put upon its first reading, passed and referred to the Committee on the Judiciary.

Received a message from the House, concurring in the resolution of the Senate in regard to counting and comparing the vote for Governor of the State, and stating that Messrs. Ferebee and Crawford, on the part of the House, had been appointed tellers.

The hour of 12 o'clock having now arrived, the Senate repaired to the Hall of the House of Commons, and, under the superintendence of the tellers, proceeded to count and compare the votes cast for the Governor of the State in August last, which resulted as follows, to wit:
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<th>John Pool</th>
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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 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 John W. Ellis received 59,463 votes, being the highest number given, and that John Pool received 53,123 votes.

No objection being made to this report, I declare John W. Ellis 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 sixty-one.
The Senate now returned to its own Chamber and resumed its session.

Mr. Thomas, of Jackson, from the Committee on Internal Improvements, reported a bill to amend the charter of the Western North-Carolina Railroad Company, which was read, passed, and,

On motion of Mr. Thomas, was ordered to be printed, with accompanying report and documents to which it referred.

On motion of Mr. Outlaw, leave of absence, until Wednesday next, was granted to the Senator from New Hanover.

Mr. Grist introduced a bill to incorporate Bellevue Academy, which was read first time and passed.

On motion of Mr. Speight, the Senate adjourned until 11 o'clock on Monday next.

MONDAY, DECEMBER 10, 1860.

Mr. Lane presented a memorial and resolutions from citizens of Wayne county, which were read and referred to the Committee on Federal Relations.

Mr. Walker, a memorial from the North-Carolina Military Academy at Charlotte, which, on motion of Mr. Walker, was ordered to be printed and referred to the Committee on Education and the Literary Fund.

Mr. Brown introduced the following preamble and resolutions, to wit:

Whereas, A dangerous crisis has arisen in our public affairs, which calls for consultation and concert of action among the slaveholding States in this Confederacy, whereby their domestic institutions and safety may be more effectually protected against Northern sectional aggression; and Whereas, in the opinion of the General Assembly of the State of North-Carolina, common interests are best advanced by common council and united action; and Whereas, a State Convention, called by the Legislature of South-Carolina and
elected by the people of the State, is to assemble on the 17th day of the present month, at Columbia, to take into consideration the mode and measure of redress in relation to the foregoing subjects;

Be it therefore resolved by the General Assembly of North Carolina, That the following citizens, to wit: Thomas Ruffin, of the county of Alamance; Weldon N. Edwards, of the county of Warren; William A. Graham, of the county of Orange, and William N. H. Smith, of the county of Hertford, be and they are hereby appointed Commissioners on the part of this State to proceed to Columbia, South Carolina, and make known to the Convention there assembled, that while the Legislature of North Carolina fully appreciates the patriotic considerations that have called them together, and feels all the sympathy and respect which historic renown, common interests and their relations as a sister coterminous State should inspire, they appeal to their sister State of South Carolina, in that spirit of patriotism which animated the common ancestry of both, in the resolution to suspend any action by which secession from the Confederacy shall be accomplished, and await a common consultation through a Convention of all the States, the result of said Convention to be submitted to the people of the several States which are parties to it, for their assent respectively, before taking final action.

Resolved, further, That said Commissioners be authorized to proceed to either of our Southern sister States that have called Conventions for the foregoing objects, and make known to them the same sentiments of sympathy and regard expressed in the foregoing resolution, and appeal to them as sister States, endear to us by common interests, and by ties of kindness to be traced from their earliest settlements to this day, to forbear State action in the manner and for the purpose expressed in the foregoing resolution.

Resolved, further, That said Commissioners be requested,
at as early a day as practicable, to report the result of their action and the response thereto.

Resolved, further, That said Commissioners shall be paid six dollars for each day while engaged in the performance of the duties directed by the foregoing resolution, and shall receive also the same pay for mileage in traveling to and returning from any of said States, which is by law allowed to members of the General Assembly of this State.

Mr. Humphrey moved that these resolutions be ordered to be printed and made the special order of the day for to-morrow at 12 o'clock.

Mr. Morehead moved to amend this motion by striking out the words, "made the order of the day for to-morrow at 12 o'clock," and inserting the words "referred to the Committee on Federal Relations."

Upon the question to amend, Mr. Brown demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Barringer, Dobson, Dockery, Dowd, Erwin, Faison, Harris of Chatham, Lane, Morehead, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Brunswick, Walker and Watson—19.

Those who voted in the negative are:


So the motion to amend did not prevail.

The question then recurring upon the motion of Mr. Humphrey, the resolutions were ordered to be printed and made the special order for to-morrow at 12 o'clock.

Mr. Simmons introduced a bill to amend section 1st chapter 12th of the Revised Code, entitled "Wrecks," which was read first time and passed.

Mr. Outlaw, a bill to regulate the free negroes of this State, which was read first time, passed and,
On motion of Mr. Humphrey, was ordered to be printed and referred to the Committee on the Judiciary.

An engrossed bill from the House, to amend an act, entitled an Act to incorporate the town of Charlotte, was now read first time, passed, and referred to the Committee on Corporations.

Received a message from the House, transmitting an enrolled bill to provide for the appointment of an additional inspector of flour, &c., for the town of Wilmington, for the signature of the Speaker.

Received a message from the House, transmitting statements of the Farmers' Bank of North-Carolina, at Greensboro, including Elizabeth City Branch.

On motion of Mr. Bledsoe, said statements, together with all other similar statements of other banks now on the Clerk's desk, were ordered to be referred to the Committee on Banks and Currency.

The bill to prevent the felling of timber in certain streams in the county of Iredell, was now put upon the third and last reading, passed, and ordered to be engrossed.

The Speaker announced that Messrs. Brown, Simpson and Morehead would constitute the committee on enrolled bills for the present week.

On motion of Mr. Pitchford, the Senate adjourned until 11 o'clock to-morrow.

TUESDAY, DECEMBER 11, 1860.

Mr. Worth presented a memorial from Roxana C. McNeil, preferring a claim against the State, which, on motion of Mr. Worth, was ordered to be referred to the Committee on Claims.

Mr. Bledsoe, a memorial from citizens of the county of Wake, relating to federal matters, which were read and referred to the Committee on Federal Relations.
Mr. Walker, from the Committee on Education and the Literary Fund, reported back to the Senate a bill to repeal certain sections of the 2d chapter of the Revised Code, and asked to be discharged from its further consideration; whereupon the committee was discharged, and the bill referred to the Committee on Geology.

Mr. Bledsoe, from the Committee on Claims, reported back the following bill, to wit:

A bill to authorize and empower James M. Allen, late sheriff of the county of Brunswick, to collect arrears of taxes, and recommended its passage, with the following amendment, to wit: by striking out the words "during his term of office," and inserting the words "from and after the first day of October, A. D. 1858."

Also, a resolution in favor of John T. Pate, and recommended its passage.

Mr. Lane, from the Committee on Propositions and Grievances, reported back a bill to authorize and empower the sureties of William Pollock, late sheriff of the county of Jones, to collect arrears of taxes, and recommended its passage, by inserting the following proviso at the end of the first section, to wit: Provided, That nothing herein contained shall apply to the estate of deceased persons whose estates have been settled by executors or administrators, or to any person who shall make oath that the taxes claimed have been paid.

Also, a bill to amend 3d section of 85th chapter of the Revised Code, entitled "Pilots," and recommended its passage.

On motion of Mr. Humphrey,

Resolved, That the Committee on the Judiciary be requested to enquire into the constitutionality and expediency of suspending, temporarily, the executive law for the collection of debt, now in force in this State; and that they report by bill or otherwise.

On motion of Mr. Whedbee,

Resolved, That the Public Treasurer inform the Senate
whether he has at any time sold State bonds with coupons attached thereto, which coupons were past due at the time of sale and delivery. If so, what number of bonds have been so sold, and what amount of interest was past due upon them.

Resolved, further, That the Public Treasurer furnish the Senate with a statement containing the various items which make up the sum of $13,479 07, as stated in his report under the head of contingencies.

Mr. Sharpe introduced a bill to prosecute works of internal improvement in North-Carolina, which was read first time, passed, and referred to Committee on Internal Improvements.

Mr. Stowe, a bill to secure the completion of the Wilmington, Charlotte and Rutherford railroad, and to amend the charter of the same, which was read first time, passed, ordered to be printed and referred to the Committee on Internal Improvements.

Mr. Faison, a bill to construct a branch from the Wilmington and Weldon railroad, at or near the town of Fayetteville, which was read first time, passed, and ordered to be printed and referred to the Committee on Internal Improvements.

Received a message from the House, transmitting the following engrossed bills and resolutions, in which the concurrence of the Senate was asked, to wit:

A bill to repay the banks moneys improperly collected from them, which was read first time, passed, and referred to the Committee on the Judiciary.

A bill to lay off and establish a new county by the name of Clay, which was read first time, passed, and referred to the Committee on Propositions and Grievances.

A bill to alter the time of opening the polls in elections, at the precincts of Salisbury, Wilmington, Asheville and Lexington, which was read first time, passed, and referred to the same committee.

A resolution in favor of James Jenkins, of Jackson county, which was read the first time, passed and referred to same committee.
A resolution in favor of the securities of G. H. Holland, late sheriff of Haywood, which was read the first time, passed and referred to the same committee.

A resolution in favor of the securities of Wm. Green, late sheriff of Haywood county, which was read the first time, passed and referred to the same committee.

A resolution in favor of Cooper Coleman, which was read the first time, passed and referred to the same committee.

Also, a resolution of G. M. Glass, which, on motion of Mr. Avery, was ordered to be returned to the House for correction as to the name in the said bill.

Mr. Avery introduced a bill to authorize the securities of Geo. W. Glass, late sheriff of McDowell county, to collect arrears of taxes, which was read the first time, passed and referred to the Committee on Propositions and Grievances.

The Speaker announced that the hour of 12 o'clock had arrived, and that the resolutions offered on yesterday by the Senator from Caswell had been made the special order of the day for 12 o'clock.

Mr. Brown moved that the resolutions be laid on the table and made the special order of the day for to-morrow at 12 o'clock.

Mr. Avery moved to lay this motion on the table, and demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Barringer, Dobson, Erwin, Humphrey, Lane, Shaw, Simmons, Speight, Street, Stowe, Taylor of Brunswick, Thomas of Jackson, Walker and Whitaker—15.

Those who voted in the negative are:


Mr. Faison stated that he had paired off with Mr. Walkup. So the motion to lay on the table did not prevail.

The question then recurring on the motion of Mr. Brown,
to make the resolutions the special order for to-morrow at 12 o'clock, was decided in the affirmative.

On motion of Mr. Thomas, of Davidson, the resolution offered by himself to send Commissioners to the Convention of South Carolina was ordered to be referred to Committee on Federal Relations.

A bill to amend section 1st, chapter 120, Revised Code, was now put upon its second reading and passed.

No objection being made, said bill was read third time, passed and ordered to be engrossed.

Also, a bill to authorize the sureties of Wm. Pollock, late sheriff of the county of Jones, to collect arrears of taxes, was read second time, amended as recommended by the committee and passed.

Received a message from the House, transmitting statements of the Bank of Charlotte, which was ordered to be referred to the Committee on Banks and Currency.

The resolution in favor of John Tate was then read second time and passed.

The bill to authorize and empower the securities of James M. Allen, late sheriff of the county of Brunswick, was read second time, amended as recommended by the committee and passed.

A message was received from the House, transmitting the following resolution, in which the concurrence of the Senate was asked, to wit:

Be it resolved by the House of Commons of the General Assembly of the State of North-Carolina, That a message be sent to the Senate, inviting the Senate to concur in the request on the part of this General Assembly, to the Supreme Court of the State of North-Carolina, to furnish to the General Assembly, their opinion relative to the right or power of the General Assembly under the Constitution of the State to call a convention of the people of the State for every purpose, without a concurrence of two-thirds of all the members of each House of the General Assembly.
And if the Senate concur in their resolution, that the Senate be further invited to concur in the appointment of a member on the part of each House, to present this resolution and request their earliest convenient response; and that the Senate be requested to give this message an early consideration.

Mr. Avery moved to lay the message and resolution upon the table.

Upon this question Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Avery, Barringer, Humphrey, Shaw, Simmons, Street, Stowe, Taylor of Brunswick, Thomas of Jackson, Walker and Whitaker—11.

Those who voted in the negative are:

So the message and resolution were not laid upon the table.

The question then recurring upon the concurrence of the Senate in the proposition, elicited considerable discussion, when,

On motion of Mr. Brown, it was ordered that the message and resolution be laid upon the table until called up for further consideration.

On motion of Mr. Stowe, the Senate adjourned until 11 o'clock to-morrow.

WEDNESDAY, DECEMBER 12, 1860.

Mr. Taylor, of Brunswick, presented resolutions of citizens of the county of Columbus in regard to federal affairs,
which were read and referred to the Committee on Federal Relations.

Also, resolutions on the same subject, from citizens of Brunswick county, which were read and referred as before.

Mr. Stowe, resolutions from the citizens of Catawba county, which were read and referred as before.

Mr. Morehead, resolutions from citizens of Guilford county, which were read and referred as before.

Received a message from the House, proposing to raise a joint select committee on fish and fisheries, slaves and free persons of color.

The proposition was not agreed to.

Mr. Outlaw, from the Committee on the Judiciary, reported back to the Senate a bill to amend the 18th section of the 31st chapter of the Revised Code, and recommended that said bill do not pass.

Mr. Humphrey, from the Committee on Corporations, reported back the bill to amend an act, entitled an Act to incorporate the town of Charlotte, and recommended its passage.

Mr. Avery, from the Committee on the Judiciary, reported back the resolution in favor of John M. Morehead and Wm. H. Arendell, and recommended its adoption.

Also, a bill to amend chapter 100 Revised Code, and recommended that said bill do not pass.

Also, a bill to amend the Revised Code, chapter 31st, sections 31st and 40, and recommended that said bill do not pass.

Also, a bill to prohibit the emancipation of slaves by will, and recommended its passage.

Also, a bill to diminish the costs of suits at law, and recommended that said bill do not pass.

Also, a bill to repeal an act passed at session 1858-'9, concerning Cherokee and Robeson counties, and recommended its passage.

Also, a bill for the preventing of the felling of timber in
in the streams of Wickakon Creek, Bear Swamp, Stony Creek and Ahoskie Swamp, in the county of Hertford, and recommended its passage.

Mr. Blount, from the Committee on Corporations, reported back a bill to incorporate the City of Morehead, and recommended its passage.

Mr. Brown, from the Joint Select Committee on Federal Relations, made the following report:

The Joint Select Committee upon Federal Relations, to whom was referred all that part of the Governor's Message upon the subject of our Federal relations, and which recommends—

1. That the General Assembly invite the Southern States to a Conference, or such of them as may be inclined to enter into consultation with us upon the present condition of the country. And in case that should be found impracticable, then

2. Recommending the sending of one or more delegates to our neighboring States with the view of securing concert of action. And

3. That a Convention of the people of the State be called to assemble immediately after the proposed consultation with the other Southern States shall have terminated. And

4. The reorganization of the militia, and the formation of a corps of ten thousand volunteers, with an organization separate from the main body of the militia, and that they be suitably armed and equipped—

And to whom was also referred sundry resolutions, some of which were introduced originally in the Senate and House of Commons, and others passed by meetings of the people in various parts of the State and laid before the Legislature at the request of these meetings; and to whom was also referred a bill to authorize and require the Governor of the State of North-Carolina to call a Convention of the people of the State, and for other purposes therein named, respectfully report that they have considered the same with a full appre-
ciation of the momentous interests involved, and have come to the deliberate conclusion that the present crisis in our national affairs gravely imperils the rights and equality of the State of North-Carolina in the Union; and that the sovereign people only have the right to determine the mode and measure and time of redress; and therefore the committee submit for your consideration the accompanying bill for calling a Convention of the people, and earnestly recommend its passage.

And they further report that they are fully impressed with the belief that it is necessary to our safety that the militia should be thoroughly organized, and that a volunteer corps of — thousand men should be speedily formed, and armed and equipped in the most efficient manner; and they earnestly recommend that both shall be done, and that it be referred to the Committee on Military Affairs, in order that they may furnish the details of measures for that purpose.

And the committee ask leave to report back all other matters referred to them, and to be discharged from their further consideration.

Respectfully submitted,

SAMUEL J. PERSON, Chairman.

The report having been read,

On motion of Mr. Brown, it was ordered to send a message to the House, proposing to present said report, together with the bill alluded to therein.

Mr. Thomas, of Davidson, presented statements from the Bank of Lexington, which were referred to the Committee on Banks and Currency.

The hour of 12 o'clock now having arrived, the Senate resumed the consideration of the resolution offered by the Senator from Caswell, having reference to sending Commissioners to the Convention of South-Carolina; to which resolutions Mr. Avery offered the following amendment, to wit:
Resolved, That in the judgment of the General Assembly, the Federal Government has no right to coerce a seceding State, and if South-Carolina, or any other State, acting in her sovereign character, through a Convention, secedes from the present Union, the federal authorities have no power, under the Constitution, to make war upon and subjugate the people of the State so withdrawing.

Mr. Turner offered to amend this amendment as follows:

Amend the amendment by adding, that no State shall, without the consent of Congress, lay duty, tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with foreign powers, or engage in any war unless actually invaded, or in such imminent danger as will not admit of delay; and that it is the duty of the General Government to collect peaceably if it can, forcibly if it must, duties due at each and every established post in these United States.

Mr. Morehead moved to postpone further consideration of the resolutions and amendments, and make them the special order for to-morrow at 12 o'clock.

Upon this motion Mr. Brown demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Blount, Dobson, Dowd, Eure, Faison, Grist, Harris of Chatham, Humphrey, Lane, Morehead, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Spencer, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Waugh, Whitaker and Winspear—27.

Those who voted in the negative are:


So the resolutions were made the special order for to-morrow at 12 o'clock.

On motion of Mr. Stowe, the Senate adjourned until 11 o'clock to-morrow.
THURSDAY, December 13, 1860.

The Committee on Federal Relations was discharged from the further consideration of all matters referred to them, having regard to federal matters.

Mr. Whitaker presented a memorial and resolutions from citizens of Halifax and Martin counties, which were read and left upon the table.

Mr. Sharpe, a memorial and resolutions from citizens of Iredell, which were read and left upon the table.

Mr. Erwin introduced a resolution on military affairs, which was read first time and passed.

Mr. Erwin moved that the rules be suspended, and that said resolution be put upon its second and third reading.

The motion did not prevail.

Mr. Stowe introduced a bill to alter the law as to protesting bills, which was read first time and passed.

Mr. Dockery, a resolution in relation to the tax on estates descending to collaterals, which was read and passed.

Mr. Erwin, a bill in relation to trading with slaves, which was read first time, passed and referred to the Committee on the Judiciary.

Mr. Barringer, a bill to incorporate the town of Davidson, in the county of Mecklenburg, which was read first time, passed, and referred to the Committee on Corporations.

Mr. Dockery, a bill to authorize J. T. Bosticks, late sheriff of Richmond county, to collect arrears of taxes, which was read first time, passed and referred to the Committee on Claims.

Mr. Erwin, a bill to establish a billiard table, to be kept at the Warm Springs, in Madison county, which was read first time, passed and referred to the Committee on Propositions and Grievances.

The Speaker presented a report upon the Sinking Fund, which, on motion of Mr. Bledsoe, was ordered to be transmitted to the House, with a proposition to print.
Received a message from the House, transmitting a report from the Governor, upon the Literary Fund, with a proposition to print.

The proposition was agreed to.

The hour of 12 o'clock now having arrived, the Senate resumed the consideration of the resolutions offered by the Senator from Caswell.

After considerable discussion, Mr. Ramsay moved that said resolutions be made the order of the day for 12 o'clock to-morrow, and demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the resolutions were not made the special order for 12 o'clock to-morrow.

Mr. Lane gave notice that on to-morrow he would move to amend the joint rules for the government of the two Houses of the General Assembly.

On motion of Mr. Lane, the Senate adjourned until 11 o'clock to-morrow.

FRIDAY, DECEMBER 14, 1860.

Mr. Shaw presented a memorial of Hector McLean and John Harrington, preferring claims against the State on account of Cape Fear and Deep River Navigation Company, which was read and referred to Committee on Claims.
Mr. Lane, from the Committee on Propositions and Grievances, reported back to the Senate the following resolutions, and recommended severally, their passage, to wit:

A resolution in favor of the sureties of G. H. Holland, late sheriff of Haywood county.
A resolution in favor of the sureties of William Green, late sheriff of Haywood county.
A resolution in favor of George W. Glass.
A resolution in favor of L. Coleman.
A resolution in favor of Cooper Price and John H. Harwood.

Also, a bill to authorize the sureties of George W. Glass, late sheriff of McDowell county, to collect arrears of taxes, and recommended its passage.

Mr. Humphrey, from the Committee on Corporations, reported back a bill to grant to a company the land covered by lake Ellis and Little Lake, in the county of Craven, and recommended its passage.

On motion of Mr. Stowe the bill to alter the law as to protested bills, was referred to the Committee on the Judiciary.

Mr. Thomas, of Davidson, introduced a bill to incorporate the Silver Valley Mining Company, in the county of Davidson, which was read the first time, passed and referred to the Committee on Corporations.

Mr. Turner, a bill to abolish the freehold qualification for Jurors, which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Dockery now moved to take up the resolution as proposing to instruct the Committee of Finance as to the tax on estates descending to collaterals. The motion prevailed.

The resolution was then read, and,

On motion of Mr. Dobson, was laid upon the table. Upon this motion, Mr. Dockery demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Avery, Brown, Dickson, Dobson, Faison, Harris
of Chatham, Humphry, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker, Winstead and Walkup—24.

Those who voted in the negative are:


Mr. Avery introduced a bill to repeal an act of the General Assembly, passed at the session of 1858-'9, entitled an Act granting to the Session Courts of Burke county, original and exclusive jurisdiction of all criminal causes and State prosecutions where the instructions of a jury may be necessary, which was read first time, passed, and,

On motion of Mr. Avery, the rules were suspended, and the bill was put upon its second and third readings, passed, and ordered to be engrossed.

Bills and resolutions on second reading.

A bill to amend the Revised Code, chapter 31, sections 31 and 40, was read second time and rejected.

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

Those who voted in the affirmative are:

Messrs. Arendell, Brown, Bledsoe, Blount, Dockery, Faison, Harriss of Franklin, Lane, Shaw, Simpson, Street, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Turner, Waugh and Worth—17.

Those who voted in the negative are:


Received a message from the House of Commons transmitting a communication from Governor Ellis, together with a communication from Governor Houston, of Texas, trans-
mitting resolutions in reference to federal affairs, with a proposition to print.

The proposition was agreed to.

A bill to amend the 18th section of the 31st chapter of the Revised Code, which,

On motion of Mr. Brown, was informally passed over and left upon the table for further consideration.

On motion of Mr. Brown, the Senate resumed the consideration of the resolution relative to sending Commissioners to the Convention of South-Carolina.

On motion of Mr. Bledsoe, the resolutions were ordered to be laid upon the table.

On motion of Mr. Avery, leave of absence was granted to the Principal Clerk, until Monday morning next, and the Assistant Clerk was appointed to act in his stead.

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

SATURDAY, DECEMBER 15, 1860.

The Senate was opened with prayer, after which the journal of the preceding day was read.

Mr. Erwin introduced a memorial from the citizens of Henderson county upon the present condition of the county, which was read and upon his motion, was laid upon the table.

Mr. Whedbee introduced a petition from the Independent Grays, which was read, and upon his motion referred to the joint select Committee on Military Affairs.

Mr. Thomas, of Jackson, in behalf of the Committee on Internal Improvements, submitted the following reports, to wit:

Report on engrossed House resolution, to amend a resolution in favor of certain entries of Cherokee lands passed at the last General Assembly, and recommended its passage.
Report on a bill to amend chapter 61 Revised Code, recommending that it do not pass.

Mr. Morehead introduced a bill to incorporate the Adams’ Hill, which was read first time, and passed, and on motion of Mr. Humphrey, referred to Committee on Corporations.

Mr. Street introduced a bill for the relief of the Atlantic and North-Carolina Railroad Company, which was read first time and passed, and, on motion of Mr. Lane, referred to Committee on Internal Improvements.

Mr. Taylor, of Nash, introduced a bill to incorporate the Falls Male and Female Academy in Nash county, which was read first time and passed, and on motion of Mr. Humphrey, referred to Committee on Corporations.

Mr. Walker introduced a bill to incorporate the Central Railroad of South and North-Carolina, which was read first time and passed, and on motion of Mr. Walker, referred to Committee on Internal Improvements.

Mr. Spencer introduced a bill to authorize the Court of Pleas and Quarter Sessions of Hyde county, to appoint a committee of finance, which was read first time and passed.

The Senate then proceeded to the consideration of private bills on their second reading, to wit:

Resolution in favor of A. C. Latham, which was read second time.

Mr. Walker moved to amend by inserting after Mr. Latham’s name, the name of “E. C. Rice,” late sheriff of Mecklenburg county, which amendment was adopted.

Mr. Thomas, of Davidson, moved to amend the resolution by inserting after the word “Mecklenburg county,” the words E. D. Hampton, of Davidson county, which amendment was adopted.

Mr. Shaw then moved that the resolution with the several amendments be recommended to the Committee on Propositions and Grievances, which motion prevailed.

A bill to incorporate the Salem and Thomasville Turnpike Company was then taken up, read second time and passed.
On motion of Mr. Thomas, of Davidson, the rules were temporarily suspended for the purpose of putting the bill on its third reading; whereupon the bill was read the third time.

Mr. Thomas, of Davidson, moved to amend the bill by striking out the words "perpetual succession," and inserting the words "sixty years," and further amend the bill by striking out the word "heirs," and inserting the word "successors," which amendments prevailed, and the bill passed the third time, and was ordered to be engrossed.

A resolution in favor of W. H. Arendell and John N. Morehead was then taken up, read second time, and the Senate having ordered that no notice was necessary, was passed the second time.

On motion of Mr. Avery, the rules were temporarily suspended for the purpose of putting the resolution upon its third reading; whereupon the resolution was read the third time, passed and ordered to be engrossed.

The bill to authorize E. D. Hampton to collect arrears of taxes, was taken up, and,

On motion of Mr. Thomas, of Davidson, laid upon the table.

A bill to incorporate the town of Morehead was then taken up and read the second time.

Mr. Arendell moved to amend the bill by striking out the words "Town of Morehead," and inserting instead thereof the words "City of Morehead," wherever they occurred; and further to amend by adding to the sixth section the words "from the terminus of the Atlantic and North-Carolina Railroad, to fifteenth street," which amendment prevailed, and the bill passed the second time.

A bill to incorporate the Orange Light Infantry was then taken up, and read the second time, and referred, on motion of Mr. Street, to the Committee on Military Affairs.

A bill to incorporate the Buncombe Riflemen, was taken up, and read second time, with the amendments reported by
the committee, which amendments were adopted, and the bill passed the second time.

On motion of Mr. Erwin, the rules were temporarily suspended for the purpose of putting the bill on its third reading; whereupon the bill was read the third time, passed and ordered to be engrossed.

An engrossed House resolution in favor of the sureties of George W. Glass, was then taken up and read the second time, and passed.

On motion of Mr. Avery, the rules were temporarily suspended for the purpose of putting the resolution on its third reading; whereupon the resolution was read the third time, passed, and ordered to be engrossed.

A bill to authorize the sureties of Geo. W. Glass to collect arrears of taxes, was then taken up and read second time, and passed.

On motion of Mr. Avery, the rules were temporarily suspended for the purpose of putting the bill on its third reading; whereupon the bill was read the third time, passed, and ordered to be engrossed.

A bill to provide for the taking the list of taxes in Oregon District in Beaufort county, was taken up, read second time, and passed.

On motion of Mr. Slaughter, the Senate adjourned until Monday at 11 o'clock, A. M.

MONDAY, DECEMBER 17, 1860.

Mr. Humphrey presented a memorial and resolutions of the citizens of Onslow county, which were read and left upon the table.

Mr. Whedbee, a memorial from the citizens of Pasquotank, which were left upon the table.

Received a message from the House, proposing to raise a joint select committee of two on the part of the Senate, and
three on the part of the House, to take into consideration whether it is the sense of the General Assembly, to adjourn over at Christmas to any definite period, and if so, when, and to what time; and that they report the same at as early day as practicable.

The proposition was concurred in, and a message was ordered to be sent to the House stating the fact, and that Messrs. Dobson and Ramsay had been appointed on the committee in behalf of the Senate.

On motion of Mr. Humphrey, the bill for the relief of the Atlantic and North-Corolina Railroad Company, was ordered to be printed.

The Speaker announced that Messrs. Dockery, Humphrey and Dickson, would constitute the Committee for the present week, on the part of the Senate on enrolled bills.

Mr. Walker introduced a bill concerning Common Schools in North-Carolina, which was read first time, passed, and ordered to be printed and referred to the Committee on Education and Literary Fund.

On motion of Mr. Avery,

Resolved, That in the judgment of this General Assembly the Federal Government has no right to coerce a seceding State, and if South Carolina, or any other State, acting in her sovereign character, through a Convention, secedes from the present Union, the federal authorities have no power, under the Constitution, to make war upon and subjugate the people of the State so withdrawing.

Resolved further, That it will be the duty of the constituted authorities of North-Carolina to resist by force the passage of federal troops through her territory to coerce and subjugate a seceding Southern State, and that North-Carolina should render active and efficient aid to such State in resisting any and all attempts at coercion by the Federal Government.

Mr. Harriss, of Franklin, introduced a bill to incorporate the Franklin Riflemen, which was read first time, passed, and referred to the Committee on Military Affairs.
Mr. Erwin, a bill to provide for the purchase of arms and munitions of war, which was read first time, and passed.

Mr. Erwin moved that the rules be suspended, and that said bill be placed upon its second and third readings.

Two-thirds not voting to suspend, the motion did not prevail. Yeas 25; nays 13.

Mr. Erwin now moved that the bill be made the special order for 12 o'clock to-morrow.

Mr. Eure moved to amend this motion by referring the bill to the Committee on Military Affairs; and upon this question Mr. Dowd demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Dickson, Dobson, Erwin, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Pitchford, Rogers, Shaw, Simmons, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Walker, Watson and Whitaker—27.

The motion did not prevail.

The question now recurring upon Mr. Erwin's motion to make the special order, Mr. Ramsay moved to amend by striking out the words "'to-morrow 12 o'clock'" and inserting the words "'Wednesday 12 o'clock.'"

The question was decided in the negative—yeas 17, nays 21.

Mr. Simpson moved to lay the bill upon the table, and Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Dickson, Dobson, Erwin, Faison, Hall, Harriss of
Franklin, Harris of Chatham, Humphrey, Pitchford, Rogers, Shaw, Simmons, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh and Whitaker—28.

So the motion was not laid upon the table.

Mr. Dowd now moved to adjourn, and the yeas and nays were demanded.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the motion did not prevail.

The question again recurring on the motion of Mr. Erwin to make the special order for 12 o'clock to-morrow was decided in the affirmative.

On motion of Mr. Arendell, the Senate adjourned until 12 o'clock to-morrow.

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TUESDAY, DECEMBER 18, 1860.

Mr. Brown presented a memorial and resolutions from citizens from Caswell county, which were read and left upon the table.

Mr. Barringer, a memorial from citizens from Cabarrus county, which was read and left upon the table.

The hour of 12 o'clock having now arrived, the Speaker announced the special order—the bill to provide for the purchase of arms and munitions of war, which was read second time.
Mr. Eure moved to amend said bill, by striking out all after the enacting clause, and inserting a substitute of the same caption, reported by the Committee on Military Affairs.

To this amendment Mr. Bledsoe proposed to amend by adding the following words, "three hundred thousand dollars, which sum may be increased to one million of dollars, if deemed necessary by the Governor and Council.

Mr. Worth moved that the bill and amendment be printed, and made the special order for the 7th day of January, 1861.

Received a message from the House transmitting a message from the Governor, stating that Hon. Robert H. Smith and I. W. Garrott, Commissioners from the State of Alabama, to confer with the State of North-Carolina upon the subject of our federal relations, had arrived, and were present in the city of Raleigh. The House also proposed to raise a joint select committee of two on the part of the Senate, and three on the part of the House, to make arrangements for their reception; and also, that the freedom of the two Houses be extended to said Commissioners, and the message of his Excellency be printed.

The proposition was concurred in.

Mr. Outlaw now moved to adjourn, and the yeas and nays were demanded.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Burton, Brown, Bledsoe, Barringer, Dickson, Dobson, Erwin, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Stubbs, Taylor of Brunswick, Taylor of Granville, Walker, Watson, Waugh and Whitaker—30.

So the question was decided in the negative.

The question now recurring on the motion of Mr. Worth,
to print the bill under consideration and make it the special order for January 7th, 1861,
Mr. Avery demanded the yeas and nays.
Those who voted in the affirmative are:
Messrs. Dowd, Romsay, Sharpe, Slaughter and Worth—5.
Those who voted in the negative are:
So the motion did not prevail.
The motion to adjourn was now renewed, and Mr. Burton demanded the yeas and nays.
Those who voted in the affirmative are:
Messrs. Dockery, Dowd, Ramsay, Sharpe and Worth—5.
Those who voted in the negative are:
So the Senate refused to adjourn.
The question now recurring on the motion of Mr. Eure, to substitute the bill recommended by the committee for the original bill.
Mr. Burton demanded the yeas and nays.
Those who voted in the affirmative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Blount, Dickson, Dobson, Dockery, Dowd, Eure, Erwin, Faison, Grist, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Outlaw, Pitchford, Rogers,

Those who voted in the negative are:
Messrs. Ramsay and Sharpe—2.
So the substitute was adopted.
The question now being the adoption of the amendment by Mr. Bledsoe.

Mr. Outlaw demanded the yeas and nays.
Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Blount, Dickson, Dobson, Dockery, Dowd, Eure, Erwin, Faison, Grist, Hall, Harriss of Franklin, Harris of Chatham, Lane, Outlaw, Pitchford, Ramsay, Rogers, Shaw, Simmons, Speight, Street, Sharpe, Slaughter, Spencer, Stubbs, Taylor of Nash, Taylor of Granville, Watson, Waugh, Walkup, Whedbee and Worth—38.

So the amendment was not adopted.

Mr. Sharpe now moved to amend as follows, viz:

Be it further enacted, That said arms when purchased shall be distributed among the counties of the State, according to the population of each county capable of bearing arms.

On the adoption of this amendment, Mr. Ramsay demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Burton, Brown, Barringer, Dickson, Erwin, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Shaw, Simmons, Simpson,

So the amendment did not prevail.

The question now being on the passage of the bill, its second reading, it was decided in the affirmative.

Mr. Avery moved to suspend the rules and put the bill upon its third and last reading.

Upon this question Mr. Sharpe demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

Two-thirds having voted in the affirmative, the rules were suspended.

The motion to adjourn was now renewed, and Mr. Simmons demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Arendell, Avery, Burton, Bledsoe, Brown, Barringer, Blount, Dickson, Dobson, Eure, Erwin, Faison, Grist, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Spencer, Stubbs, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Walker, Waugh, Whitaker and Whedbee—35.
So the Senate refused to adjourn.

The bill was now put upon its third and last reading, and pending its passage, Mr. Sharpe demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Bar-ringer, Blount, Dickson, Dobson, Dockery, Dowd, Eure, Erwin, Faison, Grist, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Slaughter, Spencer, Stubbs, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker, Walkup and Whedbee—41.

Those who voted in the negative are:

Messrs. Ramsay, Sharp and Worth—3.

So the bill passed and was ordered to be engrossed.

Mr. Avery now moved to reconsider the vote by which the bill was passed, and then moved to lay said motion upon the table.

The motion prevailed.

On motion of Mr. Brown, the Senate adjourned until 11 o'clock, to-morrow.

WEDNESDAY, DECEMBER 19, 1860.

Mr. Walkup presented a memorial and resolutions from the citizens of Anson county, which were read and left upon the table.

Pursuant to the joint order of yesterday, in regard to making arrangements for the reception of the Commissioners from Alabama, the Speaker announced that Messrs. Burton and Eure would constitute the committee on the part of the Senate, and a message was ordered to be sent to the House to that effect.

Mr. Humphrey, from the Committee on Corporations,
reported back to the Senate the bill to incorporate Fall Male and Female Academy, and recommended its passage.

Mr. Speight, from the same committee, reported back the bill to incorporate the Adam's Hill, and recommended its passage.

Mr. Thomas, of Jackson, from the Committee on Internal Improvements, reported back the bill to secure the completion of the Wilmington, Charlotte and Rutherford Railroad, and to amend the charter of the same, and recommended its passage.

On motion of Mr. Stowe, the report of the committee on said bill was ordered to be printed.

Received from the House a message transmitting a message from the Executive, accompanied by documents relative to the Cape Fear and Deep River Navigation Company, which were ordered to be printed.

Mr. Erwin presented a memorial from citizens of Yancey, Buncombe and Madison counties, relating to the Black Mountains in those counties, which were read and left upon the table.

On motion of Mr. Thomas, of Jackson, it was ordered that the Governor's Message, together with the report of Mr. Busbee upon the Albemarle and Chesapeake Canal Company, be printed.

Received a message from the House, stating that Messrs. Ransom, Hill and Merrimon had been appointed on the committee in behalf of the House, to make arrangements for the reception of the Commissioners from Alabama.

The message was concurred in.

Mr. Erwin, from the Committee on Military Affairs, reported back to the Senate the bill to incorporate the Hillsboro' Military Academy, and recommended its passage.

Mr. Ramsay, from the committee on adjournment during the Christmas holidays, reported the following resolution, to wit:

Resolved, That general leave of absence be granted to all
such members as choose to accept it, from and after Thursday, December 20th, instant, to January 7th, 1861.

Mr. Humphrey moved to amend this report by striking out the words "7th of January," and inserting the words "31st of January."

Mr. Avery moved to amend the amendment of Mr. Humphrey, by moving that the order be to grant leave of absence from Friday, the 21st of December, until Monday, 1st day January, 1861.

Upon this amendment to the amendment, Mr. Simpson demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Arendell, Bledsoe, Barringer, Blount, Dickson, Dobson, Dockery, Dowd, Faison, Grist, Harriss of Franklin, Lane, Morehead, Outlaw, Pitchford, Ramsay, Rogers, Simmons, Street, Stowe, Sharpe, Slaughter, Spencer, Stubbs, Taylor of Nash, Thomas of Davidson, Whitaker, Walkup, Whedbee and Worth—30.

So the amendment to the amendment was not adopted.

Mr. Thomas, of Jackson, now moved to amend the amendment by proposing that the order be, to grant leave of absence from and after Monday next, till the 7th day of January, 1861.

And upon this amendment he demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Arendell, Avery, Brown, Bledsoe, Blount, Dickson, Dobson, Dockery, Dowd, Faison, Grist, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Morehead, Outlaw, Pitchford, Ramsay, Rogers, Shaw, Simmons,

So the amendment to the amendment was rejected.

Mr. Pitchford now moved to strike out the words "7th of January."

The motion did not prevail.

The question now recurring on the amendment of Mr. Humphrey, was decided in the negative.

The question on the adoption of the report of the committee being now put, was decided in the affirmative, and a message was ordered to be sent to the House, stating the action of the Senate.

So leave of absence was granted to all the members, seeing proper to avail themselves of it, from and after Thursday the 20th instant, until the 7th day of January, 1861.

Mr. Erwin introduced a resolution in favor of Gasper Prichet, which was read first time, passed, and referred to the Committee on Propositions and Grievances.

On motion of Mr. Lane,

Resolved, That his Excellency, the Governor, be required to have printed for the use of the Legislature, the report of the committee appointed by the last session of the General Assembly, to examine into the management of the Atlantic and North-Carolina Railroad Company.

On motion of Mr. Sharpe,

Resolved, That the Committee on Finance be instructed to take into consideration the propriety of the exemption of ale and cider made in this State from taxation.

Mr. Outlaw introduced a preamble and resolutions calling for a general Convention of the United States, which are as follows, to wit:

WHEREAS, differences of a serious and alarming character exist between the non-slaveholding and the slave holding States of this Union—the latter complaining justly of wrongs
and aggressions on the part of the former, which threaten their peace, prosperity and happiness, and which have brought the Union itself to the verge of destruction; and whereas the great object for which the present Constitution of the United States was ordained and established, viz: "to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity," may be wholly defeated, unless those wrongs are redressed and aggressions checked by securing to the aggrieved section of the Union additional, permanent and safeguards for its Constitutional rights:

Therefore,

Resolved, That in the event the Congress of the United States, now in session, does not propose for the adoption of the several States, such amendments to the present Constitution of the Union, as will more effectually secure those rights, and protect the slaveholding States from future aggressions and wrongs from the non-slaveholding States, or in the event such amendments are proposed by Congress, but not approved by three-fourths of the States, then, in the opinion of this General Assembly, a convention of all the States should be called in accordance with the provisions of the fifth article of the Constitution of the United States; and the General Assembly doth hereby apply to the Congress of the United States, to call (upon the happiness of the events above recited) such a Convention of all the States of the Union, application therefor having been made by the requisite number of States.

Resolved, That copies of this resolution be transmitted to our Senators and Representatives in Congress to be laid before that body.

On motion, these resolutions were ordered to be printed.

Mr. Burton, from the Joint Select Committee to wait upon the Commissioners from Alabama, reported that said Commissioners had been met, and that it would be agreeable to
the same at 12 o'clock to-morrow to make a communication to the General Assembly: Therefore,

Resolved, That the two houses of the General Assembly will, on to-morrow, at 12 o'clock, meet in the hall of the House of Commons and receive said Commissioners.

Resolved, That said Commissioners, to wit: the Hon. I. W. Garrott and the Hon. R. H. Smith, be the guests of North-Carolina during their sojourn in the State.

The report of the committee was adopted, and a message was sent to the House of Commons transmitting said report and asking a concurrence in the same.

Mr. Hall introduced the following resolutions, to wit:

Resolved, That North-Carolina is devoted by attachment to a constitutional Union of the States, the Union of our fathers, and that she still hopes that it may be restored and perpetuated.

Resolved, however, That unless by the 4th day of March next, the lusts of exclusive northern sectional domination shall be quenched, and a reaction in public sentiment at the North upon the subject of slavery shall have taken place, eventuating in further, ample and complete guarantees for the protection of our rights under the Constitution, in this and all other particulars, it is the duty of North-Carolina to make common cause with her sister States of the South, and to seek her safety out of the Union.

Pending discussion upon these resolutions, Mr. Erwin introduced the following, to wit:

Resolved, That having heard of the sober and deliberate determination of South-Carolina to sever her connections with the present United States of America, we hereby tender that State our sympathy in the position she has assumed, and pledge ourselves to stand between her and the coercion of the General Government.

Mr. Sharpe moved to amend this resolution by substituting the following, to wit:

Resolved, That if South-Carolina goes out of the Union,
she goes out upon her own responsibility, and that North-
Carolina will have nothing to do with the difficulties that
may occur between her and the General Government.

Received a message from the House, concurring in the
proposition of the Senate relative to the adoption of the
report of the Joint Select Committee to wait upon the
Commissioners from Alabama.

Mr. Outlaw now moved to reconsider the vote by which
the report of the committee on adjournment during the
"Christmas holidays," moved to lay said motion upon the
table.

The question was put, and the motion to reconsider was
laid upon the table.

On motion of Mr. Dobson, the Senate adjourned until 11
o'clock to-morrow.

THURSDAY, December 20, 1860.

Received a message from the House proposing to go forth-
with into an election for Councillors of the State, and
stating that J. W. Cunningham, W. L. Hilliard, Council
Wooten, Wm. A. Ferguson, John J. Long, David Murphy
and Jesse F. Graves were in nomination; whereupon, on
motion, the following names were added to the nomination,
viz: Daniel G. Fowle, John D. Flanner, B. A. Kitrell,
J. S. Conner, D. W. Rankins, J. W. Cameron and John
Shimpock.

The proposition was concurred in, and a message sent to
the House stating that the Senate had concurred in its pro-
position, and that Messrs. Waugh and Slaughter had been
appointed to superintend the election on the part of the
Senate.

The Senate now proceeded to vote as follows:

For Messrs. Cunningham, Hilliard, &c.—Messrs. Speaker,
Avery, Burton, Brown, Bledsoe, Dickson, Dobson, Erwin,
Mr. Avery moved that the rules of the Senate be so far suspended as to prevent the Speaker from presenting any bill or resolution of a public nature to the Senate for action, from and after to-day until the 7th day of January next.

Upon this question Mr. Thomas, of Jackson, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Bledsoe, Dickson, Erwin, Simpson, Speight, Street, Thomas of Jackson and Turner—8.

So the rules were suspended.

On motion of Mr. Humphrey, the order to print the report of the commissioners appointed by the Legislature of 1858-'9, together with other accompanying documents, was reconsidered and referred to the Committee on Internal Improvements.

Upon the motion to refer, Mr. Lane demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Brown, Bledsoe, Dobson, Erwin,

Those who voted in the negative are:

So the motion to refer prevailed.

Received a message from the House, stating that the hour of 12 o'clock had arrived, and that the House, agreeable to the joint order, was in readiness to receive the Commissioners from Alabama; whereupon the Senate repaired, in order, to the Hall of the House of Commons, and said Commissioners were received and heard upon the object of their mission; after which the Senate immediately returned to its own Chamber, and resumed its session.

Mr. Harriss, of Franklin, presented a memorial and resolutions from the citizens of Franklin county, which were read and left upon the table.

Mr. Walkup, a petition and counterpetition from the citizens of the town of Monroe, in the county of Union, asking for and against an act of incorporation for said town, which, on motion of Mr. Walkup, was referred to the Committee on Corporations.

Received a message from the House, proposing to print the communication this day made to the General Assembly, by the State of Alabama, through her Commissioners.

The proposition was concurred in, and the House notified of the same.

On motion of Mr. Simpson, it was ordered that a message be sent to the House of Commons, proposing to raise a joint select committee of two on the part of the Senate, and three on the part of the House, to wait upon his Excellency, the Governor elect, and ascertain from him, when it will be agreeable to him, to appear before the two Houses of this
General Assembly and take the oath of office. It was also ordered that said committee be authorized to make suitable arrangements for the reception of his Excellency, at such time as he may designate to take the oath of office.

Received a message from the House, concurring in the above proposition, and stating that Messrs. Hill, Winstead and Bridges constitute the committee on the part of the House; whereupon the House was notified, that Messrs. Simpson and Barringer constitute the committee on the part of the Senate.

Mr. Lane, from the Committee on Propositions and Grievances, reported back the following bill and resolutions, and recommended their passage, to wit:

A bill to alter the time of opening the polls in elections at the precincts of Salisbury, Wilmington, Asheville and Lexington.

A resolution in favor of A. C. Latham, of the county of Craven.

A resolution in favor of Jonas Jenkins, of the county of Jackson.

A resolution in favor of Thomas Diggs, of the county of Anson.

Also, a bill to prevent a billiard table to be kept at the Warm Springs, in Madison county, free of taxation, and recommended that said bill do not pass.

Mr. Humphrey, from the Committee on Corporations, a bill to incorporate the Silver Mining Company in the county of Davidson, and recommended its passage.

Wr. Waugh, from the committee to superintend the election of Councillors of State, reported as follows, to wit:

J. W. Cunningham received 92; W. L. Hilliard 90; Council Wooten 81; W. A. Ferguson 88; John J. Long 88; David Murphy 88; Jesse F. Graves 88; and Daniel G. Fowle received 64; John D. Flanner 58; B. A. Kittrell 56; J. S. Conner 55; D. W. Rankins 55; J. W. Shimpock 49; scattering 5.
The whole number of votes cast, 147. Necessary to a choice, 74.

The seven first named having received a majority of all the votes cast, are, therefore, duly elected.

The Senate concurred in the report.

Mr. Stubbs introduced a bill to amend the 34th and 35th chapter of the Revised Code, entitled Crimes and Punishments and Criminal Proceedings, which was read first time, passed and referred to the Committee on the Judiciary.

Mr. Faison, a bill to alter the jurisdiction of the courts of the State and rules of pleading, for the relief of the people, which was read first time, passed and referred to the Committee on the Judiciary.

Mr. Simpson, a bill concerning the Comptroller, which was read first time, passed and referred to the Committee on Finance.

Mr. Taylor, of Brunswick, a bill to extend the time for registering deeds and other conveyances, which was read first time, passed and,

On motion of Mr. Stubbs, the rules were suspended and the bill was put upon its second and third reading.

Mr. Sharpe moved to amend as follows:

**Be it further enacted,** That deeds, powers of conveyance, of attorney, and conveyances of every kind that are now in existence, shall be registered within twelve months from this date; and all that may hereafter be executed, shall be registered within six months after their date, or the same shall be void.

The amendment was rejected, and the bill passed its second and third readings, and was ordered to be engrossed and sent to the House for concurrence.

Mr. Street introduced a bill to authorize the appointment of Special Magistrates in the county of Craven, which was read first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Stubbs, a bill for the relief of the securities of William
N. Ward, late sheriff of Martin county, which was read first time, passed and,

On motion of Mr. Stubbs, the rules were suspended and the bill was put upon its second and third readings and passed, and ordered to be engrossed.

Mr. Sharpe, a bill to set aside execution sales, which was read first time, passed and referred to the Committee on Finance.

Mr. Turner, a bill to repeal so much of section 5th, chapter 90 of the Revised Code, as exempts State bonds from taxation, which was read first time and passed.

Mr. Dowd, a bill to provide for the election of clerks and masters in equity by the people, which was read first time and passed.

On motion of Mr. Avery, the bill to diminish the costs of suits at law was recommitted to the Committee on the Judiciary.

On motion of Mr. Sharpe, the Senate adjourned until 11 o'clock to-morrow.

FRIDAY, DECEMBER 21, 1860.

A bill entitled an Act to repeal an Act of the General Assembly of 1858-'9, entitled an Act granting to the Superior Courts of Burke county original and exclusive jurisdiction of all criminal causes and State prosecutions, was signed and ratified in the presence of the Senate.

Mr. Simpson, from the joint select committee to wait upon his Excellency, the Governor, reported as follows, to wit:

That it will be agreeable to his Excellency, the Governor elect, to appear before the two Houses of the General Assembly on the first day of January, 1861. The order of arrangement for the government of the two Houses shall be as follows:

The Speakers of the Senate and House shall occupy the
position of the Speaker of the House; the Chief Justice of
the Supreme Court of the State the position of the clerks of
the House, with the Governor elect on his right, and the
Judges of the Supreme Court immediately in their front;
and in front of these shall be seated the committee of arrange-
ments; the members of the Senate will occupy the front
seats on the right of the Speaker; the left by the members
of the House of Commons. After the Governor elect shall
have taken and subscribed to the oath, and delivered his
inaugural address, the Senate will retire in order as follows:
The Governor, Judges and Committee of Arrangements
first, followed by the Speaker of the Senate at the head of
the members of the Senate.
The report was adopted.
The roll being called, the following members answered to
their names:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Bar-
ringer, Blount, Dobson, Dockery, Dowd, Eure, Erwin,
Faison, Harriss of Franklin, Morehead, Pitchford, Speight,
Street, Slaughter, Thomas of Jackson, Thomas of Davidson,
Mr. Thomas, of Jackson, introduced the following resolu-
tions:
Resolved, That in the opinion of this General Assembly,
the General Government has no power, under the Constitu-
tion, to coerce a seceding State.
Resolved, That a Convention of the people ought to be
called, to decide what policy the State should adopt with
reference to remaining in the Union with the northern
States.
Mr. Arendell presented a memorial and resolutions from
citizens of the county of Beaufort, which were read, and left
upon the table.
Mr. Brown introduced a bill to incorporate the Milton and
Yanceyville Junction Railroad Company.
Mr. Bledsoe, a bill to incorporate the Piney Woods Cavalry.

On motion of Mr. Barringer, the Senate adjourned until to-morrow 11 o'clock.

SATURDAY, DECEMBER 22, 1860.
The Speaker took the chair, and upon the roll being called, the following named Senators answered, viz:

On motion of Mr. Thomas, of Jackson, the Senate then adjourned until 11 o'clock, A. M., on Monday, the 24th December.

MONDAY, DECEMBER 24, 1860.
The Speaker took the chair, and upon the roll being called, the following named Senators answered, viz:
Messrs. Thomas of Jackson, and Waugh.

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

TUESDAY, DECEMBER 25, 1860.
The Speaker took the chair, and upon the roll being called, Mr. Thomas, of Jackson, answered, and the Senate adjourned until 11 o'clock on Tuesday morning the 26th.

WEDNESDAY, DECEMBER 26, 1860.
The Speaker took the chair, and upon the roll being called, Mr. Thomas, of Jackson, answered, and the Senate adjourned until 11 o'clock on Thursday morning.
THURSDAY, DECEMBER 21, 1860.

The Senate met at the usual hour. The Speaker in the chair.

The roll was called and Messrs. Thomas of Jackson and Dowd responded to their names.

A quorum not being present, the journal was not read.

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

FRIDAY, DECEMBER 28, 1860.

The Senate met pursuant to adjournment. The Speaker in the chair.

The roll was called, and Messrs. Dowd, Thomas of Jackson and Waugh responded to their names.

A quorum not being present the Senate adjourned until 11 o'clock to-morrow.

SATURDAY, DECEMBER 29, 1860.

The Senate met at the usual hour. The Speaker in the chair.

The roll was called and Messrs. Bledsoe, Dowd, Thomas of Jackson and Waugh responded to their names.

A quorum not being present the Senate adjourned until 11 o'clock on Monday next.

MONDAY, DECEMBER 31, 1860.

The Senate met at the usual hour. The Speaker in the chair.

The roll was called, and Messrs. Thomas of Jackson, Simpson and Waugh responded to their names.
A quorum not being present the Senate adjourned until 10 o'clock to-morrow.

TUESDAY, January 1, 1861.
The Senate met at 10 o'clock. The Speaker in the chair. The roll was called, and Messrs. Thomas, of Jackson, and Simpson responded to their names.

On motion of Mr. Thomas, of Jackson, the Senate took a recess until one quarter of an hour before 12 o'clock.

At one quarter of an hour before before 12 o'clock the Senate resumed its session.

The roll was again called, and Messrs. Humphrey, Simpson, Thomas of Jackson, Thomas of Davidson, and Walker, responded to their names. A quorum not being present,

On motion of Mr. Walker, the Senate adjourned until 10 o'clock to-morrow, and repaired to the office of his Excellency, the Governor, where the oath of office was administered by Chief Justice Pearson, in presence of the Supreme Court of the State, to his Excellency, John W. Ellis, Governor elect.

WEDNESDAY, January 2, 1861.
The Senate met at the usual hour. The Speaker in the chair.

The roll was called, and Messrs. Dowd, Humphrey, Ramsay, Simpson, Thomas of Jackson, Walker and Waugh responded to their names.

On motion of Mr. Thomas of Jackson, the Senate adjourned until 10 o'clock to-morrow.
THURSDAY, JANUARY 3, 1861.

The Senate met at the usual hour. The Speaker in the chair.

The roll was called, and Messrs. Dowd, Humphrey, Ramsay, Pitchford, Simpson, Thomas of Jackson, Walker and Waugh responded to their names. A quorum not being present,

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

FRIDAY, JANUARY 4, 1861.

The Senate met at the usual hour. The Speaker in the chair.

The roll was called, and Messrs. Dowd, Ramsay, Simpson, Thomas of Jackson, Walker and Waugh responded to their names. A quorum not appearing,

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

SATURDAY, JANUARY 5, 1861.

The Senate met at 10 o'clock. The roll was called, and Messrs. Dowd, Ramsay, Burton, Bledsoe, Thomas of Jackson, Pitchford, Simpson, Walker and Waugh, responded to their names. A quorum not being present,

Mr. Thomas, of Jackson, moved to adjourn. The motion was put, and it was ascertained that four had voted in the affirmative and four in the negative. So the Speaker gave the casting vote, and declared the Senate adjourned until eleven o'clock on Monday next.
MONDAY, JANUARY 7, 1861.

Mr. Waugh presented a memorial from citizens of Alleghany county, relative to selecting a county seat for said county, which,

On motion of Mr. Waugh, was referred to the Committee on Propositions and Grievances.

Mr. Whitaker, a memorial from a company of mounted riflemen in the county of Halifax, styled the Scotland Neck Riflemen, asking to have certain moneys refunded to them, paid out by them for arms, which was read and referred to the Committee on Military Affairs.

Mr. Burton, a memorial from Eusebius and Chapel Hendrix, asking the passage of an act permitting the removal of the remains of certain deceased children from the lands of William Vaughan, which were read and referred to the Committee on Propositions and Grievances.

Mr. Dickson, a memorial from the citizens of Rock Fish District, having reference to federal affairs, which was read and referred to the Committee on Military Affairs.

Mr. Burton, a memorial from citizens of the county of Cleveland, relative to federal affairs, which was read and left upon the table.

Mr. Harris, of Chatham, a memorial from the town of Haywood, which was read and left upon the table.

Received a message from the House, transmitting from the Governor the letter of Mr. Thompson, Commissioner from the State of Mississippi, with a proposition to print.

The proposition was concurred in.

On motion of Mr. Bledsoe, the bill authorizing and empowering the Governor to call a Convention of the people of the State, was referred to a committee of the whole, and ordered to be made the special order for 12 o'clock on Wednesday next.

Received a message from the House, proposing to raise a joint select committee on slaves and free persons of color.

The proposition was concurred in, and the Speaker
appointed on said committee, Messrs. Hall, Eure, Burton, Morehead and Pitchford.

Received a message from the House, transmitting the following engrossed bills and resolutions passed by that body, and asking concurrence in the same, to wit:

A resolution in favor of D. C. Lilly.

A bill to allow less than a majority of the magistrates to transact the county business of Iredell county.

A resolution to allow J. H. Gooch and Esly Staly, former sheriff of Wilkes, to collect taxes in the county of Granville.

A bill to consolidate the various acts heretofore passed, to incorporate the town of Statesville; all of which were read first time, passed and referred as follows:

The resolution in favor of D. C. Lilly, and the resolution to allow J. H. Gooch, and Esly Staly, former sheriff of Wilkes, to collect taxes in the county of Granville, to the Committee on Propositions and Grievances.

The bill to allow less than a majority of the magistrates to transact the county business of Iredell county, to the Committee on the Judiciary.

The bill to consolidate the acts incorporating the town of Statesville, in the county of Iredell, to the Committee on Corporations.

Mr. Walker introduced a bill to incorporate the State Educational Association of North-Carolina, which was read first time, passed, and,

On motion of Mr. Walker, was referred to the Committee on Education and the Literary Fund.

Mr. Street, a bill to amend the charter of the town of Newbern, which was read first time, passed and referred to the Committee on Corporations.

Mr. Bledsoe asked for the reading of the bill introduced by himself to incorporate the Piney Woods Cavalry, which was read the first time and passed.

Mr. Brown asked for the reading of the bill offered by himself to incorporate the Milton and Yanceyville Junction.
Railroad, which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Waugh introduced a bill to amend section 7th, chapter 4th of an act passed at session 1858-'59, to lay off and establish the county of Alleghany, which was read the first time, passed and referred to the Committee on Propositions and Grievances.

A message was ordered to be sent to the House transmitting an engrossed bill to incorporate the Salem and Thomasville Turnpike Road, in which the concurrence of the House was asked.

The Speaker presented the reply of the Treasurer to the resolutions of the Senate calling upon him for information as to the sale of certain coupon bonds, and the items making up a certain amount of contingencies spoken of in the Treasurer's report, which was read, and on motion of Mr. Avery was ordered to be transmitted to the House with a proposition to print.

Mr. Thomas, of Jackson, offered a series of resolutions in regard to Federal Affairs, which were read and ordered to be printed.

The unfinished business of Thursday and Friday, the 20th and 21st of December, was now taken up and the resolutions of Mr. Hall and those of Mr. Thomas, of Jackson, with amendments, were referred to the Committee on Federal Relations.

Mr. Taylor, of Brunswick, presented a memorial from citizens of Brunswick County in regard to Federal Affairs, which was read and referred to the Committee on Federal Relations.

The bill to amend chapter 61 of the Revised Code, which was read the second time and rejected.

Mr. Avery, from the Committee on the Judiciary, presented the following report, which was adopted, to wit:

The Committee on the Judiciary, to whom was referred the following bills in relation to slaves and free persons of color, to-wit: "A bill in regard to the hiring of slaves," No. 10
"A bill to regulate the free negroes in this State," No. 44.
"A bill to permit free persons of color to select their own masters and become slaves," No. 29; And "A bill to bind out certain free persons of color," No. 9, have instructed me to report said bills back to the Senate and ask to be discharged from the further consideration of the same.

A joint select committee having been raised by the two Houses of the General Assembly, to whom all propositions relating to slaves and free persons of color, are to be referred,

The committee conceived that the consideration of the above mentioned bills appropriately belongs to that committee.

the bill to incorporate Morehead City was now taken up, read second time, and amended as follows: The first section, after the word government, insert the words "Provided, That said commissions, or a majority of them, shall not lay a tax of more than fifty cents on the poll or on the one hundred dollars valuation of real estate.

Pending the passage of the bill, by request of Mr. Morehead, it was postponed until Saturday next.

Mr. Turner now offered the following resolutions, to-wit:

Resolved, That the Governor be requested to inform the Senate, if any portion of the citizens of North-Carolina have consulted him upon the propriety of taking possession of the forts of the United States, in North-Carolina. If so, who said citizens are, and what were the propositions made.

Resolved, That the Governor be further requested to inform the Senate whether he is advised of any plan by which said forts are to be occupied on or before the 4th day of March next by any authority or force other than that of the United States.

Mr. Avery moved that these resolutions be laid upon the table.

Upon this motion, Mr. Turner demanded the yeas and nays.
Those who voted in the affirmative are:

Those who voted in the negative are:

So the resolutions were laid upon the table.
Mr. Simpson gave notice that on to-morrow he would make a motion to change the hour of the Senate's meeting.
On motion of Mr. Avery, the Senate adjourned until 11 o'clock to-morrow.

TUESDAY, January 8, 1861.
Mr. Avery, from the Committee on the Judiciary, reported back to the Senate the bill to pay back to the banks certain moneys improperly collected from them, and asked to be discharged from its further consideration.

On motion of Mr. Humphrey, and upon explanation being made, the bill was recommitted to the same committee.

On motion of Mr. Simpson,
Resolved, That the Committee on Finance be instructed to inquire into the expediency of so amending the Revenue Law, as to reduce the tax on merchants and negro traders from one-half of one per cent. to one-fourth of one per cent., and that they report by bill or otherwise.

Mr. Ramsay offered the following resolution, to wit:
Resolved, That the Governor of the State be requested to cause the National Flag to be erected on the Capitol during the session of the General Assembly.
Mr. Burton moved that the resolution be laid upon the table.

Upon this question Mr. Rarasay demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the resolution was laid on the table.

On motion of Mr. Dickson,

Resolved, That in view of the present startling condition of our federal relations, it is inexpedient to tax arms of any kind, and that the Committee of Finance be, and they are hereby requested to consider the propriety and necessity of abolishing the tax on revolvers and Bowie knives, and that they report by bill or otherwise.

On motion of Mr. Street,

Resolved, That the joint Committee on Finance be requested to inquire into the expediency of taxing the hire of slaves, and that they report by bill or otherwise.

Received a message from the House, concurring in the proposition of the Senate, to print the reply of the Treasurer to resolutions of the Senate.

Mr. Walker introduced a bill to provide for the establishment of schools for the instruction of Common School teachers, which was read first time, passed, and referred to the Committee on Education and the Literary Fund.

On motion of Mr. Humphrey, the Journal of December 20, 1860, was so amended as to refer the report of the
Commissioners on the Atlantic and North-Carolina Railroad, appointed by the Legislature of 1858-'9, to a joint committee of both Houses, whose duty it shall be to decide upon what portion of said report is expedient to have printed, instead of the Committee on Internal Improvements, as set forth in the journal of the date above named; and, also, a message was ordered to be sent to the House, proposing to raise said committee.

Mr. Stowe introduced a bill to amend an act incorporating the town of Lincolnton, which was read first time, passed, and referred to the Committee on Corporations.

Received a message from the House, transmitting an engrossed resolution in favor of Edward Yarborough, which was read first time, passed, and,

On motion of Mr. Burton, the rules were suspended and said resolution was put upon its second and third readings, passed, and was ordered to be enrolled.

Mr. Whedbee introduced a bill to incorporate Friendship Fire Company No. 3, in the town of Elizabeth City, which was read first time, passed, and referred to the Committee on Corporations.

Mr. Simpson, in obedience to notice given on yesterday, now moved to change the hour of the Senate’s meeting each morning, from the hour of 11 o’clock, to the hour of 10 o’clock.

The motion prevailed.

The following bills and resolutions on third reading were taken up, to wit:

A bill to authorize and empower Q. H. Allen, late sheriff of Brunswick county, to collect arrears of taxes due said sheriff.

A resolution in favor of John Pate.

A bill to authorize and empower the securities of William Pollock, late sheriff of the county of Jones, to collect arrears of taxes.
A bill to amend 3d section of the 8th chapter of the Revised Code, entitled "Pilots;" all of which were read the third time, passed and ordered to be engrossed and sent to the House of Commons for concurrence.

The bill to amend chapter 101 Revised Code, was read third time and rejected.

Received a message from the House, transmitting a report on the Western North-Carolina Railroad with a proposition to print.

On motion of Mr. Bledsoe, the proposition to print was laid upon the table.

Received a message from the House, transmitting an engrossed bill, entitled "A Bill to authorize the holding a Court of Oyer and Terminer in the county of Caswell," which was read first time, passed, and,

On motion of Mr. Brown, the rules were suspended, and said bill was put upon its second and third readings, passed, and was ordered to be enrolled.

On motion of Mr. Dockery, the joint rules for the government of both Houses was amended by adding as a substitute for the 8th rule, to wit:

After examination the committee on enrolled bills shall report them to the House of Commons for the signature of the Speaker of the House, after which they shall be transmitted by message to the Senate for ratification by the Speaker thereof, who shall then deliver them to the Secretary of the State, and reports from committee on enrolled bills shall always be in order.

On motion of Mr. Avery, the message and report on the Western North-Carolina Railroad was now taken up and ordered to be printed.

The following bills and resolutions were read second time and passed, to wit:

A bill to prohibit the emancipation of slaves by will.

A bill to prevent the felling of timber in the streams of
Wickacon Creek, Bear Swamp, Stony Creek, and Ahoskie Swamp.

A bill to repeal an act passed at the session of 1858-'9, concerning Cherokee and Robeson counties.

Received a message from the House, stating that Messrs. Henry, McMillan, Kelly, Patterson and Cannady were appointed on behalf of the House, a committee on enrolled bills for the present week.

Mr. Turner offered a series of resolutions, approving of the proposition of Hon. John J. Crittenden, offered in the Senate of the United States, proposing an amendment to the Federal Constitution, which was read and ordered to be printed.

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

WEDNESDAY, January 9, 1861.

The Senate met pursuant to adjournment.

The Journal was read.

Received a message from the House stating that Messrs. Merrimon, Williams, Patterson, Lemonds and Yates constitute the House branch of the committee on enrolled bills for the present week.

Mr. Street presented a memorial from citizens of Craven County, which was read and left upon the table.

Mr. Waugh, a memorial from citizens of Forsyth County, which was read and left upon the table.

Mr. Winstead, a memorial from citizens of Person County, which was read and left upon the table.

Mr. Worth, a memorial from citizens of Randolph County, which was read and left upon the table.

Mr. Avery, a memorial from citizens of Caldwell County, which was read and left upon the table.

Mr. Taylor, of Nash, a memorial from citizens of Nash, which was read and left upon the table.
Mr. Turner, a memorial from citizens of Orange County, which was read and left upon the table.

The hour of 12 o’clock having now arrived, the Speaker announced the special order to consider the bill authorizing and empowering the Governor to call a Convention of the people of the State in Committee of the Whole.

On motion of Mr. Ramsay, the special order was deferred for fifteen minutes, to give time for the reading of the memorials from citizens of Rowan, which was read and left upon the table.

At 2½ o’clock the committee arose, and through its Chairman reported progress, and asked leave to sit again at the hour of 11 o’clock to-morrow.

On motion, leave was granted.

Mr. Bledsoe introduced a bill for the protection of citizens and property of the State.

On motion of Mr. Sharpe, the bill that had been offered in Committee of the Whole as a substitute for the bill authorizing and empowering the Governor to call a Convention of the people of the State, was ordered to be printed.

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

THURSDAY, January 10, 1861.

The Senate met pursuant to adjournment.

The Journal was read.

Mr. Humphrey, from the Committee on Corporations, reported back to the Senate the bill to consolidate the various acts heretofore passed to incorporate the town of Nedell, and recommended its passage.

Mr. Lane, from the Committee on Corporations and Grievances, reported back the following bills and resolutions, to-wit:

A bill to authorize and empower Washington Harriss, late sheriff of Franklin county, to collect arrears of taxes, and
recommended its passage, with the following amendment, viz: strike out the words, "during his term of office," and insert the words, "since the first day of October, 1856."

A bill for the relief of Davidson College, and recommended its passage.

A resolution in favor of D. C. Linly, and recommended its passage.

A bill to authorize and empower Edward D. Hall, late sheriff of New Hanover county, to collect arrears of taxes, and amended as follows, and recommend its passage, to-wit: strike out the words, "during his term of office," and insert instead thereof, "since the 1st day of October, 1861."

A resolution to allow J. H. Gooch to collect taxes in the county of Granville, and Esley Staley, former sheriff of Wilkes county, and amended as follows, to-wit: the provisions of this resolution shall not extend to any tax due and payable prior to the first day of October, 1856, and with this amendment, recommended its passage.

A resolution in favor of Jasper Picket, and recommended its passage.

Mr. Bledsoe, from the Committee on Claims, reported back a bill to authorize J. T. Bostick, late sheriff of Richmond county, to collect arrears of taxes for the years 1857 and 1858, and recommended its passage.

Mr. Walker, from the Committee on Education and the Literary Fund, reported back the bill to incorporate the State Educational Association of North-Carolina, and recommended its passage.

Mr. Brown, from the joint select committee on federal relations, to whom was referred Senate resolution No. 17, on federal relations, reported as follows, to wit:

1. Resolved, That in the judgment of this General Assembly the Federal Government has no right to coerce a seceding State, and South-Carolina and Florida, acting in their sovereign characters, through conventions, having seceded from the present Union, the federal authorities have no
power under the Constitution, to make war upon and subjugate these States, or any other State which may hereafter adopt like action.

2. Resolved, That it will be the duty of the constituted authorities of North-Carolina, to resist by force the passage of federal troops through her territory to coerce and subjugate a seceding Southern State, and that North-Carolina ought to resist any attempt at coercion, whether by land or sea, by all the means in her power.

The report was ordered to lay upon the table.

Mr. Ramsay presented a memorial from citizens of Davie county, which was read and left upon the table.

Mr. Walker introduced a bill for the protection of stock, which was read first time, passed, and referred to Committee on Agriculture.

Mr. Dowd, a bill for the better regulation of the town of Carthage, which was read first time, passed, and referred to the Committee on Corporations.

Mr. Whedbee, a bill to incorporate the Independent Grays of the town of Elizabeth City, which was read first time, passed, and referred to the Committee of Military Affairs.

Mr. Blount, a bill to permit John Conner, a free man of color, to become a slave, which was read first time, passed, and referred to the Committee on Propositions and Grievances.

Mr. Arendell, a bill to incorporate Old Topsail Riflemen, read first time, passed, and referred to Committee on Military Affairs.

Mr. Hall, a bill to repeal so much of second article, fourth section of the amended Constitution of North-Carolina, as prohibits persons of the Jewish or Israelitish faith from holding offices of profit or trust in the State, which was read and ordered to be printed and referred to the Committee on Constitutional Reform.

The hour of eleven o'clock having now arrived, the Speaker announced the special order to go into Committee of the
Whole, to consider the bill to authorize and empower the Governor to call a Convention of the people of the State; so the Senate resolved itself into a Committee of the Whole.

At 3½ o'clock the committee arose, and through its Chairman, Mr. Speight, reported progress and asked leave to sit again to-morrow at eleven o'clock, which was granted.

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

FRIDAY, January 11, 1861.

The Senate met pursuant to adjournment.

The Journal was read.

Mr. Watson presented a memorial from citizens of Johnson county, which was read and left upon the table.

Mr. Walkup, a memorial from citizens of Anson county, which was read and left upon the table.

Mr. Blount, a memorial from citizens of Pitt county, which was read and left upon the table.

Mr. Whedbee, a memorial from citizens of Pasquotank, in relation to Military Affairs, which was referred to the Committee on Military Affairs.

Mr. Brown, from the Committee on Banks and Currency, reported back the bill to incorporate the Bank of Thomasville, and recommended its passage.

Received a message from the House, stating that the House had concurred in the proposition of the Senate in regard to the printing of the report of the commissioners on the Atlantic and North-Carolina Railroad, and that Messrs. Clark, Wooten and Mendenhall, had been appointed the House branch of the committee; whereupon, the Speaker, on the behalf of the Senate, appointed Messrs. Humphrey and Lane.

Mr. Humphrey, from the Committee on Corporations,
reported back the bill to amend the charter of the town of Newbern, and recommended its passage.

Mr. Eure introduced a bill to incorporate the Albemarle Guards, which was read first time, passed, and referred to the Committee on Military Affairs.

Mr. Erwin, from the Committee on Military Affairs, moved that the bill to revise and amend the militia system of North-Carolina be printed.

The motion prevailed.

The bill to prevent the felling of timber in the streams of Wickacon Creek, Bear Swamp, Stony Creek and Ahoskie Swamp, was put upon its third reading, and,

On motion of Mr. Slaughter, was amended as follows, viz:
After the words "felling of timber," wherever they occur, add the words, "or otherwise obstruct the water."
So, with this amendment, the bill passed, and was ordered to be engrossed, and sent to the House for concurrence.

The hour of 12 o'clock now having arrived, the Speaker announced the special order to go into Committee of the Whole, to consider the bill to authorize and empower the Governor to call a Convention of the people of the State.

The Senate thereupon resolved itself into Committee of the Whole.

At the hour of 11 o'clock, 15 minutes, a message was received from the House of Commons.

At 3½ o'clock the committee arose, reported through its chairman, Mr. Speight, progress, and asked leave to sit again to-morrow at 12 o'clock, which was granted.

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

SATURDAY, JANUARY 12, 1861.

The Senate met pursuant to adjournment.

The Journal was read.
Received a message from the House, concurring in the proposition of the Senate to amend the joint rules for the government of both Houses of the General Assembly.

Received a message from the House, asking concurrence of the Senate in a proposition to print statements of the Bank of Wadesboro'.

On motion, said message was laid upon the table, and the statements were ordered to be referred to the Committee on Banks and Currency.

Received a message from the House, transmitting the following enrolled bills and resolutions, and stating that the same had been signed by the Speaker of the House, and asking the ratification of the same by the signature of the Speaker of the Senate, to wit:

An act to authorize the holding of a Court of Oyer and Terminer in the county of Caswell.

An act to provide for the purchase of arms and munitions of war.

An act to authorize and empower the securities of William Pollock, late sheriff of the county of Jones, to collect arrears of taxes.

A resolution in favor of Edward Yarborough.

All of which were ratified and signed in the presence of the Senate.

Mr. Shaw presented a memorial from citizens of Cumberland, which was read and left upon the table.

Mr. Walkup, a memorial from citizens of Wadesboro', which was read and left upon the table.

Mr. Lane, from the Committee on Propositions and Grievances, reported back the bill to lay off and establish a new county by the name of Clay, and recommended it with the following amendment, to wit:

In first section strike out all after the word "shoal," and insert the following: thence across the Hiawassee River; thence a southward direction so as to strike the point of the ridge that divides the waters of the Little Brasstown Creek.
and the Big Brasstown Creek; thence southward to the point of the ridge; thence along the highest point of the ridge between the Little Brasstown and Pine Log Georgia line; thence east with the Georgia line to the beginning.  

Mr. Turner introduced the following preamble and resolution, to wit:

Whereas, The Senate of North-Carolina has heard with regret and profound astonishment, that military companies, composed of the citizens of North-Carolina, have seized upon and taken armed possession of Fort Caswell, one of the forts of the United States, at the mouth of the Cape Fear River; therefore,  

Resolved, That His Excellency, the Governor, be requested to communicate to the Senate all the information he may possess relative to the capture of said fort; and also, whether before the capture of said fort he had not been consulted and advised with upon the subject; and if so, by what citizens, their names, and places of residence.  

Mr. Avery moved that said preamble and resolutions be laid upon the table.  

Upon this motion, Mr. Turner demanded the yeas and nays.  

Those who voted in the affirmative are:  
Messrs. Avery, Burton, Brown, Barringer, Dickson, Dobson, Erwin, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Rogers, Shaw, Simpson, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Waugh and Whitaker—25.  

Those who voted in the negative are:  

Mr. Thomas, of Davidson, moved to reconsider the vote by which the preamble and resolution of Mr. Turner were just laid on the table.
Mr. Avery moved that said motion be laid upon the table.
Mr. Thomas then withdrew the motion to reconsider.
Mr. Thomas, of Jackson, then moved to take the preamble and resolutions from the table.
The Speaker decided that no business having intervened, the motion was out of order.
Mr. Thomas, of Davidson, then moved to adjourn.
The motion did not prevail.
Mr. Thomas, of Jackson, now moved to reconsider the motion by which said preamble and resolution were laid on the table, and the motion was entertained.
Received a message from the House, transmitting an engrossed resolution to relieve the securities of John L. Wilier, late sheriff of Bladen county, and asking the concurrence of the Senate in the same.
Received a message from the House, proposing that Saturday next shall be set apart for the appointment of magistrates.
The Senate concurred in the proposition.
The hour of 12 o'clock having arrived, the Speaker announced the special order to go into committee of the whole, to consider the bill proposing to call a Convention.
On motion of Mr. Worth, the special order was postponed until Monday next, 11 o'clock. Yeas 12; nays 18.
Mr. Eure introduced a bill to prevent the sale of spirituous liquors within two miles of Reynolds College, in the county of Gates, which was read first time, passed and referred to Committee on Corporations.
Mr. Dowd, a bill to amend an act passed at the session of 1856-'57, entitled an Act to provide for the payment of State jurors, which was read first time, passed and referred to the Committee on the Judiciary.
Mr. Hall, a bill to amend an act entitled an Act to incorporate the Bank of Wilmington, which was read first time, passed and referred to the Committee on Banks and Currency.
Mr. Humphrey, a bill to authorize and empower Mr. S. F
Redd to collect arrears of taxes, which was read first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Sharpe, a bill to construct a public road from Statesville, in Iredell county, to Wilkesboro', in Wilkes county, which was read first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Worth, a bill to establish the Bank of Alamance, which was read first time, passed and referred to the Committee on Banks and Currency.

On motion of Mr. Spencer, the bill providing for the holding of courts of Oyer and Terminer, the rules being suspended, was put upon its second and third reading.

Mr. Worth moved to amend said bill by adding the following additional clause, to wit:

*Be it further enacted, That the provisions of this bill have application only to the county of Caswell.*

The amendment was rejected.

After considerable discussion the bill passed, and was ordered to be enrolled.

Mr. Spencer introduced a bill to authorize and empower Samuel Brooks, late sheriff of Hyde county, to collect arrears of taxes due him from the year 1855, which was read first time, passed and referred to the Committee on Propositions and Grievances.

Received a message from the House, transmitting the following act, to wit:

*An Act for the relief of the securities of William W. Ward, late sheriff of Martin county, for the signature of the Speaker.*

Mr. Bledsoe introduced the following resolutions, to wit:

*Resolved, That this General Assembly, without expressing any opinion upon the right of secession or the policy heretofore adopted by the General Government, appeals to the President to withdraw the Government troops from the Atlantic and Gulf States, and that he use his influence in*
favor of a suspension of the execution of the Revenue Laws, so far as they apply to States which have or may declare themselves out of the Union, for the purpose of preventing a collision between those States and the General Government, and to give the time necessary for an honorable and peaceful adjustment of pending difficulties between the North and South.

Resolved, That we appeal to those States which have or may declare themselves out of the Union, to exercise in a spirit of conciliation, all the forbearance consistent with their honor and safety, to prevent a collision between themselves and the General Government.

Resolved, That the Governor be, and is hereby requested to forward a copy of these resolutions to the President and the Governors of those States which have, or may declare themselves out of the Union.

Pending the passage of said resolutions, the Senate adjourned until 10 o'clock on Monday next.

MONDAY, JANUARY 14, 1861.
The Senate met pursuant to adjournment.
The Journal was read.
Mr. Ramsay introduced a bill to ascertain the voice of the people, upon the propriety of holding a Convention, and for other purposes, which was read, and,
On motion of Mr. Ramsay, was ordered to be printed.
Mr. Turner introduced a resolution, condemning the action of certain citizens of North-Carolina, who have seized upon Fort Caswell, one of the forts of the United States, at the mouth of Cape Fear River.
Pending action on said resolution, the Speaker announced that the hour of eleven o'clock had arrived, and that the special order of the day was to go into Committee of the
Whole to consider the bill proposing to call a Convention of the people of the State.

Received a message at 3½ o'clock from the House, transmitting an engrossed resolution upon federal relations, and asking the immediate consideration of the same.

On motion of Mr. Sharp, the committee arose, and through its chairman, Mr. Speight, reported progress and asked leave to sit again to-morrow at eleven o'clock, and the same was granted.

Mr. Turner offered the following amendment to the engrossed resolution from the House, on federal relations, to wit:

Resolved, That the Hons. Thos. Ruffin and William A. Graham be, and the same are hereby appointed, Commissioners to visit the President of the United States, and the Governor of South-Carolina, and communicate to them the sentiment of the Assembly, as expressed in these resolutions.

Mr. Humphrey moved to lay the resolution and amendment upon the table.

Pending action to lay on the table, Mr. Outlaw moved to adjourn until ten o'clock to-morrow, and the motion prevailed.

TUESDAY, JANUARY 15, 1861.

The Senate met at the usual hour.

The Journal was read.

Mr. Turner introduced a memorial from T. P. and J. Devéroux, which was read and referred to the Committee on Propositions and Grievances.

Mr. Bledsoe, a resolution passed by the State Agricultural Society, which was read and referred to the Committee on Agriculture.

Mr. Avery, a memorial from citizens of Burke county, and on motion of Mr. Avery said memorial was ordered to be transmitted to the House of Commons.
The Speaker announced that Messrs. Outlaw, Pitchford, and Ramsay, constitute the Senate branch of the committee for the present week on enrolled bills.

Mr. Outlaw asked to be excused from service on said committee. No objection being made, the Senator was excused and Mr. Rogers was appointed in his stead.

Mr. Dobson presented a memorial from citizens of Alleghany county in regard to the establishment of a county seat for said county, which, on motion of Mr. Dobson, was referred to the Committee on Propositions and Grievances.

Mr. Avery, from the Committee on the Judiciary, reported back the bill to pay back to the banks certain moneys improperly collected from them, and recommended its passage.

Mr. Turner moved that the special order to go into the Committee of the Whole, at the hour of 11 o'clock to-day, be postponed until the hour of 12 o'clock. The question was decided in the negative.—Yeas 12; nays 18.

Mr. Turner introduced resolutions proposing to send Hons. Thomas Ruffin and Wm. A. Graham as commissioners to South-Carolina, to communicate with her in regard to our federal relations, which were read first time and passed.

Mr. Bledsoe, resolutions on federal relations, which were read first time and passed.

The hour of 12 o'clock having now arrived, Mr. Morehead moved that the special order be postponed until the morning business be dispatched.

The motion prevailed.

Mr. Hall gave notice that on to-morrow he would move to amend the rules for the government of the Senate.

Mr. Street introduced resolutions on federal relations, which were read.

Mr. Morehead, resolutions on federal relations, which were read; and,

On motion of Mr. Sharpe, the resolutions were ordered to be printed.

On motion of Mr. Waugh,
Resolved, That the joint committee on Finance be, and they are hereby instructed to enquire into the propriety of amending chapter 25 of Session of 1858-'9, entitled "Revenue," so as to exempt from Merchants' tax on their purchases all tax on the following necessaries of life, to wit: sugar, coffee, molasses, salt and iron.

Also, that clause 4th, paragraph 24th, section 82, be so amended as to reduce the tax on pedlers of spirituous liquors from forty dollars to ten dollars.

Also, so much of clause 17th, section 27th, of schedule A, as imposes a tax of five per cent. on wines and cordials made in this State.

Mr. Walker introduced a bill to incorporate Sheron Rifle Company, which was read first time, passed and referred to Committee on Military Affairs.

Mr. Burton, a bill to permit persons to remove the remains of their deceased relations, buried upon the lands of others, which was read and referred to the Committee on Propositions and Grievances.

Mr. Taylor, of Granville, a bill to allow the Raleigh and Gaston Railroad Company to increase its capital stock, which was read first time, passed and referred to the Committee on Internal Improvements.

Received a message from the House, stating that Messrs. Watson, Green, Potts and Winslow, had been appointed the House branch of the committee for the present week on enrolled bills.

Mr. Shaw introduced a bill to incorporate the Fayetteville Savings Bank, which was read first time, passed and referred to the Committee on Banks and Currency.

Mr. Turner, a bill concerning the Banks, which was read first time, passed, and referred to the Committee on Banks and Currency.

The morning business having been now gone through with, the Senate resolved itself into a Committee of the Whole for the further consideration of the bill proposing to call a Convention of the people of the State.
At 4 o'clock the committee arose, and through its chairman, Mr. Speight, reported progress, and asked leave to sit again to-morrow at 11 o'clock.

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

WEDNESDAY, January 16, 1861.

The Senate met pursuant to adjournment.

The Journal was read.

Mr. Barringer presented a memorial from citizens of Stanly county, which was read and left upon the table.

Mr. Dobson, a memorial from citizens of Yadkin county, which was read and left upon the table.

Mr. Worth, a memorial from citizens of Alamance, which was read and left upon the table.

Mr. Shaw, a memorial from certain citizens of Cumberland county, asking the suspension of the execution law for the collection of debts, which was read and left upon the table.

Mr. Turner introduced a resolution to provide for the furnishing of the Hillsboro' Military Academy with arms, which was read first time, passed and referred to the Committee on Military Affairs.

Mr. Worth, a bill to incorporate Riddix Creek Mining Company, which was read first time, passed and referred to the Committee on Corporations.

Received a message from the House, transmitting the following bills and resolutions, which were read first time, passed and referred as follows, to wit:

A bill to prevent obstruction in Salmon creek, which was read first time and passed.

A bill for the protection of the Haywood Male and Female Academy, which was read first time, passed and referred to the Committee on the Judiciary.

A bill for the relief of Daniel Dougherty, which was read
first time, passed and referred to the Committee on Propositions and Grievances.

A bill to change the place of holding the Court of Wardens of Northampton county, which was read first time and passed.

A bill to extend the time of perfecting titles to land heretofore entered, which was read first time and passed.

A resolution in favor of Daniel Willis and David Lewis, which was read first time, passed and referred to the Committee on Propositions and Grievances.

A resolution concerning arms, which was read first time and passed.

On motion of Mr. Bledsoe, the rules were suspended, and the resolution concerning arms was put upon its second and third readings, passed and ordered to be enrolled.

The hour of 11 o'clock having now arrived, the Speaker announced the special order to go into Committee of the Whole for the further consideration of the bill proposing to call a Convention of the people of the State.

At fifteen minutes till 3 o'clock the committee arose, reported through its chairman, Mr. Speight, that the substitute bill, offered by Mr. Avery for the bill authorizing and empowering the Governor to call a Convention of the people of the State, had been adopted, as recommended by Messrs. Avery and Humphrey.

On motion of Mr. Humphrey, further consideration of the bill was postponed until 11 o'clock to-morrow.

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

THURSDAY, JANUARY 17, 1861.

The Senate met pursuant to adjournment.

The Journal was read.

Mr. Turner presented a memorial from citizens of Orange county, which was read and left upon the table.
Mr. Ramsay, a memorial from citizens of Rowan county, which was read and left upon the table.

Mr. Lane, from the Committee on Propositions and Grievances, reported back the following bills and recommended their passage, to wit:

A bill to permit persons to remove the remains of their deceased relatives, when buried upon the lands of others.

A bill to prevent the sale of spirituous liquors within two miles of Reynoldson Male and Female Academy, in the county of Gates.

A bill to permit John Conner, a free person of color, to become a slave.

A bill to authorize and empower Samuel Brooks, late sheriff of Hyde county, to collect arrears of taxes due him for the year 1855.

A bill to construct a public road from Statesville, in the county of Iredell, to Wilkesboro', in the county of Wilkes.

A bill to authorize and empower M. F. F. Redd to collect arrears of taxes.

Mr. Brown, from the Committee on Banks and Currency, reported back the bill to incorporate the Fayetteville Savings Bank, and recommended its passage.

Mr. Brown, in behalf of the same committee, reported back sundry bank statements, and asked that said statements be printed, and that the committee be discharged from their further consideration.

The report was adopted, and the committee discharged from further consideration of said statements.

Mr. Barringer introduced a bill concerning currency, which was read first time, passed and referred to the Committee on the Judiciary.

Mr. Dobson, a bill to change the place of comparing the polls in the forty-fourth Senatorial District, which was read first time and passed.

On motion of Mr. Lane, the bill to prevent the obstruction of Salmon Creek was referred to the Committee on Propositions and Grievances.
Mr. Worth introduced a bill to enable the Western Railroad Company to extend their road from the Coal Fields to the North-Carolina Railroad, which was read first time, passed and referred to the Committee on Internal Improvements.

Received a message from the House, transmitting an act concerning courts of Oyer and Terminer, signed by the Speaker of the House, and asking the signature of the Speaker of the Senate to the same, which was signed and ratified in the presence of the Senate.

The hour of 11 o'clock having arrived, the Speaker announced the special order to take into consideration the bill proposing to call a Convention of the people of the State.

Mr. Morehead offered the following amendment to the substitute adopted and reported by the Committee of the Whole to the bill proposing to call a Convention of the people of the State, to-wit: In section 1st, line 7th, insert after the word, "ordering," the following: Polls to be open on the third Monday of March next at all the election precincts in the State, and requesting all the qualified voters for members to the House of Commons of this State to attend said polls and vote for or against an open, an unrestricted convention. Those favoring such a convention to vote "convention." Those opposed to such convention to vote "no convention." And it shall be the duty of the Sheriffs of the State to open said polls, at said precincts, under the same rules, regulations, and restrictions as are required at elections for members of the General Assembly. And it shall be the duty of every sheriff to return, forthwith, to the Governor of the State, carefully sent up, a true statement of the number of votes given in his county; therein clearly and accurately designating the number of votes for "convention," and the number for "no convention."

Upon this amendment Mr. Brown demanded the yeas and nays.

Those who voted in the negative are:

Messrs. Arendell, Avery, Burton, Bledsoe, Brown, Barringer, Blount, Dickson, Dobson, Dockery, Eure, Erwin, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Outlaw, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Slaughter, Spencer, Taylor of Nash, Taylor of Granville, Thomas of Jackson, Thomas of Davidson, Walker, Watson, Whitaker and Winstead—38.

So the amendment was rejected.

Mr. Eure now presented a new bill, which had been previously read for information, entitled "A Bill concerning a Convention of the people," which, on motion of Mr. Eure, was adopted in stead of the substitute offered by Mr. Avery, as a substitute for the original bill to authorize and empower the Governor to call a Convention of the people of the State.

Pending the vote upon this question, Mr. Brown demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Brown, Bledsoe, Barringer, Dickson, Dobson, Faison, Lane, Rogers, Shaw, Speight, Stowe, Taylor of Nash, Turner, Walker and Watson—16.

On motion, further consideration of the bill was postponed until 11 o'clock to-morrow.

On motion of Mr. Outlaw, the Senate adjourned until 10 o'clock to-morrow.
FRIDAY, January 18, 1861.

The Senate met pursuant to adjournment.

The Journal was read.

Mr. Eure presented a memorial from citizens of Gates county, which was read and left upon the table.

Mr. Shaw, a petition from citizens of Cumberland county, asking the passage of a law concerning free persons of color, which was read and referred to the Committee on Slaves and Free Persons of Color.

Mr. Dobson introduced a resolution in favor M. C. Norman, which was read first time, passed and referred to the Committee on Claims.

Mr. Ramsay, a resolution authorizing the Governor to purchase a United States Flag, which was read first time and passed.

Mr. Street, a bill to provide for the education of Cadets at the North-Carolina Military Institute, which was read first time, passed and referred to the Committee on Education and the Literary Fund, and ordered to be printed.

Mr. Ramsay, a bill to incorporate the Union Mining Company of Baltimore, which was read first time, passed and referred to the Committee on Corporations.

Mr. Taylor, of Brunswick, a bill to amend fourth section of an act, entitled an Act for the better regulation of pilottage on the Cape Fear River and bars, which was read first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Thomas, of Davidson, a bill to incorporate the Davidson Mining Company, which was read first time, passed and referred to the Committee on Corporations.

Mr. Walker, a bill to incorporate the Rudicill Mining Company, which was read first time, passed and referred to the Committee on Corporations.

Mr. Walker, a bill to incorporate the Baltimore and North-Carolina Copper and Gold Mining Company, which was read first time, passed and referred to the Committee on Corporations.
The hour of 11 o'clock having now arrived, the Speaker announced the special order, to wit: the further consideration of the bill proposing to call a convention of the people of the State.

Mr. Ramsay moved to amend the substitute offered by the Senator from Gates, by striking out all after the enacting clause, and inserting in its stead a new bill of the same title.

Pending the vote upon this question, Mr. Turner moved to postpone further consideration until Monday next at 12 o'clock.

The question was decided in the negative—yeas 9, nays 17.

Mr. Sharpe now moved to adjourn.

Upon this question Mr. Burton 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 question recurring upon the adoption of Mr. Ramsay's amendment, Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Burton, Brown, Barringer, Blount, Dickson, Eure, Erwin, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Pitchford, Shaw, Simmons, Simp-
So the amendment offered by Mr. Ramsay was rejected.

The question recurring upon the passage of the bill as amended by the adoption of the substitute offered by Mr. Eure, Mr. Outlaw moved to amend by striking out the following words, to wit: "And all questions of constitutional reform, excepting such as may propose a change in the present cases of representation."

Upon this motion, Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:


So the question was decided in the affirmative.

Mr. Ramsay now moved to adjourn.

Mr. Turner 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.

Mr. Turner now moved to amend by adding the following to the preamble of the bill, to wit:
And whereas, it is just and proper to change the Constitution of North-Carolina so as to tax slaves as property.

Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the amendment was rejected.

Mr. Slaughter moved to amend by adding the following as an additional clause to the bill, to wit:

Section 11. Be it further enacted, That no delegate elect shall be permitted to take his seat in the said Convention until he shall have taken and subscribed to the following oath before any judge of the supreme or superior courts, or any justice of the peace of Wake county, to wit: "I, A. R., do solemnly swear (or affirm as the case may be) that I will not do any act contrary to the act of the General Assembly under which this Convention is called; and that I will truly and faithfully discharge my duties as a member of this Convention, according to the best of my knowledge and ability, so help me God."

Pending the vote upon this amendment, Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:


So the amendment offered by Mr. Slaughter was adopted.

Mr. Turner now moved to fill the blank in the bill by inserting the words, "'Thursday, the 13th of April,'" and upon this question, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Burton, Brown, Bledsoe, Barringer, Blount, Dickson, Dobson, Eure, Erwin, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker, Winstead and Walkup—34.

So the amendment offered by Mr. Turner was rejected.

Mr. Slaughter moved to adjourn.

Mr. Turner 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.
Mr. Turner moved to fill the blanks in the bill by inserting the words, "Thursday, the 4th of April," and upon this question demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the amendment did not prevail.

Mr. Slaughter moved to adjourn.

The question was decided in the negative. Yeas 14; nays 25.

Mr. Turner moved to fill the blank in the bill by inserting the words "the 21st of March."

Mr. Slaughter demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the motion did not prevail.

Mr. Humphrey moved that the further consideration of
The bill be postponed and made the special order for Monday next, 11 o'clock.
The motion prevailed. Yeas 25; nays 11.
Mr. Burton gave notice that on to-morrow he would make a motion to amend the rules for the government of the Senate.
On motion of Mr. Outlaw, the Senate adjourned at 5 o'clock 15 minutes until 10 o'clock to-morrow.

SATURDAY, JANUARY 19, 1861.
The Senate met at the usual hour.
The Journal was read.
Mr. Turner presented a petition from Samuel W. Pierce, asking the passage of an act permitting School Committee to purchase North-Carolina Map, which was read.
Mr. Hall introduced a resolution in favor of T. H. McKay, which was read first time, passed and referred to the Committee on Claims.
Mr. Hall, a resolution in favor of John G. Banman, which was read first time, passed and referred to the Committee on Claims.
Mr. Hall, a resolution in favor of George Myers, which was read first time, passed and referred to the Committee on Claims.
Mr. Barringer, a resolution providing for the publication of Colonial records, Legislative proceedings, and for other purposes, which was read first time, passed and referred to the Committee on the Library.
Mr. Avery, a bill to release and remit any penalties or forfeitures incurred by the corporation created by an act entitled, "An Act to incorporate the La Grange Mining, Manufacturing and Transportation Company," which was read first time, passed and referred to the Committee on Corporations.
The following bills were now put upon their third reading, to wit:

A bill to provide for taking the list of taxables in Oregon District, in the county of Beaufort, which was read, passed and ordered to be enrolled.

The bill to incorporate the City of Morehead.

Mr. Morehead moved to amend the bill by inserting the word "only," in the 1st section, between the words "taxes," and "for," in the 24th line of said section.

The amendment was adopted.

Mr. Morehead now moved to amend further, by adding the following section, to wit:

That every person owning lots within said corporation, whether they reside within said corporation or not, shall be entitled to vote for said commissioners, and shall be entitled to cast one vote for every lot held up to five votes, and one vote for every two lots above five and under ten; and one vote for every three lots above ten; and such non-resident shall have power to vote in person or by proxy, which proxy shall be witnessed by some justice of the peace in the county where such proxy may be executed or authorized; and said proxy shall be delivered to the person authorized to hold said elections, and shall be filed among the records of the corporation.

Pending the vote upon this amendment, Mr. Arendell demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


12
So the amendment was rejected.

Mr. Arendell now moved to amend by adding the following, to wit:

In 2nd section, insert after the word "except," the following: "Freeholders whether residents or non-residents,"

The amendment was adopted.

The question recurring upon the passage of the bill, was decided in the affirmative, and the bill ordered to be engrossed, and sent to the House for concurrence.

Mr. Bledsoe asked leave of absence for the Senator from Cabarrus until Wednesday next. Leave was granted.

Mr. Walkup, from the Committee on Military Affairs, reported back the bill to furnish the Hillsborough Military School, with arms, and with the following amendment, recommended its passage.

Provided, That in the opinion of the Governor the arms should be worth the money hereby appropriated.

Received a message from the House, transmitting the following engrossed bills and resolutions, which were read first time and disposed of as follows, to wit:

The resolution concerning the two doors of the gallery and the door of the Hall, was, on motion of Mr. Bledsoe, the rules being suspended, put upon its second and third readings, passed and ordered to be engrossed.

The resolution concerning Geological Reports was read first time and passed.

The bill to incorporate the Chatham Mining Company was read first time and passed.

The bill to authorize the holding of a court of Oyer and Terminer in Northampton county was read first time and passed.

Mr. Rogers moved that the rules be suspended, and that said bills be put upon their second and third readings.

Two-thirds voting to suspend, the question was decided in the affirmative.
So the bill was read second and third times, passed and ordered to be enrolled.

Mr. Thomas, of Davidson, moved to suspend the rules so as to put the bill to incorporate the Silver Valley Mining Company, in the county of Davidson, upon its second and third readings.

The motion prevailed.

So the bill was put upon its second and third readings, amended, passed and ordered to be engrossed.

The Speaker, at 10 o'clock 15 minutes, announced the special order to go into the appointment of magistrates.

Mr. Turner offered the following resolution, to wit:

Resolved, That the Senate will examine on oath at its bar, or through a committee, such witnesses as shall be deemed proper in relation to their knowledge of the character of any person whose name may be proposed to this General Assembly as a justice of the peace.

Pending the passage of this resolution, Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the amendment was rejected.

Mr. Simmons moved that a message be sent to the House asking a concurrence of the same, in a recommendation for the appointment of sundry persons justices of the peace for the county of Camden.

Pending the vote upon this motion, Mr. Eure moved that a
committee of five be appointed to enquire into the propriety of the appointment of said sundry persons.

Mr. Eure withdrew the motion, and the question then recurring upon the motion of Mr. Simmons, was decided in the affirmative.

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

MONDAY, January 21, 1861.

The Senate met at the usual hour, and was opened with prayer by the Rev. Mr. Atkinson, after which the Journal of the last day was read.

A message was received from the House of Commons, transmitting the names of the members of the committee on enrolled bills for the present week.

Mr. Taylor, of Brunswick, introduced a memorial of sundry citizens of Brunswick and New Hanover counties, relating to a bill introduced by himself concerning pilotage, &c., in the Cape Fear river, which, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Worth introduced a series of resolutions calling for a National Convention to amend the Constitution of the United States, which was read first time, passed and ordered to be printed.

Mr. Hall introduced a bill to authorize the formation of united partnerships, which was read first time, passed and referred to the Committee on the Judiciary.

Mr. Thomas, of Jackson, introduced a bill to perfect the titles to land in the county of Jackson, which was read first time, passed and referred to the Committee on the Judiciary.

Mr. Worth introduced a bill to re-enact and amend an act of 1854-'5, entitled an act to extend the limits of the town of Ashboro', and repeal all former acts of incorporation, which was read first time, passed and referred to the Committee on Corporations.
Bills on their third reading were then taken up, when a bill to repeal an act passed at session of 1858-'9, concerning Cherokee and Robeson counties, was read first time, passed and ordered to be enrolled.

The hour of 11 o'clock, it being the hour for taking up the special order of the day, having arrived, Mr. Avery moved that it be postponed until 12 o'clock, which was carried.

Upon leave being granted, Mr. Erwin introduced a bill to amend an act passed at the session of the General Assembly for the year 1858-'9, entitled an act to incorporate Mars Hill College, which was read first time, passed, and,

On motion of Mr. Humphrey, referred to the Committee on Corporations.

Upon leave being granted, Mr. Thomas, of Jackson, introduced a bill to amend the charter of the Western Turnpike, which was read first time, passed and referred to the Committee on Internal Improvements.

Mr. Burton, Chairman of Committee on Public Buildings, asked and obtained leave to report in behalf of said committee, a resolution authorizing the Governor to have coal grates placed in the fire places of the Senate Chamber and Hall of House of Commons, which was read first time, passed and placed upon the file.

Mr. Erwin asked and obtained leave to present a memorial from citizens of Yancey county upon federal relations, which was read and laid upon the table.

Bills and resolutions on their third reading were again taken up, when a resolution to amend a resolution in favor of certain owners of Cherokee lands, passed at the last General Assembly, was read third time, passed and ordered to be enrolled.

Bills and resolutions upon their second readings were then taken up.

A resolution in favor of Thomas Diggs, of Anson county, was then put upon its second reading and passed, when,
On motion of Mr. Walkup, the rules were suspended temporarily for the purpose of putting the resolution on its third reading, which having been done, the resolution passed the third time, and was ordered to be enrolled.

A bill to authorize and empower Edward D. Hall, late sheriff of New Hanover county, to collect arrears of taxes, was taken up and amended as recommended by committee, and passed the second time.

A bill to authorize and empower Washington Harriss, late sheriff of Franklin county, to collect arrears of taxes, was taken up and read, and amended as recommended by committee, and passed the second time.

A resolution in favor of A. C. Latham, sheriff of the county of Craven, was taken up and read the second time,

On motion of Mr. Street, amended as recommended by the committee, and,

On motion of Mr. Outlaw, recommended to Committee on Propositions and Grievances, with instructions to report a general bill for the relief of all sheriffs of the State.

Resolutions in favor of the sureties of William Green, late sheriff of Haywood county, were taken up, read the second time, and,

On motion of Mr. Street, referred to Committee on Propositions and Grievances, with instructions to report a general bill on the subject.

A resolution in favor of Jonas Jenkins was then taken up, read, and passed the second time.

A bill to alter the time of opening the polls at elections, at the precincts of Salisbury, Wilmington, Asheville and Lexington, was taken up, read the second time and passed.

A bill to authorize the appointment of special magistrates in the county of Craven was taken up, read the second time and passed.

The hour of 12 o'clock having now arrived, the Speaker announced the special order for the day; when
On motion of Mr. Avery, the consideration was postponed until to-morrow at 12 o'clock.

Mr. Burton asked and obtained leave to introduce a resolution in favor of Quentin Busbee, which was read first time, passed and referred to the Committee on Claims.

A bill to authorize the Court of Pleas and Quarter Sessions, of the county of Hyde, to appoint a committee of finance, was taken up, read second time and passed.

On motion of Mr. Spencer, the rules were temporarily suspended for the purpose of putting the bill upon its third reading, and the bill was read the third time, passed and ordered to be engrossed.

On motion of Mr. Sharpe, the rules were temporarily suspended for the purpose of putting the bill to consolidate the various acts heretofore passed to incorporate the town of Statesville, in the county of Iredell, upon its third reading, when the bill was read the third time, passed and ordered to be enrolled.

On motion of Mr. Walker, the rules were temporarily suspended for the purpose of putting the bill to amend an act to incorporate the town of Charlotte, in the county of Mecklenburg, upon its second reading, and the bill was read second time.

Mr. Dobson moved to amend the bill by inserting in clause 3, section 24, after the word "bonds," the words "except North Carolina State bonds," which amendment prevailed; whereupon the bill as amended passed the second time.

Mr. Outlaw asked and obtained leave to introduce the following resolution, to wit:

Resolved, That the Committee on Finance be instructed to report a bill constituting a board to pass upon the claims of citizens of this State, for excess of taxes paid into the public treasury, which resolution was adopted.

On motion of Mr. Simpson, the Senate adjourned until 10 o'clock to-morrow.
TUESDAY, January 22, 1861.

The Senate met at the usual hour, and was opened with prayer by the Rev. Dr. Mason, after which the Journal of the preceding day was read.

Mr. Stubbs presented the petition of Eliza Hassell, which was read and referred to the Committee on Propositions and Grievances.

Mr. Walker presented resolutions passed by citizens of Mecklenburg county, which, on his motion, were sent to the House of Commons with a message.

Mr. Walkup presented resolutions from citizens of Anson and Union counties, which were read and laid upon the table.

Mr. Whitaker, in behalf of the Committee on Corporations, reported back a bill to incorporate the "Union Mining Company of Baltimore City," and recommended its passage; and a bill to incorporate the Baltimore and North-Carolina Copper and Gold Mining Company, recommending that it do pass.

Mr. Humphrey, in behalf of same committee, reported a bill to incorporate Riddicks Creek Mining Company, and a bill to incorporate Friendship Fire Company, No. 3, in Elizabeth City, recommending their passage.

Mr. Erwin introduced a bill to lay off and establish a new county by the name of Mitchell, which was read first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Hall introduced a bill to authorize the inspectors of naval stores in the town of Wilmington to weigh rosin, fix the scales for the same, and for other purposes, which was read first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Dowd introduced a bill to incorporate the Cheraw and Coalfield Railroad, which was read first time, passed and referred to the Committee on Internal Improvements.

Mr. Thomas, of Jackson, introduced a bill to authorize
the payment of costs on suits in the county of Macon, dismissed by the State under the act of 1850, which was read first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Pitchford introduced a bill to authorize the county courts to purchase arms and munitions of war, which was read first time, passed and referred to the Committee on Military Affairs.

Mr. Blount introduced a bill to incorporate the Greenville and Goldsboro' Railroad Company, which was read first time, passed and referred to the Committee on Internal Improvements.

Bills, on their second reading, were then considered, when the bill to amend the charter of incorporation of the town of Charlotte, was passed second time.

A bill to incorporate the State Educational Association of North-Carolina was taken up, read second time and passed.

A bill to amend the charter of the Western North-Carolina Railroad Company was taken up, read second time and passed.

On motion of Mr. Walkup, the bill to revise and amend the militia system of North-Carolina was recommitted to the Committee on Military Affairs.

A bill concerning common schools in North-Carolina was taken up and read, and, on motion of Mr. Walker, amended; after which it passed the second time.

A bill to repeal so much of section 5 chapter 90 of the Revised Code as exempts State bonds from taxation, was taken up and read.

Pending discussion upon this bill, the Speaker announced that the hour for considering the special order for the day had arrived; whereupon the Convention bill was taken up and considered.

The question being upon filling the blanks in the substitute offered by Mr. Eure, as to the time of holding the election,

Mr. Slaughter moved that the 20th March be designated as the time of holding said election.
Mr. Brown moved, that the 4th of February be designated.
Mr. Outlaw moved, that the 14th of March be designated.
Mr. Walkup moved, that the 7th of March be designated.
Mr. Worth moved, that the 28th of February be designated.
The question was first put upon the 20th of March, it being on time.
Upon this question Mr. Ramsay demanded the yeas and nays.
Those who voted in the negative are: Messrs. Avery, Burton, Brown, Bledsoe, Blount, Dickson, Dobson, Erwin, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Simmons, Simpson, Speight, Street, Stowe, Stubbs, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Watson, Waugh, Whitaker and Winstead—32.
So the proposition did not prevail.
The question recurring upon the 14th of March, Mr. Whedbee demanded the yeas and nays.
Those who voted in the negative are: Messrs. Avery, Burton, Brown, Bledsoe, Dickson, Dobson, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Simmons, Simpson, Speight, Street, Stowe, Stubbs, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Watson, Waugh, Whitaker and Winstead—30.
So the proposition was rejected.
The question recurring upon the 7th of March, Mr. Dickson demanded the yeas and nays.
Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Burton, Brown, Bledsoe, Dickson, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Simmons, Speight, Street, Stowe, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Whitaker and Winstead—27.

So the proposition was not agreed to.

The question recurring upon the 4th of February, Mr. Ramsay demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Burton, Brown, Bledsoe, Dickson, Dockery, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Street, Stowe, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Whitaker and Winstead—27.

So the proposition was not adopted.

The question recurring upon the 28th of February, Mr. Brown demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Brown, Bledsoe, Blount, Dickson, Eure, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Stubbs, Taylor of Nash.

Those who voted in the negative are:

So the proposition was adopted.

Mr. Avery moved to amend the second section by inserting after the word Raleigh, in the 7th line, the following, to wit: "under the same rules and regulations and under the same penalties as are prescribed in the case of the returns of the vote for Electors of President and Vice President as now prescribed by law;" which amendment prevailed.

Mr. Avery moved to amend the 3d section by striking out all after the word "on," in the 10th line, to the word "and," in the 11th line, and insert the following: "such day as he may designate in his said proclamation;" which was adopted.

Mr. Worth moved to amend the 3d section by inserting before the word "and," in the 11th line, the following, to wit: "provided the day designated shall not be earlier than the 11th of March."

Upon this question Mr. Worth demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Bledsoe, Blount, Dockery, Dowd, Eure, Harriss of Franklin, Morehead, Outlaw, Pitchford, Rogers, Simpson, Speight, Street, Sharpe, Slaughter, Thomas of Davidson, Turner, Watson, Whitaker, Walkup, Whedbee and Worth—27.

Those who voted in the negative are:
So the amendment was adopted.
On motion of Mr. Ramsay, the Senate adjourned until 11 o'clock to-morrow.

WEDNESDAY, JANUARY 23, 1861.
The Senate met at the usual hour and was opened with prayer by the Rev. Mr. Skinner, after which the Journal of the preceding day was read.
Mr. Avery moved to make the bill concerning currency the special order for 12 o'clock to-day, which motion prevailed.
Mr. Dowd presented proceedings of meetings of citizens of Moore and Montgomery counties, which were read and left upon the table.
Mr. Pitchford presented resolutions of citizens of Warren county, which were read and laid upon the table.
Mr. Bledsoe, Chairman of Committee on Claims, reported a resolution in favor of M. C. Norman, of Yadkin county, and a resolution in favor of Quentin Busbee, recommending that they do pass.
Mr. Avery, Chairman of the Committee on the Judiciary, reported a bill to alter the law as to protested bills, and recommended its passage.
Also, a bill for the management of insolvent estates.
A bill to set aside execution sales.
A bill to amend the 34th and 35th chapters of the Revised Code, entitled, "Crimes, punishments and criminal proceedings."
A bill to abolish the freehold qualifications for jurors, and recommending that said bills do not pass.
Mr. Blount, in behalf of the Committee on Corporations, reported a bill to incorporate the Davidson Copper Mining Company.
Also, a bill to amend an act to incorporate the town of Lincolnton, recommending their passage.
Mr. Humphrey, Chairman of same Committee, reported a bill to incorporate the Rudisill Gold Mining Company of Baltimore City, recommending its passage.

Mr. Pitchford moved that the bill to allow county courts to purchase arms and munitions of war be ordered to be printed, which motion was adopted.

Mr. Dockery introduced a bill to incorporate the town of Rockingham, which was read first time, passed and referred to the Committee on Corporations.

Mr. Whitaker introduced a bill to incorporate the town of Enfield, which was read first time, passed and referred to the Committee on Corporations.

Mr. Hall introduced a bill to amend the charter of the Wilmington Savings Bank, which was read first time, passed and referred to the Committee on Banks and Currency.

Mr. Stowe introduced a resolution in favor of Daniel Tucker, which was read first time, passed and referred to the Committee on Claims.

A message was received from the House of Commons, transmitting a message from the Governor, with accompanying communications from Alabama and Virginia, with a proposition to print the same, which was concurred in by the Senate.

Mr. Avery moved that the communications from Alabama and Virginia be referred to the Joint Select Committee on Federal Relations.

Mr. Ramsay moved to amend this motion by referring it to a special joint select committee of the two Houses, which motion did not prevail.

Mr. Turner moved to amend by adding to the motion the words "and requesting them to be reported to-morrow.

The motion did not prevail.

The question then recurred upon the original motion, as made by Mr. Avery, and it was carried.

A message was received from the House, transmitting an engrossed bill for lighting and heating the Capitol, and
asking the concurrence of the Senate in its passage; whereupon the bill was read the first time and passed, when;

On motion of Mr. Burton, the rules were temporarily suspended for the purpose of putting the bill on its second and third readings; and

Pending the question of the passage of the bill on its second reading, Mr. Dickson demanded the yeas and nays; which were as follows:

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Blount, Dickson, Dobson, Dowd, Lane, Shaw, Stowe, Sharpe, Stubbs, Thomas of Davidson, and Turner—11.

So the bill passed the second time.

The bill was read the third time.

Mr. Turner moved to amend by adding “provided the expenses authorized by this bill be paid out of the $300,000 heretofore appropriated for the purchase of arms and munitions of war, which motion did not prevail, and the bill passed the third time and was ordered to be enrolled.

Mr. Outlaw moved to reconsider the vote just taken, and further moved to lay the motion to reconsider upon the table, which latter motion prevailed.

The Speaker announced that the hour had arrived for the consideration of the special order for the day; whereupon the Convention bill was taken up, the question being upon the adoption of the substitute to the original bill, reported by the Committee on Federal Relations, offered by the Senator from Gates.

Mr. Turner moved to amend the substitute by adding
"that no member of the General Assembly shall be eligible to a seat in said Convention;" and upon this demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Dickson, Dobson, Dowd, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Morehead, Pitchford, Ramsay, Rogers, Simmons, Simpson, Speight, Street, Stowe, Spencer, Stubbs, Thomas of Jackson, Thomas of Davidson, Walker, Waugh, Whitaker and Whedbee—30.

So the amendment was rejected.

Mr. Ramsay moved to amend the substitute by striking out all after the words "no convention," in the 13th line of the 1st section; and, upon this question,

Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Blount, Dickson, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Whitaker and Winstead—29.

So the amendment was rejected.

Mr. Turner moved to amend by adding after the word "convention," in the 11th line of the 1st section, the following: "and on every ticket may be written or printed the word Union or disunion," and upon this he 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 question recurring on the passage of the bill the second reading, Mr. Sharpe moved to amend by striking out all of the 10th section, after the words "dissent," in the seventh line, and inserting the following: "and such assent or dissent shall not be submitted until the action of the said convention shall have been advertised at the door of the several court-houses, and in all the newspapers of the State for one month;" and upon this question, he demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Burton, Brown, Bledsoe, Barringer, Dickson, Faison, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Whitaker and Winstead—28.

So the amendment was rejected.
The question recurring upon the adoption of the substitute by Mr. Eure, to the bill reported by the Committee on Federal Relations, Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the substitute was adopted.

The question recurring upon the passage of the bill, as amended the first time, Mr. Brown demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


Two-thirds having voted in the affirmative, the bill passed the first reading.

Mr. Outlaw moved that the Senate do now adjourn, and Mr. Brown demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Blount, Dockery, Dowd, Eure, More-
head, Outlaw, Pitchford, Ramsay, Simpson, Speight, Sharpe, Slaughter, Spencer, Turner, Whedbee and Worth—16.

Those who voted in the negative are:

So the Senate refused to adjourn.
Mr. Avery moved that the rules be suspended, and that the bill be read the second time, and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Avery, Burton, Brown, Bledsoe, Barringer, Blount, Dickson, Dobson, Eure, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simons, Simpson, Speight, Street, Stowe, Stubbs, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Waugh, Whitaker, Winstead and Walkup—34.

Those who voted in the negative are:

Two-thirds having voted in the affirmative the rules were suspended.
Mr. Slaughter moved to adjourn, and demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Blount, Dickson, Dobson, Eure, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitch-
So the Senate refused to adjourn.
The bill was now read the second time, and
Mr. Morehead moved to adjourn, and 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 question recurring upon the passage of the bill the second reading, Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the bill passed the second reading.
Mr. Slaughter renewed the motion to adjourn, and demanded the yeas and nays.

Those who voted in the affirmative are:
MESSRS. ARENDELL, DOCKERY, DOWD, RAMSAY, SIMPSON, SHARPE, SLAUGHTER AND TURNER—8.

Those who voted in the negative are:
MESSRS. AVERY, BURTON, BROWN, BLEDSOE, BARRINGER, BLAUNT, DICKSON, DOBSON, EURE, FAISON, HALL, HARRISS OF FRANKLIN, HARRIS OF CHATHAM, HUMPHREY, LANE, MOREHEAD, OUTLAW, PITCHFORD, ROGERS, SHAW, SIMMONS, SPEIGHT, STREET, STOWE, SPENCER, STUBBS, TAYLOR OF NASH, TAYLOR OF GRANVILLE, TAYLOR OF BRUNSWICK, THOMAS OF JACKSON, THOMAS OF DAVIDSON, WALKER, WATSON, WAUGH, WHITAKER, WINSTEAD, WALKUP, WHEDBEE AND WORTH—39.

So the Senate refused to adjourn.

Mr. Avery moved to postpone further consideration of the bill, and make it the special order for to-morrow 11\(\frac{1}{2}\) o'clock, which motion prevailed.

Mr. Avery now moved to adjourn.

Mr. Slaughter demanded the yeas and nays.

Those who voted in the affirmative are:
MESSRS. ARENDELL, AVERY, BROWN, BARRINGER, BLAUNT, DICKSON, DOBSON, ERWIN, FAISON, HALL, HARRISS OF FRANKLIN, HARRIS OF CHATHAM, OUTLAW, PITCHFORD, SHAW, SHARPE, SLAUGHTER, WALKER AND WORTH—16.

Those who voted in the negative are:
MESSRS. ARENDELL, BURTON, BLEDSOE, DOBSON, DOCKERY, DOWD, EURE, HUMPHREY, LANE, MOREHEAD, RAMSAY, ROGERS, SIMMONS, SIMPSON, SPEIGHT, STREET, STOWE, SPENCER, STUBBS, TAYLOR OF NASH, TAYLOR OF GRANVILLE, TAYLOR OF BRUNSWICK, THOMAS OF JACKSON, THOMAS OF DAVIDSON, TURNER, WATSON, WAUGH, WHITAKER, WINSTEAD, WALKUP AND WHEDBEE—32.

So the Senate refused to adjourn.

On motion of Mr. Morehead, the Senate adjourned until 10 o'clock to-morrow.
THURSDAY, JANUARY 24, 1861.

The Senate met at the usual hour.

The Journal was read.

Mr. Lane, from the Committee on Propositions and Grievances, reported back a resolution in favor of Daniel Willis and David Lewis, and recommended its passage.

Also, a bill for the relief of Daniel Dougherty, and recommended its passage.

Also, a bill to prevent obstructions in Salmon Creek, and recommended its passage.

Also, a bill to re-enact and amend an act of 1854-'5, entitled an act to extend the limits of the town of Ashboro,' and recommended its passage.

Mr. Humphrey, from the Committee on Corporations, reported back the bill for the better regulation of the town of Carthage, and recommended its passage.

Mr. Thomas, of Jackson, from the Committee on Internal Improvements, reported back a bill to amend the charter of Hanging Dog Turnpike, and recommended its passage.

Also, a bill to allow the Raleigh and Gaston Railroad Company to increase its capital stock, and with the following report recommended its passage, to wit:

The Company, in addition to the first expenditures, which are represented to amount to $975,000, have expended and propose to expend $525,000, making $1,500,000. The Committee, therefore, that the stock of the Company may be increased as provided in the bill, and for the purposes therein set forth, recommend that the capital stock be increased the sum of $1,500,000.

Also, a bill for the relief of the Atlantic and North-Carolina Railroad Company, and recommended its passage.

Mr. Stubbs introduced a bill to incorporate the Green Swamp Company, which was read first time, passed and referred to the Committee on Corporations.

Mr. Hall, a resolution in favor of H. B. Eiles, which was read first time, passed and referred to the Committee on Claims.
Mr. Faison, a bill to secure the property of married women, which was read first time, passed and ordered to be printed, and referred to the Committee on the Judiciary.

Mr. Thomas, of Jackson, a bill to incorporate Cannaugh Mining Company, which was read first time, passed and referred to the Committee on Corporations.

Also, a bill to incorporate Cherokee Company, which was read first time, passed and referred to the Committee on Corporations.

Also, a bill to incorporate Carolina Gold and Copper Mining Company, which was read first time, passed and referred to Committee on Corporations.

Also, a bill to incorporate Valley River Mining Company, which was read first time, passed and referred to the Committee on Corporations.

The hour of 11½ o'clock having now arrived, the Speaker announced the special order, viz: the further consideration of the Convention bill.

On motion of Mr. Humphrey, the special order was postponed until the hour of 12 o'clock.

Received a message from the House, transmitting the following engrossed bills and resolutions, which had passed that body, and in which the concurrence of the Senate was requested, to wit:

A resolution in favor of James L. Ives, of the town of Newbern, which was read first time, passed and referred to the Committee on Claims.

A bill to incorporate Kilwinning Lodge, No. 64, A. Y. M., in the town of Wadesboro', which was read first time, passed and referred to Committee on Corporations.

A bill to abolish jury trials in the Courts of Pleas and Quarter Sessions, for the county of Watauga, which was read first time, passed and referred to the Committee on the Judiciary.

A bill to incorporate the Chatham Railroad Company,
which was read first time, passed and referred to the Committee on Internal Improvements.

A bill for the relief of the sureties of John S. Willis, late sheriff of Bladen county, which was read first time, passed and referred to Committee on Propositions and Grievances.

A bill to incorporate the Carrollton Copper Mining Company of Baltimore, which was read first time, passed, and referred to the Committee on Corporations.

A bill to repeal an Act, entitled an Act requiring the day of executing on justices' process, which was read first time, passed and referred to the Committee on the Judiciary.

A bill for the relief of Ellen Ransome, a free person of color, which was read first time, passed and referred to Committee on Slaves and Free Persons of Color.

A bill to incorporate the Gibson Hill Mining Company, which was read first time, passed and referred to the Committee on Corporations.

A bill to amend the 11th section of the 52nd chapter of the Revised Code, which was read first time, passed and referred to the Committee on the Judiciary.

A resolution in favor of D. C. McConlis, late sheriff of Washington county, which was read first time and laid upon the table.

The bill to alter the time of opening the polls in elections, at the precincts of Salisbury, Wilmington, Asheville and Lexington, was read third time and ordered to be enrolled.

The bill concerning Common Schools in North-Carolina was read third time, amended, passed and ordered to be engrossed and sent to the House for concurrence.

Mr. Avery, from the Joint Select Committee on Federal Relations, presented the following report, to wit:

The Joint Select Committee on Federal Relations, to whom was referred the resolutions of the General Assembly of the State of Virginia and the ordinance adopted by the Convention of the State of Alabama, inviting a conference of the slave-holding States, have considered the same, and instruct me to
recommend that three commissioners be appointed by this General Assembly to meet similar commissioners appointed by Virginia, and other States, on the fourth day of February next, at the City of Washington; and that three commissioners be likewise appointed by this General Assembly, to meet the slaveholding States in Convention on the fourth of February next, at the city of Montgomery, in the State of Alabama, and consult with each other as to the most effectual mode of securing our common peace and security; and we recommend that the basis for a settlement of existing difficulties suggested in the resolutions of Virginia, with an additional article securing to the owners of slaves the right of property in their slaves during a temporary sojourn in any of the non-slaveholding States, should be the basis upon which a settlement of the slavery question should be predicated.

We recommend that said commissioners report to, and communicate with, the Governor of this State, and that such report be by him communicated to this General Assembly, or to any convention of the people of this State, that may be called by this General Assembly, and that said commissioners shall be subject, at all times, to the control of this General Assembly, or to any convention of the people of this State that may be called by this General Assembly.

Respectfully submitted,

W. W. AVERY.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, and the Senate resumed the further consideration of the Convention bill. Pending the passage of said bill, third reading, Mr. Turner moved to amend said bill by striking out all after the enacting clause and inserting, to wit:

Resolutions approving the proposition of Hon. John J. Crittenden, offered in the Senate of the United States, proposing to amend the Federal Constitution.
Resolved, That we approve the proposition offered in the Senate of the United States by the Hon. John J. Crittenden, of Kentucky, as contained in the following proposed amendments to the Constitution of the United States and resolutions, to wit:

"Resolved, By the Senate and House of Representatives of the United States of America, in Congress assembled, two-thirds of both Houses concurring, that the following articles be, and are hereby proposed and submitted as amendments to the Constitution of the United States, which shall be valid to all intents and purposes as part of said Constitution, when ratified by conventions of three-fourths of the several States.

"Article 1st. In all the territory of the United States now held, or hereafter acquired, situate north of latitude thirty-six degrees and thirty minutes, slavery or involuntary servitude, except as a punishment for crime, is prohibited, while such territory shall remain under the territorial government.

"In all the territory south of said line of latitude, slavery of the African race is hereby recognized as existing, and shall not be interfered with by Congress; but shall be protected as property by all the departments of the territorial government during its continuance; and when any territory north or south of said line, within such boundaries as Congress may prescribe, shall contain the population requisite for a member of Congress, according to the then federal ratio of representation of the people of the United States, it shall have its form of government be republican, be admitted into the Union on an equal footing with the original States, with or without slavery, as the Constitution of such new State may provide.

"Article 2nd. Congress shall have no power to abolish slavery in places under its exclusive jurisdiction, and situate within the limits of States that permit the holding of slaves.

"Article 3rd. Congress shall have no power to abolish
slavery within the District of Columbia, as long as it exists in the adjoining States of Virginia and Maryland, or either, nor without the consent of the inhabitants, nor without just compensation first made to such owners of slaves as do not consent to such abolition. Nor shall Congress at any time prohibit officers of the Federal Government or members of Congress, whose duties require them to be in said District, from bringing with them their slaves and holding them as such, during the time their duties may require them to remain there, and afterwards taking them from the District.

"Article 4th. Congress shall have no power to prohibit or hinder the transportation of slaves from one State to another, or to a Territory in which slaves are by law permitted to be held, whether that transportation be by land, navigable rivers or by the sea.

"Article 5th. That in addition to the provisions of the third paragraph of the second section of the fourth article of the Constitution of the United States, Congress shall have power to provide by law, and it shall be its duty so to provide, that the United States shall pay to the owner who shall apply for it the full value of his fugitive slave, in all cases when the Marshal or other officer whose duty it was to arrest said fugitive was prevented from so doing by violence or intimidation, or when, after arrest, said fugitive was rescued by force, and the owner thereby prevented and obstructed in the pursuit of his remedy for the recovery of his fugitive slave, under the said clause of the Constitution, and the laws made in pursuance thereof. And in all such cases, when the United States shall pay for such fugitive, they shall have the right, in their own name, to sue the county in which said violence, intimidation or rescue was committed, and to recover from it, with interest and damages, the amount paid by them for said fugitive slave. And the said county, after it has paid the said amount to the United States, may, for its indemnity, sue and recover from the wrong-doers or rescuers by whom the owner was prevented
from the recovery of his fugitive slave, in like manner as the owner himself might have sued and recovered.

"Article 6th. No future amendment of the Constitution shall affect the five preceding articles, nor the third paragraph of the second section of the first article of the Constitution, nor the third paragraph of the second section of the fourth article of said Constitution, which will authorize or give to Congress any power to abolish or interfere with slavery in any of the States by whose laws it is or may be allowed or permitted.

"And whereas, also, besides those causes of dissension embraced in the foregoing amendments proposed to the Constitution of the United States, there are others which come within the jurisdiction of Congress, and may be remedied by its legislative power; and whereas, it is the desire of Congress, as far as its power will extend, to remove all just cause for the popular discontent and agitation which now disturb the peace of the country and threaten the stability of its institutions, therefore,

"1. Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws now in force for the recovery of fugitive slaves are in strict pursuance of the plain and mandatory provisions of the Constitution, and have been ascertained as valid and constitutional by the judgment of the Supreme Court of the United States; that the slaveholding States are entitled to the faithful observance and execution of those laws, and that they ought not to be repealed or so modified or changed as to impair their efficiency; and that laws ought to be made for the punishment of those who attempt by rescue of the slave, or other illegal means, to hinder or defeat the due execution of said laws.

2. That all State laws which conflict with the fugitive slave acts, or any other constitutional acts of Congress, or which in their operation impede, hinder, or delay the free course and due execution of any of said acts, are null and
void by the plain provisions of the Constitution of the United States. Yet those State laws, void as they are, have given color to practices and led to consequences which have obstructed the due administration and execution of acts of Congress, and especially the acts for the delivery of fugitive slaves, and have thereby contributed much to the discord and commotion now prevailing. Congress, therefore, in the present perilous juncture, does not deem it improper respectfully and earnestly to recommend the repeal of those laws in the several States which have enacted them, or such legislative corrections or explanations of them as may prevent their being used or perverted to such mischievous purposes.

"3. That the act of the eighteenth of September, eighteen hundred and fifty, commonly called the Fugitive Slave Law, ought to be so amended as to make the fee of the commissioner, mentioned in the eighth section of the act, equal in amount, in the cases decided by him, whether his decision be in favor of or against the claimant. And to avoid misconstruction, the last clause of the fifth section of said act, which authorizes the person holding a warrant for the arrest or detention of a fugitive slave to summon to his aid the posse comitatus, and which declare it to be the duty of good citizens to assist him in its execution, ought to be so amended as to expressly limit the authority and duty in cases in which there shall be resistance, or danger of resistance or rescue.

"Resolved, further, That should Congress refuse to adopt the foregoing amendments to the Constitution, and resolutions, we then most earnestly recommend to Congress to call a National Convention of all the States, in accordance with the 5th Article of the Federal Constitution, so that such amendments may be made to that instrument as will guarantee and effectually protect and secure the rights of the slaveholding States in the Union, and effect a final settlement of those agitating questions which now distract the country and threaten the dissolution of the Union and the overthrow of the Republic."
Pending the vote upon the adoption of the substitute, Mr. Bledsoe called for a division of the question and demanded the yeas and nays.

Mr. Sharpe now moved to adjourn, and demanded the yeas and nays.

Mr. Sharpe voted in the affirmative—1.

Those who voted in the negative are:

Messrs. Arendell, Avery, Brown, Bledsoe, Barringer, Dickson, Dobson, Dockery, Dowd, Eure, Faison, Hall, Harriss of Franklin, Humphrey, Lane, Morehead, Outlaw, Pitchford, Ramsay, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Slaughter, Spencer, Stubbs, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Waugh, Whitaker and Worth—38.

So the Senate refused to adjourn.

The question now recurring, first to striking out.

Mr. Outlaw 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.

The question recurring upon the passage of the bill to call a Convention of the people of the State the third reading,

Mr. Street demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Barr-
ringer, Dickson, Dobson, Eure, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Slaughter, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Watson, Waugh, Whitaker, Winstead, Walkup and Whedbee—37.

Those who voted in the negative are:

Two-thirds of all the Senators present having voted in the affirmative, the Speaker announced the passage of the bill, and ordered that the same be engrossed.

Mr. Humphrey now moved that the vote by which the bill passed its third and last reading be now reconsidered; and then moved that said motion be laid upon the table.

The question was put and decided in the affirmative.

On motion, the Senate adjourned until 10 o'clock tomorrow.

FRIDAY, January 25, 1861.
The Senate met at the usual hour. The Journal was read.

On motion of Mr. Avery, sundry persons of Burke County were appointed Justices of the Peace for said county.

The motion prevailed, and a message was ordered to be sent to the House asking the concurrence of the same in said appointment.

Mr. Walkup presented a memorial from citizens of Union county, which was read and referred to the Committee on Finance, with a request that they report upon the same by bill or otherwise.

On motion of Mr. Stubbs, a recommendation from the House for the appointment of sundry persons Justices of the Peace for Washington County was concurred in.

On motion of the same, sundry persons of Martin County
were recommended to be appointed Justices of the Peace for
said county, and a message was ordered to be sent asking
the concurrence of the House in the recommendation of the
aforesaid sundry persons.

Mr. Watson presented a petition from citizens of Johnson
county, asking the passage of an act removing the obstruc-
tions of a dam across Middle Creek below the junction of
Swift Creek, which was read and referred to the Committee
on Propositions and Grievances.

Mr. Slaughter asked leave of absence for the Senator from
Moore from and after to-day until Monday next, which was
granted.

Mr. Simpson asked leave of absence for the Senator from
Union from and after to-day until Monday next, which was
granted.

Mr. Humphrey offered the following resolution, to-wit:

Resolved, That from and after Saturday next the Senate
will meet at 9\text{3/4} o’clock A. M., and take recess from 2 o’clock
P. M., until 7 o’clock P. M.

The resolution was ordered to be placed upon the file.

Mr. Simpson introduced the following preamble and reso-
lution, which were read and adopted, to-wit:

Whereas, The present General Assembly has passed a law
for the relief and protection of the Banks of North-Carolina,
justice thereof demands as well as public opinion, that some
provision by law should be made for the relief and protection
of the people of North-Carolina so as to prevent such a great
sacrifice of property as must inevitably follow under the
present deranged and complicated affairs of the Government:

Resolved, therefore, That the Judiciary Committee be
instructed to enquire into the expediency of so amending the
existing law as to relieve the people in their present embara-
rassed condition, and that they report by bill or otherwise.

Mr. Turner introduced the following resolution which was
read, and, on motion of Mr. Avery, was laid upon the table,
to-wit:
directed to wait on the President of the United States and express the sincere wish of this General Assembly, that all acts should be abstained from by the authorities of the United States, which might lead to a collision with the authorities of the States which have seceded, and that the commissioners appointed to attend the Convention at Montgomery, are directed to express the anxious desire of this General Assembly, that the authorities of the seceding States should likewise abstain from any action that would result in a collision with the authorities of the United States.

Resolved, That the General Assembly of North-Carolina approve of the objects set forth in the resolutions from the Legislature of Virginia proposing that the Legislatures of the slaveholding States, and such other States as wish to be represented therein, send commissioners to a convention to be held in Washington City on the 4th day of February next, to endeavor to agree on some safe and honorable adjustment of the difficulties now unhappily disturbing the harmony of the States of this Confederacy, and proposing further, that the resolutions of Mr. Crittenden be mainly adopted as a basis of settlement.

Resolved, That three commissioners as follows, to wit: ——— be and they are hereby appointed to attend said convention, subject to any future instructions of the Legislature.

On motion of Mr. Brown, the consideration of the majority and minority reports of the joint select committee concerning the sending of commissioners to the City of Washington and Montgomery, was made the special order for 1 o'clock to-day.

Mr. Thomas, of Jackson, from the Committee on Internal Improvements, reported back the bill to prosecute works of internal improvements in North-Carolina, and recommended that the said bill do not pass.

On motion of Mr. Faison, sundry persons of Sampson County, recommended by him, were appointed by the Senate Justices of the Peace for said county, and a message was ordered to be sent to the House asking the concurrence of the same in said appointment.
Mr. Turner moved that a message be sent to the House proposing to go into an election of a United States Senator on Thursday next at 12 o'clock.

Mr. Avery moved to lay said motion upon the table.

Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Bledsoe, Barringer, Dickson, Dobson, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Rogers, Shaw, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Whitaker and Winstead—24.

Those who voted in the negative are:


So the motion did not prevail.

Mr. Morehead moved that the rules be suspended so as to put the bill providing for the distribution of the Geological Reports upon its second and third readings.

The motion prevailed, and the bill was read second and third time, passed and ordered to be enrolled.

The bill to repeal section 5th chapter 90 of the Revised Code was now put upon its second reading.

Pending the passage of said bill, Mr. Turner moved that said bill be referred to the Committee on Finance.

Pending the vote upon the question to refer, Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Dickson, Dobson, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Pitchford, Shaw, Simpson, Street, Stowe, Taylor of Brunswick, and Waugh—16.

Those who voted in the negative are:

Messrs. Arendell, Bledsoe, Barringer, Dockery, Dowd,
Resolved, That the Committee on the Judiciary be, and they are hereby instructed to report to the Senate, as soon as possible, whether, in their opinion, the citizens of North-Carolina, who took armed possession of Fort Caswell, were guilty of treason.

Mr. Hall introduced a bill to incorporate the North-Carolina Fibre Company, which was read first time, passed and referred to the Committee on Corporations.

Mr. Burton, a bill to incorporate the Combuco Mining and Smelting Company, which was read first time, passed and referred to the Committee on Banks and Currency.

Mr. Pitchford, a bill to enable certain free persons of color to become slaves, which was read first time, passed and referred to the Committee on the Judiciary.

Mr. Thomas, of Jackson, a resolution concerning the Cherokee Indians, which was read and placed upon the file.

Mr. Turner moved to reconsider the vote by which his resolution concerning the taking possession of Fort Caswell was laid upon the table. The Senate refused to reconsider.

Mr. Brown, from the joint select committee on Federal Relations, presented the following minority report, to-wit:

The undersigned, a minority of the joint select committee on Federal Relations, to whom was referred the resolutions from the Legislatures of the slaveholding States, and such other States as desire to be represented therein, to send delegates to a convention to be held in Washington City on the 4th day of February next to confer together as to a proper basis of adjustment with respect to the difficulties existing between the North and the South, and also, to whom was referred the resolutions of the Convention of the State of Alabama, inviting the Legislatures of the slaveholding States to send delegates to a convention to be held in Montgomery, Alabama, on the 4th day of February next, beg leave to submit a counter report, setting forth some of the reasons which induce them to dissent from the report of the majority of the committee.
1st. They object to acting on both sets of resolutions together, because they propose different and incompatible measures, in some respects—the Virginia resolutions inviting a conference with a view to harmonize existing difficulties on the basis mainly of Mr. Crittenden's resolutions, invite the slaveholding States, through commissioners, to aid in constructing a new confederacy, and to take into consideration such other measures as are deemed of common interest among the slaveholding States. Incongruity, as well as parliamentary usage, would both seem to render a separate consideration of the resolutions proper.

The undersigned, a minority of the committee, respectfully recommend the accompanying resolutions, and that they be separately considered, which they respectfully submit.

DAVID OUTLAW.
BEDFORD BROWN.

Resolved, By the General Assembly of North-Carolina, that three commissioners, as follows: ———, be and they are hereby appointed, in compliance with the invitation of the State of Alabama, to attend a convention of commissioners from the slaveholding States, to assemble in Montgomery on the 4th day of February next, and consult with said commissioners and report to this General Assembly or to the Convention of the people of North-Carolina, if in session, as to the basis, if any, that would be satisfactory to the States which have seceded from the Confederacy, on which an adjustment of the difficulties can be made between the North and South which now disturb the harmony of the country.

Resolved, That said commissioners are hereby requested to assure the commissioners of said States that the State of North-Carolina cherishes a warm sympathy for their sister Southern States, to whom they are united as well by ties of common kindred as a common interest.

Resolved, That the Commissioners to Washington be
Be it further enacted, That the corporation hereby created shall exist for the period of thirty years, and this act shall be in full force and effect after its ratification and acceptance by two-thirds of the stockholders.

Also, a bill to incorporate the Carrolton Copper Mining Company of Baltimore, and recommended its passage.

Also, a bill to incorporate the Cherokee Mining Company, and recommended its passage.

Mr. Lane, from the Committee on Propositions and Grievances, to whom was referred sundry bills in relation to sheriffs, reported back the same with an accompanying bill, entitled a bill to amend the 84th section chapter 99 of the Revised Code, which was read first time and passed.

Mr. Lane, from the same committee, reported back a bill to permit Eliza Hassel to enslave herself, and recommended its passage.

Also, a bill to authorize the inspection of naval stores in the town of Wilmington, to weigh rosin, to fix the rates for the same and for other purposes, and recommended that it do not pass.

Also, a bill to authorize the payment of costs of suits in Macon county, and recommended that said bill do not pass.

Also, a memorial from T. P. and J. Devereux, and asked to be discharged from its further consideration, and that said memorial be referred to the Committee on Finance.

On motion of Mr. Harris, of Chatham, sundry persons were appointed Justices of the Peace for the county of Chatham, and a message was ordered to be sent to the House, asking the concurrence of the same in said appointment.

On motion of Mr. Hall, sundry persons were appointed Justices of the Peace for New Hanover county, and a message was ordered to be sent to the House, asking concurrence of the same in said appointment.

On motion of Mr. Humphrey, the following preamble and resolution were adopted, to wit:
Whereas, several petitions from free persons of color are now before the General Assembly, praying that they may be permitted to select their masters and become slaves:

Therefore, Resolved, That the joint select committee on slaves and free persons of color be instructed to report a bill providing a general law upon that purpose.

Mr. Turner introduced the following resolution, to wit:

Resolved, That a message be sent to the House of Commons, proposing to go into an election of a United States Senator on Thursday next at 11 o'clock.

On motion, the resolution was laid upon the table.

Upon the motion to lay on the table, Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Avery, Burton, Brown, Bledsoe, Dobson, Faison, Hall, Harris of Chatham, Humphrey, Lane, Pitchford, Simmons, Simpson, Street, Stowe, Taylor of Brunswick, Thomas of Jackson, Walker and Winstead—18.

Those who voted in the negative are:

So the motion did not prevail.

Mr. Brown moved that the rules be suspended, and that the reports of the joint select committee, concerning sending commissioners to the cities of Washington and Montgomery, be taken up.

Mr. Avery moved to amend the motion, by proposing that the consideration of said report be postponed until Monday next.

Mr. Bledsoe moved that the reports be referred to a joint select committee.

Mr. Worth moved that the rules be suspended, and demanded the yeas and nays.

So the bill was not referred.

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

Mr. Barringer moved to adjourn.

Pending the vote to adjourn, a message was received from the House, transmitting an enrolled bill concerning Geological Reports, and stating that the same had been signed by the Speaker of the House, and asking the signature of the Speaker of the Senate, and ratification in the presence of the Senate.

The question now recurring on the motion to adjourn, Mr. Ramsay demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Avery, Bledsoe, Barringer, Dickson, Eure, Faison, Hall, Harris of Chatham, Humphrey, Morehead, Outlaw, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Spencer, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker and Winstead—27.

Those who voted in the negative are:

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

SATURDAY, JANUARY 26, 1861.
The Senate met at the usual hour.
The Journal was read.
The Journal was corrected in obedience to the suggestion of Mr. Outlaw.
Received a message from the House, transmitting a recommendation for the appointment of sundry persons Justices of the Peace for the counties of Halifax and Bladen.

On motion of Mr. Bledsoe, it was ordered that an engrossed bill, entitled a bill to extend the charter of the Chatham Railroad to some point on the North-Carolina Railroad, be withdrawn from the Committee on Internal Improvements, for the purpose of permitting a correction to be made by the Engrossing Clerk.

M. Humphrey, from the Committee on Corporations, reported back a bill to amend an act passed at the session of the General Assembly of 1858-9, entitled an act to incorporate Mars Hill College, and recommended its passage.

Also, a bill to incorporate Cannaugh Mining Company, and recommended its passage.

Also, a bill to incorporate the town of Rockingham, and recommended its passage.

Also, a bill to release and remit any penalties or forfeitures incurred by the corporation created by an act entitled an act to incorporate Lagrange Mining and Transportation Company, and recommended its passage.

Mr. Whitaker, from the Committee on Corporations, reported back the bill to incorporate Valley River Mining Company, and recommended its passage.

Also, a bill to incorporate the town of Enfield, and recommended its passage.

Mr. Whedbee, from the same committee, reported back the bill to incorporate Kilwinning Lodge, No. 64, A. Y. M., in the town of Wadesboro', and county of Anson, and recommended its passage.

Also, a bill to incorporate Gibson Hill Mining Company, and recommended its passage.

Mr. Pitchford, from same Committee, reported back the bill to incorporate the Green Swamp Company, and recommended its passage, with the following additional section, to wit:
resolutions just received were ordered to be put upon their three several readings.

Pending the passage on the second reading, Mr. Ramsay moved a division of the question.

Which motion the Chair decided to be out of order.

Mr. Ramsay appealed from the decision of the Chair and demanded the yeas and nays.

Those who sustained the Chair are:

Those who opposed the Chair are:

So the decision of the Chair was sustained.

The question now recurring upon the passage of the resolutions on the second reading, Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:

Mr. Turner voted in the negative.

So the resolutions passed the second reading.

The resolutions were then read the third time, passed and ordered to be enrolled.

Mr. Avery moved to reconsider the vote by which they were passed the third reading, and then moved to lay that motion upon the table.

The motion to lay upon the table prevailed.

On motion, the Senate adjourned until Monday 10 o'clock.
MONDAY, January 28, 1861.

The Senate met at the usual hour. The Journal was read.

The Speaker announced that Messrs. Waugh, Winstead and Walkup would constitute the Senate branch of the committee on enrolled bills for the present week.

Mr. Dockery presented a memorial from citizens of Richmond and Robeson counties, which was read and left upon the table.

Mr. Taylor, a memorial from citizens of the county of Nash, which was read and referred to the Committee on Corporations.

Mr. Dobson, from the Committee on the Judiciary, reported back the bill for the protection of the Haywood Male and Female Academies, and with the following amendment, recommended its passage, to wit: Strike out the words "and-a-half" in the first, second and third sections.

Received a message from the House, stating that Messrs. Yates, Ewell, Green and Alfred were appointed the House branch of the committee on enrolled bills for the present week.

Mr. Ramsay moved that a message be sent to the House proposing that both houses of the General Assembly adjourn sine die on Monday the 4th day of February next.

Upon this question the yeas and nays were demanded.

Mr. Street moved to lay the resolution upon the table, and demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the resolution was laid upon the table.
Mr. Turner moved that the reports be made the special order for to-day, five minutes after twelve o'clock.

The Speaker entertained the motion of Mr. Brown, to suspend the rules and take up the reports for immediate consideration.

Mr. Worth demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Burton, Barringer, Faison, Hall, Harris of Chatham, Lane, Stowe and Walker—9.

The question was decided in the affirmative.

Mr. Avery moved to postpone further consideration of the reports, and make them the special order for Monday next at 10 o'clock.

Upon this question Mr. Stubbs demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the motion did not prevail.

Mr. Dobson moved to lay the whole matter upon the table, and demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Avery, Burton, Barringer, Faison, Dobson, Hall,
Humphrey, Lane, Simmons, Stowe, Taylor of Brunswick, Thomas of Jackson, Walker and Whitaker—14.

Those who voted in the negative are:

So the motion did not prevail.

Received a message from the House, transmitting the following enrolled bills, and stating that the same had been signed by the Speaker of that body, and asking the signature and ratification of the Speaker of the Senate to the same, to wit:

An act to consolidate the various acts heretofore passed to incorporate the town of Statesville, in the county of Iredell.

A resolution concerning the two doors of the gallery and the door of the Hall.

An act to provide for the taking of the lists of taxables in Oregon district, in Beaufort County.

An act providing for the heating and lighting the Hall.

An act providing for the holding a court of Oyer and Terminer in the county of Northampton.

A resolution in favor of Thomas Diggs, of the county of Anson.

A resolution to amend a resolution in favor of certain entries of Cherokee lands passed at the last General Assembly.

An act to repeal an act passed at the session of 1858-'59 concerning Cherokee and Robeson counties.

An act to alter the time of opening the polls in elections at the precincts of Salisbury, Wilmington, Asheville and Lexington.

Received a message from the House, transmitting an engrossed resolution, providing for the sending of commissioners to the city of Washington and State of Alabama, and asking the concurrence of the Senate in the same.

On motion of Mr. Bledsoe, the reports before the Senate were laid upon the table, and the rules being suspended, the
daughter, Spencer, Thomas of Jackson, Turner, Watson, Vaugh, Walkup and Worth—22.

Those who voted in the negative are:

Messrs. Avery, Burton, Brown, Barringer, Dickson, Dobson, Hall, Harris of Chatham, Lane, Shaw, Simmons, Simpson, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Walker, Whitaker and Winstead—20.

So the resolution was adopted.

On motion of Mr. Burton, a committee of three were ordered to be appointed to enquire as to the truth of the report that a case of small pox is now in the city, and if so, whether or not any member of this General Assembly has been in contact with said case of small pox.

In obedience to the order the Speaker appointed upon the committee Messrs. Burton, Bledsoe and Waugh.

On motion of Mr. Humphrey, the recommendation from the House of sundry persons to be appointed Justices of the Peace for the county of Onslow, was concurred in.

On motion of Mr. Whedbee, sundry persons were recommended to be appointed Justices of the Peace for the county of Pasquotank, and a message was ordered to be sent to the House, asking concurrence in the same.

On motion of Mr. Turner, a Justice of the Peace was appointed for the county of Orange, and a message was ordered to be sent to the House, asking concurrence in said appointment.

Received a message from the House, transmitting an engrossed bill entitled a bill concerning the calling of a Convention of the people, in which the concurrence of the Senate was asked.

Mr. Turner moved that the message and bill be laid upon the table.

Upon this question Mr. Humphrey demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:


So the message and bill were laid upon the table.

Mr. Stubbs moved to strike out all after the preamble, and substitute another bill of the same title.

Mr. Humphrey called for a division of the question.

The question being first on striking out, Mr. Stubbs 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.

The question recurring upon the passage of the bill on the first reading, Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

On motion of Mr. Bledsoe, the bill to enable the Western Railroad Company to extend their charter to the North-Carolina Railroad was recommitted to the Committee on Internal Improvements.

Mr. Thomas, from the Committee on Internal Improvements, reported back the bill to incorporate the Milton and Yanceyville Junction Railroad, and recommended that said bill do not pass.

Also, the bill to construct a branch from the Wilmington and Weldon Railroad, at or near the town of Fayetteville, and recommended its passage.

Also, the bill to enable the Western Railroad Company to extend their charter from the Coal Fields to the North-Carolina Railroad, and with sundry amendments recommended its passage.

Also, a bill to charter a railroad from Charlotte to Charleston, and recommended that said bill do not pass.

Also, the report of the Treasurer of the Cape Fear and Deep River Navigation Company, and stated the Committee had investigated said report, and were of opinion that the same was correct.

Mr. Watson introduced a bill to lay off and establish Dobbin county, which was read first time, passed and referred to Committee on Propositions and Grievances.

Mr. Hall, a bill to amend an Act, entitled an Act to incorporate the town of Lillington, in the county of New Hanover, which was read first time, passed and referred to the Committee on the Judiciary.

Mr. Simmons, a bill to amend section 5th, chapter 81st, Revised Code, entitled "Oysters and Fish," which was read first time, passed and referred to the Committee on the Judiciary.

Mr. Eure, a bill to incorporate Albemarle Steam Packet Company, which was read first time, passed and referred to the Committee on Corporations.

Mr. Hall, a resolution in favor of Thomas B. Stephens,
which was read first time, passed and ordered to be referred to Committee on Corporations.

Mr. Avery, from the Committee on the Judiciary, reported back the bill to enable certain free persons of color to become slaves, and asked to be discharged from its further consideration, and that said bill be referred to the Committee on Slaves and Free Persons of Color.

The bill was so referred.

Mr. Dockery introduced the following resolution, to wit:

Resolved, That a message be sent forthwith to the House, inquiring whether the resolution concerning the sending of Commissioners to the City of Washington and State of Alabama, passed that body as joint or separate resolutions.

Mr. Avery moved that this resolution be laid upon the table, and upon this question, Mr. Dockery demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Brown, Barringer, Dickson, Dobson, Faison, Grist, Hall, Harris of Chatham, Humphrey, Lane, Shaw, Simmons, Simpson, Street, Stowe, Taylor of Nash, Thomas of Jackson, Walker, Watson, Waugh and Winstead—22.

Those who voted in the negative are:


So the resolution was laid upon the table.

On motion of Mr. Turner,

Resolved, That a message be sent to the House proposing to go into an election of a United States Senator on Tuesday next at 12 o'clock, and upon this resolution he demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Bledsoe, Dockery, Eure, Erwin, Grist, Humphrey, Morehead, Outlaw, Pitchford, Ramsay, Sharpe,
Two-thirds not voting the bill was rejected. Before the vote was announced, for the purpose of moving to reconsider, Mr. Avery changed his vote upon the above question. Mr. Avery moved to reconsider the vote by which the bill was rejected, and demanded the yeas and nays. Mr. Ramsay moved to lay Mr. Avery's motion upon the table, and demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the motion was not laid upon the table.
The question now recurring on the motion to reconsider,
Those who voted in the affirmative are:

Those who voted in the negative are:

So the vote was reconsidered.
Mr. Avery now moved to postpone the further considera-
tion of the bill and make it the special order for to-morrow 12 o'clock, and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Avery, Burton, Brown, Barringer, Dickson, Dob-

Those who voted in the negative are:

So the bill was made the special order for to-morrow 12 o’clock.

Received a message from the House, asking the concurrence of the Senate in the appointment of sundry persons Justices of the Peace for the county of Rockingham.

The message was concurred in.

On motion of Mr. Humphrey, the rules were suspended, so as to take up the file of private bills and put them severally on their second and third readings; whereupon the bill to release and to remit any penalties or forfeitures incurred by the corporation created by an act, entitled an act to incorporate the Lagrange Mining Manufacturing and Transportation Company, was put upon the second reading and passed. No objections being made, said bill was read the third time, passed and ordered to be engrossed.

Also, a bill to incorporate Riddick’s Creek Mining Company, was read second time and passed. No objections being made, said bill was read the third time, passed and ordered to be engrossed.

Also, a bill to incorporate Hillsboro’ Military Academy was read second time and passed. No objections being made, said bill was read the third time, passed and ordered to be engrossed.

Also, a bill to incorporate Adams’ Hill was read second time and passed. No objections being made, said bill was read the third time, passed and ordered to be engrossed.

Also, a bill to amend an act to incorporate the town of Lincolnton, was read second time; and,
On motion by Mr. Stowe, in section 2nd, the word "gallon," was stricken out, and the words "quart," inserted.

On motion by Mr. Morehead, the 19th and 20th clauses of the first section were stricken out, and with these amendments the bill passed the second reading. No objection being made, said bill was read third time, passed and ordered to be engrossed.

Also, a bill to grant to a company the land covered by the waters of Lake Ellis and Little Lake, in the county of Craven, was put upon the second reading, and,

On motion of Mr. Bledsoe, was amended as follows, to wit:

At the end of section 1st, add the following: "and provided further, that said Company shall not divert the waters of said Lakes from any mill driven by the waters of said lakes, or otherwise impair the value of the property of any private individual."

With this amendment the bill passed the second reading. No objection being made, said bill was read the third time, passed and ordered to be engrossed.

Also, an engrossed resolution in favor of Leak Coleman, was read second time and passed. No objections being made, said resolution was read third time and ordered to be engrossed.

Also, an engrossed resolution in favor of Cooper Prince and John H. Harwood, was read second time and passed. No objections being made, said resolution was read third time and ordered to be enrolled.

Also, a bill to furnish the Hillsboro' Military School with arms, was read the second time and passed. No objections being made, said bill was read the third time, passed and ordered to be engrossed.

Also, a bill to incorporate the Piney Woods Cavalry, was read the second time, and,

On motion of Mr. Bledsoe, the provisions of the bill were extended to the Wake Light Dragoons, commanded by Capt. John C. Marriott, and with this amendment the bill passed the second reading. No objections being made, the bill was read the third time, passed and ordered to be engrossed.
Also, a bill to incorporate the Baltimore and North-Carolina Copper and Gold Mining Company, was read second time and passed. No objections being made, said bill was read third time, passed and ordered to be engrossed.

Also, a bill to incorporate Bellevue Academy, was read the second time and passed. No objections being made, said bill was read the third time, passed and ordered to be engrossed.

Also, a bill for the relief of Davidson College, was read the second time and passed. No objections being made, said bill was read the third time, passed and ordered to be engrossed.

Also, a resolution in favor of M. C. Norman, was read the second time and passed. No objections being made, said resolution was read the third time, passed and ordered to be enrolled.

Also, an engrossed resolution in favor of D. C. Lilly, was read the second time and passed. No objections being made, said resolution was read the third time, passed and ordered to be enrolled.

Also, a resolution in favor of Jasper Prichet, was read the second time and passed. No objections being made, said resolution was read the third time, passed and ordered to be enrolled.

Also, a bill to amend the charter of the town of Newbern, was read the second time and passed. No objections being made, said bill was read the third time, passed and ordered to be engrossed.

Also, a bill to incorporate Valley River Mining Company, was read second time and passed. No objections being made, said bill was read the third time, passed and ordered to be engrossed.

Also, a bill to incorporate the town of Enfield, was read the second time. Pending the passage of second reading.

Mr. Waugh moved to amend, by striking out the words "a majority of commissioners of said town," and inserting
the words, "a majority of the magistrates of the county of Halifax." The amendment did not prevail. The question now recurring upon the passage of the bill, it was decided in the affirmative. No objections being made, said bill was read the third time, passed and ordered to be engrossed.

Also, an engrossed bill for the relief of Daniel Dougherty, was read second time and passed. No objections being made, said bill was read the third time, passed and ordered to be enrolled.

Also, an engrossed bill to incorporate Gibson Hill Mining Company, was read the second time and passed. No objection being made, said bill was read the third time, passed and ordered to be enrolled.

Also, a bill to incorporate the Carolina Copper and Gold Mining Company, was read the second time and passed. No objections being made, said bill was read the third time, passed and ordered to be enrolled.

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

TUESDAY, JANUARY 29, 1861.

The Senate met at the usual hour.

The Journal was read.

Mr. Stubbs, from the Committee on the Judiciary, reported back a bill to amend an act passed at the session of 1856-'7, entitled an Act to provide for the payment of Talis Jurors, and recommended that said bill do not pass.

Mr. Hall, from the same committee, reported back a bill concerning currency, and recommended that said bill do not pass.

Mr. Dobson presented a memorial from citizens of Ashe county, which was read and left upon the table.

Mr. Slaughter, a memorial from Hertford county, which was read and left upon the table.

Mr. Barringer, from the Committee on the Judiciary,
reported back the bill to diminish the costs of suits at law, and recommended that said bill do not pass.

Mr. Avery, from the same committee, reported back the bill to abolish jury trial in the Courts of Pleas and Quarter Sessions in Watauga county, and recommended its passage.

Also, a bill to amend the 11th section, 52d chapter of the Revised Code, and recommended its passage.

Also, a bill to amend an act (chapter 40) entitled an act requiring the day of executing on justices’ process, and recommended that said bill do not pass.

Also, a bill to secure the property of married women, and recommended that said bill do not pass.

Mr. Humphrey, from the Committee on Corporations, reported back the bill to incorporate the town of Rockingham, and recommended that a substitute bill, transmitted with the report, be adopted; and that said substitute, providing for the incorporation of the town of Rockingham, pass.

Mr. Winstead, from the Committee on Finance, reported back the bill concerning the Comptroller, and with the following amendment, recommended its passage, to-wit:

Strike out all of the preamble, all after the first section after the word "of;" all after the second section, and insert fifteen hundred dollars in the first section, after the word "of," in the fourth line.

Mr. Winstead, from the same committee, reported back the bill to appoint tax collectors for the counties of Wayne and Haywood, and with the following amendment, recommended its passage, to-wit: Strike out the 2d section. In section 3d, 6th line, strike out all after the words, "shoal taxes," and insert, "each of which bonds shall be for $10,000 at least, and the courts may, whenever they deem it necessary, increase the amount of said bonds to any sum not exceeding $50,000. In the 3d section, lines 12 and 13, strike out the words, "for the counties of Wayne and Haywood." In section 9th, line 2d, after the word "shall," insert the words, "have the same compensation," and, in section 5th,
line 5th, strike out the words, "first day" and insert the words, "tenth day;" and, at the end of the section, add the words, "incur the same pains and penalties as are now prescribed in case of failure to deliver it to the sheriff.

Signed, SAMUEL J. PERSON, Ch'm'n.

Mr. Burton, from the committee to inquire into the facts relative to the reported case of small, reported as follows, viz:

Your committee, to whom was referred a resolution of inquiry in regard to the existence of small pox in the city of Raleigh, have had the same under consideration, and have instructed me to report that there is but one case within the city, and that every precautionary measure has been adopted by the city authorities to prevent its spreading; and from the testimony of the practising physicians of the city, they think there is no danger at present.

A. W. BURTON,

on behalf of Committee.

Having discharged the duties assigned us we beg leave to be discharged from the further consideration of the subject.

All of which is most respectfully submitted, &c.

A. W. BURTON,

for Committee.

Mr. Turner offered the following preamble and resolution, to wit:

WHEREAS, Fort Caswell was unlawfully seized upon by certain persons, citizens of North-Carolina; and whereas, Governor Ellis did promptly order them to abandon said fort: therefore,

Resolved, by the Senate, the House concurring, that this General Assembly do approve of the said order issued by the Governor, and they regard the Governor's conduct in the premises as a dutiful and praiseworthy act in obedience to the Constitution, the Union, and the laws; and those of us who vote to lay this resolution on the table, or so to dispose
of it as to prevent a direct vote upon its merits, (in its present shape,) mean by so doing to justify the seizure of Fort Caswell and to declare to the world that North-Carolina should dissolve her connection with the United States of America.

Upon the passage of this resolution Mr. Turner demanded the yeas and nays.

Mr. Street moved that the resolution be laid upon the table.

Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the resolution was laid upon the table.

Mr. Brown moved to postpone the special order for the bill to incorporate the Milton and Yanceyville Junction Railroad, until 11 o'clock to-morrow.

Mr. Barringer introduced a memorial and resolution in favor of Wm. Peace, which were read and referred to the Committee on the Judiciary.

Mr. Street introduced a bill to lay off and establish a new county by the name of Richland, which was read first time, passed and referred to the Committee on Propositions and Grievances.

Received a message from the House, transmitting an enrolled resolution providing for sending commissioners to the City of Washington and the State of Alabama, and stating that said resolution had been signed by the Speaker of the House, and to which the signature and ratification of
the Speaker of the Senate was asked in the presence of the Senate.

Mr. Morehead asked that the following protest to the passage of the bill concerning a Convention of the people, be spread upon the Journal, which was agreed to, to wit:

PROTEST TO "A BILL CONCERNING A CONVENTION OF THE PEOPLE."

This bill by its preamble says: The "sovereign people of this State should assemble in convention, to effect an honorable adjustment of existing difficulties, whereby the Federal Union is endangered, or otherwise to determine what action will best preserve the honor and promote the interest of North-Carolina, by the 9th section of said bill."

"The said Convention shall have power to consider all grievances affecting North-Carolina as a member of the Confederacy, according to the true intent and meaning of this act."

From the above quotations from said bill, it is evident the object of the call of said Convention is to decide the momentous question, whether North-Carolina shall remain a member of the Federal Union, or shall withdraw herself from the Union, dissolve all connection therewith, declare herself sovereign and independent, and set up for herself a new and untried experiment in government.

On so vital a question, considering that the call of a Convention was not mooted at the late election, nothing is more proper than that question should be submitted to the people of the State for their grave consideration and decision—and the Senate seemed to think by requiring in this bill, that after its passage, the Governor, by his proclamation, shall command the sheriffs of the State to open the polls at all the precincts in their respective counties, at which the qualified voters of the State are to vote "convention" or "no convention," and at the same time and place, to elect delegates to said Convention, if a majority should vote for said Convention.
This bill fixes the 21st of February next for the opening of said polls.

This protester enters his solemn dissent to such precipitate action being forced upon the people. The bill offers insufficient time for many of the voters in remote parts of the State, even to know that such an election is about to be held. It gives the people little or no time for information or for consultation among themselves, or for consultation with their immediate representatives in the Legislature, who have sprung this question upon them, and that consultation in any previous canvass from whom they have a right to know the reasons that impelled them to take a step that may lead to the dissolution of our great national fabric.

This bill passed its last reading in this House, (the Senate,) 24th day of January—it has to be engrossed and sent to the House of Commons for their concurrence, when, by the rules of order and the law, it has to be read on their several days, and passed by a vote of two-thirds—then it has to be enrolled and signed by the Speaker of each House, the Governor has to be notified of its passage and then issue his proclamation to the sheriffs of the State to open the polls as directed by the act.

Again, by section 4th of said bill it requires, "that the election for delegates, as aforesaid, shall be held and conducted in the same manner as elections for members of the General Assembly, and the vote shall be counted and the scrolls compared, and certificates issued in the same manner as prescribed by law for members of the House of Commons."

By section 5th, chapter 52, of the Revised Code, the sheriffs are required to ascertain the time and places of holding elections for members of the House of Commons twenty days before the election is held.

There are twenty-eight days from the passage of the bill in the Senate to the day of election. Allow one day for the engrossing of the bill and its transmission to the House of Commons, three days more for its passage there, one day
more for its enrollment, signatures of the Speakers and transmission to the Governor, and then two days for the Governor's proclamation to reach the sheriffs, and then twenty days for the sheriffs to advertise for the elections; and we have thirty-five days thus consumed, being seven days more than the whole time between the passage of the bill in the Senate and the day on which the election is to be held.

How are the people to know even that such a law is passed who reside in our distant mountain fastnesses, locked up at this season of the year by snow and ice, and to whom mails are carried with difficulty in the late seasons of the year?

How are the people on our exterior sea-girt shore, divided as they are from the main-land by broad sounds and streams usually tempestuous in winter, to be duly notified of this election, or to have opportunity to attend the polls.

Whilst the bill purports to submit the important question to the people, the submission is illusory and hasty, without any sufficient reason for such precipitancy, without time for consultation, and for forming mature conclusions after prudent deliberation, and without a knowledge, I doubt not with some, of the existence of such a law, or the holding of such election.

Why this hot haste, when we have most of the year 1861 before us?

Again, the bill requires the delegates to be elected on the same day the vote is taken for "convention" or "no convention;" this complication and seeming incongruity and inconsistency are wholly unnecessary.

The voter who is opposed to a Convention, so votes, and at the same time is required to vote for a delegate to the Convention against which he has just voted and to which he may be strongly opposed. To an unsophisticated mind this seems an absurdity, and it will take some explanation, for which no time is allowed, to remove the impression.

Again, the wise, grave and experienced statesmen, on
whom the State might safely rely for prudent council and
sagacious wisdom, and to whom, of all others, should be
entrusted the remodelling of our Constitutional Government,
will be excluded from the Convention because they are
unwilling to become candidates for seats in the Convention,
or to present their names to be run for such seats, whom if
elected, the election will be nugatory, because the Convention
may be defeated.

For these reasons the protester enters his solemn protest
against the passage of the bill.

J. M. MOREHEAD.

SENATE CHAMBER, January 28, 1861.

We, the undersigned Senators representing the several
counties annexed to our names, join in the above protest.

JAMES G. RAMSAY, Rowan and Davie,
ALFRED Dockery, Robeson and Richmond,
JONATHAN WORTH, Randolph and Alamance,
L. Q. SHARPE, Iredell, Wilkes and Alexander,
JONES SPENCER, Hyde and Tyrrell,
JOSIAH TURNER, Jr., Orange.

The bill to prevent the emancipation of slaves by will was
now put upon its third reading.

Pending the passage of the bill, Mr. Morehead demanded
the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Bar-
ringer, Dickson, Dobson, Eure, Faison, Hall, Harris of
Franklin, Harris of Chatham, Humphrey, Lane, Outlaw,
Pitchford, Shaw, Simmons, Speight, Street, Slaughter,
Spencer, Stubbs, Taylor of Granville, Taylor of Brunswick,
Turner, Walker, Watson, Whitaker, Winstead and Whed-
bee—33.

Those who voted in the negative are:

Messrs. Dockery, Grist, Morehead, Ramsay, Simpson,
Sharpe, Thomasof Jackson, Waugh, Walkup and Worth—10.
So the bill passed the third reading and was ordered to be enrolled.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz: the consideration of the engrossed bill from the House, entitled a bill concerning a Convention of the people.

Mr. Humphrey moved to reconsider the motion by which the Senate refused to strike out on yesterday, to substitute the amendment by Mr. Stubbs, and the motion prevailed.

Mr. Avery moved to reconsider the vote by which the Senate decided on yesterday to divide the question on striking out and substituting.

The question was decided in the affirmative.

The question now recurring upon the passage of the engrossed bill concerning the calling of a Convention of the people on the first reading, Mr. Stubbs offered the following amendment, to wit:

Strike out all after the preamble, the enacting clause and the words "two-thirds of both Houses concurring," and insert the following, to wit:

That upon the passage of this act, the Governor of the State be, and he is hereby required to issue a proclamation commanding the sheriffs of the respective counties in the State, to open polls at the several precincts in said counties on the 28th day of February, when and where all persons qualified to vote for members of the General Assembly may vote for or against a State Convention. Those who wish a Convention voting with a written or printed ticket "Convention," and those who do not wish a Convention voting in the same way "No Convention;" also, to open separate polls at the said time and places, for the election of delegates to the Convention, to be assembled on such terms as are hereinafter provided, said polls to be superintended by inspectors appointed by the sheriffs, with the advice of three Justices of the Peace of the respective counties, who shall be sworn
according to the provisions of section 6, chapter 52 of Revised Code.

Sec. 2. Be it further enacted, That it shall be the duty of the sheriffs to make out duplicate statements of their polls in their respective counties on the question of "Convention" or "No Convention," sworn to before the clerk of the county court, one copy of which shall be deposited in said clerk's office, and the other copy transmitted to the Governor of the State, at Raleigh, under the same rules and regulations and under the same penalties as are prescribed in the case of the returns of the vote for electors of President and Vice President, as now presented by law, immediately after said election.

Sec. 3. Be it further enacted, That it shall be the duty of the Governor, as soon as he shall have received the returns of the sheriffs, in the presence of the Secretary of the State, Public Treasurer and Comptroller, to compare the number of votes for and against a Convention; and if it shall appear that a majority of the votes polled are in favor of a Convention, he shall forthwith issue a proclamation in such manner as he may think proper, summoning the delegates elected to said Convention as aforesaid to convene in Raleigh on such day as he may designate in his said proclamation: Provided, The day designated be not earlier than the eleventh of March; and if a majority of the votes polled are against a Convention, the Governor shall, in like manner, issue a proclamation of that fact; and in that case the assembling of said delegates, elected as aforesaid, under the provisions of this act, is hereby declared to be illegal and of no effect.

Sec. 4. Be it further enacted, That the election for delegates as aforesaid shall be held and conducted in the same manner as elections for members of the General Assembly, and the vote shall be counted, and the scrolls compared, and certificates issued in the same manner as prescribed by the law for members of the House of Commons.

Sec. 5. Be it further enacted, That if a vacancy shall
occur by the death, resignation, or removal from the State, or by the refusal to serve, of any person elected delegate as aforesaid, the presiding officer of the Convention shall issue his writ to the sheriff of the county in which such vacancy may have occurred, after such notice as the Convention may order, to open a poll to fill such vacancy under the same rules and regulations as hereinbefore prescribed for the election of delegates.

Sec. 6. Be it further enacted, That the said Convention shall consist of one hundred and twenty delegates, and each county shall be entitled to the same number of delegates as members of the House of Commons, under the last apportionment.

Sec. 7. Be it further enacted, That the mileage and per diem pay of the delegates to said Convention shall be the same as the members of the General Assembly, to be paid in the same manner; and said Convention shall have power to fix the pay of all its officers and of any representative to any Convention or State, and shall provide for other expenses, to be paid out of the Treasury as it may direct.

Sec. 8. Be it further enacted, That the said Convention shall have power to select its officers and prescribe qualifications for its members, not inconsistent with the true intent of this act.

Sec. 9. Be it further enacted, That the said Convention shall have power to consider all grievances affecting North-Carolina as a member of the Confederacy, according to the true intent and meaning of this act, the assent or dissent of the people to the proposition herein contained being respectively expressed by the vote, "Convention" or "No Convention," at the time and in the mode hereinbefore provided.

Sec. 10. Be it further enacted, That no ordinance of said Convention shall have any force or validity until it shall have been ratified by a majority of the qualified voters for members of the General Assembly, to whom it shall be submitted according to the mode prescribed for elections of
members of the House of Commons, the assent or dissent of the people hereto being expressed as in preceding section of this act.

SEC. 11. Be it further enacted, That no delegate elected shall be permitted to take his seat in said Convention until he shall have taken and subscribed the following oath before any Judge of the Supreme or Superior Courts, or any Justice of the Peace of Wake county, to-wit: I, A. B., do solemnly swear (or affirm, as the case may be) that I will not do any act contrary to the act of the General Assembly, under which this Convention is called, and that I will duly and faithfully discharge my duties as a member of this Convention according to the best of my knowledge and ability, so help me God.

SEC. 12. Be it further enacted, That this act shall be in force from and after its ratification.

Pending the vote upon the adoption of this amendment, Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the substitute was adopted.

The question recurring upon the passage of the bill the first reading, as amended, Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Bar-
ringer, Dickson, Dobson, Eure, Faison, Grist, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Shaw, Simmons, Simpson, Speight, Street, Stowe, Slaughter, Stubbs, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker, Winstead, Walkup and Whedbee—38.

Those who voted in the negative are:

Two-thirds having voted in the affirmative, the bill passed the first time.

Mr. Avery now moved that the rules be suspended and that the bill be read the second time; and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the rules were suspended.

Mr. Sharpe now moved to amend the bill by striking out, in the 1st section, the words "21st of February," and inserting the words "8th of August."

Mr. Slaughter moved to insert the words "21st of March."
Mr. Spencer, the "14th of March."
Mr. Walkup, the "7th of March."
Mr. Faison, the "28th of February."

The question recurring upon the longest time named, to wit: the 8th of August, Mr. Sharpe demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Dickson, Dobson, Eure, Faison, Grist, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Shaw, Simmons, Simpson, Speight, Street, Stowe, Spencer, Stubbs, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Waugh, Whitaker, Winstead and Whedbee—34.

So the motion by Mr. Sharpe did not prevail.

The question recurring on the motion of Mr. Slaughter, to insert the 21st of March, Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Burton, Brown, Bledsoe, Barringer, Dickson, Dobson, Eure, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Shaw, Simmons, Simpson, Speight, Street, Stowe, Stubbs, Taylor of Nash, Taylor of Granville, Thomas of Jackson, Walker, Whitaker and Winstead—29.

So the motion by Mr. Slaughter did not prevail.

The question recurring on the motion of Mr. Spencer, to insert the 14th of March, Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Burton, Brown, Bledsoe, Barringer, Dickson, Eure, Faison, Harriss of Franklin, Harris of Chatham,
Humphrey, Lane, Pitchford, Shaw, Simmons, Simpson, Speight, Street, Stowe, Stubbs, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Whitaker and Winstead—29.

So the motion by Mr. Spencer did not prevail.

The question recurring on the motion of Mr. Walkup to insert the 7th of March, Mr. Walkup demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Burton, Brown, Bledsoe, Barringer, Dickson Eure, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Watson and Whitaker—27.

So the motion of Mr. Walkup did not prevail.

The question now recurring on the motion of Mr. Faison, to insert the 28th of February, Mr. Faison demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the motion of Mr. Faison was adopted.

Mr. Worth now moved that the words "11th of March,"
in the 3d section, be stricken out, and the words "18th of March" be inserted; and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the motion did not prevail.

The question now recurring upon the passage of the bill as amended the second reading, Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the bill passed the second reading.

Mr. Avery now moved that the rules be again suspended, that the bill might be put upon its third and last reading.

No objection being made, the bill was read the third time, and pending the vote upon its passage, Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the bill passed, as amended, the third reading, and a message was ordered to be sent to the House of Commons asking the concurrence of the same in said amendments.

Mr. Avery now moved to reconsider the vote by which the bill passed the third reading, and then moved to lay that motion upon the table.

The motion to lay upon the table prevailed.

Mr. Lane asked and obtained leave of absence, for a few days, for the Senator from Nash.

Mr. Worth moved that the bill to extend the charter of the Coal Fields Railroad to the North-Carolina Railroad, be made the special order for Thursday next at 12 o'clock.

Mr. Humphrey moved to lay said motion upon the table, and the motion was put and decided in the affirmative.

Mr. Thomas, of Jackson, from the Committee on Internal Improvements, asked and obtained leave to return the bill to enable the Western Railroad to extend its charter from the Coal Fields to the North-Carolina Railroad, which had been improperly referred to said Committee.

Received a message from the House, transmitting a message from his Excellency, the Governor, with accompanying documents from the States of Georgia and Tennessee, with a proposition to print.

The message was concurred in.

On motion of Mr. Outlaw, the Senate adjourned until tomorrow at 10 o'clock.
WEDNESDAY, JANUARY 30, 1861.

The Senate met at the usual hour. The Journal was read. Mr. Hall, from the Committee on Slaves and Free Persons of Color, reported back the bill to permit free persons of color to select their masters and become slaves, and recommended its passage.

On motion of Mr. Humphrey, said bill was referred to the Committee on the Judiciary.

Mr. Hall, from the same committee, reported back the bill for the relief of Ellen Ranson, a free person of color, and recommended that said bill do not pass.

On motion, it was ordered that said bill be laid upon the table, to await the action on a general bill relative to free persons of color.

Mr. Walkup, from the Committee on Military Affairs, reported back the bill to raise and amend the militia system of North-Carolina, and presented thereon the following report, to-wit:

The joint select Committee on Military Affairs, to whom was referred a "bill to raise and amend the militia system of North-Carolina," have had the same under consideration, and have instructed me to report the same back to the Senate, with a recommendation that it do pass, except where the same comes in conflict with the bill introduced by the Committee on Military Affairs as a substitute for the bill entitled "Military Code;" and that where the present bill treats of the same subject matter, or where it comes in conflict with said bill, reported as a substitute for the "Military Code;" that said provisions in this bill be stricken out, and amended by adopting the provisions in said reported bill, (viz: House bill, No. 26) and with that amendment the committee recommended that this bill do pass.

By order of the Committee.

S. H. WALKUP.

Mr. Winstead, from the Committee on Finance, reported
back the bill to amend section 1st chapter 28th of the Revised Code, entitled County Revenue and charges, and recommended that said bill do not pass.

Mr. Walkup, from the Committee on Military Affairs, reported back the bill to incorporate the Orange Light Infantry, and asked to be discharged from the further consideration of the bill. The Committee, on motion, were discharged.

Received a message from the House, transmitting a telegraphic dispatch from the town of Charlotte inviting the General Assembly, in view of the fact that the small pox had appeared in the city of Raleigh, to remove its session to that place.

On motion of Mr. Outlaw, a message was ordered to be sent to the House, asking the concurrence of the same in an acknowledgement of the invitation, in declining the same, and in expressing the thanks of the General Assembly to the citizens of Charlotte for their generous invitation.

Mr. Walker, from the Committee on Education and the Literary Board, reported back the bill to provide for the establishment of a school for the instruction of common school teachers, and recommended its passage.

Mr. Simpson, from the Committee on Military Affairs, reported back the bill to authorize the county courts to purchase arms and munitions of war, and recommended that said bill do not pass.

Also, a bill to incorporate Franklin Riflemen, and recommended that said bill do not pass.

Mr. Walker, from the Committee on Education and the Literary Board, reported back the bill to provide for the education of cadets at the North-Carolina Military Institute, and recommended its passage.

Mr. Eure, from the Committee on Slaves and Free Persons of Color, a bill concerning the trading with slaves, and recommended the following change to the title of the bill, to wit: Strike out the title of the bill and insert "A Bill to change
the rules of evidence in indictments for trading with slaves," and with this amendment, recommended its passage.

Mr. Winstead, from the Committee on Finance, reported back sundry resolutions concerning revenue, and asked to be discharged from their further consideration.

Mr. Street, from the Committee on Military Affairs, reported back the bill to incorporate the Independent Grays of the town of Elizabeth City, and recommended that said bill do not pass.

Also, a memorial from the Scotland Mounted Riflemen, and asked to be discharged from its further consideration.

The committee was discharged.

Also, a bill to incorporate the Albemarle Guards, and recommended that said bill do not pass.

Also, a bill to incorporate the Sharon Rifle Company, and recommended that said bill do not pass.

Also, a bill to incorporate the Duplin Riflemen, and recommended that said bill do not pass.

Also, a bill to incorporate Old Topsail Riflemen, and recommended that said bill do not pass.

Mr. Thomas, of Jackson, from the Committee on Internal Improvements, reported back a bill to amend the charters of the Fayetteville and Western Plank Road Company; the Fayetteville and Albemarle Plank Road Company, and the Fayetteville and Chester Plank Road Company, and recommended its passage.

Mr. Stowe introduced a bill to incorporate the Lincoln Copper and Gold Mining Company, which was read the first time, passed and referred to the Committee on Corporations.

Mr. Whedbee, a bill to amend an act entitled an act for the government of Elizabeth City, in the county of Pasquotank, which was read the first time, passed and referred to the Committee on Corporations.

Mr. Stubbs, a bill to incorporate Williamston and Tarboro' Railroad Company, which was read first time, passed and referred to Committee on Internal Improvements.
Mr. Harris, of Chatham, a bill to aid the Cape Fear and Deep River Work, which was read the first time, passed and referred to the Committee on Internal Improvements.

Mr. Winstead, a bill to incorporate Persons Savings Bank, which was read first time, passed and referred to Committee on Corporations.

Mr. Thomas, a bill for the relief of persons, who, as security or otherwise, have paid for Cherokee lands, which was read the first time, passed and referred to the Committee on Internal Improvements.

Received a message from the House, transmitting an engrossed resolution to pay the Commissioners to Washington and State of Alabama, stating that said resolution had passed the House of Commons, and the concurrence of the Senate was asked in the same.

The resolution was read the first time and passed. No objection being made, the resolution was read the second time.

On motion of Mr. Outlaw, the resolution was amended as follows, to wit:

Strike out the words "the same," and insert the words "six dollars," also, insert the words "the same," between the words "and," and "mileage."

The question now recurring upon the passage of the resolution the second reading, as amended, was decided in the affirmative.

No objections being made, said resolution was read the third time, passed and was ordered to be sent to the House, requesting concurrence in said amendment.

On motion of Mr. Hall, the bill to enable the Western Railroad Company to extend the charter to the North-Carolina Railroad, was ordered to be made the special order for Monday next at 12 o'clock.

The special order was now called up, to wit: the consideration of the Milton and Yanceyville Junction Railroad.

On motion of Mr. Outlaw, a call of the Senate was made.
The roll was called, and the following members failed to respond to their names, to wit:

Messrs. Burton, Bledsoe, Barringer, Blount, Dowd, Erwin, Humphrey, Ramsay, Simmons, Sharpe and Taylor of Nash.

Mr. Waugh moved that the further consideration of the question of the call be suspended.

Mr. Humphrey moved to amend said motion by sending a message after said absentees.

Mr. Faison moved to lay the motion and amendment upon the table, and the motion to lay on the table prevailed.

Received a message from the House, stating that the House had refused to concur in the Senate’s amendment to the resolution concerning the pay of the Commissioners to the City of Washington and State of Alabama.

On motion of Mr. Outlaw, a message was ordered to be sent to the House, announcing that the Senate insisted upon its amendment and proposing a committee of conference.

Received a message from the House, transmitting a recommendation of sundry persons for Justices of the Peace for Surry county, and asking concurrence in the same, which was agreed to.

Also, a message proposing to raise a joint select committee of three on the part of the House, and two on the part of the Senate, to take into consideration the propriety of the Legislature adjourning over to Wilmington to finish its business.

On motion, the message was laid upon the table.

Pending the vote upon the passage of the Milton and Yanceyville Junction Railroad bill, Mr. Avery moved to adjourn, which motion prevailed; and the Senate adjourned until 10 o’clock to morrow.
THURSDAY, JANUARY 31, 1861.

The Senate met at the usual hour.
The Journal was read.

On motion of Mr. Dockery, Donnell Bain, the reporter to the Register, was admitted back to his position in the Senate Chamber, he having been excluded therefrom through fear of small pox.

Received a message from the House, transmitting a recommendation for the appointment of Justices of the Peace for the counties of Bertie, Orange, Wake and Davie, which was concurred in.

Mr. Barringer introduced a resolution in favor of Nelson Patterson, which was read and referred to the Committee on Slaves and Free Persons of Color.

Mr. Whitaker, a memorial from citizens of Halifax, concerning a stay law, and asked that said memorial be transmitted to the House of Commons, which was ordered to be done.

Mr. Faison moved that the bill to construct a branch from the Wilmington and Weldon Railroad to or near the town of Fayetteville be made a special order for Tuesday next, 12 o'clock.

The motion prevailed. Ayes 21; nays 8.

On motion of Mr. Eure, a message was ordered to be sent to the House, transmitting a recommendation for the appointment of a Justice of the Peace for the county of Gates.

On motion of Mr. Humphrey,

Resolved, That his Excellency, the Governor, be requested forthwith to cause the publication in two newspapers in each Congressional district of the State the act providing for a Convention of the people of North-Carolina.

On motion of Mr. Arendell, said resolution was amended by striking out the words "in two newspapers in each Congressional District of the State," and insert the words "in all the newspapers of the State."

On motion of Mr. Whedbee, the resolution was further
amended by adding the following: "and that the Governor be further requested to furnish the sheriffs of each county fifty hand-bills containing notice of the time of holding the election ordered to be held." With these amendments, no objections being made, the resolution was read the second and third times, and ordered to be engrossed and sent to the House for concurrence in the same.

Received a message from the House, proposing to go forthwith into an election for a United States Senator, stating that Hon. Thomas L. Clingman and Hon. Sion H. Rogers, were in nomination for the same.

The message was concurred in.

On motion of Mr. Dockery, the name of Hon. Bedford Brown was added to the nominations; whereupon the Speaker announced that Messrs. Burton and Stubbs would superintend the election on the part of the Senate, and a message was ordered to be sent to the House, stating that the Senate would go into said election, under the superintendence of Messrs. Burton and Stubbs, immediately on the return of the messenger.

Mr. Shaw stated that Mr. Brown did not desire to be voted for.

The Senate now proceeded to vote, as follows, to wit:

For Hon. Thomas L. Clingman—Messrs. Avery, Burton, Dickson, Dobson, Faison, Hall, Harris of Chatham, Harriss of Franklin, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Speight, Street, Stowe, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker; Watson, Waugh, Whitaker and Winstead—27.


Mr. Simpson voted for Hon. D. S. Reid.

Mr. Turner voted for Hon. George E. Badger.

Mr. Worth, for Hon. John A. Gilmer.

Mr. Brown, for Hon. William Eaton.
Mr. Walkup stated that he had paired off with the Senator from Nash.

Mr. Speight introduced a bill to protect securities to sheriffs' bonds, which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Sharpe, a resolution concerning the purchase of a United States Flag, which was read the first time and passed.

Mr. Lane, from the Committee on Propositions and Grievances, reported back the resolution in favor of Thomas B. Stephens, and with the following amendment, recommended its passage, viz: after the words "Thomas B. Hill," in the 9th line, insert the words "or to any other persons in trust for him, or for his use and benefit."

Received a message from the House, transmitting the following engrossed bills, all of which were read the first time, passed, and referred as follows, to wit:

The bill to compel the reading of the minutes of the preceding day every morning during the sitting of the superior or inferior courts, was referred to the Committee on the Judiciary.

The bill to incorporate the Greensboro' Gas Light Company, was referred to the Committee on Corporations.

The bill for the relief of Cynthia Chavis, a free woman, was referred to the Committee on the Judiciary.

The bill to establish a county, to be named Mitchell, was referred to the Committee on Propositions and Grievances.

The bill to amend the 16th and 17th sections, chapter 34, Revised Code, was referred to the Committee on the Judiciary.

The resolution in favor of the securities of S. M. Ray, late sheriff of Yancey county, was referred to the Committee on Propositions and Grievances.

The bill to incorporate the Union Agricultural, Mechanical and Commercial Society at Newbern, was referred to the Committee on Corporations.
And the bill to incorporate the Trustees of Tally Ho! Female Academy, in the county of Granville, was referred to the Committee on Corporations.

Mr. Burton, from the committee to superintend the election of a United States Senator, submitted the following report, which was adopted, to wit:

The whole number of votes cast 147; necessary to a choice 74.


Hon. Thomas L. Clingman having received a majority of all the votes cast, is therefore duly elected.

A. W. BURTON,
J. R. STUBBS,

Committee.

Mr. Turner moved to take up the resolution upon the table, offered by himself, concerning erecting the United States Flag upon the Capitol of the State, and demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Brown, Barringer, Dickson, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Street, Stowe, Taylor of Granville, Taylor of Brunswick, Walker, Watson and Whitaker—32.

So the Senate refused to take the resolution from the table.

The Speaker announced the unfinished business of yesterday, viz: the consideration of the Milton and Yanceyville
Junction Railroad bill, and the question recurrent upon the adoption of the amendment by Mr. Winstead to strike out in the first section, fifth line, the words "by way of Yanceyville," and insert the words, "by way of Leasburg."

Upon this question, Mr. Winstead 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 question now recurring upon the bill on the second reading, Mr. Barringer moved to amend by striking out all after the enacting clause, and inserting a substitute bill, entitled a bill to incorporate the Greensboro and Leaksville Railroad Company.

A call of the roll was now demanded, and Messrs. Bledsoe, Barringer, Burton, Dowd, Erwin, Faison, Ramsay, Stubbs, Thomas of Jackson and Waugh failed to respond to their names.

The Speaker announced that Messrs. Burton and Stubbs were engaged upon a committee.

On motion of Mr. Faison, the further consideration of the call was suspended.

Mr. Bledsoe now moved to amend the amendment by Mr. Barringer to the Milton and Yanceyville Junction Railroad bill by striking out the word "Greensboro," and inserting the words "Company Shops."

On motion, the substitute offered by Mr. Barringer, and the amendment to the substitute, by Mr. Bledsoe, were withdrawn.
Mr. Hall moved to adjourn, and the question was decided in the negative—yeas 17; nays 18.

The question now recurring upon the passage of the bill the second reading, Mr. Brown demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Bledsoe, Blount, Dickson, Faison, Grist, Hall, Harriss of Franklin, Lane, Pitchford, Rogers, Speight, Street, Taylor of Granville, Taylor of Brunswick, Turner, Waugh and Whitaker—17.

So the bill passed the second reading.

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

FRIDAY, FEBRUARY 1, 1861.

The Senate met at the usual hour.

The Journal was read.

Received a message from the House of Commons, proposing to raise a joint select committee of five, two on the part of the Senate, and three on the part of the House, to take into consideration the propriety of fixing a time for the adjournment of the General Assembly sine die.

The message was concurred in; whereupon the Speaker appointed upon the committee, in behalf of the Senate, Messrs. Worth and Pitchford.

Mr. Bledsoe, from the Committee on Constitutional Reform, reported back the bill to alter the Constitution, and recommended its passage.
On motion of Mr. Bledsoe, said bill was ordered to be made the special order for Thursday next at 12 o'clock.

Mr. Dockery, from the Committee on Agriculture, reported back the bill for the protection of stock, and recommended its passage.

Mr. Dockery, from the Committee on Geology, reported the bill to repeal certain sections of the 2d chapter of the Revised Code, and recommended that said bill do not pass.

Mr. Avery, from the Committee on the Judiciary, reported back a bill to amend section 5th chapter 81st Revised Code entitled oysters and other fish, and recommended its passage.

Mr. Walker, from the Committee on Education and the Literary Fund, a resolution in favor of Samuel Pearce, and recommended its passage.

Mr. Humphrey, from the Committee on Corporations, a bill to incorporate the Albemarle Steam Packet Company, and with the following amendment recommended its passage,

*Strike out the words "and by that name they and their successors may, and shall have a perpetual succession."*

Also, a bill to incorporate the Union Agricultural, Mechanical and Commercial Society at Newbern, and recommended its passage.

Also, a bill to amend an act entitled an act for the government of Elizabeth City, and recommended its passage.

Mr. Whedbee, from the same Committee, a bill to incorporate the Tally Ho! Male and Female Academy, in the county of Granville, and recommended its passage.

Mr. Humphrey, from the same Committee, asked to be discharged from the further consideration of the bill to incorporate the Person Savings Bank, and that said bill be referred to the Committee on Banks and Currency, and the bill was ordered to be so referred.

On motion of Mr. Outlaw, the bill to alter the jurisdiction of the courts of the State, and the rules of pleading for the
relief of the people, was made the special order for Monday next, 12 o'clock.

Mr. Brown moved that the rules be suspended and that the Milton and Yanceyville Junction Railroad bill be now taken up and put upon the third and last reading.

The motion did not prevail.

Mr. Barringer introduced the bill to incorporate the Greensboro' and Dan River Railroad, which was read first time and passed.

Mr. Bledsoe, a resolution in favor of Wm. Thompson, which was read the first time, passed and referred to Committee on Claims.

Mr. Stubbs, a bill concerning the town of Jamesville, in the county of Martin, which was read first time and passed.

Mr. Pitchford, a petition from certain free persons of color from Warren county, which was read and referred to the Committee on the Judiciary.

Mr. Thomas, of Jackson, from the Committee on Internal Improvements, reported back the bill to incorporate the Williamston and Tarboro' Railroad Company, and recommended its passage.

Mr. Taylor, of Granville, introduced a bill to incorporate Oak Hill Military Academy, in the county of Granville, which was read the first time, passed and referred to the Committee on Corporations.

The Speaker announced a communication from the Principal of the Deaf, Blind and Dumb Asylum, which was read and left upon the table.

Mr. Walkup introduced a bill to enlarge the corporate limits of the town of Monroe and for other purposes, which was read the first time, passed and referred to the Committee on Corporations.

Mr. Street, a bill to protect the Fair Grounds of the Union Agricultural, Mechanical and Commercial Society at Newbern, which was read first time, passed and referred to the Committee on Propositions and Grievances.
Mr. Morehead introduced a resolution in favor of the Green’s Monument Association at Greensboro’, which was read first time and passed. No objections being made, the rules were suspended, and said resolution was read the second and third time, passed and was ordered to be engrossed and sent to the House of Commons for concurrence.

Received a message from the House, transmitting the following engrossed bills and resolutions which had been passed by that body, and in which the concurrence of the Senate was asked; and the bills and resolutions were read the first time, passed and were referred as follows, to wit:

A resolution in favor of P. A. Smith, administrator of the estate of M. M. Plunkett, deceased, to the Committee on Propositions and Grievances.

The bill concerning the Wardens of the Poor for the county of Wake, to the same Committee.

A bill to lay off and establish the county of Transylvania, to the same Committee.

A bill to amend the charter of the Farmers Bank of North-Carolina to the Committee on Banks and Currency.

A bill for the relief of Evan Furguson and Ben. Smith, to the Committee on Claims.

A bill to provide for the giving of the control and management of the Western Turnpike Road to the county courts of certain counties, to the Committee on the Judiciary.

A bill relating to the elections of constables, to the same committee.

A bill to amend chapter 107 section 66, of the Revised Code, relating to free negroes having arms, to the same committee.

A bill to amend an act of 1858–9, entitled an act to extend the Superior Court of Rowan to two weeks, to the same committee.

A bill to prevent the sale or transfer of expectances, to the same committee.

A bill to amend section 1, chapter 57, of the Revised Code, entitled Idiots and Lunatics, to the same committee.
A bill to require the registration of coroners bonds, to the same committee.

A bill to incorporate Jefferson Academy, to the Committee on Corporations.

A bill to incorporate the Asheville Water Company, in the county of Buncombe, to the same committee.

A bill to incorporate Green Hill Cemetery, in the county of Buncombe, to the same committee.

A bill to revive and amend an act incorporating the town of Thomasville, to the same committee.

A bill entitled an act to amend an act to incorporate the Jonathan Turnpike Company, passed at the session of 1858-'9, to the same committee.

The resolution in favor of John Tapscott and other sheriffs, was read the first time and passed.

Received a message from the House, stating that the committee of conference, in regard to the pay of the commissioners to Washington City and the State of Alabama, had reported in favor of the amendments adopted by the Senate to the resolution providing for the pay of said commissioners, and that the House had concurred in said report.

Mr. Pitchford asked to be discharged from serving on the committee appointed to consider the propriety of fixing a day for the General Assembly to adjourn sine die.

On motion, the Senator was excused; whereupon the Speaker appointed in his stead the Senator from Burke.

Mr. Brown now moved again to take up the Milton and Yanceyville Junction Railroad bill.

The question was decided in the negative. Yeas 18; nays 13.

The file of public bills and resolutions on the second reading was now taken up, and the bill to appoint tax collectors for the counties of Wayne and Haywood was put upon its second reading and amended as recommended by the committee.

Pending the passage of the bill the second reading, on
motion of sundry Senators, the counties of Burke, Pasquotank, Mecklenburg, Iredell, Davidson, Union and Anson were included in the provisions of the bill.

The question recurring upon the passage of the bill the second reading, said bill passed; and no objections being made, said bill was read the third time, passed and was ordered to be engrossed.

The bill to authorize the inspectors of naval stores to weigh rosin, to fix rates for the same, and for other purposes, was rejected on the second reading.

The bill to permit persons to remove the remains of their deceased relatives, when buried on the lands of others, was read second time and passed.

The bill to prevent the sales of spirituous liquors within two miles of Reynoldson Institute, in the county of Gates, was read the second time and passed. No objection being made, said bill was read the third time, passed and was ordered to be engrossed and sent to the House for concurrence.

The bill to change the place of comparing the polls in the 44th Senatorial district was read the second time, and on motion of Mr. Dobson, was amended by inserting after the word "Moody," the words "in the county of Stokes." With this amendment, the bill passed the second reading. No objections being made, the said bill was read the third time, passed and was ordered to be engrossed and sent to the House for concurrence.

The bill to authorize the appointment of special magistrates in the county of Craven was read the second time and passed. There being no objections made, said bill was read the third time, passed and was ordered to be engrossed and sent to the House for concurrence.

The bill to change the place of holding the Court of Wardens in Northampton county was read the second time and passed.

There being no objections made, said bill was read the third time, passed and was ordered to be enrolled.
The bill to extend the time of perfecting the titles to lands heretofore entered, was read the second time and passed.

The bill to provide for the establishment of Schools, for the education of common school teachers, was read second time and informally passed over.

On motion of Mr. Outlaw, the bill to repeal so much of section 5th, chapter 90 of the Revised Code, as exempts State bonds from taxation, was taken up and read second time, and, pending the passage of said reading,

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

SATURDAY, FEBRUARY 2, 1861.

The Senate met at the usual hour.

The Journal was read.

Mr. Thomas, from the Committee on Internal Improvements, reported back the memorial from citizens of Buncombe, asking aid in the building of a turnpike road on Mt. Mitchell, and reported adversely thereto.

Also, the bill to continue the improvements and provide for the equipment of the Albemarle and Chesapeake Canal, and the waters connected therewith, and recommended a substitute for said bill, which,

On motion of Mr. Outlaw, was ordered to be printed.

Mr. Barringer, from the Committee on the Library, reported back the resolution providing for the publication of Colonial records and Legislative proceedings, and for other purposes, and recommended its passage, with the following additional resolution, to wit:

Resolved, That the Secretary of the State and the State Librarian be, and they are hereby directed, to have the Colonial records and Legislative proceedings herein ordered, to be published and printed at the North-Carolina Institute for the Deaf, Dumb and Blind.
A bill for the protection of the citizens and property of North-Carolina, and recommended a substitute for said bill.

Mr. Avery, from the Committee on the Judiciary, reported back the bill to allow less than a majority of the magistrates to transact the county business for Iredell county, and upon the said bill submitted the following report, to wit:

The Judiciary Committee, to whom was referred "a bill to allow less than a majority of magistrates to transact the county business of Iredell County," have considered the same, and instruct me to recommend the following amendment thereto:

Strike out the entire bill after the enacting clause, and insert "That upon the failure of a majority of the Justices of the Peace of the county of Iredell to appear at the first term of the court of Pleas and Quarter Sessions for said county, which ensues after the first day of January in every year hereafter, then and in that case, the presiding Justices of said court shall order and direct that the Justices of the Peace for the said county appear at the court house in the town of Statesville, at an early day thereafter to be designated in said order of said court, after such advertisement as said court may prescribe, for the purpose of levying all such taxes as should have been levied at the regular term of said court; and in case a majority of said Justices shall not appear at the time designated in said order of said court, then twenty-one Justices shall constitute a quorum for the transaction of business now requiring a majority: Provided, That said Justices, when assembled in special session as aforesaid, shall have no power to do or perform any judicial act except to make such orders of record as the county courts are now authorized when laying the county taxes, and providing for the collection of the same."

Upon the adoption of the foregoing amendment the Judiciary Committee recommended the passage of the bill.

W. W. AVERY,
Chairman.
Mr. Avery, from the same Committee, reported back the bill concerning the Magistrates of Chatham, and submitted the following report, to wit:

The Judiciary Committee, to whom was referred a bill concerning the magistrates of Chatham county, have considered the same, and instructed me to recommend the following amendment thereto, to wit:

Strike out the entire bill after the enacting clause and insert "That upon the failure of a majority of the acting Justices of the Peace of the county of Chatham to appear at the first term of the court of Pleas and Quarter Sessions for said county which ensues after the first day of January in every year hereafter, then and in that case, the presiding Justices of said court shall order and direct that the Justices of the Peace for said county appear at the court house in the town of Pittsboro' at an early day thereafter, to be designated by said order of said court, after such advertisements as said court may direct, for the purpose of levying all such taxes as shall have been levied at the regular term of said court, and in case a majority of said Justices should not appear at the time designated in said order of said court, then twenty-one Justices of the Peace shall constitute a quorum for the transaction of business now requiring a majority: Provided, That said Justices when assembled in special session as aforesaid, shall have no power to do or perform any judicial act, except to make such orders of record as the county courts are now authorized to make when levying the county taxes and providing for the collection of the same."

Upon the adoption of the foregoing amendment, the Judiciary Committee recommended the passage of the bill.

W. W. AVERY, Chairman.

Mr. Walker introduced a bill to amend the Revenue Act of 1858 and 1859, which was read first time, passed and referred to the Committee on Finance.
Under a suspension of the rules, the following bills were now put upon their second and third reading, to wit:

The bill to incorporate the Independent Grays, of the town of Elizabeth City, which,
On motion of Mr. Street, was laid upon the table.
The bill to incorporate the Old Topsail Riflemen, which,
On motion of Mr. Street, was laid upon the table.
The bill to incorporate the Franklin Riflemen, which,
On motion of Mr. Street, was laid upon the table.
The bill to incorporate the Albemarle Guards, and the Sharon Guards, which,
On motion of Mr. Street, was laid upon the table.

Mr. Bledsoe now moved to reconsider the vote by which the Independent Grays were laid upon the table, and demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the vote was reconsidered.

Mr. Bledsoe now moved that the Old Topsail Riflemen, the Franklin Rifles, the Albemarle Guards and the Sharon Guards, be added to the provisions of the bill, which motion prevailed. The bill then as amended, was read the third time, passed and was ordered to be engrossed and sent to the House for concurrence.

The bill to amend an act, entitled an Act to incorporate the town of Charlotte, in the county of Mecklenburg, was read, under the supervision of the the rules, the second and third time, and passed and was ordered to be enrolled.
On motion of Mr. Turner, said bill was excluded from the public documents, and ordered to be printed.

The bill to incorporate the Orange Light Infantry.

Also, the bill to amend an act entitled "an Act to incorporate the Mars Hill College."

Also, a bill to re-enact and amend an act entitled "an Act to extend the limits of the town of Ashboro', and to repeal all former acts of incorporation."

Also, a bill to incorporate the Davidson Copper Mining Company.

Also, a bill to incorporate the Rudicill Gold Mining Company of Baltimore, all of which, under the suspension of the rules, were read second and third time, passed and ordered to be engrossed and sent to the House for concurrence.

The bill for the protection of Haywood Male and Female Academies, was read the second time, and amended as recommended by the committee and passed. No objections being made, said bill was read the third time, passed and was ordered to be sent to the House for concurrence in amendment.

The resolution in favor of Daniel Willis and David Lewis, was read the second and third times under the suspension of the rules, passed and ordered to be enrolled.

Also, the bill to incorporate the Judson Female College, in the town of Henderson, was read the second and third time, passed and ordered to be enrolled.

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

MONDAY, FEBRUARY 4, 1861.

The Senate met at the usual hour. The Journal was read. Mr. Thomas, of Jackson, from the Committee on Internal Improvements, reported back the bill to incorporate the Greenville and Goldsboro' Railroad Company and recommended its passage.
Mr. Worth introduced a bill relating to the Banks, which was read first time and passed.

The Speaker announced that Messrs. Turner, Thomas of Jackson and Walker would constitute the Senate branch of the committee on enrolled bills for the present week.

Received a message from the House, stating that Messrs. Yeates, Peebles, Marsh, Newby and Person had been appointed the House branch of the committee on enrolled bills for the present week.

Received a message from the House, transmitting statements from the Miners' and Planters' Bank, with a proposition to print.

On motion of Mr. Outlaw, the message was laid upon the table, and the statements were referred to the Committee on Banks and Currency, and ordered to be printed.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, viz: the consideration of the bill to alter the jurisdiction of the courts of the State, and the rules of pleading for the relief of the people.

On motion of Mr. Outlaw, in the 1st section after the word "administrators," the words "when the principal of such debt or demand shall exceed fifty dollars," were stricken out, and in their stead the words "and except cases in which a single magistrate has jurisdiction by existing law," were inserted.

On motion of Mr. Outlaw, further, the 2nd section of the bill was stricken out.

On motion of Mr. Outlaw, further, the following additional sections, to come in between the 3d and 4th sections, were inserted in the bill, to wit:

Be it further enacted, That all suits now pending in the county courts for demands of a similar nature to those of which the act give exclusive jurisdiction to the superior courts, not tried and determined before the ratification of this act, and all actions of a similar nature which are brought and made returnable to the several courts, may, at
the option of either party, be transferred to the Superior Courts, and the first shall stand for trial at the second term of said court, and the second shall be plead to at the second term, and stand regularly for trial at the next term thereafter.

Be it further enacted, That in all cases provided for in the foregoing section, the clerks of the several courts shall certify to the said Superior Courts a transcript of the proceedings of said county courts as in cases of appeals. No witness fee shall be taxed except in the said Superior Courts.

Be it further enacted, That all warrants which have already been brought, and which have not been tried and determined before the ratification of this act, or which may hereafter be brought, shall not be returned for trial until six calendar months after the same are served.

Be it further enacted, That this act shall be and remain in force for two years and no longer.

Mr. Winstead now moved to amend further, as follows, viz:

Be it further enacted, That when the pleas are entered, the defendant shall be required to give good and sufficient security for the payment of the money when judgment is obtained, and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Burton, Bledsoe, Barringer, Blount, Dickson, Dockery, Dowd, Eure, Erwin, Faison, Harriss of Franklin, Harris of Chatham, Lane, Outlaw, Shaw, Simpson, Street, Stowe, Sharpe, Slaughter, Taylor of Nash, Taylor of Brunswick, Whitaker, Walkup and Whedbee—27.

So the amendment was rejected.

Mr. Hall moved to amend as follows, to-wit:

Provided that all assignment deeds, trusts or other con-
veyance made by any debtor, by which any provisions are made for the benefit of any particular creditor or creditors, to the exclusion of any other creditor, or by which any preference is given to any one or more creditors over any other of such debtor’s creditors, shall be null and void as against creditors.

Provided further, That any creditor may have the same right to the process of injunction, sequestration and the ne ex at in the same manner and under the same rules as judgment creditors are now entitled to said process.

The amendment was rejected.

Mr. Speight moved to amend as follows, to-wit:

Provided, that the provisions of this act shall not apply to debtors to deceased persons estates.

The amendment by Mr. Speight did not prevail.

Mr. Winstead now offered a substitute for said bill, which was read and rejected.

The question now recurring upon the passage of the bill, as amended on the second reading, Mr. Faison demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the bill as amended, passed the second reading.

Mr. Simpson now moved that the rules be suspended and that the bill be put upon its third reading, and upon this question Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Brown, Bledsoe, Blount, Dickson, Dockery, Eure, Erwin, Faison, Grist, Harriss of Franklin, Lane, Simpson, Street, Stowe, Sharpe, Slaughter, Spencer, Taylor of Nash,
Those who voted in the negative are:

So the Senate refused to suspend the rules.

On motion of Mr. Outlaw, the further consideration of the bill was made the special order for 11 o'clock to-morrow.

The Senate now took up the special order for 11 o'clock, to wit:

The consideration of the bill to enable the Western Railroad Company to extend its charter to the North-Carolina Railroad, which was read the second time, and pending the vote on its passage, Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Blount, Dickson, Dobson, Eure, Harriss of Franklin, Lane, Outlaw, Rogers, Speight, Slaughter, Spencer, Taylor of Nash, Waugh, Whitaker, Winstead and Whedbee—16.

So the bill passed the second reading.

The bill to incorporate the Albemarle Steam Packet Company was now read the second time, and amended as recommended by the committee and passed.

No objections being made, said bill was read the third time, passed and ordered to be engrossed, and sent to the House for concurrence.

The bill to incorporate the Thomasville Bank was now taken up, and on motion by Mr. Barringer, was amended by adding a branch to be established at Concord.
The question now recurring on the passage of the bill the second time, Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Dickson, Dockery, Harriss of Franklin, Harris of Chatham, Outlaw, Pitchford, Rogers, Speight, Slaughter, Watson and Whitaker—11.

So the bill as amended passed the second reading.

Mr. Hall now moved to reconsider the vote by which the bill to incorporate the Independent Grays passed its third reading on Saturday last, and then moved to extend the provisions of the bill to the Cape Fear Riflemen, commanded by Captain W. S. Anderson, which motions were agreed to.

Mr. Avery moved to add the Bank Mountain Riflemen to the bill; agreed to.

Mr. Ramsay moved to make the Greensboro' and Leakesville Railroad bill the special order for 12 o'clock on Wednesday next, which was agreed to.

Mr. Simpson gave notice that he would move, on to-morrow, to change the rules for the government of the Senate.

Received a message from the House, stating that the House had concurred in Senate amendments to the bill for the protection of Haywood Male and Female Academies, and also to those incorporating the town of Charlotte; whereupon said bills were ordered to be enrolled.

On motion of Mr. Slaughter, the Senate adjourned until 10 o'clock to-morrow.
TUESDAY, FEBRUARY 5, 1861.

The Senate met at the usual hour. The Journal was read. Mr. Hall, from the Committee on Slaves and Free Persons of Color, reported back the bill in regard to the hire of slaves, and with the following amendment, recommended its passage, to wit: Strike out in the 4th line the words "one year" and insert the words "six months, or for a longer time."

Mr. Avery, from the Committee on Internal Improvements, reported back a bill to protect securities to sheriffs' bonds.

Also, a bill to prevent damages by camp-fires.

Also, a bill relating to the election of constables.

Also, a bill to prevent the sale or transfer of expectancies.

Also, a bill to compel the reading of the minutes of the preceding day every morning during the sitting of the superior and inferior courts.

Also, a bill to increase the salaries of Judges of the superior courts of law and equity and for other purposes, and reported severally that said bills do not pass.

Mr. Avery, from the same committee, reported back the following bills, to wit:

A bill to amend section 1st chapter 57 of the Revised Code, entitled "Idiots and Lunatics."

Also, a bill to amend the 16th and 17th sections chapter 34 of the Revised Code.

Also, a bill to require the registration of Coroners' bonds, and recommended severally that said bills do pass.

Mr. Lane, from the Committee on Propositions and Grievances, reported back the following bills, to wit:

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

A bill concerning the Wardens of the poor for the county of Wake.

A bill to establish a new county to be named Mitchell.

A bill to lay off and establish Dobbin county, and severally that said bills do pass.
Mr. Lane, from the same committee, reported back a bill to amend the 4th section of an act entitled "an Act for the better regulations of Pilotage on the Cape Fear River and bars, and recommended a substitute for said bill.

Also, a resolution in favor of P. A. Smith, administrator of the estate of M. M. Plunkett, and asked to be discharged from its further consideration, which was granted.

Mr. Avery, from the Committee on the Judiciary, reported back the bill for the relief of Cynthia Chavis, a free woman, and recommended that said bill do not pass, the provisions of the bill being held as unconstitutional by the courts of the State.

Also, the bill to provide for the giving the control and management of the Western Turnpike Road to the county courts of certain counties, and asked to be discharged from its further consideration, which was granted; whereupon the bill, on motion of Mr. Thomas, of Jackson, was referred to the Committee on Internal Improvements.

Mr. Avery, from the same committee, reported back the bill to amend an act of 1858-'9, entitled an act to extend the Superior Courts of Rowan to two weeks, and recommended its passage.

Also, a bill to permit free persons of color to select their own masters and become slaves, and submitted thereupon the following report, to-wit:

Strike out all after the enacting clause and insert, "that the 8th section of the 4th chapter of the Revised Code," entitled, "appeals and proceedings in the nature of appeals," be and the same is hereby repealed.

Mr. Thomas, of Jackson, from the Committee on Internal Improvements, reported back the bill to incorporate the Chatham Railroad Company, and recommended its passage.

Also, a bill for the relief of persons who, as securities or otherwise, have paid for Cherokee lands, and recommended its passage.

Mr. Lane, from the Committee on Claims, reported back
the bill for the relief of Evans Ferguson and Ben Smith, and recommended its passage.

Mr. Bledsoe, from the same committee, a resolution in favor of Wm. Thompson, and recommended its passage.

The Speaker announced the special order for the hour of 11 o'clock, viz: the further consideration of the bill to alter the jurisdictions of the courts of the State, and to change the rules of pleading for the relief of the people.

Pending the vote on said bill the third reading, Mr. Avery moved to amend as follows, to-wit:

The Judiciary Committee, to whom was referred "A Bill to permit free persons of color to select their own masters and become slaves," have considered the same, and instruct me to report, that according to the decisions of our Supreme Court, the constitution recognizes free persons of color as citizens of this State, and being citizens, the law must protect them in the enjoyment of life, liberty and property, except when they have forfeited the same for crime. Under our constitution, therefore, as interpreted by our courts, no free person, either colored or white, can be enslaved by legislative enactment, even by their own consent. Such an enactment could not confer upon any one citizen the power to exercise that absolute dominion over the person of any other citizen, much less over his posterity, as masters now exercise over the persons of their slaves. While the decisions of the courts stand unreversed, the object contemplated by this bill can only be obtained by an amendment of the Constitution. The committee recommended that the bill do not pass.

W. W. AVERY, Chairman.

Upon the question of the amendment a division was called for, and the Senate decided to divide. The question was then put, first on striking out, and Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Bledsoe, Barringer, Dobson, Hall, Harriss

Those who voted in the negative are:


So the question was decided in the negative.

The question now recurring on the passage of the bill on the third reading, Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the bill passed the second reading and was ordered to be engrossed and sent to the House for concurrence.

Mr. Burton now moved to reconsider the vote by which the bill passed the third reading, and then moved to lay that motion on the table, which prevailed.

The special order for the hour of 12 o'clock now intervened, to wit:

The consideration of the bill proposing to build a branch from the Wilmington and Weldon Railroad, at or near the town of Fayetteville.

Pending the passage of said bill on second reading, Mr. Turner moved to strike out the words "and places" in said bill and to insert in their stead the words "the city of Raleigh," and upon this he demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Burton, Bledsoe, Barringer, Blount, Dickson, Dobson, Erwin, Faison, Grist, Hall, Harris of Chatham, Pitchford, Rogers, Shaw, Simmons, Speight, Stowe, Sharpe, Spencer, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Waugh, Walkup and Worth—26.

So the amendment did not prevail.

The question now recurring upon the passage of the bill the second reading, Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Avery, Burton, Barringer, Dickson, Dockery, Dowd, Erwin, Faison, Hall, Harris of Chatham, Shaw, Simmons, Simpson, Street, Stowe, Sharpe, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Walkup and Worth—22.

Those who voted in the negative are:

So the bill passed the second reading.

In obedience to the notice previously given, Mr. Speight moved to amend the rules for the government of the Senate as follows, to wit:

Resolved, That from this day the Senate will meet at 10 o'clock A. M.; then take a recess until 3 o'clock; then meet again and sit until 6 o'clock, when its session shall close for the day.

Mr. Avery moved to amend by striking out the word "three" and inserting "three-and-a-half," and the amendment was adopted.

Mr. Avery moved to amend further by striking out all after the words "three-and-a-half o'clock."
Mr. Simpson moved to amend the amendment by striking out, in the clause proposed to be stricken out, the word "six" and inserting the word "seven."

The question recurring on the motion of Mr. Avery, was decided in the affirmative.

Mr. Waugh now moved to strike out the words "two-and-a-half," and insert the word "seven."

Mr. Erwin moved to lay the whole matter upon the table, which motion was rejected.

The question then recurring on the motion of Mr. Waugh, was decided in the negative.

The question now recurring on the passage of the resolution as amended, was decided in the affirmative.

Mr. Burton moved to make the bill to complete the Charlotte and Rutherfordton Railroad the special order for Friday next 12 o'clock, and the motion was agreed to.

On motion of Mr. Bledsoe, the Chatham Railroad bill was made the special order for 3½ o'clock to-morrow.

Mr. Pitchford, from the Committee on the Lunatic Asylum, presented a lengthy report, which on motion of Mr. Bledsoe, was ordered to be printed, and is as follows, to wit:

The Committee on the Insane Asylum beg leave to submit the following report:

The Committee on the Insane Asylum, have at various times visited the Institution, have examined into the condition of the building, the patients within it and the grounds around it. The accounts of the treasurer of the Institution have also been rigidly scrutinised and ascertained to be correct in every respect, exhibiting not only a full and satisfactory account of all the moneys received and expended by, but proving also his entire fitness to discharge the duties committed to him.

It is not to be expected that an establishment on so large a scale, could, within the short period of its existence, be rendered perfect in all its architectural details. Action in this direction is necessarily dependent on the destroying
effects of time, the improvements suggested by experience, the enlargements required by increase of patients, and is of course, in a degree endless. The house is, however, admirably well adapted to the purposes for which it was designed, and its neat, cleanly and orderly appearance in all its apartments, shows most clearly the care bestowed upon it by those in whose keeping it is. The inmates, from all we have seen and heard, are, we believe, well cared for.

At the last session of the General Assembly an appropriation of ten thousand dollars ($10,000,) was made for the purpose of enclosing a lot of ground on the west side of the main building, by a wall connected with the two ends thereof. It is unnecessary here to repeat the arguments then addressed in support of the propriety of such a measure. Indeed, the necessity of providing some means by which these unfortunates may safely enjoy the common blessings which God has bestowed in the shape of light and air, is enforced upon us by every consideration connected with health and mercy. The board of directors some time since, drew from the public treasury bonds to the amount of $10,000 as above said; but upon full investigation, ascertained that this sum would not enclose an area more than half large enough to fulfil the purposes contemplated. They therefore very wisely concluded not to waste this amount in a useless construction; but determined to defer all action until an opportunity should enable them to appeal for further aid to the enlightened liberality of the present Legislature. They therefore recommend an additional appropriation of $10,000. In this recommendation the Committee most heartily unite, and embrace the present occasion to bear willing testimony to the zeal, fidelity and discretion which these gentlemen have manifested in discharging, without fee or reward, other than the approbation of a clear conscience, the arduous and responsible duties devolving upon them.

By the report of the treasurer of the Asylum, it appears that there remains in the hands of the Public Treasurer an
unexpended balance of $5,000 of last year's appropriation for the Institution. The interest on the $10,000 in bonds, now in the hands of the directors will probably amount to $1,000 by the time the bonds are used. This would amount to $16,000. This would render necessary an additional and direct appropriation of only $4,000 to make up the required amount of $20,000. The Committee would however recommend an appropriation of $5,000, strictly limiting the expenditure for the wall to $20,000, and paying the accruing interest into the hands of the treasurer of the Asylum, to be added to a surplus now in his hands of $849.36, to be used by the directors and superintendent in purchasing books, &c., for the recreation of the patients, for such repairs and constructions as may be necessary, and more especially for the improvement of the grounds in front of the building. No person acquainted with the premises will deny that much would be gained in the way of beauty of appearance if the present waste of broomstraw which now greets the eye, were removed and the ground improved or fertilized and laid down in clover and the grasses. We are inclined to believe that the saving thus accomplished in the pastorage of stock would go very far towards reimbursing the outlay. Moreover, in such an Institution, many and various contingencies and exigencies will arise which it is impossible to foresee, and thus provide against, but which must nevertheless be promptly met. We therefore recommend that this limited amount of surplus, which will in no event exceed $1,800, be left in the Treasurer's hands as above suggested, to be disposed of as indicated.

We believe that an appropriation of fifty thousand dollars ($50,000) for the support and maintenance of the asylum for the next two years will be necessary, and we recommend that amount.

There are now in the asylum one hundred and twenty-one county patients and sixty-three paying patients. The former at $144 per annum, pay $17,424, and the latter at $200 per
annum, pay $12,600, making a total of $30,024 annual receipts. This, of course, is based on the supposition that this number is kept up for the whole year, and that all parties promptly pay their dues. The total expenditure for the past year was $38,114.92. This would show a balance against the asylum for the year of $8,090.92.

All this, however, as above said, is based on the assumption that the counties pay their liabilities. This, we are pained to say, is not the fact. The Legislature has thought proper to abolish the State tax heretofore imposed, and which made it emphatically a State institution, and has required the various counties to support their own patients. This law, if faithfully complied with, would not be open to such very serious objections, but if some counties are allowed with impunity to evade the law, it is evident that very gross injustice is inflicted on those which faithfully comply with its requirements, and the asylum, is thus, in fact if not in law, in part supported by a direct tax, and not by county tax.

To show how the present law operates, we here give the names of the defaulting counties and the sums due by each, viz.:

<table>
<thead>
<tr>
<th>County</th>
<th>Amount Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rockingham</td>
<td>$558.20</td>
</tr>
<tr>
<td>Wake</td>
<td>$30.74</td>
</tr>
<tr>
<td>Alamance</td>
<td>$467</td>
</tr>
<tr>
<td>Granville</td>
<td>$636</td>
</tr>
<tr>
<td>Surry</td>
<td>$276.66</td>
</tr>
<tr>
<td>Washington</td>
<td>$282</td>
</tr>
<tr>
<td>Chatham</td>
<td>$400.29</td>
</tr>
<tr>
<td>Franklin</td>
<td>$620.13</td>
</tr>
<tr>
<td>Guilford</td>
<td>$1,832.25</td>
</tr>
<tr>
<td>Randolph</td>
<td>$440</td>
</tr>
<tr>
<td>Anson</td>
<td>$1,231.20</td>
</tr>
<tr>
<td>Gaston</td>
<td>$240</td>
</tr>
<tr>
<td>Nash</td>
<td>$204</td>
</tr>
<tr>
<td>Harnett</td>
<td>$577.66</td>
</tr>
</tbody>
</table>
Wayne, .................................................. $ 144
Cabarrus, ............................................. 194
Pasquotank, .......................................... 646 66
Alleghany, ........................................... 131
Wilkes, ............................................... 429
Burke, ................................................. 661
Craven, ................................................ 1,446 39
Yancey, ............................................... 584 33
Orange, ............................................... 322 11
Halifax, ............................................... 1,487
Johnston, ............................................ 288 06
Caswell, ............................................. 83
Iredell, ............................................... 397 20
Moore, ............................................... 415 99
Columbus, .......................................... 144
Warren, ............................................. 236 32
Tyrrell, .............................................. 399 66
Watauga, ........................................... 144
Union, .............................................. 114
Wilson, ............................................. 130
Bladen, .............................................. 195 45
Richmond, .......................................... 313 35
Yadkin, ............................................. 144
Carteret, ........................................... 78

This list shows a deficit of ....................... $16,842 53

and discloses the fact that the State has improperly been compelled to pay this sum out of the public moneys, while these counties have been allowed, to this extent, to impose on others burdens which they ought in justice to bear themselves.

The amount paid by the counties for the year ending on the 30th October last, was $15,306.05. The annual appropriation was $25,000, thus showing a deficit for one year of $9,693.95, if all the county patients were pay patients, and
making a direct State tax to this extent. Your committee can suggest no better plan to remedy the grievance than to require the president and directors of the Literary Fund to deduct out of the school fund of every county such an amount as the superintendent shall notify them has been due for twelve months, as is the case in regard to the Deaf and Dumb Asylum. The present law in regard to the final collection of the same, ought, however, to remain in force, and if finally collected it ought to be added to the School Fund of the county for the next year.

The committee have had under consideration the propriety of erecting one or more wards for the reception of insane slaves. Since the institution went into operation, as many as sixty applications have been made for the reception of this kind of patients, and they would doubtless have been more numerous but for the general knowledge of the fact that no provision existed for their accommodation. When it is remembered that every patient of this kind would necessarily be a paying patient, that their owners would be relieved of much care and trouble, and that the patients themselves, from every consideration of humanity and kindness, are entitled to our care, your committee are satisfied that the earliest opportunity for erecting the necessary building ought to be embraced. In consequence of present financial and political embarrassments, the committee decline, at present, to advise the measure, but leave the question open for future consideration.

From the foundation of the institution up to 30th September, 1860, the whole amount expended for strictly building purposes is $203,976 27, and the amount expended for all other purposes, such as salaries, servant hire, gas and water works, and general support, &c., is $217,888 98, making a grand total of $421,865 25. This is truly a large sum of money in dollars and cents simply, but it is small when considered in connection with that divine sentiment which prompts us to save the poor and needy, and to be kind to the
unfortunate and the friendless. The committee can but commend this noble charity to the continued fostering care of the good people of the State.

The gentlemen whose names are attached, compose the present board of directors, viz:

Dr. D. T. Tayloe, of Washington,
Dr. William J. Blow, of Greenville,
Dr. J. E. Williamson, of Caswell,
Kemp P. Battle, of Raleigh,
Jos. B. Cherry, of Windsor, Bertie county,
Dr. Columbus Mills, of Columbus, Polk county,
Dr. C. E. Johnson, of Raleigh,
Walter L. Steele, of Richmond county,
A. M. Lewis, of Raleigh,
Stephen E. Williams, of Caswell,
Dr. Charles Skinner, of Warrenton,
M. A. Bledsoe, of Raleigh,
William H. Harrison, of Raleigh,
John A. Taylor, of Wilmington,
W. R. Cox, of Raleigh.

These are divided into three classes. The term of the first five expire on January 1st, 1861. There is one vacancy in the second class, and it is the duty of the present Legislature to elect six other persons to fill the vacancies.

All of which is respectfully submitted,

THOMAS J. PITCHFORD,
Chairman of Committee.

Mr. Barringer introduced a bill concerning causeways on certain public roads in the county of Cabarrus, which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Pitchford, a bill concerning the Insane Asylum of North-Carolina, which was read the first time and passed.

Mr. Taylor, of Brunswick, a bill to establish the Mariners' School of North-Carolina, which was read the first time,
passed and referred to the Committee on Education and Literary Fund.

Mr. Thomas, of Jackson, introduced a bill to amend the act restraining the sale of spirituous liquors to free persons of color, which was read first time, passed and referred to the Committee on the Judiciary.

Also, a resolution to instruct the Judiciary Committee in regard to certain matters.

On motion, the bill concerning the Wilmington and Weldon Railroad was made the special order for Friday next, 12 o'clock.

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

WEDNESDAY, FEBRUARY 6, 1861.

The Senate met at the usual hour. The Journal was read. Mr. Whedbee presented a petition to permit Kesiah Trueblood to become a slave, which was read and left upon the table.

Mr. Turner introduced the following resolutions, to wit:

RESOLUTIONS PROPOSING A CHANGE IN THE CONSTITUTION OF THE UNITED STATES.

Resolved by the Senate, the House concurring, That in the opinion of this General Assembly, the President and Vice-President of the United States should be chosen by the people of the respective States in the following manner: Each State shall be divided, by the Legislature thereof, into districts, equal in number to the whole number of Senators and Representatives to which such State may be entitled in the Congress of the United States; the said districts to be composed of contiguous territory, and to contain, as nearly as may be, an equal number of persons, entitled to be repre-
sented under the Constitution, and to be laid off, for the first
time, immediately after the ratification of this amendment
as part of the Constitution, and afterwards at the session of
the Legislature next ensuing the apportionment of representa-
tives by the Congress of the United States; that on the
first Thursday in August, 186 , and on the same day every
fourth year thereafter, the citizens of each State who possess
the qualifications requisite for electors of the most numerous
branch of the State Legislature, shall meet within their
respective districts and vote for President and Vice-Presi-
dent of the United States, one of whom, at least, shall not
be an inhabitant of the same State with themselves; and
the person receiving the greatest number of votes for Presi-
dent, and the one receiving the greatest number of votes for
Vice-President in each district, shall be holden to have
received one, which fact shall be immediately certified by
the Governor of the State to each of the Senators in Congress
from such State, and to the President of the Senate and the
Speaker of the House of Representatives.

The Congress of the United States shall be in session on
the second Monday in October 186 , and on the same day
every fourth year thereafter; and the President of the Senate,
in the presence of the Senate and House of Representatives,
shall open all certificates, and the vote shall then be counted;
the person having the greatest number of votes for President
shall be President, if such number be equal to a majority of
the whole number of votes given; but if no person have
such majority, then a second election shall be held on the
first Thursday in the month of December then next ensuing,
between the persons having the two highest numbers for the
office of President, which second election shall be conducted,
the result certified and the vote counted in the same manner
as in the first; and the person having the greatest number
of votes for President, shall be President.

But if two or more persons shall have received the greatest
and equal number of votes at the second election, then the
person who shall have received the greatest number of votes in the greatest number of States, shall be President.

The person having the greatest number of votes for Vice President at the first election, shall be Vice President, if such number be equal to a majority of the whole number of votes given; and if no person have such a majority, then a second election shall take place between the persons having the two highest numbers, on the same day that a second election is held for President; and the person having the highest number of votes for Vice President, shall be Vice President; but if there should happen to be an equality of votes between the persons so voted for at the second election, then the person having the greatest number of votes in the greatest number of States shall be Vice President; but when a second election shall be necessary in the case of Vice President, and not necessary in the case of President, then the Senate shall choose a Vice President from the persons having the two highest numbers in the first election, as is now prescribed in the Constitution.

Resolved, That these resolutions be forwarded to our Senators and members in Congress, and that they be requested to urge upon Congress the passage of these or similar resolutions, to be submitted to the several States for their ratification as an amendment to the Constitution of the United States; and that the Governor be requested to forward these resolutions to the Governors of the various States.

The Speaker announced the special order, to wit:

The bill to secure the completion of the Wilmington Railroad, which was read the second and third time, and pending the passage, Mr. Whedbee demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:
Messrs. Blount, Dickson, Dobson, Harriss of Franklin, Lane, Pitchford, Rogers, Speight, Slaughter, Spencer, Stubbs, Taylor of Nash, Taylor of Granville, Thomas of Davidson, Waugh, Whitaker, Winstead and Whedbee—19.

On motion of Mr. Avery, the resolutions on Federal Relations were made the special order for 4 o’clock Thursday next.

Mr. Pitchford introduced the following resolution, which was adopted, to wit:

Resolved, That a message be sent to the House proposing to go into an election of six directors of the Insane Asylum on Friday next at 12 o’clock, and that Dr. Pride Jones, of Hillsboro, Dr. P. T. Henry, of Bertie, J. W. B. Watson, of Johnston, S. H. Rogers, of Raleigh, Lawrence Hinton, of Wake, and Dr. J. E. Williamson, of Caswell, are in nomination.

Mr. Thomas, from the Committee on Internal Improvements, reported back the bill to aid the Cape Fear and Deep River Improvements, and submitted a substitute bill for the same.

Mr. Avery, from the Committee on the Judiciary, reported back the bill to divide the State into eight Judicial Districts, and with the following amendments recommended its passage, to wit:

Strike out the word “eight” in the second line of the 10th section and insert the word “seventh;” and insert in the bill the following additional section, to wit:

Be it further enacted, That Daniel Coleman, who was heretofore appointed Solicitor of the seventh Judicial Circuit be, and he is hereby transferred to the eighth Judicial Circuit as arranged by the bill, and in which he resides, and it shall be his duty to attend the several courts therein, and prosecute on behalf of the State.

Also, the bill to amend the act of 1858–'59, chapter 31, entitled an act to prevent the sale of spirituous liquors to free persons of color, and recommended its passage.

Received a message from the House, transmitting the following engrossed bills, to wit:
A bill to authorize the commissioners of the town of Hertford to sell lots.

A bill concerning insane persons.

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

A resolution requesting the Secretary of State to furnish the Capitol with wood, all of which were severally read the first time and passed.

Also, the following bills and resolutions were received by message from the House, read the first time, passed and were referred as follows, to wit:

The resolution concerning federal affairs was made the special order for the 7th of February.

The bill to amend the act creating the sinking fund, to the Committee on the Judiciary.

The bill to incorporate the Wilmington Water Works, to the Committee on Corporations.

Mr. Barringer moved to postpone the special order for to-day 12 o'clock, until Monday next 12 o'clock, which motion prevailed.

Received a message from the House, transmitting the following engrossed bills, in which the concurrence of the Senate was asked, to wit:

A bill to incorporate the Greensboro' Hotel Company, which was read the first time, passed and referred to the Committee on Corporations.

A bill to incorporate the Trustees of Ball Creek Camp Ground, which was read first time, passed and referred to the Committee on Corporations.

A bill to amend an act entitled "an Act to incorporate Perquimans Male and Female Academy, which was read first time, passed and referred to the Committee on Corporations.

A bill to amend section 2d chapter 118 of the Revised Code, entitled "Widows," which was read first time, passed and referred to the Committee on the Judiciary.
A bill to lay off and establish the county of Transylvania, which was read the first time and passed.

A bill to prevent obstructions in the waters of Blew's Creek, in the county of Forsythe, which was read the first time and passed.

On motion of Mr. Waugh, said bills were put upon the second and third readings, and passed and ordered to be enrolled.

Mr. Barringer introduced a bill to increase the salaries of the Judges of the Superior Courts, which was read the first time, passed and was referred to the Committee on the Judiciary.

Mr. Pitchford, a bill for the relief of the Insane Asylum, which was read the first time and passed.

Mr. Hall, a bill to incorporate the Wilmington Horse Artillery, which was read the first time and passed.

On motion of Mr. Hall, said bill was read second and third time and passed, and was ordered to be engrossed.

On motion of Mr. Taylor, of Granville, the bill to allow the Raleigh and Gaston Railroad Company to increase its capital stock, was taken up and read the second and third time, passed and was ordered to be engrossed.

On motion of Mr. Shaw, the bill to enable the Western Railroad Company to extend their charter from the Coal Field to the North-Carolina Railroad was read the third time.

Pending the vote, Mr. Waugh moved to amend by striking out in line 8th, all after the word "a," and inserting the words: "to High Point in the county of Guilford."

Pending the vote on amendment by Mr. Waugh, Mr. Pitchford moved to amend the amendment by inserting, "some point not more than eight miles west of Raleigh," and demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

19

So the amendment did not prevail.

Mr. Hall moved to amend by inserting the words, "between the Company Shops and the town of Lexington," and Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Bledsoe, Blount, Dickson, Dowd, Grist, Harris of Franklin, Lane, Pitchford, Rogers, Speight, Street, Sharpe, Spencer, Stubbs, Taylor of Nash, Watson, Waugh, Whitaker and Whedbee—20.

So the amendment did not prevail.

Mr. Avery now moved to reconsider the vote by which the amendment of Mr. Hall was rejected, and demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Bledsoe, Barringer, Blount, Dickson, Dobson, Dockery, Dowd, Erwin, Faison, Grist, Hall, Harris of Chatham, Shaw, Simpson, Street, Stowe, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Turner, Walker, Winstead, Walkup, Whedbee and Worth—34.

Those who voted in the negative are:

Messrs. Harris of Franklin, Lane, Pitchford, Rogers, Speight, Slaughter, Spencer, Watson, Waugh and Whitaker—9.

So the vote was reconsidered.
The hour of 2 o'clock having arrived, the Senate took a recess until 3½ o'clock.

Three-and-a-half o'clock, P. M.

The question recurring upon the amendment by Mr. Hall to the amendment by Mr. Waugh, to insert the words "at some point on the North Carolina Road between the Company Shops and the town of Lexington," upon this motion he demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Bledsoe, Barringer, Blount, Dickson, Dockery, Dowd, Erwin, Faison, Harriss of Franklin, Harris of Chatham, Lane, Pitchford, Shaw, Speight, Street, Stowe, Sharpe, Stubbs, Taylor of Nash, Thomas of Jackson, Thomas of Davidson, Watson, Waugh, Whitaker, Whedbee and Worth—28.

So the amendment did not prevail.

The question recurring on the amendment by Mr. Waugh, Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Dickson, Hall, Lane, Simpson, Slaughter, Taylor of Brunswick and Waugh—7.

Those who voted in the negative are:

The motion did not prevail.

Mr. Waugh now moved to amend as follows, to wit:
That it shall not be lawful for the Treasurer, for the com-
completing of the Eastern division of said Road, procuring the rolling stock and equipment, building shops and wharves, to sell more coupon bonds than are necessary to carry said road to the east bank of Deep River.

Upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Burton, Barringer, Dickson, Dockery, Dowd, Erwin, Faison, Hall, Shaw, Simmons, Street, Stowe, Sharpe, Stubbs, Thomas of Jackson, Thomas of Davidson, Whedbee and Worth—19.

So the amendment was rejected.

The question now recurring upon the passage of the bill on its third reading, Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Barringer, Dockery, Dowd, Erwin, Faison, Harris of Chatham, Shaw, Simmons, Street, Stowe, Sharpe, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walkup and Worth—18.

Those who voted in the negative are:

Messrs. Blount, Dickson, Dobson, Hall, Harriss of Franklin, Lane, Pitchford, Speight, Slaughter, Stubbs, Turner, Watson, Waugh, Whitaker and Whedbee—15.

So the bill passed the third reading, and was ordered to be engrossed.

Mr. Avery now moved to reconsider the vote by which the bill passed the third reading, and then moved to lay that motion upon the table, and upon this question Mr. Waugh demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Barringer, Blount, Dockery, Dowd, Erwin, Faison, Hall, Harris of Chatham, Shaw, Simmons,
Speight, Street, Stowe, Sharpe, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walkup and Worth—21. Those who voted in the negative are:


So the motion to reconsider was laid upon the table.

The special order now intervened, to wit: The consideration of the bill to amend the charter of the Western North-Carolina Railroad Company, which was read the third time, and pending its passage, 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 the second reading.

The special order for 3½ o'clock intervening, viz: The consideration of the Chatham Railroad bill, which was read the second time and passed.

On motion of Mr. Bledsoe, the rules were suspended and said bill was read the second time, passed and was ordered to be enrolled.

The following engrossed bills from the House were now read the first time and passed, to wit:

A bill concerning the management of the poor of the county of Forsythe.

A bill to resurvey and establish the county line between the counties of Surry and Wilkes.
On motion of Mr. Bledsoe, the resolution in favor of Quin- 
ton Busbee was now taken up and read the second time; and on 
motion of Mr. Bledsoe, the resolution was amended by 
authorizing, in the provisions of the resolution, the treasurer 
to pay to B. Moore the sum of three hundred dollars.

The question now recurring upon the passage of the reso-
lution the second reading as amended, was decided in the 
affirmative.

On motion of Mr. Bledsoe, the resolution was now read 
the third time, as amended, and passed and ordered to be 
engrossed.

On motion of Mr. Thomas of Jackson, the bill providing 
for the improvement and equipment of the Albemarle and 
Chesapeake Canal Company was now taken up and read the 
second time, amended by the adoption of a substitute and 
passed.

On motion of Mr. Thomas, of Jackson, the bill was now 
read the third time, and pending its passage,

Mr. Turner moved to amend by adding the following 
proviso, to wit:

Provided, The said Company shall, before the said bonds 
are issued by the Public Treasurer, raise all mortgages which 
have been heretofore made by said Company for the payment 
of bonds issued by the said Company: And provided further, 
that said Company, before availing themselves of this act, 
shall agree that no mortgage or other conveyance of the 
property of said Company inimical to the interest of the 
State shall hereafter be made.

Upon this question Mr. Bledsoe demanded the yeas and nays. 
Those who voted in the affirmative are:

Messrs. Arendell, Bledsoe, Dobson, Harriss of Franklin, 
Harris of Chatham, Pitchford, Rogers, Simpson, Taylor of 
Nash, Taylor of Granville, Taylor of Brunswick, Turner, 

Those who voted in the negative are:

Messrs. Avery, Burton, Barringer, Blount, Dickson,
Dockery, Dowd, Erwin, Faison, Grist, Hall, Humphrey, Shaw, Simmons, Speight, Street, Stowe, Sharpe, Slaughter, Spencer, Thomas of Jackson, Thomas of Davidson, Whitaker, Whedbee and Worth—25.

So the amendment was rejected.

The question now recurring upon the passage of the bill on the third reading, Mr. Lane demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Barringer, Dockery, Dowd, Erwin, Faison, Grist, Hall, Simmons, Speight, Street, Stowe, Sharpe, Slaughter, Spencer, Thomas of Jackson, Thomas of Davidson, Whitaker, Whedbee and Worth—21.

Those who voted in the negative are:


So the bill was rejected.

On motion of Mr. Bledsoe, the vote by which the bill was first rejected was reconsidered; and on motion of Mr. Bledsoe the Senate adjourned until 10 o'clock to-morrow.

THURSDAY, FEBRUARY 7, 1861.

The Senate met at the usual hour. The Journal was read. Received a message from the House, transmitting recommendations for the appointment of Justices of the Peace for the counties of Cherokee and Wake, which were concurred in.

On motion of Mr. Barringer, certain appointments of Justices of the Peace for Stanley county were concurred in.

On motion of Mr. Hall, certain appointments of Justices of the Peace were made for New Hanover.

Received a message from the House, transmitting a docu-
ment concerning the University, with a proposition to print; also an accompanying message, enclosing resolutions from Maine and other States.

Mr. Avery, in regard to the resolutions from Pennsylvania, offered the following resolutions, to wit:

Resolved, That the resolves of the Legislature of Pennsylvania, this day communicated to this General Assembly, are offensive in tone and meaning, in their general character, to our rights and institutions, and his Excellency, the Governor, is requested to return said resolves to the Governor of Pennsylvania.

Resolved, That the communications and resolves from other States in relation to federal affairs be referred to the Committee on Federal Relations.

Mr. Erwin moved to lay the resolutions, with the whole bundle of resolutions from sundry States, upon the table, and Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Burton, Dobson, Hall, Harriss of Franklin, Humphrey, Lane, Shaw, Street, Stowe, Taylor of Brunswick, Walker, Waugh and Whitaker—14.

So the resolutions were laid upon the table.

The special order for the hour of 12 o'clock, viz: The consideration of the bill to alter the Constitution of the State, now intervened, and Mr. Humphrey moved to amend by striking out the preamble to the bill. Mr. Stubbs moved to amend the amendment by Mr. Humphrey, by striking out all after the word "bill," and inserting instead, another
bill proposing to call a Convention to alter the Constitution, which is as follows, to wit:

Sec. 1. Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, (two-thirds of all the members being present;) That a Convention of the people of the State be, and the same is hereby called on the federal basis, for the purpose of so amending the Constitution of the State, as to abolish the capitation tax on slaves, and to compel the General Assembly, when passing acts for revenue, to impose an equal and uniform tax upon all slave property and real estate according to the respective value of each, and for no other purpose.

Sec. 2. Be it further enacted, That each county shall elect as many delegates to said Convention as it has members in the House of Commons, and no more.

Sec. 3. Be it further enacted, That on the first Thursday in August, A. D., 1861, the sheriff of each county shall open polls for the election of delegates to said Convention, under the same rules, regulations and penalties as are prescribed for the election of members of the House of Commons, and in like manner shall issue certificates of election. And in case a vacancy occurs in any county delegation, the Governor shall issue a writ for an election to supply such vacancy in the manner prescribed for supplying vacancies in the House of Commons.

Sec. 4. Be it further enacted, That all free white men, of the age of twenty-one years, who may be eligible to a seat in the House of Commons shall be eligible to a seat in said Convention.

Sec. 5. Be it further enacted, That the delegates shall convene in the city of Raleigh, on the third Monday in November, A. D., 1861, and in case a quorum does not attend on that day, they shall adjourn from day to day until a quorum is present; and a majority of the delegates elected shall constitute a quorum for the transaction of business.

Sec. 6. Be it further enacted, That the public treasurer shall pay upon the warrant of the Governor, such sums as
may be necessary to defray the contingent expenses of the
convention, and he shall pay to each delegate the same
amount per day and the same mileage that is now allowed
to members of the House of Commons.

Sec. 7. Be it further enacted, That no delegate shall be
permitted to take his seat in said Convention until he shall
have taken and subscribed to the following oath before any
Judge of the Supreme or Superior Courts or any Justice of
the Peace of Wake county, to wit: "I, A. B., do solemnly
swear or affirm (as the case may be) that I will not do any
act contrary to the act of the General Assembly under which
this Convention is called; and that I will duly and faithfully
discharge my duties as a member of this Convention according
to the best of my knowledge and ability, so help me God.

Upon this question Mr. Bledsoe demanded a division.
The Senate refused to divide, and the question recurred
upon the amendment to the amendment, and Mr. Stubbs
demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Dockery, Eure, Grist, Sharpe, Slaughter, Spencer,
Stubbs, Turner, Walkup and Whedbee—10.

Those who voted in the negative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Bar-
ringer, Dickson, Dobson, Dowd, Erwin, Faison, Hall,
Harriss of Franklin, Harris of Chatham, Humphrey, Lane,
Pitchford, Rogers, Shaw, Simmons, Simpson, Speight,
Street, Stowe, Taylor of Nash, Taylor of Granville, Tay-
lor of Brunswick, Thomas of Jackson, Thomas of David-
son, Walker, Watson, Waugh, Whitaker Winstead and
Worth—35.

So the amendment was rejected.

The question now recurring upon the amendment by Mr.
Humphrey, Mr. Dobson moved to amend the amendment
again by proposing a substitute for the original bill, which
is as follows, to wit:

...
A BILL TO ALTER THE CONSTITUTION.

Section 1. Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the third section of the fourth article of the amended Constitution of the State of North-Carolina be altered to read as follows:

"All free males over the age of twenty-one years and under the age of forty-five years shall be subject to a capitation tax, and no other person shall be subject to such tax.

"Taxation upon slaves and real estate shall be equal and uniform, according to the respective value of each."

Pending the vote on the amendment to the amendment by Mr. Humphrey, the hour of 2 o'clock arrived, and the Senate took a recess till 3½ o'clock.

Three-and-a-half o'clock, P. M.

Mr. Stubbs asked and obtained leave of absence during the remainder of the present week for the Senator from Beaufort.

The question recurring upon the amendment to the amendment by Mr. Dobson to the bill to alter the Constitution, Mr. Bledsoe called for a division of the question. After explanation, Mr. Bledsoe withdrew his call for a division.

On motion of Mr. Avery, the special order for 4 o'clock to-day was postponed until 4 o'clock to-morrow.

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

FRIDAY, February 8, 1861.

The Senate met at the usual hour. The Journal was read. Mr. Shaw asked for the appointment of sundry persons
Justices of the Peace for Cumberland county, which was agreed to.

Mr. Arendell asked for the appointment of Justices of the Peace for the county of Jones, which was agreed to.

Mr. Bledsoe, from the Committee on Claims, reported back a resolution in favor of Eilers, and recommended that said resolution do not pass.

Also, a resolution in favor of T. H. McRay, and recommended that said resolution do not pass.

Also, a resolution in favor of John B. Bauman, and recommended that said resolution do not pass.

Also, a resolution in favor of George Myers, and recommended that said resolution do not pass.

Mr. Bledsoe, from the Committee on Banks and Currency, reported back a bill to amend an act entitled "an Act to incorporate the Bank of Wilmington," ratified the 15th day of January, 1855, and recommended that said bill do not pass.

Also, a bill to amend the charter of the Wilmington Savings Bank, and recommended that said bill do not pass.

Also, a bill concerning Banks, and recommended that said bill do not pass.

Also, a bill to incorporate the Cambuco Mining and Smelting Company, and recommending that said bill do not pass.

Also, a bill to incorporate the Bank of Roxboro', and recommended that said bill do not pass.

Mr. Pitchford, from the Committee on Slaves and Free Negroes in the State, and recommended that said bill do not pass.

Mr. Humphrey, from the Committee on Corporations, reported back a bill to incorporate the Greensboro' Gas Light Company, and recommended its passage.

Mr. Erwin introduced a bill to create the Military Corps of North-Carolina, which was read first time, passed and was referred to the Committee on Military Affairs.

Mr. Taylor, of Brunswick, a bill to incorporate the Wilmington and Smithville Steam Boat Company, which was
read the first time, passed and referred to the Committee on Corporations.

Mr. Whi'aker, a bill to repeal section 4, chapter 169, Laws passed 1858–9, which was read the first time, passed and referred to the Committee on Internal Improvements.

Mr. Hall, a resolution in favor of John T. Cantwell, which was read the first time and passed.

The unfinished business of yesterday was now taken up, viz: The consideration of the bill to alter the Constitution.

The question was upon the amendment to the amendment by Mr. Dobson.

On motion, Mr. Dobson was permitted to withdraw his amendment for the purpose of adding an additional clause having reference to free negroes.

The question now recurring upon the amendment by Mr. Dobson with the additional clause attached in regard to free negroes, Mr. Turner called for a division of the question, and the Senate decided to divide.

The question then recurring first upon the motion to strike out, Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the Senate decided to strike out.

Mr. Bledsoe now moved to amend as follows, to wit:

The General Assembly shall have no power to make a public debt of more than fifteen millions of dollars, except in case of insurrection or war, and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

Messrs. Avery, Brown, Dickson, Dobson, Erwin, Faison, Hall, Stowe, Sharpe, Spencer, Whitaker and Walkup—12.

So the amendment by Mr. Bledsoe was adopted.

The special order for the hour of 12 o'clock now intervening, viz: The consideration of the bill to construct a branch from the Wilmington and Weldon Railroad, at or near the town of Fayetteville, said bill was read the third time and pending the vote, Mr. Lane demanded the yeas and nays.

Pending the vote the hour of 12 o'clock arrived, which was the hour agreed upon to go into an election for Directors for the Insane Asylum, and under the superintendence of Messrs. Worth and Dickson, the Senate proceeded to vote.

The question again recurring upon the passage of the bill for the construction of a branch from the Wilmington and Weldon Railroad, at or near the town of Fayetteville, Mr. Bledsoe moved to amend as follows, to wit:

*Provided, nothing contained in this act shall authorize the Directors of the Wilmington and Weldon Railroad Company to divest the dividends which may accrue upon the stock of the Literary Board from the Common School Fund, but the said dividends shall be regularly paid as they occur.*

The question recurring upon the amendment by Mr. Bledsoe, the amendment was adopted.

Mr. Street now moved to amend as follows, to wit:

Add to the 4th section the words a majority of the stockholders assenting thereto.

The amendment was adopted.

The Senate now proceeded to vote upon the passage of the bill the third reading as follows:

Those who voted in the affirmative are:

Those who voted in the negative are:

So the bill passed the third reading and was ordered to be enrolled.

Mr. Stubbs moved to take up the bill to incorporate the Green Swamp Company.

The motion was agreed to and the bill was read the second time and amended by striking out the words “one hundred thousand,” and inserting the words “two hundred thousand,” also, the words “perpetual succession” were stricken out; also the recommendement by the committee was adopted. With these amendments the bill passed the second reading, and on motion of Mr. Stubbs said bill was read third time, passed and ordered to be engrossed.

On motion of Mr. Avery, the consideration of the bill to alter the Constitution was made the special order for 3½ o’clock.

On motion, leave of absence was granted to the Senators from Union and Brunswick from and after to-day until Monday next.

Received a message from the House, transmitting an engrossed resolution concerning the Library, which had passed that body and in which the concurrence of the Senate was asked. The resolution was read first time and passed.

No objection being made, said resolution was read the second and third time, passed and ordered to be enrolled.

The hour of 2 o’clock now having arrived, the Senate took a recess till 3½ o’clock.
Three and-a-half o'clock, P. M.

Mr. Thomas of Jackson, asked leave to introduce a resolution in relation to the Cherokee Indians, and leave was granted.

The resolution was read and referred to the Committee on the Judiciary.

The question now being on the amendment by Mr. Erwin, to the bill to alter the Constitution, which is as follows, to wit:

Provided, That live stock of whatsoever description, owned by any person or family, unless it shall exceed in value five hundred dollars, and the household and kitchen furniture of any person or family, unless it shall exceed in value three hundred dollars, shall be exempt from any taxation.

Upon this question Mr. Erwin demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Arendell, Avery, Brown, Barringer, Blount, Dickson, Dowd, Lane, Pitchford, Rogers, Spencer, Stubbs, Walker, Whitaker and Whedbee—15.

So the amendment to the amendment by Mr. Erwin was adopted.

Mr. Dockery moved to reconsider the vote by which the amendment by Mr. Erwin was adopted, and upon the question to reconsider, Mr. Dobson demanded the yeas and nays.

The motion to reconsider, by Mr. Dockery, was now withdrawn.

Mr. Worth again renewed the motion to reconsider, and upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:

Messrs. Avery, Brown, Bledsoe, Blount, Dickson, Dockery, Dowd, Harriss of Franklin, Lane, Pitchford, Rogers, Shaw,

Those who voted in the negative are:

So the vote was reconsidered.

Mr. Erwin now withdrew his amendment, and Mr. Avery moved to amend as follows, to wit:

That live stock of every kind and description owned by any person or family, except such as are now taxed, shall be forever exempt from taxation, and the household and kitchen furniture of such citizen, unless it exceed three hundred dollars in valuation, shall also be exempt from taxation.

The question recurring upon the amendment by Mr. Avery, the yeas and nays were demanded.

Those who voted in the affirmative are:
Messrs. Avery, Dickson, Dobson, Erwin, Faison, Harriss of Franklin, Lane, Shaw, Simmons, Simpson, Stowe, Thomas of Jackson, Thomas of Davidson, Walker and Waugh—15.

Those who voted in the negative are:

So the amendment was rejected.

Mr. Avery now moved to adjourn, and Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Avery, Dickson, Erwin, Faison, Harriss of Franklin, Humphrey, Lane, Pitchford, Shaw, Simmons, Thomas of Jackson, Walker, Waugh and Whitaker—15.

Those who voted in the negative are:
Messrs. Bledsoe, Barringer, Blount, Dobson, Dockery, Street, Sharpe, Slaughter, Spencer, Stubbs, Taylor of Nash, 20
Thomas of Davidson, Turner, Winstead, Whedbee and Worth—16.

So the Senate refused to adjourn.

Mr. Arendell introduced a bill to incorporate the Atlantic Mutual Fire and Marine Insurance Company, which was read the first time, passed and referred to the Committee on Corporations.

Mr. Avery moved to take a recess till 8 o'clock.

Mr. Erwin moved to adjourn, and demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Avery, Barringer, Dickson, Dobson, Erwin, Faison, Harriss of Franklin, Humphrey, Lane, Pitchford, Shaw, Simmons, Street, Taylor of Nash, Thomas of Jackson, Walker, Waugh and Whitaker—19.

Those who voted in the negative are:


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

SATURDAY, FEBRUARY 9, 1861.

The Senate met at the usual hour. The Journal was read.

The Speaker announced a communication from St. Mary's, inviting the General Assembly to attend divine worship at that institution, on Sunday next at 11 o'clock.

Received a message from the House, transmitting sundry appointments for Justices of the Peace for the counties of Granville, Iredell, Alamance and Franklin.

The appointments were agreed to.

On motion of Mr. Faison, certain persons were appointed Justices of the Peace for the county of Sampson.

Mr. Stubbs introduced a memorial from citizens of Martin county, which was read and referred to the Committee on Propositions and Grievances.
On motion of Mr. Street, the bill to amend an act entitled "an Act to establish the Bank of Commerce" was made the special order for Tuesday next at 4 o'clock.

Mr. Winstead moved to make the bill to incorporate the Bank of Roxboro' the special order for Tuesday next at 5 o'clock.

The motion did not prevail.

Mr. Humphrey, from the Committee on Corporations, reported back the following bills and resolutions, and recommended as follows, to wit:

A bill to revise and amend an act to incorporate the town of Thomasville, and recommended its passage.

A bill to incorporate the Lincoln Copper and Gold Mining Company, and with the following amendment recommended its passage, to wit:

Strike out the words "perpetual succession," also strike out the words "fifty years" and insert the words "thirty years."

A bill to incorporate the North Carolina Fire Company, and with the following amendments recommended its passage, to wit:

Strike out the whole of the 9th section.

A bill to incorporate the Wilmington and Smithville Steamboat Company, and recommended its passage.

A bill to amend an act to incorporate the Fire and Insurance Company, and recommended its passage.

A bill entitled an act to amend an act to incorporate Jonathan Turnpike Company, passed at the session 1858-9, and recommended its passage.

Mr. Whitaker, from the same committee, reported back the bill to incorporate the Green Hill Cemetery in the county of Buncombe, and recommended its passage.

Mr. Blount from the same committee, a bill to enlarge the limits of the town of Monroe and for other purposes, and recommended its passage.

Mr. Whedbee, from the same committee, the bill to in-
corporate the Jefferson Academy, and recommended its passage.

A bill to incorporate the Asheville Water Company in the county of Buncombe, and recommended its passage.

Mr. Walker, from the Committee on Education and the Literary Board, reported back the bill to establish the Mariners' School of North Carolina, and recommended its passage.

Mr. Bledsoe, from the Committee on Claims, reported back the resolution in favor of James J. Ives, of the town of Newbern, and recommended its passage.

Mr. Lane, from the Committee on Propositions and Grievances, reported back the bill to protect the Fair Grounds of the Union Agricultural, Mechanical and Commercial Society of Newbern, and recommended its passage.

Mr. Street, from the Committee on Military Affairs, reported back the bill to create the Artillery Corps of North Carolina, and submitted the following report, to wit:

The Committee recommend the passage of the bill, and state that this arm of our State defence has heretofore been entirely neglected, and considering its great importance in the defence of our sea coasts, would urge upon the Senate the necessity of providing for its efficient organization.

Mr. Worth, from the Committee to superintend the election of Directors of the Insane Asylum, submitted the following report, to wit:

The committee appointed to superintend the election of six Directors for the Asylum for the Insane, having performed the duty, report that the whole number of votes cast was 137, necessary to a choice 69. Sion H. Rogers received 127 votes; J. W. B. Watson 107; Lawrence Hinton 96; Dr. J. E. Williamson 86; Dr. Pride Jones 121; Dr. P. T. Henry 86; Dr. W. S. Copeland 43; Dr. Thomas Hogg 37; and a smaller number of votes were cast for divers other persons.

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The report was concurred in. So the six first named on the list were declared duly elected.

Received a message from the House, transmitting an engrossed bill to amend the 17th chapter of the Revised Code, entitled Militia, which was read first time, passed, and on motion of Mr. Simpson was ordered to be printed.

Mr. Whitaker, from the Committee on Corporations, reported back the bill to incorporate Oak Hill Military Academy, and recommended its passage.

Mr. Humphrey introduced the following resolution, which on motion of Mr. Erwin was laid upon the table, to wit:

Resolved, That a message be sent to the House of Commons, proposing to raise a joint select committee of three on the part of the Senate, and three on the part of the House, to examine into the business before the two Houses, and to report upon what day the General Assembly can adjourn sine die without detriment to the public business.

Mr. Shaw presented a memorial from citizens of Cumberland county, in regard to a stay law, and asked that the same be transmitted to the House, which was agreed to.

Received a message from the House, transmitting the following engrossed bills, to wit:

A bill to incorporate the Caswell Railroad Company, which was read the first time, passed and referred to the Committee on Internal Improvements.

A bill to incorporate the Valley River Gold Mining Company, which was read the first time and passed.

A bill to amend an act, entitled an Act to extend the provisions of the 6th section of the 48th Chapter of the Revised Code, entitled Fences, which was read the first time and passed.

A bill to incorporate the University Railroad, which was read the first time, passed and was referred to the Committee on Internal Improvements.

A bill to amend section 71, chapter 31, of the Revised Code, which was read the first time and passed.
A bill to amend section 73, chapter 31, of the Revised Code, which was read the first time and passed.

A resolution in favor of J. T. Ward, of Polk county, which was read the first time, passed and was referred to the Committee on Claims.

Received a message from the House, stating that the House had passed the engrossed bill from the Senate, entitled a bill to appoint tax collectors for the counties of Wayne, Haywood, Burke, Pasquotank, Mecklenburg, Iredell, Anson and Union, with the following amendments, in which the concurrence of the Senate was asked, to wit:

Add the following counties to the provisions of the bill, to wit:

Madison, Buncombe, Caldwell, Orange, Cherokee, Henderson, Pitt, Cleaveland, Bertie, Surry, Johnson and Macon.

The amendments were agreed to.

On motion of Mr. Thomas, of Davidson, the bill to incorporate the Bank of Thomasville was now taken up, and read the third time, and,

On motion of Mr. Arendell, the bill was amended by adding the following additional clause, to wit:

Sec. 24. Be it further enacted, That the board of directors be, and they are hereby authorized and required to establish a branch of the said Bank at Beaufort or Morehead City, in Carteret county, upon the subscription of fifty thousand dollars to the capital stock thereof, at Beaufort or Morehead city.

The bill as amended was passed and ordered to be engrossed.

Received a message from the House, transmitting an engrossed bill to amend an act to incorporate the town of Edenton, which was read first time and passed.

The following bills and resolutions were now read the second time and passed, to wit:

A resolution in favor of the securities of G. H. Holland, late sheriff of Haywood county.
There being no objections, said resolution was read the third time, passed and ordered to be enrolled.

Also, a resolution in favor of the securities of J. M. Ray, of Yancey county, was read the second and third time, passed and ordered to be enrolled.

On motion of Mr. Lane, the bill to amend the 84th section of the 99th chapter of the Revised Code, was read the second time, and was informally passed over.

On motion of Mr. Dowd, the bill to incorporate Edenboro' Male and Female Academy in the county of Montgomery, was laid upon the table.

The bill to incorporate the Fayetteville Savings Bank was now read the second time and passed.

There being no objection, said bill was read the third time.

Received a message from the House, transmitting the following amendments to the bill to incorporate the Silver Valley Mining Company in the county of Davidson, to wit:

Strike out the words "one director," and insert the words "two directors."

Strike out the words "sixty years," and insert the words "thirty years."

The amendments were agreed to.

Also, amendments to the bill to incorporate the Davidson Copper Mining Company, as follows, to wit:

Strike out the words "two directors," and insert the words "one director."

Strike out the words "thirty years," and insert the words "sixty years."

The amendments were agreed to.

Also, a bill to incorporate the Baltimore and North-Carolina Copper and Gold Mining Company, which are as follows, to wit:

Strike out the words "one director," and insert the words "two directors." Strike out the words "sixty years" and insert the words "thirty years."

The amendment was agreed to.
The following bills, under a suspension of the rules, were read the second and third times and passed, to wit:
A bill to incorporate the Fayetteville Savings Bank, and was ordered to be engrossed.
A bill to incorporate the Independent Order of Odd Fellows, Swananoa Lodge No. 50, at Asheville, in the county of Buncombe, and was ordered to be enrolled.
A bill to incorporate the town of Rockingham, and ordered to be engrossed.
A bill to incorporate the Chatham Mining Company, and was ordered to be enrolled.

The hour of 2 o'clock having arrived, the Senate took a recess until 3½ o'clock.

Three-and-a-half o'clock, P. M.

Mr. Bledsoe, from the Committee on Claims, reported back sundry memorials and submitted thereupon the following reports, and asked to be discharged from their further consideration, to-wit:

The Committee on Claims, to whom was referred the memorials of J. H. Haughton, P. G. Evans and others, Hector M. McLane, Mrs. Roxana C. McNeill, John D. Williams, Elias Bryan and others, have had the same under consideration, and after a full investigation of the subject-matter of the respective memorials, have instructed me to report that in the case of J. H. Haughton, P. G. Evans and others, the memorialists claiming to have a legal remedy for other alleged grievances, renders any further legislation as to them unnecessary; and that it is the opinion of the committee that neither a proper regard for the interest of the State nor justice to the memorialists, so far as the State is concerned, requires any further legislation upon the subject.

While the committee feel that the losses incurred by your
memorialists work a hardship upon them, they are equally clear in the opinion that the State is not justly chargeable with losses or responsible for other misfortunes. Believing thus, and thinking that the State has already evinced a spirit of generous liberality towards them, they respectfully ask to be discharged from the further consideration of the subject.

M. A. BLEDSOE. Chairman.

Mr. Waugh introduced the following resolution, which was ordered to lay upon the table, to wit:

Resolved, By the General Assembly of North-Carolina, now in session, that the Speakers of the same be instructed to communicate to the Commissioners from this State, now in conference with Commissioners from other States at the City of Washington, our earnest and solemn demand that all questions relating to our status as a sovereign State in this Confederacy, should be discussed and acted upon in open session, and with doors thrown wide open. And that any other course or proceeding is anti-republican, and in conflict with the habits of us as a free and representative people.

The following bills and resolutions under the suspension of the rules, were read the second and third time and passed, to wit:

A bill to amend the 84th section of the 99th chapter of the Revised Code, was read the second time, amended by adopting a substitute bill and passed. There being no objections said bill was read the third time, passed and ordered to be engrossed.

A bill for the relief of Ellen Ransom, a free person of color, was read the second time and laid upon the table.

A bill to incorporate the Cherokee Mining Company, was read the second and third time, passed and ordered to be engrossed.

A bill to incorporate the Carrolton Copper Mining Com-
pany of Baltimore, was read the second and third time, passed and was ordered to be enrolled.

A bill to incorporate the Kilwinning Lodge No. 64, A. Y. M., in the town of Wadesboro', county of Anson, was read the second and third time, and was ordered to be enrolled.

A bill to incorporate Cannaugh Mining Company, was read the second and third time, passed and was ordered to be engrossed.

A resolution in favor of James S. Ives, of the town of Newbern, was read the second and third time, passed and was ordered to be enrolled.

A bill to incorporate the North-Carolina Fibre Company, was read the second time, amended as recommended by the committee and passed. There being no objections said bill was read the third time, passed and was ordered to be engrossed.

The bill to incorporate the Independent Grays, of the town of Elizabeth City, was read the third time, amended by extending the provisions of the bill to Rocky Mount Cavalry, the Yanceyville Grays of Caswell county, commanded by Captain John A. Graves, the Cabarras Guards, the Black Boys in Cabarras county, the Northampton Home Guards, the Junaluskee Zouaves, the Jackson Rifle Company, the Cape Fear Riflemen, the State Guards of Pasquotank, commanded by W. F. Martin, and the Wild Cat Riflemen; and with these amendments, the bill passed the third and last reading, and was ordered to be engrossed.

A bill to incorporate the Duplin Riflemen was read the second and third times, passed and was ordered to be engrossed.

A bill to authorize and empower Samuel Brooks, late sheriff of Hyde county, to collect arrears of taxes for the year 1855, was read the second and third time, passed and was ordered to be engrossed.

A bill to incorporate the Lincoln Copper and Gold Mining Company, was read the second and third time, passed and was ordered to be engrossed.
A bill to incorporate the Tally Ho! Female Academy, in the county of Granville, was read the second and third times, passed and was ordered to be enrolled.

A bill for the relief of Cynthia Chavis, a free woman, was read the second time and ordered to be laid on the table.

A bill to incorporate the Union Agricultural, Mechanical and Commercial Society at Newbern, was read the second and third times, passed and was ordered to be enrolled.

A bill to amend an act entitled an act for the government of Elizabeth City was read the second and third times, passed and was ordered to be engrossed.

A bill to revive and amend an act to incorporate the town of Thomasville, was read the second and third times, passed and was ordered to be enrolled.

A bill for the relief of Evan Ferguson and Ben Smith, was read the second and third times, passed and was ordered to be engrossed.

A bill to enlarge the corporate limits of the town of Monroe, was read the second and third times, passed and was ordered to be engrossed.

A bill to incorporate Jefferson Academy, was read the second and third times, passed and was ordered to be enrolled.

A bill to protect the Fair Grounds of the Union Agricultural, Mechanical and Commercial Society at Newbern, was read the second and third times, passed and was ordered to be engrossed.

A bill to incorporate the Greensboro' Hotel Company, was read the second time, amended by striking out the words "perpetual succession," and inserting in their stead the words "thirty years," and passed. There being no objection made, said bill was read the third time and ordered to be sent to the House for concurrence.

A bill to authorize the Commissioners of the town of Hertford to sell lots was read the second and third times, passed and was ordered to be enrolled.

A bill to incorporate the Wilmington Waterworks Com-
pany, was read the second and third times, passed, and was ordered to be enrolled.

A resolution in favor of Wm. Thomas was read the second and third times, passed, and was ordered to be engrossed.

A bill concerning the town of Jamesville, in the county of Martin, was read the second and third times, passed and was ordered to be engrossed.

A bill to incorporate the Asheville Waterworks Company, in the county of Buncombe, was read the second and third times, passed and was ordered to be enrolled.

A bill to incorporate the Wilmington and Smithville Steamboat Company was read the second and third times, passed and was ordered to be engrossed.

A bill to amend an act entitled an act to incorporate the Atlantic Mutual Fire and Marine Insurance Company was read the second and third times, passed and was ordered to be engrossed.

A bill entitled an act to amend an act to incorporate the Jonathan Turnpike Company, passed at the session 1858–9, was read the second time and referred to the Committee on the Judiciary.

A bill to incorporate Green Hill Cemetery, in the county of Buncombe, was read the second and third times, passed and was ordered to be enrolled.

A bill to incorporate Oak Hill Military Academy, in the county of Granville, was read the second and third times, passed and was ordered to be engrossed.

A bill to incorporate the Valley Rue Gold Mining Company, of Cherokee county, was read the second and third times, passed and was ordered to be enrolled.

A resolution in favor of Jonas Jenkins, of Jackson county, was read the second and third times, passed and was ordered to be enrolled.

The bill to create the Artillery Corps of North Carolina was read the second and third times, passed and was ordered to be engrossed.
On motion of Mr. Arendell the Senate adjourned until 10 o'clock Monday next.

MONDAY, FEBRUARY 11, 1861.

The Senate met at the usual hour. The Journal was read.

Mr. Rogers, from the Committee on Finance, reported back the bill to amend the Revenue act of 1858-'9, and recommended that said bill do not pass.

Mr. Bledsoe, from the Committee on Claims, reported back a resolution in favor of Daniel Tucker, and recommended its passage.

Mr. Speight introduced a bill to run and establish the dividing line between the counties of Wayne and Green, which was read the first time and passed.

Received a message from the House, transmitting a resolution authorizing the Governor to offer one thousand dollars reward for an escaped criminal.

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

On motion of Mr. Stowe, the bill to alter the law as to protested bills, was read the second and third time, passed and was ordered to be engrossed.

Received a message from the House, stating that the following enrolled bills had been signed by the Speaker of that body, and to which the signature and ratification of the Speaker of the Senate was asked, to wit:

An Act to protect the Haywood Male and Female Academy.
A resolution in favor of Daniel Willis and Daniel Lewis.
An Act to incorporate Judson Female College, in the county of Henderson.
An Act to change the place of holding the courts of Wardens of Northampton county.
An Act to prevent the felling of timber in certain streams in the county of Iredell.
The Speaker announced that Messrs. Stubbs, Street and Spencer would constitute the Senate branch of the committee on enrolled bills for the present week.

On motion of Mr. Winstead, the bill to establish the Bank of Roxboro', was taken up and read the second time.

Pending the vote, on motion of Mr. Erwin, the bill to lay off and establish the county of Transylvania was made the special order for 4½ o'clock to-day.

On motion of Mr. Avery, the bill for the relief of the Atlantic and North-Carolina Railroad was made the special order for 5½ o'clock to-morrow.

On motion of Mr. Bledsoe, the bill to alter the Constitution was made the special order for 11 o'clock to-morrow.

On motion of Mr. Stubbs, the bill to incorporate the Williamston and Tarboro' Railroad Company was made the special order for 5 o'clock to-day.

The question now recurring upon the passage of the bill to establish the Bank of Roxboro', the second reading, it was decided in the affirmative. There being no objection, the rules were suspended and the bill was read the third time and ordered to be engrossed.

Received a message from the House, transmitting from his Excellency, the Governor, a certificate of the Hon. Samuel Hall, a commissioner from the State of Georgia to the State of North-Carolina, with a proposition to raise a joint select committee of two on the part of the Senate, and three on the part of the House, to make arrangements for his reception, and to extend to him the freedom of the two Houses of the General Assembly.

The message was concurred in.

On motion of Mr. Stubbs, a message was ordered to be sent to the House, proposing to raise an additional committee for the present week on enrolled bills.

The bill to incorporate the Educational Association was read the third time, and pending its passage, Mr. Dockery demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Avery, Barringer, Dowd, Erwin, Faison, Humphrey, Rogers, Street, Stowe, Sharpe, Taylor of Nash, Thomas of Jackson, Walker and Worth—17.

Those who voted in the negative are:

So the bill passed the third reading and was ordered to be engrossed.

Mr. Barringer now moved to reconsider the vote by which the bill passed the third reading, and then moved to lay that motion upon the table. The motion to lay upon the table was agreed to.

The bill to incorporate the Milton and Yanceyville Junction Railroad was now read the third time, and on motion of Mr. Hall, the words "Greensboro' or" were stricken out in the 6th line; and in the 6th and 7th lines strike out the words "as a majority of the stockholders may desire." The question now recurring upon the passage of the bill as amended, Mr. Waugh moved to amend as follows, to wit:

Be it further enacted, That said railroad shall not run nearer the North Carolina boundary line than seventy-two miles of the same, and any connection with Virginia improvements shall work the forfeiture of its charter.

Upon this question Mr. Waugh 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 question now recurring upon the passage of the bill the third time, Mr. Hall demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the bill passed the third reading and was ordered to be engrossed.

Received a message from the House, stating that the House had concurred in the proposition of the Senate to appoint an additional committee on enrolled bills for the present week, and that Messrs. Rogers, Stanford, Latham, Russ and Crumpler had been appointed the House branch of said committee.

Mr. Hall asked and obtained leave to introduce a bill concerning the town of Wilmington, which was read the first time and passed.

The Speaker announced that Messrs. Hall and Arendell would constitute the Senate branch of the committee to make arrangements for the reception of the Commissioner from the State of Georgia.

On motion of Mr. Sharpe, the bill to lay off and establish a public road from the town of Statesville, in the county of Iredell, to the town of Wilkesboro', in the county of Wilkes, was now taken up and read the second and third times, passed and was ordered to be engrossed.

On motion of Mr. Whedbee, the bill to amend an act entitled an act to incorporate Perquimans Male and Female Academy, was read the second and third times, passed and ordered to be enrolled.

The Speaker announced that Messrs. Speight, Slaughter and Spencer would constitute the additional committee on enrolled bills for the present week.
The hour of 2 o'clock having now arrived, the Senate took a recess until 3½ o'clock.

*Three-and-a-half o'clock, P. M.*

Mr. Dockery moved to make the resolutions proposing to call a Convention of the people of the United States, the special order for 4 o'clock Monday next.

On this motion Mr. Worth demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Dickson, Hall, Humphrey, Lane, Shaw, Street, Stowe and Thomas of Jackson—9.

So the resolutions were made the special order.

The bill to diminish the costs of suits at law was read the second time and Mr. Worth moved to strike out the second section, and upon this question Mr. Stubbs 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 question now recurring upon the passage of the bill the second reading,

Mr. Stubbs demanded the yeas and nays.

Those who voted in the affirmative are:

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Messrs. Arendell, Bledsoe, Blount, Dockery, Erwin, Faison, Grist, Simpson, Street, Stowe, Sharpe, Spencer, Stubbs, Taylor of Nash, Thomas of Jackson, Whitaker and Whedbee—17.

Those who voted in the negative are:


So the bill was rejected.

The bill to lay off and establish the county of Transylvania was now, under the suspension of the rules, read the second and third times, passed and was ordered to be enrolled.

On motion, Mr. Erwin was allowed to introduce a supplemental bill to the bill to lay off and establish Transylvania county, which was read the first time and passed.

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

Mr. Thomas, of Jackson, moved to reconsider the motion by which the bill had just passed the third reading, and then moved to lay that motion upon the table. The motion to lay upon the table prevailed.

The special order for 5 o'clock, to wit:

The bill to incorporate the Williamston and Tarboro’ Railroad Company, which was read under a suspension of the rules the second and third times, passed and was ordered to be engrossed.

The special order for 5½ o’clock, to wit:

The bill for the relief of the Atlantic and North-Carolina Railroad Company, which was read the second time, and Mr. Worth moved to amend by adding the following section, to wit:

Sec. — Be it further enacted, That said Company shall issue to the State (in addition to the four thousand shares
hereinafter directed to be issued to the State), preferred stock to the amount of the interest due to the State on the four hundred thousand dollars which is hereinafter converted into preferred stock.

Pending the vote upon this amendment,

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

TUESDAY, FEBRUARY 12, 1861.

The Senate met at the usual hour. The Journal was read.

On motion of Mr. Avery,

Resolved, That the principal clerks of the two Houses be authorized to employ such additional number of engrossing clerks as may be necessary to insure the speedy dispatch of the public business now before the General Assembly.

Mr. Hall introduced a bill to incorporate the Wilmington and Wrightsville Turnpike Company, which was read the first time and passed.

Mr. Humphrey, a bill to amend an act, entitled an Act to extend the powers of the New River Navigation Company, which was read the first time and passed.

Mr. Worth moved to make the bill to establish the Bank of Alamance the special order for eleven o'clock to-morrow.

The motion did not prevail.

Mr. Lane moved to reconsider the vote by which the bill to diminish the costs of suits was rejected.

Mr. Avery moved to lay the motion to reconsider upon the table, and upon this question Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Barringer, Dickson, Dobson, Dowd, Hall, Harriss of Franklin, Humphrey, Rogers, Shaw, Simmons, Speight, Stowe, Taylor of Granville, Waugh and Winstead—16.

Those who voted in the negative are:
Messrs. Arendell, Bledsoe, Blount, Dockery, Eure, Erwin, Harriss of Franklin, Lane, Pitchford, Simpson, Sharpe, Slaughter, Spencer, Stubbs, Turner, Whitaker, Walkup, Whedbee and Worth—20.

So the motion to lay on the table did not prevail.

The question now recurring upon the motion to reconsider, was decided in the affirmative.

Received a message from the House, transmitting an engrossed bill to abolish the office of State Geologist, which was read first time and passed.

The bill to amend the 18th section of the 31st chapter of the Revised Code was read the second time and rejected.

The bill to amend the Hanging Dog Turnpike, was read the second time and passed.

The Speaker announced the special order, viz: The consideration of the bill to alter the Constitution.

The Speaker announced that the question was upon the motion of Mr. Dobson, to insert; whereupon,

Mr. Lane moved to amend the amendment of Mr. Dobson, by adding to the 1st section, the following, to wit:

Provided, That every person may hold personal property not now taxed, equal in value to the sum of five hundred dollars exempt from taxation, and upon this question Mr. Lane demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Avery, Bledsoe, Barringer, Blount, Dickson, Dobson, Dockery, Dowd, Eure, Erwin, Faison, Grist, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Shaw, Simpson, Speight, Street, Stowe, Sharpe, Slaughter, Spencer, Stubbs, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Walker, Waugh, Walkup and Whedbee—32.

Those who voted in the negative are:


So the amendment by Mr. Lane was adopted.
Mr. Pitchford now moved to amend by inserting after the words "or war," the following, to wit: "And no debt shall hereafter be contracted unless provisions be made at the same time for its payment when due." Upon this question Mr. Pitchford demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the amendment by Mr. Pitchford was adopted.

The question now recurring upon the original amendment by Mr. Dobson, to insert, Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the amendment was adopted.

The question now recurring upon the passage of the bill as amended, the first reading, Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Bledsoe, Barringer, Blount, Dobson, Dockery, Dowd, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Rogers, Simmons, Street, Stowe, Sharpe, Spencer, Stubbs, Taylor of Nash, Turner, Waugh, Walkup, Whedbee and Worth—24.

Those who voted in the negative are:

Messrs. Avery, Brown, Dickson, Erwin, Faison, Grist, Lane, Pitchford, Shaw, Simpson, Speight, Slaughter, Taylor of Brunswick, Thomas of Jackson, Walker, Whitaker and Winstead—17.

Two-thirds not voting in the affirmative, the bill was rejected.

Mr. Slaughter now moved to reconsider the vote by which the bill to alter the Constitution was rejected.

Mr. Avery moved to lay the motion to reconsider upon the table, and demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Brown, Dickson, Erwin, Hall, Lane, Pitchford, Shaw, Simpson, Speight, Street, Stowe, Taylor of Brunswick, Thomas of Jackson, Walker, Whitaker and Winstead—17.

Those who voted in the negative are:


So the motion to lay on the table did not prevail.

The question now recurring upon the motion to reconsider, Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Brown, Dickson, Erwin, Grist, Hall,
Lane, Pitchford, Shaw, Simpson, Speight, Street, Taylor of Brunswick, Thomas of Jackson, Whitaker and Winstead—15.

So the motion to reconsider prevailed.

On motion of Mr. Stubbs, the further consideration of the bill was postponed and made the special order for Thursday next at 4 o'clock. Yeas 28; nays 6.

Received a message from the House, transmitting a message from his Excellency, the Governor, with a report from the Commissioners sent to the State of Alabama, together with the Constitution adopted by the Provisional Government of the Confederate States of America, with a proposition to print.

The report was read and the proposition to print was agreed to.

The report is as follows, to wit:

REPORT OF THE COMMISSIONERS TO ALABAMA.

To the Honorable, the General Assembly

of North-Carolina:

Gentlemen: Herewith I transmit a communication to this department, from the Commissioners appointed to represent the State of North-Carolina at a convention held in the city of Montgomery, Alabama, accompanied by a copy of the constitution adopted by that convention for the government of the "Confederate States of America."

JOHN W. ELLIS.

EXECUTIVE DEPARTMENT,

February 12, A. D. 1861.

MONTGOMERY, ALA., Feb. 11, 1861.

Sir: On Wednesday, the 30th ult., we had the honor to receive our commissions under the resolution of the General Assembly adopted the previous day, appointing us Commissioners to visit Montgomery, for the purpose of effecting an honorable and amicable adjustment of all the difficulties
which distract the country, upon the basis of the Crittenden
resolutions, as modified by the Legislature of Virginia, and
consulting for our common peace, honor and safety. We left
Raleigh the following evening, and arrived at this place
about noon on Saturday, the 2d inst.

The resolutions of the Convention of Alabama, adopted
on the 11th of January, invited the people of the States of
Delaware, Maryland, Virginia, North-Carolina, South-
Carolina, Florida, Georgia, Mississippi, Louisiana, Texas,
Arkansas, Tennessee, Kentucky and Missouri, to meet the
people of the State of Alabama, by their delegates, in Con-
vention, on the 4th day of February, A. D. 1861, for the
purpose of consulting with each other as to the most effectual
mode of securing concerted and harmonious action on what-
ever measures might be deemed most desirable for the common
peace and security.

The resolutions of the General Assembly from which we
derived our authority, were in response to the resolution and
invitation from the Convention of Alabama. On our arrival
we learned that the Convention had adjourned sine die, and
that the Legislature was in session. As we were not dele-
gates to the Southern Congress, and had no authority to
participate in any consultation in relation to the contempla-
ted formation of either a provisional or permanent government
for the seceding States, we regarded our mission as restricted
to the single duty of consulting for our common peace, honor
and safety.

On the evening of our arrival here, Saturday, 2nd inst.,
we waited upon his Excellency, Gov. Moore, and exhibited
our credentials. We were received with marked courtesy
and kindness, and had satisfactory assurances of his dispo-
sition to afford us every facility that we could desire, and
that it was in his power to extend, to aid us in the proper
discharge of our duties. The legislative and judicial depart-
ments of the government of Alabama also placed us under
grateful obligations by repeated acts of courtesy.
We had expected to meet commissioners from Tennessee and perhaps other States, clothed with like powers and charged with the performance of similar duties with ourselves, and with the hope of consulting and co-operating with them, deferred entering into communication with the Southern Congress until the third day of their session. We then addressed the following note to the Honorable Howell Cobb, the President of that body:

Montgomery, Ala., Feb. 6, 1861.

"The undersigned have the honor to submit to the consideration of the Southern Congress the accompanying resolutions adopted by the General Assembly of the State of North Carolina, on the 29th ult.:

We are, with high consideration,

Your obedient servants,

D. L. SWAIN,
M. W. RANSOM,
JOHN L. BRIDGERS."

The following extract from the published journals of the Congress will show the disposition made of the communication, and the course pursued towards us upon its presentation:

"Mr. Toombs.—I have the pleasure, Mr. President, of presenting a communication from the Commissioners of the State of North Carolina to this body. I desire that it be read." It was read, together with the accompanying resolutions of the General Assembly, "and was, on motion, laid on the table for the present."

"Mr. Toombs.—I move that the Commissioners from North Carolina be invited to occupy seats on the floor during the open sessions, and that a committee of three be appointed to communicate the invitation to them. Adopted."

The next morning Johnson J. Hooper, Esq., the Secretary of the Congress, communicated the following resolution:
Resolved, That the Committee who were instructed to invite Hon. David L. Swain, M. W. Ranson, and John L. Bridgers, to seats on this floor, be instructed to invite them to attend any open or secret session of this body at any time it may suit their convenience, for the purpose of making any communication to this body which they may desire.

The following day, Friday 8th, we received a similar communication from the Secretary, with the accompanying resolutions, as follows:

Whereas, The people of the State of North Carolina, and those of the States represented in this Congress, have a common destiny, a common sympathy, a common honor and a common danger; and whereas, it is the opinion and earnest desire of the Congress that the State of North Carolina should be united in government with these States, be it therefore

Resolved, That the Congress receive with pleasure the Commissioners from the State of North Carolina, and hope to pursue such a course of action as shall commend itself to and induce the State of North Carolina speedily to unite in our councils, and in such government as shall be formed by these States.

We availed ourselves freely of the invitation to attend the open sessions of the Congress, and of favorable opportunities to consult with the members of Congress individually, with the Executive, with members of the legislative and judicial departments of the Government of Alabama, and with many prominent citizens of Georgia, Alabama and Mississippi, in relation to the general objects of our mission.

The number of native North-Carolinians called hither, either as members of, or anxious attendants upon the legislative bodies in session here, have afforded us unusual and most favorable opportunities to ascertain public sentiment in relation to the cause and cure of the evils which threaten the peace and safety of their whole country. These gentlemen have made their homes in the South-West at
intervals during the last thirty or forty years, constitute no small proportion of the aggregate body of the community, and, in point of wealth, intelligence and respectability, occupy positions in society which entitle them to high consideration in their native as well as their adopted States. So numerous are the instances in which they have approached us, and so full and unreserved have been their communications, that we suppose there is probably no extensive section of North-Carolina in which any of our number, by ten days of like intercourse, could satisfy himself more clearly of the direction and strength of public sentiment.

We regret to be constrained to state, as the result of our enquiries, made under such circumstances, that only a very decided minority of the community in these States are disposed at present to entertain favorably any proposition of adjustment which looks towards a reconstruction of our National Union.

In this state of things we have not deemed it our duty to attend any of the secret sessions of the Congress. The resolutions of the General Assembly are upon the table of the Congress, and having submitted them as a peace offering, we would poorly perform the duties assigned us by entering into discussions which would serve only to enkindle strife.

We communicate herewith a copy of the "Constitution of the Provisional Government of the Confederate States of America," adopted on the 8th instant. General Jefferson Davis, of Mississippi, was on the 9th elected President, and the honorable Alexander H. Stephens, of Georgia, Vice-President of the new confederation.

We have the honor to be, with high consideration, your obedient servants,

D. L. SWAIN,
M. W. RANSOM,
JOHN. L. BRIDGERS.

His Excellency, John W. Ellis,
Governor of North-Carolina.
CONSTITUTION OF THE PROVISIONAL GOVERNMENT OF THE CONFEDERATE STATES OF AMERICA.

We, the Deputies of the sovereign and independent States of South-Carolina, Georgia, Florida, Alabama, Mississippi and Louisiana, invoking the favor of Almighty God, do hereby, in behalf of these States, ordain and establish this Constitution for the Provisional Government of the same: to continue one year from the inauguration of the President, or until a permanent Constitution or Confederation between the said States shall be put in operation, whichever shall first occur.

ARTICLE I.

SECTION 1. All legislative powers herein delegated shall be vested in this Congress now assembled, until otherwise ordained.

Sec. 2. When vacancies happen in the representation from any State, the same shall be filled in such manner as the proper authorities of the State shall direct.

Sec. 3.—1. The Congress shall be the judge of the elections, returns and qualifications of its members; any number of Deputies from a majority of the States being present shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members; upon all questions before the Congress, each State shall be entitled to one vote, and shall be represented by any one or more of its Deputies who may be present.

2. The Congress may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. The Congress shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members on any question, shall, at the
desire of one-fifth of those present, or at the instance of any one State, be entered on the journal.

Sec. 4.—The members of Congress shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the Confederacy. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of Congress, and in going to and returning from the same; for any speech or debate, they shall not be questioned in any other place.

Sec. 5.—1. Every bill which shall have passed the Congress shall, before it become a law, be presented to the President of the Confederacy; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the Congress, who shall enter the objections at large on their journal, and proceed to re-consider it. If, after such re-consideration, two-thirds of the Congress shall agree to pass the bill, it shall become a law. But, in all such cases, the vote shall be determined by yeas and nays; and the names of the persons voting for and against the bill shall be entered on the journal. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return, in which case it shall not be a law. The President may veto any appropriation or appropriations, and approve any other appropriation or appropriations in the same bill.

2. Every order, resolution or vote, intended to have the force and effect of a law, shall be presented to the President, and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be re-passed by two-thirds of the Congress, according to the rules and limitations prescribed in the case of a bill.

3. Until the inauguration of the President, all bills, orders,
resolutions and votes adopted by the Congress, shall be of full force without approval by him.

Sec. 6.—1. The Congress shall have power to lay and collect taxes, duties, imposts and excises for the revenue necessary to pay the debts and carry on the government of the Confederacy; and all duties, imposts and excises shall be uniform throughout the States of the Confederacy. And this Congress shall also exercise executive powers until the President is inaugurated.

2. To borrow money on the credit of the Confederacy.

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the Confederacy.

5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the Confederacy.

7. To establish post offices and post roads.

8. To promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries.

9. To constitute tribunals inferior to the Supreme Court.

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations.

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

13. To provide and maintain a navy.

14. To make rules for the government and regulation of the land and naval forces.

15. To provide for calling forth the militia to execute the laws of the Confederacy, suppress insurrections, and repel invasions.
16. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederacy, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress; and

17. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers expressly delegated by the Constitution to this Provisional Government.

Sec. 7.—1. The importation of African negroes from any foreign country other than the slaveholding States of the United States, is hereby forbidden; and Congress is required to pass such laws as shall effectually prevent the same.

2. The Congress shall also have power to prohibit the introduction of slaves from any State not a member of this Confederacy.

3. The privilege of the writ of *habeas corpus* shall not be suspended unless when in cases of rebellion or invasion, the public safety may require it.

4. No bill of attainder, or *ex post facto* law shall be passed.

5. No preference shall be given by any regulation of commerce or revenue, to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

6. No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. Congress shall appropriate no money from the treasury, unless it be asked for by the President or some one of the heads of the Departments, except for the purpose of paying its own expenses and contingences.

8. No title of nobility shall be granted by the Confederacy, and no person holding any office of profit or trust under it, shall, without the consent of the Congress, accept of any
present, emolument, office, or title of any kind whatever from any king, prince or foreign State.

9. Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of such grievances as the delegated powers of this government may warrant it to consider and redress.

10. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

11. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

12. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

13. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use, without just compensation.

14. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of
the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

15. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the Confederacy, than according to the rules of the common law.

16. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

17. The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

18. The powers not delegated to the Confederacy by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

19. The judicial power of the Confederacy shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the States of the Confederacy, by citizens of another State, or by citizens or subjects of any foreign State.

SECTION 8.—1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No State shall, without the consent of Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the nett produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the Confederacy, and all such law shall be subject to the revision and control of the Congress. No State shall, without the consent of Congress, lay any duty of
tonnage, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

Section 1.—1. The Executive power shall be vested in a President of the Confederate States of America. He, together with the Vice-President, shall hold his office for one year, or until this Provisional Government shall be superseded by permanent government, whichever shall first occur.

2. The President and Vice-President shall be elected by ballot by the States represented in this Congress, each State casting one vote, and a majority of the whole being requisite to elect.

3. No person except a natural born citizen, or a citizen of one of the States of this Confederacy at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years and been fourteen years a resident of one of the States of this Confederacy.

4. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, (which inability shall be determined by a vote of two-thirds of the Congress,) the same shall devolve on the Vice-President; and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice-President, declaring what officer shall then act as President; and such officer shall act accordingly, until the disability be removed or a President shall be elected.

5. The President shall at stated times receive for his services during the period of the Provisional Government, a compensation at the rate of twenty-five thousand dollars per annum; and he shall not receive during that period any
other emolument from this Confederacy, or any of the States thereof.

6. Before he enters on the execution of his office, he shall take the following oath or affirmation:

I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Confederate States of America, and will, to the best of my ability, preserve, protect and defend the Constitution thereof.

Sec. 2.—1. The President shall be Commander-in-Chief of the Army and Navy of the Confederacy, and of the militia of the several States, when called into the actual service of the Confederacy; he may require the opinion in writing of the principal officer in each of the Executive Departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the Confederacy, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Congress, to make treaties, provided two-thirds of the Congress concur; and he shall nominate, and by and with the advice and consent of the Congress shall appoint ambassadors, other public ministers and consuls, judges of the court, and all other officers of the Confederacy whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may, by law, vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Congress, by granting commissions which shall expire at the end of their next session.

Sec. 3.—1. He shall, from time to time, give to the Congress information of the state of the Confederacy, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary
occasions, convene the Congress at such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed; and shall commission all the officers of the Confederacy.

2. The President, Vice-President, and all civil officers of the Confederacy, shall be removed from office on conviction by the Congress of treason, bribery, or other high crimes and misdemeanors; a vote of two-thirds shall be necessary for such conviction.

ARTICLE III.

SECTION 1.—The judicial power of the Confederacy shall be vested in one Supreme Court, and in such inferior courts as are herein directed, or as the Congress may from time to time ordain and establish.

2. Each State shall constitute a district in which there shall be a court called a District Court, which, until otherwise provided by the Congress, shall have the jurisdiction vested by the laws of the United States, as far as applicable, in both the District and Circuit Courts of the United States, for that State; the Judge whereof shall be appointed by the President, by and with the advice and consent of the Congress, and shall, until otherwise provided by the Congress, exercise the power and authority vested by the laws of the United States in the Judges of the District and Circuit Courts of the United States, for that State, and shall appoint the times and places at which the courts shall be held. Appeals may be taken directly from the District Courts to the Supreme Court, under similar regulations to those which are provided in cases of appeal to the Supreme Court of the United States, or under such other regulations as may be provided by the Congress. The commissions of all the Judges shall expire with this Provisional Government.

3. The Supreme Court shall be constituted of all the
District Judges, a majority of whom shall be a quorum, and shall sit at such times and places as the Congress shall appoint.

4. The Congress shall have power to make laws for the transfer of any causes which were pending in the courts of the United States, to the courts of the Confederacy, and for the execution of the orders, decrees and judgments heretofore rendered by the said courts of the United States; and also all laws which may be requisite to protect the parties to all such suits, orders, judgments or decrees, their heirs, personal representatives or assignees.

Sec. 2.—The judicial power shall extend to all cases of law and equity arising under this Constitution, the laws of the United States, and of this Confederacy, and treaties made, or which shall be made under its authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the Confederacy shall be a party; controversies between two or more States; between citizens of different States; between citizens of the same State claiming lands under grants of different States.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

Sec. 3.—1. Treason against this Confederacy shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted
of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

Section 1.—Full faith and credit shall be given in each State to the public acts, records and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved and the effect of such proof.

Sec. 2.—1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. A slave in one State, escaping to another, shall be delivered up on claim of the party to whom said slave may belong by the Executive authority of the State in which such slave shall be found, and in case of any abduction or forcible rescue, full compensation, including the value of the slave and all costs and expenses, shall be made to the party, by the State in which such abduction or rescue shall take place.

Sec. 3.—1. The Confederacy shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and, on application of the Legislature, or of the Executive, (when the Legislature cannot be convened,) against domestic violence.
ARTICLE V.

1. The Congress, by a vote of two-thirds, may, at any time, alter or amend this Constitution.

ARTICLE VI.

1. This Constitution, and the laws of the Confederacy which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the Confederacy, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

2. The Government hereby instituted shall take immediate steps for the settlement of all matters between the States forming it, and their other late confederates of the United States in relation to the public property and public debt at the time of their withdrawal from them; these States hereby declaring it to be their wish and earnest desire to adjust everything pertaining to the common property, common liability, and common obligations of that union, upon the principles of right, justice, equity and good faith.

3. Until otherwise provided by the Congress, the city of Montgomery, in the State of Alabama, shall be the seat of Government.

4. The members of the Congress and all executive and judicial officers of the Confederacy shall be bound by oath or affirmation to support this Constitution; but no religious test shall be required as a qualification to any office or public trust under this Confederacy.

5. The Congress shall have power to admit other States.

On motion of Mr. Hall, the bill concerning the town of Wilmington, was read the second time and passed. No objections being made, said bill was read the third time,
and Mr. Turner moved to amend by including State bonds in the subjects of taxation enumerated in the bill, and upon this question he 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 question now recurring upon the passage of the bill upon its third reading, was decided in the affirmative and the bill was ordered to be engrossed.

Mr. Erwin moved to take up the bill concerning the trading with slaves.

The motion did not prevail.

The Speaker announced the unfinished business, to wit:
The bill to diminish the costs of suits at law. The question was upon the passage of the bill upon the second reading, and Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Bledsoe, Blount, Dockery, Erwin, Faison, Grist, Lane, Simpson, Street, Stowe, Sharpe, Slaughter, Spencer, Stubbs, Turner, Walkup and Whedbee—19.

Those who voted in the negative are:

So the bill passed the second reading.

Mr. Hall, from the committee to make arrangements for the reception of the Commissioner from the State of Georgia, reported as follows, to wit:

The joint committee to whom was referred the resolution
respecting the reception of the Hon. Samuel Hall, Commissioner from the people of Georgia in convention, to the General Assembly of the State of North Carolina, have had the same under consideration and beg leave to report the following resolutions:

Resolved, That a public reception be extended to the Hon. Samuel Hall, Commissioner from Georgia, by the Senate and House of Commons in the Hall of the House of Commons, on Wednesday evening, 13th inst., at 8 o'clock.

Resolved, That the Hon. Samuel Hall, during his stay, be the guest of the State of North Carolina.

Reported for and in behalf of the Committee.

ELI W. HALL.

The report was adopted.

The hour of two o'clock having now arrived, the Senate took a recess until three-and-half o'clock.

Three-and-a-half o'clock, P. M.

A bill for the management of insolvent estates was read the second time, and pending its passage, Mr. Lane demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Dowd, Grist, Lane, Street and Taylor of Nash—6.

Those who voted in the negative are:


So the bill was rejected.

The special order now intervening, to wit:
A bill to amend an act entitled an act to establish the Bank of Commerce.

Pending the passage of the bill on its second reading, Mr. Avery moved to amend as follows, to wit:

Be it further enacted, That the provisions of this act shall extend to the Bank of North-Carolina, and also the Bank of Lexington; and that the charters of said banks be amended in the same particulars as are herein provided for the Bank of Commerce at Newbern, without reference to the numbers of the several sections in said charters.

Upon this question Mr. Street demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Avery, Bledsoe, Barringer, Blount, Eure, Erwin, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Street, Stowe, Taylor of Nash, Thomas of Jackson, Walker, Watson, Whitaker, Winstead and Whedbee—22.

Those who voted in the negative are:

Messrs. Dickson, Dobson, Dockery, Dowd, Pitchford, Rogers, Shaw, Simpson, Speight, Sharpe, Slaughter, Spencer, Stubbs, Taylor of Brunswick and Waugh—16.

So the amendment was adopted.

Mr. Thomas, of Jackson, now moved to amend by inserting the words "Miners and Planters' Bank" after the word Lexington, and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:
Messrs. Dickson, Dockery, Humphrey, Pitchford, Rogers and Sharpe—6.

So the amendment was adopted.

On motion of Mr. Street, the second section of the bill was stricken out.

Mr. Avery moved to amend as follows, to wit:

*Provided, That the Bank of North-Carolina, the Bank of Lexington, and the Miners’ and Planters’ Bank of Murphy, shall have no further power respecting the establishment of agencies and branches, than is conferred in their original charters.*

The amendment was agreed to.

The question now recurring upon the passage of the bill upon the second reading, Mr. Street demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Avery, Bledsoe, Barringer, Blount, Dowd, Erwin, Faison, Hall, Harris of Chatham, Humphrey, Lane, Simmons, Simpson, Street, Stowe, Sharpe, Taylor of Nash, Thomas of Jackson, Walker, Winstead and Walkup—22.

Those who voted in the negative are:

Messrs. Dickson, Dobson, Eure, Pitchford, Rogers, Shaw, Speight, Slaughter, Spencer, Stubbs—14.

So the bill passed the second reading.

There being no objection, said bill was read the third time, passed and was ordered to be engrossed.

Mr. Avery moved to take up the bill to establish a new county to be called Mitchell. Two-thirds voting in the affirmative, the rules were suspended and said bill was read the second time and passed. There being no objection, said bill was read the third time, and pending its passage, Mr. Slaughter demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Avery, Bledsoe, Barringer, Dickson, Dobson, Dockery, Dowd, Eure, Erwin, Faison, Grist, Hall, Harris of Chatham, Humphrey, Lane, Shaw, Simmons,

 Those who voted in the negative are:
 Messrs. Blount, Harriss of Franklin, Pitchford, Rogers, Slaughter, Whitaker and Whedbee—7.

 So the bill passed the third reading and was ordered to be enrolled.

 Mr. Lane moved to suspend the rules and take up the bill to lay off and establish a new county by the name of Richland.

 The motion prevailed and said bill was read the second time.

 Pending its passage, Mr. Grist moved to strike out all that portion of the bill which pertains to including any portion of Beaufort county in the new county proposed to be formed, and upon this question he demanded the yeas and nays.

 Those who voted in the affirmative are:

 Those who voted in the negative are:
 Messrs. Avery, Brown, Bledsoe, Barringer, Dickson, Dobson, Erwin, Faison, Humphrey, Lane, Rogers, Shaw, Simmons, Speight, Street, Stowe, Taylor of Nash, Walker, Watson, Waugh, Whitaker and Winstead—22.

 So the amendment was rejected.

 Mr. Grist now moved to lay the bill upon the table, and upon this question he demanded the yeas and nays.

 Those who voted in the affirmative are:

 Those who voted in the negative are:
 Messrs. Avery, Brown, Barringer, Dickson, Dobson, Erwin, Faison, Hall, Harris of Chatham, Humphrey, Lane,
So the Senate refused to lay the said bill upon the table.

Mr. Grist now moved to amend as follows, to wit:

**SECTION — Be it further enacted, That this bill shall be in force and take effect so soon as it shall be ascertained by a vote of the legal voters of the proposed county, that a majority of said voters are in favor of the new county; and the election shall be held on the first Thursday in August next, for that purpose.**

The amendment was withdrawn and the bill passed the second reading. There being no objection the bill was now read the third time, passed and ordered to be engrossed.

Mr. Lane moved to reconsider the vote by which the bill passed the third reading, and then moved to lay that motion on the table; and upon this motion the yeas and nays were demanded.

Those who voted in the affirmative are:

Messrs. Avery, Brown, Barringer, Dickson, Dobson, Erwin,aison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simp- on, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Walker, Watson, Winstead and Worth—26.

Those who voted in the negative are:


So the motion to lay on the table prevailed.

On motion of Mr. Erwin, the bill to re-establish the militia in the State was made the special order for to-morrow 12 o'clock.

On motion the Senate adjourned until 10 o'clock to-
WEDNESDAY, FEBRUARY 13, 1861.

The Senate met at the usual hour. The journal was read.
Mr. Turner introduced a bill concerning a Convention, which was read the first time and passed.
Mr. Avery, a bill supplemental to an act passed at the present session to establish the county of Mitchell, which was read first time and passed.
Mr. Humphrey, a bill to incorporate a railroad from New bern to some point in Onslow county, which was read the first time, passed and referred to the Committee on Internal Improvements.
Mr. Thomas, of Davidson, a bill to extend the limits of the town of Lexington, which was read the first time, passed and referred to the Committee on Corporations.
On motion of Mr. Humphrey, the bill to establish the county of Dobbin was taken up and read the second time, and amended by the adoption of a substitute offered by the Committee on Propositions and Grievances.
Pending the vote upon the passage the second reading, as amended, Mr. Bledsoe moved to amend as follows, to wit:
Strike out from the provisions of the bill proposing to include a portion of Wake county, in the new county proposed to be formed. Upon this question, Mr. Bledsoe demanded the yeas and nays.
Those who voted in the affirmative are:
Those who voted in the negative are:
Messrs. Avery, Burton, Brown, Barringer; Dickson, Dobson, Hall, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Simmons, Simpson, Speight, Street, Stowe, Spencer, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Watson, Waugh, Winstead and Walkup—25.
So the amendment was rejected.
Mr. Bledsoe now moved to amend as follows, to wit:

Provided a majority of the qualified voters for members of the House of Commons, living within the limits of the proposed county of Dobbin, shall vote for the establishment of said county, at an election to be held according to the provisions of an act to be passed supplemental to this act.

Upon this amendment Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:


No vote having been cast in the negative the amendment was adopted.

Mr. Bledsoe now offered the following amendment, to wit:

Be it further enacted, That this act shall be enforced from and after its ratification: Provided, That unless this act is ratified by two-thirds of the qualified voters of that portion of Wake county, which it is proposed by this bill to include in the said county of Dobbin, at the regular election to be held for that purpose, then the same shall be deemed to be rejected by the said citizens of Wake, and it shall be and continue as a portion of the county of Wake.

Upon this question Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Arendell, Avery, Burton, Barringer, Dickson, Dobson, Eure, Harris of Chatham, Humphrey, Lane, Pitch-
So the amendment was rejected.

Mr. Bledsoe now submitted the same amendment with the change of striking out the words "two-thirds," and inserting the words "a majority," and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Burton, Brown, Barringer, Dickson, Dobson, Hall, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Waugh and Winstead—21.

So the amendment was rejected.

The question now recurring upon the passage of the bill, Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Brown, Barringer, Blount, Dickson, Dobson, Hall, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Thomas of Jackson, Watson, Waugh, Winstead and Walkup—25.

Those who voted in the negative are:


So the bill as amended passed the second reading.

Mr. Humphrey now moved that the rules be suspended, and that the bill be read the third time, and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Avery, Burton, Brown, Barringer, Dickson, Dobson, Hall, Harris of Chatham, Humphrey, Lane, Pitchford, Rogers, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Watson, Waugh and Winstead—24.

Those who voted in the negative are:


So the Senate refused to suspend the rules.

Mr. Thomas, of Jackson, now moved that the rules be suspended, and that the bill to establish the county of Clay be taken up, and upon this question demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Barringer, Dickson, Dobson, Dockery, Dowd, Harris of Chatham, Humphrey, Stowe, Spencer, Taylor of Nash, Thomas of Jackson, Thomas of Davidson, Winstead, and Worth—16.

Those who voted in the negative are:

Messrs. Brown, Bledsoe, Blount, Eure, Grist, Harris of Franklin, Lane, Pitchford, Rogers, Simmons, Speight, Street, Sharpe, Slaughter, Taylor of Brunswick, Turner, Whitaker, Walkup and Wheedbee—19.

So the Senate refused to suspend the rules.

The Speaker announced the special order for the hour of 12 o'clock, viz: The consideration of the bill to amend the 17th chapter of the Revised Code, entitled "Militia." The bill was read the second time.

Mr. Sharpe now moved to strike out the words "white persons," in the 1st section and wherever they occur, and insert in their stead, the words "all free white males and apprentices." The amendment was adopted.

Mr. Bledsoe now moved to recommit the bill to the Committee on Military Affairs.

Pending the vote to recommit, the hour of 2 o'clock arrived and the Senate took a recess until 3½ o'clock.
Three-and-a-half o'clock, P. M.

The Speaker announced that the question was upon the motion by Mr. Bledsoe, to recommit the bill to amend the 70th chapter of the Revised Code, entitled "Militia," to the Committee on Military Affairs.

Upon this question Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the Senate refused to recommit.

The special order now intervening, viz: The consideration of the resolutions proposing to call a Convention of the people of the United States, Mr. Avery moved to lay those resolutions upon the table, and upon this motion he demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Dickson, Faison, Harriss of Franklin, Harriss of Chatham, Humphrey, Pitchford, Rogers, Shaw, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Walker, Waugh, Whitaker and Winstead—19.

Those who voted in the negative are:


So the resolutions were laid upon the table.

The question now recurring upon the passage of the bill to amend the 70th chapter of the Revised Code, Mr. Walkup moved to amend as follows, to wit:

In section 1st strike out all after the enacting clause, and in stead thereof insert as follows:
"That so much of the 1st section of the 70th chapter of the Revised Code, entitled "Militia," as relates to the exemption of persons from the performance of military duty who are of the age of thirty-five years and under forty-five years, be and the same is hereby repealed."

The amendment by Mr. Walkup was rejected.

Mr. Street moved to amend as follows:

Strike out section 2d, and insert, "That whenever a vacancy shall occur in the office of major-general the same shall be filled by the plurality of the written votes of the field, staff and commissioned officers of the division, the election to be held at a time and place to be designated by the adjutant-general; and whenever a vacancy shall occur in the office of brigadier-general, the same shall be filled by the field, staff and commissioned officers of the brigade, under the same rules and regulations as are herein provided for the election of major-general; and the Governor shall commission said officers when notified of their election."

The amendment was adopted.

On motion of Mr. Brown, in section 3d, seventh line, the word "and" was stricken out, and the word "or" inserted.

On motion of Mr. Street, the 5th section was amended by striking out the word "Governor," and inserting the word "adjutant-general."

Mr. Sharpe moved to strike out the 8th section, and upon this question Mr. Avery 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. Brown moved to strike out in the eighth section
line eighth, the word "as" and insert the words "who is."

The amendment was adopted.

Mr. Sharpe moved to strike out the ninth section.

The amendment was rejected.

Mr. Walkup moved to strike out the tenth section, and insert as follows, to wit:

Be it further enacted, That any person liable to do military duty, whose name is on the roll, or who may enroll his name, may show to the commanding officer of the company to which he belongs that he owns a good rifle, musket or shot gun, with sufficient shot pouch, powder horn, or flask; and if he shall wish to be exempt from military duty, he shall pay to the sheriff of the county two dollars, provided his State tax does not exceed ten dollars, and if his State tax exceed ten dollars, and under twenty-five dollars, then he shall pay three dollars, and if his State tax exceed twenty-five dollars and under fifty dollars, then he shall pay four dollars, and if his State tax exceed fifty dollars, then he shall pay five dollars, and upon the payment of said taxes, graded as above, the sheriff shall give him a receipt for the same, which shall be filed with the Clerk of the county court, and the clerk shall give the applicant a certificate of discharge from military duty for one year from that time, and the certificate of the clerk, the enrolment of the name, and the possession and ownership of sufficient arms and accoutrements as aforesaid, shall be deemed sufficient, and in view of military duty, except in case of war or invasion.

Mr. Avery called for a division of the question and the Senate decided to divide.

The question now recurring upon the motion to strike out, it was decided in the affirmative.

The question now recurring upon the motion to insert, Mr. Avery demanded the yeas and nays.

Pending the vote upon this question, Mr. Arendell moved to take a recess until seven-and-a-half o'clock with a view of
receiving Hon. Samuell Hall, Commissioner from the State of Georgia, at the hour of eight o'clock, in the Hall of the House of Commons.

Pending the vote on the motion to take a recess, Mr. Arendell presented the following report from the committee to make arrangements for the reception of Hon. Samuel Hall, Commissioner from the State of Georgia, as follows, to wit:

The joint committee appointed to make arrangements for the reception of the Hon. Samuel Hall, Commissioner from the State of Georgia, suggest that he be received by the Senate and House of Commons, in the Commons Hall, this evening at eight o'clock. The Speakers of the two Houses will preside, and the Senators will occupy seats on the right of the Speaker's desk.

ELI W. HALL, Chairman.

February 13, 1861.

The report was adopted.

The question now recurring on the motion by Mr. Arendell to take a recess until seven-and-a-half o'clock, and was decided in the affirmative.

Seven-and-a-half o'clock, P. M.

The Senate met at seven-and-a-half o'clock.

Received a message from the House stating that the House was in readiness to receive the Senate, agreeable to the joint order for the reception of the Hon. Samuel Hall, Commissioner from the State of Georgia to the State of North Carolina, whereupon the Senate proceeded in due form to the Hall of the House of Commons and received the communication from said Commissioner.

At ten o'clock, fifteen minutes, the Senate returned to its own chamber, and on motion of Mr. Avery adjourned until ten o'clock to-morrow.
THURSDAY, February 14, 1861.

Mr. Winstead introduced a bill to charter the Hillsboro’ and Virginia Railroad Company, which was read the first time and passed.

Mr. Taylor, of Brunswick, presented the resignation of Thomas D. McDowell, Esq., as one of the trustees of the University, which was received and ordered to be transmitted to the House of Commons.

Mr. Thomas, of Davidson, introduced a bill to relieve the Silver Hill Mining Company from excessive taxation, which was read and referred to the Committee on Claims.

Mr. Walkup introduced the following resolution, to wit:

Resolved, That hereafter during this session, no member of the Senate shall speak more than twice on one question, motion, bill or other subject, or occupy more than ten minutes at a time, unless by the unanimous consent of the Senate.

Upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the rules were amended.

Mr. Humphrey, on behalf of the committee to examine into and report what portion of the report of the Commissioners on the Atlantic and North-Carolina Railroad is necessary to be printed, submitted as follows, to wit:

The joint select committee to whom was referred the printing the reports, &c., of the commissioners to examine into the affairs of the Atlantic and North-Carolina Railroad Company, beg leave to submit that it appears from reading
the report that the object of the Commissioners was for the purpose of detecting fraud and corruption in the management of the affairs of said Company.

The Commissioners state, after a thorough examination of all the affairs, employees and contractors of the road under oath, that "they came across no evidence whatever, of any wilful official misconduct, nor even an approach to official corruption, bribery or favoritism."

The joint select committee, after a careful consideration of the matter referred to them, represent that the publication of the said report and documents would be an unnecessary expenditure of money, and could not possibly result in any benefit to the State or stockholders. Therefore, your committee respectfully suggest that, if their recommendation not to print be not satisfactory, and further information is desired, the said report and documents be read in the Senate and House of Commons as each may determine.

Respectfully submitted,

L. W. HUMPHREY, Ch'n.
CYRUS P. MENDENHALL.
JOHN C. WOOTEN.
CHARLES C. CLARK.

Received a message from the House, transmitting a bill to amend sundry acts in reference to the town of Asheville, in Buncombe county, which was read the first time and passed, and referred to Committee on Corporations.

Also, sundry persons recommended to be appointed Justices of the Peace in the county of Rowan, which were concurred in.

Also, an engrossed bill to charter the Warren Lodge, A. Y. M., which was read first time and passed.

The Speaker announced the unfinished business of yesterday, viz:

The consideration of the bill to amend the seventieth chapter of the Revised Code entitled Militia, and that the question was upon the adoption of the amendment offered by Mr. Walkup to the tenth section.
Pending the vote on the question, Mr. Street moved to amend the amendment as follows, to wit:

Strike out the words "two dollars," "three dollars," "four dollars," and "five dollars," and insert the words "eight dollars," "twelve dollars," "sixteen dollars," and "twenty-four dollars."

Upon this question Mr. Simpson demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Street and Stubbs—2.

Those who voted in the negative are:

So the amendment did not prevail.

The question now recurring upon the amendment offered by Mr. Walkup, it was decided in the negative.

Mr. Walkup now moved to amend as follows, to wit:

Sec. 7. Be it further enacted, That whenever any company shall be so disorganized that there is no commissioned company officers to command the same, and no regular roll of said company, or if the muster roll is not produced within twenty days after the same is required by the commandant of the regiment, the brigadier-general or the sheriff of the county, after public notice shall have been given in a newspaper circulating in said company, or notice given at the court-house door and three other public places in said company, then it shall be the duty of the commandant of the regiment, or if there be none such, then it shall be the duty of the brigadier-general of that brigade, and if that too be vacant, it shall be the duty of the sheriff of the county, between the first day of April and the first day of July in each and every year, upon the order of the adjutant-general
(if to the sheriff,) to employ some fit and suitable person living in said company or regiment, to enroll all the white males within the bounds of said company, between the ages of eighteen years and forty-five years, liable to do military duty, and order the persons so enrolled to appear within thirty days at the place where the said company had last usually held their company musters, for the purpose of holding an election for officers for said company, and the persons so employed and detailed shall have power and authority, and it shall be his duty to appoint all proper officers and a clerk for that day to assist him, who shall each forfeit and pay the sum of two dollars to be recovered before any justice of the peace by the person detailed, one half to the use of said person, and the other half to the use of the State, for every neglect or refusal; and it shall be the duty of the person employed to call the roll and note all delinquents; and he shall hold an election and report and return the result of the same to the commanding officer of the regiment, or the brigadier-general, or the sheriff, as the case may be, who shall proceed, as hereinbefore in this act ordered in section fifth of this chapter in case of no election.

The officer or person to whom the return is made shall return the same to his superior officer, or in case of the sheriff to the adjutant-general, and in case any of the parties enrolled and notified to attend, shall neglect or refuse to attend on the day appointed for said election, he shall forfeit and pay the sum of two dollars, to be recovered by the person detailed, by warrant in the name of the State, before any justice of the peace of said county, one half to the person detailed or employed to make such enrolment and election, and the other half to the use of the company for military purposes.

Mr. Brown moved to strike out in section 11th line 4th the words "in cases of emergency," and insert the words "to repel invasion of the State or suppress insurrection," and upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:

Those who voted in the negative are:

Messrs. Avery, Barringer, Dickson, Dobson, Harriss of Franklin, Harris of Chatham, Humphrey, Shaw, Street, Stowe, Slaughter, Taylor of Granville and Thomas of Jackson—13.

So the amendment was adopted.

Mr. Brown now moved to strike out the proviso in the 11th section, and upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the amendment was rejected.

Mr. Winstead moved to reconsider the vote by which the word "emergency" was stricken out of the 11th section, and the words "to repel invasion of the State or suppress insurrection" inserted, and upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Bledsoe, Barringer, Dickson, Harriss of Franklin, Harris of Chatham, Humphrey, Pitchford, Rogers, Shaw, Simmons, Speight, Street, Stowe, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas

Those who voted in the negative are:


So the vote was reconsidered.

The question now recurring upon the adoption of the amendment to the 11th section, by Mr. Brown, to strike out the words in "cases of emergency," and insert the words "to repel invasion, either by federal troops attempting to march through the State or States, or from any other quarter, and to suppress insurrection either actual or apprehended."

Upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the amendment did not prevail.

Mr. Watson asked leave to introduce a resolution to change the rules for the government of the Senate, so that instead of meeting at three-and-a-half o'clock, P. M., the Senate meet at seven o'clock, P. M., and adjourn at discretion.

Mr. Avery moved to suspend the rules so as to consider said resolution forthwith.

The motion did not prevail.

The hour of two o'clock having now arrived, the Senate took a recess until three-and-a-half o'clock.
Mr. Bledsoe moved to postpone the special order, viz:
The consideration of the bill to alter the Constitution, and
make said bill the special order for twelve o'clock to-morrow.
The question being now upon the passage of the bill to
amend chapter seventy of the Revised Code upon the second
reading, Mr. Street proposed to amend the thirteenth section
as follows, to wit:

Strike out all after the word "Major-General" and insert
"and who shall have power to appoint one Assistant Adju-
tagant-General, one Assistant-Quarter-Master-General, one
Commissary-of-Subsistance-General, with the rank of Lieut-
enant-Colonel, and two Aids-de-Camp, and one Assistant-
Surgeon-General, with the rank of Major, and said officers
to be commissioned by the Governor; and the said Major-
General shall be elected by the staff, field and commissioned
officers of the division.

Upon this question the yeas and nays were demanded.
Those who voted in the affirmative are:
Messrs. Burton, Pitchford, Rogers, Shaw, Simmons,
Whitaker and Walkup—7.
Those who voted in the negative are:
Messrs. Avery, Bledsoe, Blount, Dickson, Dobson,
Dockery, Dowd, Eure, Harriss of Franklin, Harris of
Chatham, Outlaw, Simpson, Speight, Street, Stowe, Sharpe,
Spencer, Stubbs, Taylor of Nash, Thomas of Davidson,
Turner, Walker, Watson, Waugh, Winstead, Whedbee
and Worth—27.
So the amendment was rejected.
Mr. Walkup moved to amend section fifteenth, line second
as follows, to wit:
Strike out the word "two" and insert the word "one."
The amendment was adopted.
Mr. Walkup moved to amend the sixteenth section by
striking out in the second line the word "two" and inserting
the word "one," and after the word "Lieutenant" insert the words "one Third Lieutenant."

The amendments were agreed to.

Mr. Walkup now moved to amend the seventeenth section by striking out in the fifteenth line the word "Governor" and inserting the words "a majority of the officers of said companies."

The question was decided in the affirmative—yeas 16, nays 10.

Mr. Simpson moved to amend the twentieth section by striking out the word "seven" in the second and fifth lines, and inserting the word "ten."

The amendment was adopted.

Mr. Turner moved to amend the twentieth section as follows, to wit:

Strike out the words "during which time the members of said corps shall be exempted from county poll tax and road duty."

Upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Dickson, Humphrey, Speight, Street, Taylor of Brunswick, Thomas of Davidson, Waugh, Whitaker, Winstead and Walkup—11.

So the amendment was adopted.

Mr. Turner moved to amend the twenty-first section by striking out the whole of said section as follows, to wit:

"That the commissioned and non-commissioned officers shall be allowed half the pay allowed by the army regulations to the commissioned and non-commissioned officers of the army of the United States. Musicians and privates shall be allowed
the same pay now allowed to the musicians and privates of the army of the United States when ordered by the Governor into active service."

Mr. Street moved to amend the amendment of Mr. Turner as follows, to wit:

"In section twenty-first strike out all the section and insert:

That the same pay and rations now allowed to non-commissioned officers, privates and musicians, and the pay now allowed to the general, staff, field and commissioned officers by the regulations of the United States army, shall be allowed to the volunteer corps or any part of them when ordered by the Governor into active service.

Mr. Avery demanded a division of the question, and the Senate decided to divide. The question then was first on striking out, and Mr. Avery 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. Turner moved to amend the 22d section by striking out in the 12th line the words "sixty-four," and inserting the words "forty-five."

The question was decided in the affirmative.

Mr. Dobson moved to reconsider the vote by which the amendment was adopted.

Mr. Outlaw moved to lay the motion to reconsider upon the table, and demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Dockery, Dowd, Eure, Grist, Outlaw,
Pitchford, Sharpe, Slaughter, Spencer, Stubbs, Turner, Whedbee and Worth—14.

Those who voted in the negative are:


So the motion to lay upon the table did not prevail.

On motion, the Senate adjourned until 10 o'clock tomorrow.

FRIDAY, FEBRUARY 15, 1861.

The Senate met at the usual hour. The Journal was read.

Mr. Dowd presented a memorial from citizens of the counties of Chatham and Moore, which was referred to the Committee on Internal Improvements.

Mr. Pitchford, from the Committee on Slaves and Free Persons of Color, reported back a bill to bind out certain free persons of color, and recommended that said bill do not pass.

Also, a bill to enable certain free persons of color to become slaves, and recommended its passage.

Also, a bill concerning free persons of color, and recommended that said bill do not pass.

Mr. Humphrey, from the Committee on Corporations, reported back a bill to amend an act entitled "an Act to incorporate the town of Edenton," and recommended its passage.

Mr. Bledsoe, from the Committee on Claims, reported back the bill to relieve the Silver Hill Mining Company, and recommended that the relief asked for was amply provided for in an act passed at the session of 1858-'9, entitled "Revenue," and asked to be discharged from the further consideration of the bill. The committee was discharged.

Mr. Thomas, of Jackson, from the Committee on Internal Improvements, reported back the bill to incorporate the
Sharon and Coal Field Railroad, and recommended a substitute for said bill, which the committee recommended to be passed.

Mr. Humphrey, from the committee on Corporations, reported back a bill to extend the limits of the town of Lexington, and recommended its passage.

Mr. Brown introduced a bill to incorporate the Citizen Gas Light Company of Newbern, which was read the first time, passed and referred to the Committee on Corporations.

Mr. Shaw, a bill concerning the Fayetteville Plank Road Company, which was read the first time and referred to the Committee on the Judiciary.

Also, a bill to authorize the mayor and commissioners of the town of Fayetteville to procure a supply of water for the use of said town, which was read the first time, passed and referred to the Committee on Corporations.

Received a message from the House transmitting an engrossed bill passed by that body, entitled a bill to incorporate the Greensboro' and Leaksville Railroad Company, in which the concurrence of the Senate was asked, and said bill was read the first time, passed, and Mr. Waugh moved that said bill be referred to the Committee on Internal Improvements.

Mr. Turner moved to lay the motion to refer on the table, and upon this motion Mr. Waugh demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the motion to lay on the table prevailed.
Mr. Barringer moved to suspend the rules so as to take the bill to incorporate the Greensboro' and Leaksville Railroad Company up at five o'clock to-day, and upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:


Two-thirds not voting in the affirmative the order was not made.

Mr. Humphrey moved that the rules be now suspended so as to take up a bill to amend an act entitled an act to extend the power of the New River Navigation Company, and put it upon the second and third reading, which motion prevailed, and the bill was read the second and third times, passed, and was ordered to be engrossed.

On motion of Mr. Taylor, of Brunswick, the bill concerning Pilot and Pilotage was made the special order for ten o'clock to-morrow.

Mr. Outlaw gave notice that on to-morrow he would move to change the rules for the government of the Senate.

On motion of Mr. Avery, the supplemental bill to the bill to establish the county of Mitchell was made the special order for to-morrow at twelve o'clock.

Mr. Thomas, of Davidson, moved to make the bill to incorporate the Greensboro' and Leaksville Railroad the special order for four-and-half o'clock to-day, and upon this question Mr. Waugh demanded the yeas and nays.

Those who voted in the affirmative are:

24

Those who voted in the negative are:


So the special order was not made.

Mr. Turner now moved to take up the resolution of Mr. Watson, to change the rules. Pending the vote upon the resolution the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the resolution was rejected.

The special order for the hour of 12 o'clock now intervening, viz: the consideration of the bill to alter the Constitution of the State, the Speaker announced that the question was upon the passage of the bill as amended, the first reading, and upon this question Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Bledsoe, Barringer, Blount, Dobson, Dockery, Dowd, Eure, Grist, Harriss of Franklin, Harris of Chatham, Humphrey, Ramsay, Rogers, Simmons, Simpson, Street, Stowe, Sharpe, Slaughter, Spencer, Stubbs, Taylor

Those who voted in the negative are:


Three-fifths having voted in the affirmative, the Speaker announced that the bill had passed the first reading.

Messrs. Simpson and Whitaker stated that they had cast their votes in the affirmative for the purpose of giving the friends of the bill a chance to amend.

On motion of Mr. Dobson, the further consideration of the bill was made the special order for 11½ o'Clock to-morrow.

The Speaker announced the unfinished business of yesterday, viz: The passage of the bill to amend the 70th chapter of the Revised Code, entitled "Militia," the second reading.

The Speaker announced that the question was upon the amendment of Mr. Turner, to strike out in the 22d section the words "fifty-two," and insert the words "forty-two."

The amendment was withdrawn, and Mr. Arendell offered to amend the 22d section as follows, to wit:

Strike out in the 12th line the words "sixty-four, rank and file," and insert the words, "is now prescribed by the 5th section of the 70th chapter of the Revised Code," and by adding the following proviso to the bill, to wit:

Provided, That when any company not having sixty-four privates shall be called into active service, the Governor may draw from the militia a sufficient number to increase said company to sixty-four.

The amendment was adopted.

Mr. Simpson moved to amend 24th section, by striking out the 90th day, and inserting the words 6 months.

The amendment was adopted.

Mr. Street moved to amend said section further by striking out in the 4th line, the words "sixty four," and inserting "thirty-two." The amendment was adopted.
Mr. Arendell moved to amend the 25th section, by adding after the word "Cadet Gray," "manufactured in the State of North-Carolina."

Mr. Turner moved to amend the amendment of Mr. Turner as follows, to wit:

Provided, Said cloth can be obtained in the State upon as reasonable terms as elsewhere. The amendment to the amendment was withdrawn and the amendment was then adopted.

Mr. Pitchford proposed to amend the same section as follows, to wit: After the word militia in the second line insert the words, "from grade of captain down." The amendment was adopted.

Mr. Walkup now moved to amend the same section by adding the following proviso to be inserted after the word North-Carolina, to wit: Provided, That militia officers now uniformed shall not be compelled to change the same until called into active service.

The amendment was adopted.

Mr. Simpson moved that the word "tender," in the 2nd line of the 26th section, be stricken out, and the word "report" inserted. The motion prevailed.

Mr. Walkup moved that the words "their services" be stricken out, and the words "themselves" be inserted, and the motion was agreed to.

Mr. Walkup moved to amend the 28th section, as follows, to wit: In the 2nd line after the word "collect," insert the words "and repair," and after the word "collection," in the 4th line, insert the words "and repairing."

On motion of Mr. Walkup, the whole of the 9th section was stricken out.

Mr. Street moved to amend the 30th section as follows, to wit:

In the 2nd line after the word "General," insert the words, "shall be elected by joint ballot of the two Houses of the General Assembly," and the amendment was adopted.
Mr. Worth moved to amend the same section in the 30th line, as follows, to wit:

After the word "duties," insert the words "with two good securities to be approved by the commander-in-chief."

The amendment was adopted.

Mr. Walkup moved to amend the same section, as follows, to wit: In the 30th line, strike out the words "eighteen hundred," and insert the words "twenty-five hundred."

Upon this question Mr. Stubbs demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Barringer, Humphrey, Speight, Street, Stowe, Taylor of Nash, Taylor of Brunswick and Walkup—11.

Those who voted in the negative are:


So the amendment was rejected.

Mr. Worth moved to amend the same section, in the 48th line, by striking out the word "four," and inserting the word "two."

The amendment was adopted.

On motion of Mr. Dobson, the same section was amended in the 45th and 46th lines, by striking out the words "shall keep his office in the city of Raleigh," and

Mr. Brown moved to amend the 31st section, by adding in the 3d line after the word "behavior," the words "unless otherwise ordered by the General Assembly."

The motion prevailed.

Mr. Arendell moved to amend the same section by striking out all after the word "war" in the 4th line, and inserting the words "the rank and file shall fill all vacancies by elections."

The amendment was rejected.

The bill was now put upon its second reading and passed.
On motion of Mr. Humphrey, the bill was now made the special order for Monday evening 4 o'clock.

On motion of Mr. Dockery, the 1st section of 28th chapter of the Revised Code was read the second time, and pending its passage, Mr. Avery demanded the yeas and nays.

Pending the vote, Mr. Street moved to amend by adding the following proviso, to wit:

Provided, The said justices shall not tax any article, land or poll more than one-half of the tax for State purposes.

The amendment was rejected.

The question now recurring upon the passage of the bill the second reading,

Those who voted in the affirmative are:

Those who voted in the negative are:

So the bill passed the second reading.

Mr. Dockery moved that the rules be suspended, and that the bill be read the third time.

The Senate refused to suspend the rules.

The special order for 5 o'clock now intervened, viz: The consideration of the bill to divide the State into eight Judicial Districts. The question was upon the second reading of the bill, which was read, and,

Pending its passage, Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Avery, Burton, Bledsoe, Dickson, Dobson, Dowd, Faison, Hall, Harris of Chatham, Shaw, Simpson, Street, Stowe, Taylor of Nash, Taylor of Brunswick, Thomas of

Those who voted in the negative are:


So the bill passed the second reading.

Mr. Barringer asked and obtained leave to introduce a resolution to purchase a Cabinet of Minerals for the use of the State, which was read the first time and passed.

Received a message from the House, stating that the House had passed an engrossed bill from the Senate, entitled a bill to construct a branch of the Wilmington and Weldon Railroad at or near the town of Fayetteville, with amendments marked "A" and "B," and asking the concurrence of the Senate in the same.

The amendments were agreed to.

Received a message from the House, transmitting an enrolled bill entitled "an Act to appoint a tax collector for the counties of Wayne and Haywood, and stating that the same had been signed by the Speaker of that body, and that the signature and ratification of the Speaker of the Senate was asked to the same.

Received a message from the House, stating that that body had passed an engrossed bill from the Senate entitled "a Bill concerning the Bank of Commerce," with an amendment marked "C," in which the concurrence of the Senate was asked.

The amendment was agreed to.

Received a message from the House, transmitting the following enrolled bills, and stating that the same had been signed by the Speaker of the House, and asking that said bills be signed and ratified by the Speaker of the Senate, to wit:

An Act to charter the Chatham Railroad Company.
An Act supplemental to an act passed at the present session to lay off and establish a new county by the name of Transylvania.

An Act to lay off and establish the county of Transylvania.

An Act to prevent obstructions in the waters of Blew's Creek, in the county of Forsyth.

A resolution concerning the Public Library.

An Act to incorporate the Davidson Copper Mining Company.

An Act to incorporate the Baltimore and North-Carolina Copper and Gold Mining Company.

An Act to incorporate the Silver Valley Mining Company, in the county of Davidson.

Received a message from the House, transmitting the following engrossed bill passed by that body, entitled "a Bill to amend an act entitled 'an Act to incorporate the Atlantic, Tennesse and Ohio Railroad Company,'" which was read the first time in the Senate, passed and referred to the Committee on Internal Improvements.

Mr. Brown asked leave of absence for the Senator from Wayne, Mr. Pitchford for the Senator from Craven.

Mr. Dockery asked and obtained leave to introduce a bill to prevent the sale of spiritous liquors within two miles of Spring Hill Academy, which was read the first time and passed.

On motion of Mr. Simpson, the bill to incorporate the Greensboro' and Leaksville Railroad was made the special order for 12½ o'clock to-morrow.

Pending the vote to make the special order, Mr. Waugh demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Brown, Bledsoe, Barringer, Blount, Dickson, Dobson, Dockery, Dowd, Eure, Faison, Hall, Harris of Chatham, Outlaw, Ramsay, Shaw, Simpson, Speight, Street, Stowe, Sharpe, Spencer, Stubbs, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Thomas

Those who voted in the negative are:

So the special order was made.

Mr. Hall moved to make the bill to establish the Wilmington Savings Bank the special order for twelve o'clock on Tuesday next.

The motion did not prevail.

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

SATURDAY, FEBRUARY 16, 1861.

The Senate met at the usual hour. The journal was read.

Mr. Ramsay presented a memorial from the citizens of Rowan, which was read and left upon the table.

Mr. Speight, from the Committee on Corporations, reported back a bill to amend an act in reference to the town of Asheville, in Buncombe county, and recommended its passage.

Mr. Humphrey, from the same committee, reported back the bill to authorize the Mayor and Commissioners of the town of Fayetteville to procure a supply of water for the said town, and recommended its passage.

Mr. Pitchford, from the same committee, reported back the bill to incorporate Falls Male and Female Academy in Nash county, and submitted thereupon the following report, to wit:

The Committee on Corporations, to whom was referred a bill to incorporate the "Falls Male and Female Academy in the county of Nash," have had the same under consideration and have instructed me to add the following amendments to the fourth section, and with these amendments to recommend its passage.
Provided 1st, That a majority of the qualified voters for members of the General Assembly, living within the prescribed limits, and who shall have therein resided for six months next preceding the day of election, shall approve the same.

Provided 2nd, It shall be the duty of the Sheriff of Nash county to advertise for ten days at three or more public places within the prescribed limits, that polls will be opened at or near Falls Academy on the second Saturday in April, 1861, under the inspection of two freeholders appointed by him, who, after taking the proper oath, shall open the polls at the places named, and all voters approving this act shall deposit with the inspector a printed or written ticket, with the word approved, and those not approving shall in like way and manner deposit a ballot marked not approved. If a majority of the votes cast shall be marked approved, this act shall be in full force and effect.

Provided 3rd, That the aforesaid inspectors shall make a return under their hands and seals of such election, together with a list of the voters, to the clerk of the county court of Nash county, to be filed in his office, within ten days after the election, and for failure to discharge this duty shall be deemed guilty of a misdemeanor and fined at the discretion of the court.

Provided 4th, That all fines recovered under the provisions of this act shall go, one-half to the informant and the other half to the common schools of the county of Nash.

Mr. Watson moved that Friday next be set apart to adjourn both Houses of the General Assembly sine die.

Mr. Humphrey moved to amend by striking out the words "Friday next" and inserting the words "Monday the 25th, 6 o'clock A. M."

Received a message from the House, transmitting a recommendation for the appointment of sundry persons Justices of the Peace for the counties of Wayne, Wake, Granville and Transylvania.

The appointments were agreed to.
Received a message from the House, transmitting a bill entitled Revenue, which was read the first time and passed.

On motion of Mr. Bledsoe, the bill was ordered to be printed and made the special order for Tuesday next 11 o'clock.

Received a message from the House, transmitting the following engrossed bills passed by that body, and in which the concurrence of the Senate was asked, to wit:

A resolution in favor of R. King, late sheriff of Robeson county, which was read the first time and passed.

A resolution in favor of Jane Cline, which was read the first time and passed.

A bill to amend an act entitled an Act to incorporate the Independent Iredell Blues, which was read the first time and passed.

A bill to incorporate Greensboro' Cemetery Company, which was read the first time and passed.

A resolution in favor of W. Watson, which was read the first time and passed.

A resolution in favor of D. W. Courts, which was read the first time and passed.

A bill to abolish Jury trials in the Courts of Pleas and Quarter Sessions of Polk county, which was read the first time and passed.

A bill to incorporate the Tokay Wine Company of Fayetteville, which was read the first time and passed.

A resolution concerning the Revised Code, which was read the first time and passed.

A bill to authorize the sale of the Old Sail in the county of Wilkes, which was read the first time and passed.

A bill to authorize the organization of a volunteer force by the town of Washington, which was read the first time and passed.

A bill to restore the Cherokee county Jury trial, which was read the first time and passed.

A bill to incorporate the Fayetteville Gas Light Company, which was read the first time and passed.
A bill to incorporate the Salem Camp Ground in Lincoln county, which was read the first time and passed.

A resolution in favor of L. N. B. Battle, which was read the first time and passed.

A bill to incorporate the La Fayette Light Infantry of Fayetteville, which was read the first time, passed and referred to the Committee on Corporations.

A resolution in favor of Jasper McGee, which was read the first time and passed.

A bill to incorporate the Fayetteville Mills Company, which was read the first time, passed and referred to the Committee on Corporations.

A bill for the relief of Wright Lucas, which was read the first time and passed.

A bill to amend the ninth section of the ninety-third chapter of the Revised Code, which was read the first time and passed.

A resolution in favor of Clark Reid, which was read the first time and passed.

A bill to authorize Wm. W. Long to collect arrears of taxes, which was read the first time and passed.

A bill for the relief of Celiah Lynch, which was read and laid upon the table.

A bill to amend an act amendatory to an act to incorporate the McDowell Turnpike, which was read the first time and passed, and referred to the committee on Internal Improvements.

A resolution in favor of William Peace, which was read the first time and passed, and referred to the Committee on the Judiciary.

A bill to amend the Revised Code, entitled Agriculture and Geology, which was read the first time and passed.

A bill concerning the county courts of the county of Columbus.

A resolution in favor of Calvin Bishop, which was read the first time and passed.
A bill to incorporate Crop Creek Camp Ground in the county of Cumberland, which was read the first time, passed and referred to the Committee on Corporations.

A bill to incorporate the Patterson Manufacturing Company in the county of Caldwell, which was read the first time, passed and ordered to be referred to the Committee on Corporations.

A bill to prohibit the sale of spirituous liquors in the school districts in Chatham, Yancey and Cherokee counties, which was read the first time, passed and referred to the Committee on Propositions and Grievances.

A bill to incorporate the Buncombe Powder Manufacturing Company, which was read the first time and passed.

A bill to incorporate the Clatooga Gold Mining Company in Macon county, which was read the first time and referred to the Committee on Corporations.

A bill to incorporate Richland Institute in the county of Haywood, which was read the first time, passed and referred to the Committee on Corporations.

A bill to complete the building of the Deaf, Dumb and Blind Asylum, which was read the first time and passed.

On motion of Mr. Winstead, said bill was read the second and third times, passed and was ordered to be enrolled.

A bill to incorporate the Statesville and Tennessee Turnpike, which was read the first time, passed and referred to the Committee on Internal Improvements.

The special order for eleven-and-a-half o'clock now intervened and the bill supplemental to a bill passed at the present session to lay off and establish the county of Mitchell was read the second and third times, passed and was ordered to be engrossed.

On motion of Mr. Pitchford, the bill concerning the Insane Asylum was ordered to be taken up for consideration, and the bill was read the second and third times, passed and was ordered to be engrossed.

Received a message from the House, transmitting the
following engrossed bills passed by that body in which the concurrence of the Senate was asked, to-wit:

A bill to authorize certain persons in the county of Wake to send their children to common schools in the county of Granville, which was read the first time and passed.

A bill to charter Yadkin College, which was read the first time and passed.

A bill in relation to free negroes, which was read the first time, passed and referred to the Committee on the Judiciary.

A bill to declare what shall be sufficient to constitute the crime of Rape, which was read the first time, passed and referred to the Committee on the Judiciary.

A bill to prevent free negroes from hiring or having the use of slaves, which was read the first time, passed and referred to the Committee on the Judiciary.

A bill to incorporate the Hornet Nest Riflemen, which was read the first time and passed.

A bill to incorporate the Black Mountain Turnpike Company, which was read the first time, passed and referred to the Committee on Internal Improvements.

Resolution in favor of Gray Bynum, which was read the first time and passed.

A bill to incorporate Concord Copper Mining Company, which was read the first time and passed.

A bill concerning Western Turnpikes, which was read the first time, passed and referred to the Committee on Internal Improvements.

A bill to repeal an act entitled "an Act to incorporate the town of Franklin, in the county of Macon," which was read the first time, passed and referred to the Committee on Corporations.

Received a message from the House, transmitting sundry recommendations for the appointment of Justices of the Peace; all of which were concurred in.

On motion of Mr. Thomas, of Jackson, the rules were
suspended, and the bill to establish the county of Clay was read the second and third times, amended as recommended by the committee, and passed. There being no objections said bill was read the third time, passed and was ordered to be engrossed.

On motion of Mr. Avery, the bill to lay off and establish the county of Dobbin was read the third time, passed and ordered to be engrossed.

Mr. Avery now moved to reconsider the vote by which said bill passed the third reading, and then moved to lay that motion on the table.

On the motion to lay on the table Mr. Slaughter demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the motion to lay on the table prevailed.

The special order for the hour of one o'clock now intervening, viz: The consideration of the bill concerning Pilots and Pilotage on the Cape Fear River, and said bill was read the second and third times, under a suspension of the rules, passed and was ordered to be engrossed.

On motion of Mr. Bledsoe, the special order for the hour of 11 o'clock, viz: The consideration of the bill to alter the Constitution, was postponed until eleven o'clock on Tuesday next. Yeas 33. Nays 4.

Mr. Avery, from the Committee on the Judiciary, reported back a resolution in favor of Wm. Peace, and with sundry amendments recommended its passage.
On motion of Mr. Humphrey, the rules were suspended and the resolution was read the second time, amended as recommended by the committee and passed. There being no objection said bill was read the third time, passed and ordered to be sent to the House for concurrence in amendments.

The special order for one-and-a-half o’clock now intervening, viz: The consideration of the bill to incorporate the Greensboro’ and Leaksville Railroad Company, and said bill was read the second time.

Mr. Waugh moved to amend as follows, to-wit:

Section 31. Be it further enacted, That the Directors of the Railroad shall account for and pay into the Treasury twenty-five cents per ton for all freight carried over said road to Virginia.

The amendment was rejected.

The question now recurring upon the passage of the bill upon the third reading, Mr. Hall demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the bill passed the second reading.

Mr. Walkup paired off with Mr. Street.

Received a message from the House, transmitting the following enrolled bills, and stating that the Speaker of the House had signed the same, and to which the signature and ratification of the Speaker of the Senate was asked, to wit:

An act to amend an act to incorporate the town of Charlotte.
An act to continue the improvements and provide for the equipment of the Albemarle and Chesapeake Canal.

An act to incorporate Green Swamp Company.

Received a message stating that Messrs. Batchelor, Blue, Davis, Galloway and Harriss, were appointed the House branch of the committee on enrolled bills for the present week.

The hour of two o'clock having now arrived, the Senate took a recess until three-and-a-half o'clock.

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Three-and-a-half o'clock, P. M.

Mr. Bledsoe asked leave to submit a report from the Committee on Claims, and leave was granted; whereupon he reported back the resolution in favor of J. L. Ward and recommended its passage.

Mr. Thomas, from the Committee on Internal Improvements, reported back the bill to charter the Statesville and Tennessee Turnpike Company and recommended its passage.

Also, a bill to repeal section 4, chapter 169 Laws passed 1858-'9, and recommended its passage.

Received a message from the House, transmitting a communication from the Governor, accompanied by resolutions from the States of Louisiana and New York, which was read and left upon the table.

The Senate now resumed the consideration of the Greensboro' and Leaksville Railroad, and the Speaker announced that the question was upon the passage of said bill upon the third reading, and upon this question Mr. Taylor, of Brunswick, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:
Messrs. Arendell, Dickson, Hall, Harriss of Franklin, Speight, Taylor of Brunswick, Waugh and Whitaker—8.

So the bill passed the third reading and was ordered to be enrolled.

Messrs. Pitchford, Street, Humphrey and Laue, opposed to the bill, paired off with Messrs. Barringer, Whedbee, Sharpe and Walkup.

Mr. Avery moved to reconsider the vote by which the bill passed the third reading, and then moved to lay that motion upon the table.

The question was decided in the affirmative. Yeas 21; nays 6.

Mr. Waugh now moved to amend the bill as follows, to wit:

Strike out the caption and insert the following to wit:

“A bill to diminish the profits and dividends of the North-Carolina Railroad, and impose additional taxes on the people of the State,” and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Pitchford, Waugh and Whitaker—3.

Those who voted in the negative are:


So the amendment did not prevail.

On motion of Mr. Dobson, the rules were suspended and the bill to charter the Statesville and Tennessee Turnpike Company was read the second and third times, and Mr. Pitchford offered to amend as follows, to wit:

Be it further enacted, That the Public Treasurer is hereby authorized and required to pay to the order of the magistrates of Warren county the sum of three thousand dollars, for the purpose of aiding in the construction of a plank or corduroy
road from the town of Warrenton to Warrenton Depot, on
the Raleigh and Gaston Railroad.

Mr. Pitchford withdrew his amendments.

The question then recurring upon the passage of the bill
the third reading, Mr. Waugh demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Dobson,
Dockery, Dowd, Faison, Grist, Hall, Outlaw, Ramsay,
Shaw, Simpson, Stowe, Sharpe, Slaughter, Taylor of
Brunswick, Thomas of Jackson, Thomas of Davidson and
Worth—22.

Those who voted in the negative are:

Messrs. Dickson, Eure, Harris of Franklin, Pitchford,

So the bill passed the third reading and was ordered to be
enrolled.

On motion of Mr. Arendell, the rules were suspended and
the bill for the relief of the Atlantic and North Carolina
Road was read the second time, and on motion of Mr.
Arendell the said bill was made the special order for four-
and-a-half o'clock Monday next.

On motion of Mr. Burton, the resolution in favor of T. L.
Ward, of Polk, was taken up and read the second and third
times, passed and was ordered to be enrolled.

On motion of Mr. Stubbs, the resolution in favor of W.
W. Ward, late Sheriff of Martin county, was read the
second time, and amended by extending the provisions of
the same to the securities of E. Exrom, late Sheriff
of Green county. With this amendment the bill passed
the second and third readings, and was ordered to be
engrossed.

On motion of Mr. Avery, the bill to amend an act amend-
tory to an act entitled an act to incorporate the McDowell
and Yancey Turnpike was read the second and third times,
passed and was ordered to be enrolled.

On motion, the Senate adjourned until Monday next at ten
o'clock.
MONDAY, FEBRUARY 18, 1861.

The Senate met at the usual hour. The Journal was read.

Mr. Hall introduced a bill in favor of G. Potter, which was read the first time, passed and referred to the Committee on Claims.

Mr. Thomas, from the Committee on Internal Improvements, reported back a bill concerning New River Improvements and recommended its passage.

Mr. Hall introduced a resolution to pay the expenses of the Commissioner from the State of Georgia, which was read under a suspension of the rules the second and third times, passed and was ordered to be engrossed.

Received a message from the House, transmitting a bill supplemental to an act passed at the present session, entitled an act to lay off and establish the county by the name of Lillington, which was read the first time and passed.

The bill to amend the charter of the Fayetteville and Western Plank Road was read the second time and passed.

Also, a bill to increase the salaries of the Judges of the Superior Courts, which was read the second time and indefinitely postponed.

Mr. Worth moved to take up a bill relating to Banks and put said bill upon its second and third readings, and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Two-thirds not voting in the affirmative, the motion did not prevail.

On motion of Mr. Whitaker, leave of absence was granted to the Senator from Sampson until Wednesday next.

The bill in regard to the hiring of slaves was now read the second time, amended as recommended by the committee, and indefinitely postponed.

Upon this question, Mr. Lane demand the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Arendell, Burton, Brown, Bledsoe, Dickson, Dockery, Eure, Hall, Lane, Shaw, Simmons, Speight and Taylor of Brunswick—12.

So the bill was indefinitely postponed.

A bill to extend the time for registering grants, deeds and other conveyances was now read the second and third times, passed and ordered to be enrolled.

Also, a bill for a Mechanics' Lien Law was read the second time, and Mr. Outlaw moved that said bill be indefinitely postponed, and upon this question Mr. Hall demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Arendell, Burton, Brown, Bledsoe, Blount, Hall, Lane, Slaughter, Taylor of Granville, Taylor of Brunswick,
Thomas of Jackson, Thomas of Davidson, Turner, Walker, Walkup and Whedbee—16.  

So the bill was indefinitely postponed.  

The Speaker announced that Messrs. Arendell, Hall and Shaw would constitute the Senate branch of the committee on enrolled bills for the present week.  

Received a message from the House, stating that Messrs. Ferebee, Hanes, Ward and Wilkerson would constitute the House branch of the committee on enrolled bills for the present week.  

The special order for the hour of 12 o'clock now intervened, viz: The consideration of the bill to amend the 70th chapter of the Revised Code, and the Speaker announced that the question was on the passage of the bill on the third reading.  

Mr. Eure moved to amend the first section, to-wit: After the word "gospel," in the sixth line, insert the following, to-wit:  

"The officers, judiciais and executive of the United States; the members of both Houses of Congress and their respective officers; the Judges of the Supreme and Superior Courts of Law; Counsellors of State; the Secretary, Comptroller, Treasurer, the Governor's private secretary, Attorney General, Solicitor, the Clerks of the several courts of record, high Sheriffs of the several counties, physicians, and surgeons, all custom-house officers, post-masters and stage-drivers, or mail carriers, all ferrymen employed on any ferry of a public road, all millers of public mills: provided that this exemption shall extend to but one person to each mill; all inspectors of produce; all branch and licensed pilots; all mariners actually employed in the sea service of the United States, or of any merchant; all officers and students of the University and other Seminaries of learning within the State; the lock keepers on the Dismal Swamp Canal, superintendents of common schools, members of the committee of examination of teachers of common schools, teachers and pupils of common schools while engaged as such: Provided, That nothing
herein contained shall be so construed as to exempt any person from performing military duty, in case of invasion or insurrection in the State.

Upon this question Mr. Avery demanded the yeas and nays. Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Arendell, Avery, Burton, Brown, Dickson, Dob- 

Mr. Avery moved to amend the 11th section by striking out the words “in cases of emergency,” and inserting the following, to-wit: “To repel invasions, either by federal troops attempting to pass through the State, or attempting to reinforce the forts on our coast and use them to subjugate a seceding State or States, or from any other quarter, and suppress insurrection either actual or apprehended.”

Mr. Ramsay moved to amend the amendment of Mr. Avery as follows, to-wit:

Provided, That nothing herein contained shall be construed to mean that Congress shall not have power to collect the revenue; to establish post offices and post-roads; to call out the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to exercise exclusive legislation in all cases whatever over all places purchased by the consent of the legislature of the State in which the same are located, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings: and, Provided further, That nothing herein contained shall be construed to mean that a State may enter into any treaty, alliance or confederation, or shall, without the consent of Congress, lay any import or duty on exports, or shall keep troops or ships of war in time of peace, or enter into any agreement or compact with another State, or with a foreign power.
And upon this question he demanded the yeas and nays. Pending the vote the hour of two-and-a-half o'clock arrived, and the Senate took a recess until three-and-a-half o'clock.

Three-and-a-half o'clock, P. M.

Received a message from the House, stating that the Speaker of that body had signed the following enrolled bills, to which the signature and ratification of the Speaker of the Senate was asked, to wit:

An act to incorporate the Greensboro' Hotel Company.
Resolution in favor of Jonas Jenkins, of Jackson county.
Resolution concerning the appointment of an additional engrossing clerk.
An act to authorize the sureties of George W. Glass, late sheriff of McDowell county, to collect arrears of taxes
An act to authorize James H. Allen, late sheriff of Brunswick county, to collect arrears of taxes due said sheriff.
Resolution in favor of John Pate.
Resolution in favor of James S. Ives, of the town of Newbern.
Resolution to authorize the Governor to offer $1,000 reward for an escaped criminal.
An act to incorporate the Buncombe Riflemen.
Resolution in favor of the sureties of G. H. Holland, late sheriff of Haywood county.
An act to incorporate the Trustees of the Tally Ho! Female Academy, in the county of Granville.
Resolution in favor of the sureties of S. M. Ray, late sheriff of Yancey county.
An act to amend an act passed at the General Assembly of the State of North-Carolina at its session of 1848-'9.
An act to incorporate Perquimans Male and Female Academy.
An act to incorporate the Duplin Riflemen.
An act to incorporate the Wilmington Horse Artillery troop.

An act for the relief of Evans Ferguson and Benjamin Smith.

An act to revise and amend an act to incorporate the town of Thomasville.

An act to complete the buildings of the North-Carolina Institute for the Deaf, Dumb and Blind and other purposes.

An act to incorporate the Valley River Gold Mining Company in Cherokee county.

An act to amend the charter of the Western North-Carolina Railroad Company.

An act to incorporate the Asheville Water Company, in the county of Buncombe.

An act to incorporate the Wilmington Water Works Company.

An act to incorporate the Jefferson Academy in the county of Ashe.

An act to incorporate the Carrollton Copper Mining Company of Baltimore.

An act to incorporate Kilwinning Lodge, No. 64, A. Y. M., in the town of Wadesboro', county of Anson.

An act to authorize the commissioners of the town of Hertford to sell lots.

The question now recurred on the amendment to the amendment of Mr. Avery, to the bill to amend the 70th chapter of the Revised Code.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the amendment was rejected.
Mr. Turner moved to amend the amendment of Mr. Avery as follows, to wit:

*Provided,* That nothing herein contained shall be so construed as to put the citizens of North-Carolina in a hostile attitude with their own government, or cause them to violate the Constitution of the United States, to which they are sincerely attached.

Upon this amendment Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


The amendment was rejected.

Mr. Walkup moved to amend the amendment as follows, to wit:

*Provided,* That the Governor shall have no power to order or send said troops or any part of them beyond the limits of the State of North-Carolina.

The amendment was rejected.

Mr. Turner now moved to amend the amendment, which is as follows, to wit:

*Provided,* Nothing herein contained shall be so construed as to prevent the United States Marshal, with such civil or military force as may be necessary, from executing any decree, decretal order, judgment, or any bench warrant or other process for the arrest of Post-Master Fowler or any other absconding defaulter against the Government of the United States, when any of them may be decreed, adjudged or
ordered by his Honor, Asa Biggs, as Judge of the District Court of the United States for the District of North-Carolina.

Upon this question Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the amendment was rejected.

Mr. Turner now moved to amend the amendment as follows, to wit:

Provided, Nothing herein contained shall be so construed as to prevent the United States Marshal, with the aid of a posse, or the military if necessary, from arresting Bailey, or any felon of the United States who may have been engaged in the late robbery of Indian Bonds in the City of Washington, if they shall take refuge in North-Carolina.

Upon this question Mr. Turner demanded the yeas and nays.

Mr. Blount moved to lay the amendment upon the table, and upon this question Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Dickson, Dobson, Dockery, Eure, Hall, Harriss of Franklin, Harris of Chatham, Outlaw, Pitchford, Rogers, Shaw, Simmons,

So the motion was decided in the negative.

The question now recurring on the amendment of Mr. Avery, Mr. Blount moved to lay the amendment on the table, and demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Burton, Brown, Bledsoe, Dickson, Dobson, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker and Winstead—27.

So the motion did not prevail.

The question now recurring upon the amendment of Mr. Avery, Mr. Arendell called for a division of the question.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Burton, Bledsoe, Dickson, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Pitchford, Rogers, Shaw, Simmons, Street, Stowe, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Whitaker and Winstead—23.

So the Senate refused to divide.

Mr. Brown now moved to amend the amendment of Mr. Avery, as follows, to wit: Strike out of said amendment in the 4th and 5th lines, the words "to reinforce the forts."
The special order for 5½ o'clock now intervened, viz: The consideration of the bill to amend 1st section of the 28th chapter of the Revised Code; and Mr. Humphrey moved to postpone said order until the pending question, viz: The consideration of the bill to amend the 70th chapter of the Revised Code be disposed of.

Upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:


On motion of Mr. Worth, the Senate took a recess until 7½ o'clock.

Seven-and-a-half o'clock, P. M.

The Speaker announced that the Senate adjourned pending a decision upon the vote to postpone the special order set apart for the hour of 5½ o'clock, and to take up said special order at a specific time mentioned, and thereupon decided that two-thirds not voting in the affirmative, the motion did not prevail.

The bill to amend 1st section of the 28th chapter of the Revised Code, being the special order, Mr. Avery moved to postpone said order until to-morrow 4 o'clock.

The motion did not prevail.

Upon this question Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

The bill to amend the first section of the twenty-eighth chapter of the Revised Code was read the third time, and on motion of Mr. Hall was amended by striking out in the fifth line after the words "in every year" the word "shall" and insert the word "may."

The question then recurring upon the passage of said bill upon the third reading, and upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:

Those who voted in the negative are:
Mesrs. Avery, Burton, Brown, Dickson, Hall, Harriss of Franklin, Simmons, Speight, Taylor of Nash, Taylor of Granville and Watson—11.

So the bill passed the third reading and was ordered to be engrossed.

Mr. Sharpe now moved to take up the bill to allow less than a majority of the magistrates of the county of Iredell to transact county business, and upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:
Mesrs. Arendell, Harriss of Chatham, Outlaw, Ramsay, Sharpe, Spencer, Stubbs, Taylor of Nash, Thomas of David-

Those who voted in the negative are:


Two-thirds not voting in the affirmative, the motion did not prevail.

The question now recurring upon the amendment of Mr. Brown to the amendment of Mr. Avery to the bill to amend the 70th chapter of the Revised Code, which is as follows, to wit:

Strike out in said amendment, in the fourth and fifth lines, the words "or attempting to reinforce the forts on our coasts and use them," and upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:


There being a tie, the Speaker decided the question in the negative.

The question now recurring on the amendment of Mr. Avery, and upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Bledsoe, Dickson, Eure, Hall, Harriss of Franklin, Humphrey, Simmons, Street, Stowe,

Those who voted in the negative are:


So the amendment of Mr. Avery was rejected.

The question now recurring upon the passage of the bill the third reading, Mr. Spencer moved to amend the 30th section by striking out in the 31st line, the word "eighteen," and inserting the word "twelve," and upon this question the yeas and nays were demanded.

A division was demanded. The question then recurred first on striking out.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the Senate refused to strike out.

Mr. Slaughter moved to adjourn. Yeas 14; nays 19.

The motion did not prevail.

Mr. Street moved to amend the 30th section as follows, to wit:

Add the words "shall be nominated by the Governor, and elected by the joint ballot of the two Houses of the General Assembly."

Upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:
Messrs. Dickson, Hall, Harriss of Franklin, Simmons, Speight, Street, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Watson and Walkup—13.

Those who voted in the negative are:


So the amendment was rejected.

On motion of Mr. Walkup, the following amendment was adopted, to wit:

Add to the end of 30th section the words "and should the office become vacant by reason of death, resignation, refusal to accept or otherwise, during the recess of the Legislature, then the Governor may fill said office by appointment until the next meeting of the General Assembly."

Mr. Sharpe now moved to amend by striking out after the 10th section of the bill, and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the bill passed as amended the third reading, and was ordered to be sent to the House for concurrence.

On motion of Mr. Arendell, the Senate adjourned until 10 o'clock to-morrow.
The Senate met at the usual hour. The Journal was read.

Received a message from the House, stating that the House had passed a bill supplemental to an act passed at the present session of the General Assembly, establishing the county of Mitchell, with certain amendments, which were agreed to.

Also, an amendment to a bill to amend the 4th section of an act entitled an Act for the better regulation of Pilots and Pilotage on the Cape Fear River, which was not agreed to.

Mr. Outlaw gave notice that he would on to-morrow move to change the rules for the government of the Senate.

The special order to wit: The consideration of the bill to alter the Constitution. The Speaker announced that the bill was upon the second reading.

Pending the vote, Mr. Stubbs moved to amend as follows, to wit:

Strike out all after the enacting clause, and insert the following, to wit:

That the 3d section of the 4th article of the amended Constitution of the State of North Carolina be altered to read as follows:

"Taxation upon slaves and real estate shall be equal and uniform, according to the respective value of each, and all free colored inhabitants of this State shall be subject to such capitation tax as the General Assembly may impose.

Mr. Stubbs withdrew his amendment.

Mr. Turner now moved to amend by striking out the proviso in the 1st section, and all after said section.

Mr. Ramsay moved to amend the amendment by striking out all after the word taxation, and inserting the following, to wit:

Provided further, That the General Assembly shall have power to tax merchants, hawkers, pedlers and privileges in such manner as may from time to time be prescribed by law.
The amendment to the amendment of Mr. Ramsay was withdrawn.

Mr. Street now moved to amend the amendment of Mr. Turner by excepting in said amendment the clause having reference to free negroes.

Upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the amendment was adopted.

Mr. Street now moved to amend as follows, to wit:

Insert in place of second clause, "That slaves shall be subject to such capitation or other tax as the General Assembly may impose, and may be taxed as high but not higher than land, according to value."

Mr. Brown, from the Committee on Federal Relations, asked and obtained leave to report back to the Senate sundry resolutions on federal relations, and asked to be discharged from their further consideration.

The committee were discharged.

The Speaker decided that the amendment to the amendment of Mr. Street comprehended the amendment of Mr. Turner.

The question then recurring upon the amendment of Mr. Street, was rejected.

Mr. Barringer now moved to amend as follows, to wit:

Resolved, That the 3d section of the 4th article of the amended Constitution be and the same is hereby received; and upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the amendment of Mr. Barringer did not prevail.

Mr. Outlaw now moved to amend as follows, to wit:

Provided, That no slave under the age of eight years nor over sixty shall be subject to taxation; and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the amendment was rejected.

Mr. Hall now moved to amend as follows, to wit: add to the bill the following clause:

"Any prohibition as to persons of the Jewish or Israelitish faith from holding office of profit or trust in this State, is hereby repealed, and such persons shall hereafter be eligible to office as other citizens of the State."

Upon this question Mr. Hall demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Blount,
Dickson, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Outlaw, Pitchford, Rogers, Shaw, Simmons, Speight, Street, Stowe, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Davidson, Walker and Winstead—26.

Those who voted in the negative are:

So the amendment was adopted.

The question now recurring upon the passage of the bill the second reading, to alter the Constitution as amended, Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Bledsoe, Barringer, Blount, Dobson, Dockery, Dowd, Eure, Hall, Harris of Chatham, Humphrey, Ramsay, Rogers, Simmons, Street, Stowe, Sharpe, Slaughter, Spencer, Stubs, Taylor of Nash, Thomas of Davidson, Turner, Walkup and Worth—25.

Those who voted in the negative are:

Two-thirds not voting in the affirmative, the bill was rejected.

On motion of Mr. Taylor, of Brunswick, the bill to incorporate the Greenville and Goldsboro' Railroad Company was read the second and third times, passed and ordered to be engrossed.

The special order for the hour of 12 o'clock now intervened, viz: The consideration of the bill entitled "Revenue," was read the second time.

Mr. Outlaw moved to strike out the first clause of schedule A. The amendment was withdrawn.

Mr. Taylor, of Brunswick, moved to strike out in the second clause of schedule A, the words "gross receipts," and
insert the words "nett income." The amendment was rejected.

Mr. Grist moved to amend the same clause by striking out in the first line, the words "a half per cent." and inserting the words "one per cent."

Mr. Barringer moved to amend the second section, fourth line, by striking out the words "gross receipts," and inserting the words "nett receipts."

Mr. Thomas, of Davidson, now moved to amend the amendment, by striking out the whole of the latter part of the second clause, beginning at the the word "every" and ending at the word "year."

Mr. Barringer withdrew his amendment and accepted the amendment of Mr. Thomas.

Mr. Dobson now moved to amend the amendment by striking out the words "one-fourth of one per cent. upon the gross receipts," and inserting the words "one per cent. on the nett income." The amendment of Mr. Dobson to the amendment of Mr. Thomas was adopted.

The question then recurring upon the amendment of Mr. Thomas, the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Arendell, Bledsoe, Blount, Dickson, Dobson, Dockery, Grist, Harriss of Franklin, Harris of Chatham, Humphrey, Pitchford, Rogers, Simmons, Speight, Street, Sharpe, Slaughter, Spencer, Stubbs, Taylor of Nash, Taylor of Granville, Turner, Watson, Waugh, Whitaker, Winstead and Walkup—27.

So the amendment was rejected.

Received a message from the House, stating that the Speaker of that body had signed the following enrolled bills, to which the signature and ratification of the Speaker of the Senate was asked, to-wit:
An act to construct a branch from the Wilmington and Weldon Railroad to or near the town of Fayetteville.

A bill to incorporate the Independent Order of Odd Fellows, Swananoa Lodge, No. 56.

A bill to incorporate the Greensboro' Gas Light Company.

An act to amend an act passed in 1850-'51, amendatory of an act to incorporate the McDowell and Yanceyville Turnpike, passed at the session of 1848-'49.

An act to incorporate the Green Hill Cemetery Company.

An act for the relief of sufferers by the burning of the records of Pitt county.

An act to incorporate the Union, &c. Society at Newbern.

An act to incorporate the Chatham Mining Company.

The hour of 2 o'clock now arrived, and the Senate took a recess until half past three o'clock.

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Three-and-a-half o'clock, P. M.

The question was upon the passage of the Revenue Bill on the second reading.

Mr. Outlaw moved to strike out the sixth clause of section second, and upon this question he demanded the yeas and nays.

Mr. Winstead moved to amend the amendment of Mr. Outlaw by striking out only the remainder after the first sentence in the clause.

Mr. Outlaw then agreed to modify his amendment as proposed in the amendment to the amendment of Mr. Winstead.

Those who voted in the affirmative are:

Messrs. Arendell, Blount, Dickson, Dockery, Dowd, Eure, Grist, Hall, Harriss of Franklin, Harris of Chatham, Outlaw, Pitchford, Shaw, Speight, Street, Slaughter, Spencer, Stubbs, Turner, Walker, Watson, Whitaker, Winstead and Worth—23.

Those who voted in the negative are:

So the amendment prevailed.

Mr. Street now moved to amend the 6th clause by striking out the first sentence of said clause and inserting the following, to-wit: "Every resident of this State that brings into the State, or buys from a non-resident, whether by sample or otherwise, spirituous liquors, wines or cordials for consumption or sale, ten per cent on the amount of his purchases. Every person that buys to sell again spirituous liquors, grogs, wines or cordials from the maker in this State, his agent or factor, or commissioned merchant, five per cent. on his purchases."

Mr. Outlaw moved to amend this amendment by inserting the word "consume" after the word "buy," and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Dockery, Harriss of Franklin, Harris of Chatham, Outlaw, Pitchford, Speight, Slaughter and Whitaker—8.

Those who voted in the negative are:


So the amendment did not prevail.

The question now recurring upon the motion of Mr. Street, Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Burton, Bledsoe, Blount, Dickson, Dobson, Dockery, Eure, Grist, Hall, Ramsay, Shaw, Simpson, Street, Spencer, Stubbs, Thomas of Davidson, Waugh and Worth—19.

Those who voted in the negative are:

Messrs. Dowd, Harriss of Franklin, Outlaw, Pitchford,
Rogers, Simmons, Speight, Stowe, Sharpe, Slaughter, Turner, Whitaker, Winstead and Walkup—14.
So the amendment was adopted.

Mr. Hall now moved to amend the 7th clause by striking out in the 4th line, the word "persons," and inserting the words "collateral relations and legatees' devisees."

Mr. Dockery now moved to amend the amendment by striking out the whole of clause 7th and inserting the following, to wit:

*Be it enacted further,* That all laws imposing a tax on collaterals be and the same are hereby repealed.

Mr. Hall now withdrew his amendment, and the question recurred upon the amendment of Mr. Dockery.

Mr. Dobson demanded a division of the question. The Senate decided to divide.

The question then recurred first upon striking out, and the Senate decided to strike out.

Senators upon this question, voted as follows, to wit:

Those who voted in the affirmative are:


Those who voted in the negative are:


So the question was decided in the affirmative.

The question recurring on inserting, the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Burton, Blount, Dobson, Eure, Hall, Harriss of Franklin, Harris of Chatham, Pitchford, Ramsay, Shaw,

So the Senate refused to insert.

Seven-and-a-half o'clock, P. M.

Mr. Worth moved to amend by inserting in the place of the 7th clause of schedule A, the following, to wit:

"That all executors or administrators shall set forth in their inventories whether the next of kin or legatees or devisees of the deceased are his lineal descendants, and in case they be not lineal descendants he shall set forth the degree of relationship which they bear to the deceased."

Mr. Dobson moved to postpone indefinitely the bill under consideration, viz: The bill entitled Revenue, and upon this question Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the motion did not prevail.

The question now recurring upon the amendment of Mr. Worth, ti was decided in the affirmative.

Mr. Dobson now moved to postpone the further consideration of the bill under consideration until to-morrow evening seven-and-a-half o'clock, and the motion prevailed.

Mr. Dockery moved to take up the private calender. The motion prevailed.

A resolution in favor of Daniel Tucker was read the second
time and passed. There being no objection said bill was read the third time, passed and was ordered to be engrossed.

The resolution in favor of Thomas B. Stephens was read the second time, amended as recommended by the committee and rejected.

The resolution in favor of John L. Cantwell was read the second time and passed. There being no objection said bill was read the third time, passed and ordered to be engrossed.

The bill to incorporate the Buncombe Powder Manufacturing Company was read the second time. There being no objection said bill was read the third time and ordered to be enrolled.

The bill to incorporate the Trustees of Ball Creek Camp Ground in Catawba county was read the second time and passed. There being no objection said bill was read the third time, and was ordered to be enrolled.

The bill to incorporate the Tokay Mine Company of Fayetteville was read the second time and passed. There being no objection said bill was read the third time and passed and was ordered to be enrolled.

The bill to incorporate the Person’s Savings Bank was read the second time and passed. There being no objection said bill was read the third time, passed and was ordered to be engrossed.

The resolution in favor of Samuel Pierce was read the second time and rejected.

A bill to incorporate the Greensboro’ Cemetery was read the second and third times, passed and was ordered to be enrolled.

The resolution in favor of P. A. Smith, Administrator of the estate of M. M. Plunket, deceased, was read the second time and passed. There being no objection said resolution was read the third time, passed and ordered to be enrolled.

The bill concerning the Wardens of the Poor for the county of Wake was read the second time and passed. There being no objection said bill was read the third time, passed and was ordered to be enrolled.
A bill to incorporate Concord Copper Mining Company was read the second time and passed. There being no objection said bill was read the third time, passed, and was ordered to be enrolled.

A bill to incorporate Salem Camp Ground in Lincoln county was read the second time and passed. There being no objection said bill was read the third time, passed and was ordered to be enrolled.

The bill to incorporate the Fayetteville Gas Light Company was read the second time and passed. There being no objection said bill was read the third time, passed and was ordered to be enrolled.

The bill concerning the management of the poor in Forsyth county was read the second time and passed. There being no objection said bill was read the third time, passed and was ordered to be enrolled.

The bill to re-survey and establish the county line between the counties of Surry and Wilkes was read the second time and passed. There being no objection said bill was read the third time, passed and was ordered to be enrolled.

A bill to run and establish the dividing line between the counties of Wayne and Green was read the second time and passed. There being no objection said bill was read the third time and passed, and was ordered to be engrossed.

The bill to extend the limits of the town of Lexington was read the second time and passed. There being no objection said bill was read the third time and ordered to be engrossed.

The resolution in favor of Gray Byrum was read the second time and passed. There being no objection said resolution was read the third time, and was ordered to be enrolled.

The bill to incorporate Lodge M. Y. M., No. 101, was read the second and third times, passed and was ordered to be enrolled.

The resolution in favor of James C. Cline was read the second time and referred to the Committee on Corporations.

The resolution in favor of Calvin Bishop was read the second and third times, passed and was ordered to beenrolled.
The resolution to purchase a cabinet of minerals for the use of the State was read the second time and indefinitely postponed.

The resolution in favor of W. Watson was read the second and third times, passed and was ordered to be enrolled.

The resolution in favor of D. W. Courts was read the second and third times, passed and was ordered to be enrolled.

A bill to authorize the Mayor and Commissioners of the town of Fayetteville to procure a supply of water for the use of said town was read the second and third times, passed and was ordered to be engrossed.

Resolution in favor of L. N. B. Battle was read the second and third times, passed and was ordered to be enrolled.

The bill for the relief of Wright Lucas was read the second and third times, passed and was ordered to be indefinitely postponed.

A resolution in favor of Jesse McLee was read the second and third times, passed and was ordered to be enrolled.

The bill to incorporate Yadkin College was read the second and third times, passed and was ordered to be enrolled.

The bill to incorporate the Citizens' Gas Light Company at Newbern was read the second and third times, passed and was ordered to be engrossed.

The bill to prevent the sale of spirituous liquors within two miles of Spring Hill Academy was read the second and third times, passed and was ordered to be engrossed.

The bill to amend an act entitled an act to incorporate the town of Edenton was read the second and third times, passed and was ordered to be enrolled.

The bill to authorize and empower Washington Harriss, late sheriff of Franklin county, to collect arrears of taxes, was read the second and third times, passed and was ordered to be engrossed.

The bill to authorize and empower Edward D. Hall, late sheriff of New Hanover county, to collect arrears of taxes,
was read the third time, amended as recommended by the committee, passed and was ordered to be engrossed.

A resolution in favor of John Tapscott and other sheriffs was read the second time and amended as follows, to wit:

In the line next to the last, and in the last line, strike out the words "this resolution shall go into effect," and insert the words "first day of October, 1860;" also in the beginning of the section, strike out the word "resolution," and insert the words "Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same." Also add the following additional section, to wit:

Be it further enacted, That the provisions contained in the foregoing sections be and they are hereby extended to all other sheriffs in the State of North-Carolina, and to all sheriffs who have gone out of office within three years next before the first day of October, 1860; and to the securities of all such sheriffs as may have died or absconded or become insane within the same time.

With these amendments said bill passed and was ordered to be sent to the House for concurrence.

A resolution in favor of Jonas Cine was read the third time, amended, passed and ordered to be sent to the House for concurrence.

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

WEDNESDAY, FEBRUARY 20, 1860.

The Senate met at the usual hour. The Journal was read.

Mr. Avery, from the Committee on the Judiciary, reported back the following bills and recommended as follows, to wit:

A bill to amend chapter 107, section 66, of the Revised Code, relating to free negroes, and recommended its passage.
Also, a bill to authorize the formation of limited partnerships, and recommended its passage.
Also, a bill to amend section 73, chapter 31, of the Revised Code, and recommended its passage.
Also, a bill to amend and extend the provisions of the 6th section of the 48th chapter of the Revised Code, entitled "Fences," and recommended its passage.
A bill to amend section 71, chapter 31, of the Revised Code, and recommended its passage.

Mr. Thomas, of Jackson, from the Committee on Internal Improvements, reported back the bill to incorporate the University Railroad Company, and recommended its passage.
Also, a bill to incorporate the Caswell Railroad Company, and recommended its passage.
Also, a bill to incorporate the Black Mountain Turnpike Company, and recommended its passage.
Also, a memorial from citizens of the counties of Moore and Chatham, and submitted thereupon the following report, to wit:

The Committee on Internal Improvements, to whom was referred a memorial of the citizens of Chatham and Moore counties, have had the same under consideration, and having already reported an appropriation of sixty thousand dollars to continue the improvement of Deep River, ask to be discharged from the further consideration of the question involving at this time a further expenditure.
Respectfully submitted,
W. H. THOMAS, Chairman.

Mr. Shaw introduced a resolution in favor of Peter G. Evans and others, which was read the first time and passed. On motion of Mr. Humphrey,
Resolved, That the Public Treasurer be and he is hereby authorized to pay to the principal doorkeepers of both Houses of the General Assembly fifty dollars each as extra compensation for their services.
Mr. Slaughter, a resolution concerning the public revenue, which was read the first time and passed.

On motion of Mr. Whitaker, a recommendation for the appointment of a Justice of the Peace for the county of Halifax was ordered to be sent to the House for concurrence.

Mr. Hall, a bill to amend an act to incorporate the Cape Fear and Ocean Steam Navigation Company, which was read the first time and passed.

Mr. Shaw, a bill to authorize the Public Treasurer to subscribe for ten thousand dollars of the capital stock of the Fayetteville and Albemarle Plank Road Company, which was read the first time and passed, and was referred to the Committee on Internal Improvements.

Mr. Arendell, a bill to charter the Neuse River and Beaufort Harbor Canal Company, which was read the first time, passed and referred to the Committee on Internal Improvements.

The bill to declare what shall be sufficient to constitute the crime of Rape was read the second and third times, under the suspension of the rules, passed and was ordered to be enrolled.

Mr. Burton introduced the following preamble and resolution, which were read and adopted, to wit:

Whereas the Congress of the United States has passed a bill placing at the disposal of the President the military and naval power of the Government, enabling him to coerce seceding States to the submission of Black Republican rule, be it therefore

Resolved, That the Governor of the State of North-Carolina be, and he is hereby authorized, if any attempt, either by sea or land, is made to invade or subjugate a Southern State, to use the whole military power of the State to resist any such attempt at invasion or coercion.

Mr. Outlaw introduced a bill to change in part a bill passed at the present General Assembly, entitled an act for the relief of the people and banks, which was read the first time and passed.
On motion of Mr. Outlaw, the rules were suspended for the purpose of considering said bill forthwith. Upon the question to suspend the rules the yeas and nays were demanded.

Those who voted in the affirmative are:
Messrs. Arendell, Burton, Blount, Dobson, Dockery, Dowd, Eure, Harriss of Chatham, Humphrey, Outlaw, Pitchford, Ramsay, Rogers, Simmons, Simpson, Speight, Street, Stowe, Slaughter, Spencer, Stubbs, Turner, Whitaker, Winstead, Walkup and Worth—25.

Those who voted in the negative are:

So the question was decided in the negative.
Received a message from the House, proposing to go forthwith into an election of four trustees of the University.
On motion of Mr. Outlaw the message was laid upon the table.
Mr. Worth now moved to amend the bill to change in part the bill under consideration as follows, to wit:
Strike out all after the enacting clause and insert the following:

"That the act passed at the present session of the General Assembly entitled an act 'for the relief of the people and the banks,' is hereby repealed as to all banks which after thirty days from the adjournment of this General Assembly shall demand or receive from the Treasurer of the State or from any individual or corporation, more than one per cent. premium for exchange on any individual, corporation or firm in the United States.'"

Be it further enacted, That said act is hereby repealed and declared inoperative as to all demands for specie made upon said banks by the Treasurer of the State.

Mr. Thomas, of Jackson, moved to refer the bill with the amendment to the Committee on Finance, and upon this question the yeas and nays were demanded.
Those who voted in the affirmative are:

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Those who voted in the negative are:
Messrs. Arendell, Bledsoe, Dockery, Dowd, Eure, Harriss of Franklin, Harris of Chatham, Outlaw, Pitchford, Ramsay, Rogers, Simmons, Simpson, Speight, Street, Sharpe, Slaughter, Stubbs, Turner, Whitaker, Winstead, Walkup and Worth—24.

So the motion did not prevail.

The question now recurring upon the amendment of Mr. Worth, Mr. Stubbs moved to amend the amendment by striking out the words "one per cent," and inserting the words "two per cent." Yeas 13; nays 20.

The question now recurring upon the amendment of Mr. Worth, the yeas and nays were demanded.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the amendment was rejected.

Mr. Winstead now moved to amend as follows, to wit:
Provided, That each and every bank in which the public monies may be deposited, shall furnish said exchange in proportion to the deposits made by the public Treasurer, and the banks renewing no deposits, shall not be required to furnish exchange.

Upon this amendment Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the amendment was rejected.

Received a message from the House, proposing to go into an election of an Adjutant-General at 1½ o'clock.

On the motion to concur in said message, the yeas and nays were demanded.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the message was concurred in.

The question now recurring upon the passage of the bill to repeal in part the bill for the relief of the people the second time, the yeas and nays were demanded.

Those who voted in the affirmative are:
Messrs. Arendell, Blount, Dobson, Dockery, Dowd, Eure, Harris of Chatham, Outlaw, Pitchford, Ramsay, Rogers, Simmons, Speight, Street, Sharpe, Stubbs, Turner, Whitaker, Winstead, Walkup and Worth—21.

Those who voted in the negative are:
Messrs. Avery, Burton, Bledsoe, Dickson, Grist, Hall, Harriss of Franklin, Humphrey, Shaw, Simpson, Stowe,
So the bill passed the second reading.
There being no objection, said bill was read the third time, and the yeas and nays were demanded.
Pending the vote Mr. Grist moved that said bill be indefinitely postponed, and Mr. Avery 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 question now recurring upon the passage of the bill the third time, Mr. Avery demanded the yeas and nays.
Those who voted in the affirmative are:

Those who voted in the negative are:

So the bill passed the third time and was ordered to be engrossed.
On motion of Mr. Burton, a message was ordered to be sent to the House, stating that Messrs. John F. Hoke and Wm.
E. Mann were in nomination for the office of Adjutant-General, and that Messrs. Stowe and Spencer had been appointed to superintend said election.

Mr. Stubbs asked and obtained leave to repeal so much of 10th, 11th, 12th, 13th, 14th and 15th sections of the 107th chapter of the Revised Code as relates to the county of Washington, which was read under the suspension of the rules the first, second and third times, and was ordered to be engrossed.

Also, a bill to change the time of closing the polls of the counties of Washington and Rockingham, which was read the first, second and third times, passed and ordered to be engrossed.

On motion of Mr. Humphrey,

Resolved, That the Public Treasurer be, and he is hereby authorized to pay to the Principal Clerk of the Senate, and the Principal Clerk of the House of Commons, one hundred and fifty dollars extra of what is now allowed by law for copying and preparing for the press, the Journals, and that they be allowed sixty days for the completion of the same.

Resolved, That the Public Treasurer be, and he is hereby authorized to pay to the Assistant Clerk of the Senate, and to the Assistant Clerk of the House of Commons, one hundred dollars extra for their services.

Mr. Waugh now moved that the bill to change the Constitution be reconsidered.

Mr. Avery moved to lay that motion on the table, and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Bledsoe, Dobson, Dockery, Dowd, Harriss of Franklin, Harris of Chatham, Humphrey, Outlaw, Ramsay,
So the Senate refused to lay the resolution on the table.

The question now recurring upon the motion to reconsider, Mr. Waugh demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Bledsoe, Dobson, Dockery, Harriss of Franklin, Humphrey, Outlaw, Ramsay, Rogers, Street, Sharpe, Stubbs, Taylor of Nash, Thomas of Davidson, Waugh and Worth—17.

Those who voted in the negative are:

So the Senate refused to reconsider.

Received a message from the House transmitting the following engrossed bill and resolution, and stating that the House had passed said bill and resolution, in which the concurrence of the Senate was asked.

On motion of Mr. Stubbs, said bill and resolution was, under a suspension of the rules, read the first, second and third times, passed and ordered to be enrolled.

Received a message from the House, transmitting an engrossed bill to reveal an act entitled an Act to incorporate the town of Morganton, in Burke county, and incorporate said town under the law for the better government of towns.

On motion of Mr. Avery, this bill was put upon its three several readings, passed and was ordered to be enrolled.

Received a message from the House, stating that the House of Commons had concurred in the proposition of the Senate to adjourn sine die on Monday morning next six o'clock, A. M.

Also, that the House had concurred in the amendments of the Senate to the bill to incorporate the Educational Association of North-Carolina.
Also, that the committee of conference had recommended that the amendments of the Senate be adopted to the bill in regard to Pilots and Pilotage on the Cape Fear River and Bars, and that the House had concurred in the recommendation, and that said bill had been ordered to be enrolled.

Received a message from the House, stating that Messrs. John F. Hoke, A. R. Simonton, E. G. Haywood and J. W. Jordan, were in nomination for the office of Adjutant-General.

Received a message from the House, transmitting the following enrolled bills and resolutions, and stating that the same had been signed by the Speaker of that body, and to which the signature and ratification of the Speaker of the Senate was asked, to wit:

Resolution in favor of Jasper Pritchett.
An act supplemental to an act passed at the present session of the General Assembly, entitled an act to lay off and establish a new county by the name of Mitchell.
An act to incorporate the Milton and Yanceyville Junction Railroad Company.
Resolution in favor of the sureties of W. W. Ward, late sheriff of Martin county.
An act to extend the time for registering grants, &c.
Resolution in favor of J. L. Ward, of Polk county.
Resolution in favor of N. C. Norman, of Yadkin county.
An act to incorporate the Greensboro' and Leaks ville Railroad Company.
An act to incorporate the Adams Hill Mining Company.
An act to incorporate Valley River Mining Company.
Resolution in favor of Wm. Peace, &c.
An act to lay off and establish a new county by the name of Clay.
An act to amend an act passed at the session of the General Assembly, in the years 1858-'59, entitled an act to incorporate Mars Hill College.
An act concerning the town of Wilmington.
An act to re-enact and amend the act of 1854-‘55, entitled an act to extend the limits of the town of Asheboro', and repeal all former acts of incorporation.

An act to incorporate the city of Morehead.

An act for the preventing of felling timber in the streams of Wickacon Creek, Bear Swamp and other streams.

Under the superintendence of Messrs. Stowe and Spencer, the Senate proceeded to vote for an Adjutant-General, as follows, to wit:

For Mr. Hoke.—Messrs. Avery, Burton, Dickson, Dobson, Hall, Harris of Chatham, Shaw, Thomas of Jackson, Walker, Waugh, Winstead and the Speaker—16.

For Mr. Mann.—Messrs. Arendell, Blount, Grist and Spencer—5.

For Mr. Haywood.—Messrs. Bledsoe, Harriss of Franklin, Rogers, Taylor of Nash, Watson and Whitaker—7.

For Mr. Simonton.—Messrs. Dockery, Ramsay, Sharpe, Slaughter and Thomas of Davidson—5.

For Mr. Bryan.—Messrs. Humphrey, Pitchford, Street and Walkup—4.

For Mr. Kingsbury.—Messrs. Taylor of Granville and Turner—2.

Received a message from the House, stating that that body had concurred in the amendment of the Senate to the bill to amend the 70th chapter of the Revised Code, entitled Militia; whereupon said bill was ordered to be enrolled.

The hour of two o'clock now arrived, and the Senate took a recess until three-and-a-half o'clock.

Three-and-a-half o'clock, P. M.

Received a message from the House, transmitting the following engrossed bills and resolutions which had passed that body, and in which the concurrence of the Senate was asked, to wit:
A bill to authorize Daniel D. Johnson and Ambrose Sultz to establish a toll bridge on the Catawba River.

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

Also, a bill to amend an act entitled an Act to appoint tax collectors for Wayne and other counties, was read the first and second times, and amended by extending the provisions of the bill to the county of Green, and with this amendment said bill passed the third reading and was ordered to be sent to the House for concurrence.

Received a message from the House, stating that that body had concurred in the amendments of the Senate to the resolution in favor of John Tapscott and other sheriffs; whereupon said bill was ordered to be enrolled.

Mr. Bledsoe moved to take up the bill supplemental to the bill extending the charter of the Chatham Railroad. The question was decided in the affirmative. Yeas 18; nays 10.

Mr. Bledsoe now moved to make said bill the special order for eleven and-a-half o'clock to-morrow.

The motion did not prevail.

Mr. Hall asked and obtained leave to introduce a bill, entitled a bill to extend the limits of the town of Salisbury, which was read the first time and passed.

Received a message from the House transmitting the following bills passed by that body, and in which the concurrence of the Senate was asked, to wit:

A bill concerning a public road leading from Taylorsville to Boon in Wautauga county, which was read the first time and passed.

A bill to allow the county trustees to sell certain property in the town of Statesville, which was read the first time and passed.

A resolution in favor of E. P. Stiller, of the county of Jackson, which was read the first time and passed.

A bill to amend an act entitled an Act to incorporate
Bascombe College, in the town of Leicester, Buncombe county, which was read the first time and passed.

A resolution for the relief of the securities of C. Gregg, which was read the first time and passed.

A bill to incorporate Sulphur Springs Camp Ground, in the county of Cleaveland, which was read the first time and passed.

A bill to improve the road from John Allen's to the top of the Blue Ridge at Fisher's Gap, in the county of Surry, which was read the first time and passed.

A bill to incorporate the Richfork Mining Company, which was read the first time and passed.

A resolution in favor of the estate of George Crofton, which was read the first time and passed.

A resolution in favor of James C. Loter, which was read the first time and passed.

A resolution in favor of H. H. Davidson, which was read the first time and passed.

A bill to incorporate the Trustees of Calvin Creek Academy, in the county of New Hanover, which was read the first time and passed.

A bill concerning tonnage on the Cape Fear River, which was read the first time and passed.

A bill to incorporate the North-Carolina Shoe Manufacturing Company in the town of Charlotte, which was read the first time and passed.

A bill for the relief of Charles Wilkes, and to charter St. Catharine Mills and Charlotte Railroad, which was read the first time and passed.

A bill to amend an act entitled an Act to incorporate the Macon county Turnpike Company, which was read the first time and passed.

A resolution in favor of J. H. Moor, which was read the first time and passed.

A bill supplemental to an act passed at the present session,
entitled an Act to incorporate the Chatham Railroad Company, which was read the first time and passed.

A bill to incorporate Sulphur Springs Manufacturing Company, in the county of Buncombe, which was read the first time and passed.

A bill to incorporate Robeson Institute, in the county of Robeson, which was read the first time and passed.

A bill relating to selling of spirituous liquors, in Sampson county, which was read the first time and passed.

A bill to construct a railroad from Dallas, North-Carolina, to the South-Carolina line, which was read the first time and passed.

A bill to amend the act incorporating the town of Warsaw, which was read the first time and passed.

A bill to incorporate the Macon Mining Company, which was read the first time and passed.

A bill to prevent the obstruction of the passage of fish up, and to prevent the felling of timber in the Caney Fork tributary of Tuckasegee River, in the county of Jackson, which was read the first time and passed.

A bill to incorporate Marble Creek Copper Company, which was read the first time and passed.

A bill to incorporate the town of Marshall in Madison county, which was read the first time and passed.

A bill to incorporate Peach Tree Point Manufacturing Company, which was read the first time and passed.

A bill to amend the Revised Code, section 14th, chapter 26th, on corporations, which was read the first time and passed.

A bill to incorporate Melvise Hill Mining Company, which was read the first time and passed.

A bill to amend the act incorporating the town of Lumberton, which was read the first time and passed.

A bill to incorporate the Artery Mining Company, which was read the first time and passed.
A bill to lay off a public road in the county of Madison, which was read the first time and passed.

A bill to authorize twelve magistrates to transact business for the county of Lincoln, which was read the first time and passed.

A bill to prevent the sale of spiritous liquors at or near Lenoir Institute, which was read the first time and passed.

A bill to incorporate the Pamlico Gas Light Company, which was read the first time and passed.

A bill to incorporate the Hiwasse Manufacturing Company, which was read the first time and passed.

A bill to authorize Nelson Patterson to become a slave, which was read the first time and passed.

A resolution in favor of Henry Bagby, which was read the first time and passed.

A bill concerning free negroes, which was read the first time and passed.

A bill concerning spiritous liquors in the town of Rutherfordton, which was read the first time and passed.

A bill to amend the Revised Code, 107, relating to Beaufort county, which was read the first time and passed.

A bill to incorporate the town of Boon Hill, in Johnson county, which was read the first time and passed.

A bill to incorporate the Jackson Mining Company, which was read the first time and passed.

A bill to incorporate the Cherokee Mining and Manufacturing Company, in the county of Cherokee, which was read the first time and passed.

A bill to incorporate the Franklin Copper Mining Company, which was read the first time and passed.

A bill to incorporate Palmyra Lodge, in the county of Harnett, which was read the first time and passed.

A resolution in favor of B. Justice, which was read the first time and passed.

A bill to incorporate the Sulphur Springs Hotel Company, which was read the first time and passed.
A bill to amend an act to incorporate the town of Washington, which was read the first time and passed.

On motion of Mr. Outlaw, the Senate took a recess until seven-and-a-half o'clock.

Seven-and-a-half o'clock, P. M.
The Speaker announced that the special order for the present hour was the further consideration of the bill entitled Revenue, and that the question was upon the second reading.

Received a message from the House, stating that the hour had arrived in which the two Houses had agreed to go into the election of an Adjutant-General, the former election having failed in consequence of no one having received a majority of votes cast, the Speaker announced that Messrs. Bledsoe and Sharpe would superintend the election.

The Senate, under the superintendence of Messrs. Bledsoe and Sharpe, voted as follows, to-wit:

For Mr. Hoke.—Messrs. Speaker, Avery, Burton, Dickson, Dobson, Faison, Hall, Harris of Chatham, Shaw, Simons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor, Thomas of Jackson, Walker, Waugh, Whitaker and Winstead—21.


For Mr. Haywood.—Messrs. Bledsoe, Haywood, Harriss of Franklin and Watson—4.

The question now recurring upon the passage of the revenue bill the second reading,

Mr. Shaw moved to strike out all the bill except the four first clauses of schedule B, and

Mr. Worth moved to amend the amendment as follows, to wit:

"Excepting also the 3d and 4th paragraphs under schedule
A, and the 1st paragraph and 5th section under schedule C, and paragraph 7 under section 1st, schedule B."

The amendment of Mr. Worth to the amendment of Mr. Shaw was adopted.

Mr. Avery now moved to amend the amendment of Mr. Shaw as follows, to wit:

"Except also 1st section and 5th paragraph of schedule A."

The amendment of Mr. Avery was adopted.

Mr. Turner now moved to amend the amendment of Mr. Shaw by striking out in schedule B, clauses 1st and 2d, the word "five" and inserting the word "three."

The amendment to the amendment of Mr. Shaw was rejected.

Mr. Sharpe now moved to amend the amendment of Mr. Shaw as follows, to wit:

"In 5th clause of schedule A, strike out the words "except Judges of the Supreme and Superior Courts.""

Upon this question Mr. Sharpe demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Burton, Bledsoe, Dickson, Dobson, Faison, Grist, Hall, Harriss of Franklin, Outlaw, Pitchford, Ramsay, Rogers, Shaw, Simmons, Speight, Street, Stowe, Slaughter, Spencer, Taylor of Granville, Thomas of Jackson, Thomas of Davidson, Watson, Waugh, Whitaker, Winstead, Walkup and Worth—30.

So the amendment of Mr. Sharpe was rejected.

Mr. Burton now moved to amend the amendment of Mr. Shaw as follows: Strike out the words in clause 5, schedule A, "whether in money or otherwise."

The amendment was adopted.

Mr. Walker now moved to lay the bill with amendments upon the table.

The question was decided in the negative. Yeas 14; nays 22.
The question now recurring upon the amendment of Mr. Shaw, upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:

Messrs. Avery, Burton, Blount, Dickson, Dobson, Faison, Hall, Harriss of Franklin, Harris of Chatham, Outlaw, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Taylor of Granville, Thomas of Davidson, Waugh, Whittaker, Winstead and Worth—25.

Those who voted in the negative are:


So the amendment of Mr. Shaw prevailed.

Mr. Outlaw moved to amend as follows, to wit:

*Be it further enacted,* That a tax of a half-cent a mile shall be paid by the railroads in this State, for every passenger passing over the said roads, to be paid by the treasurers into the Public Treasury.

*Be it further enacted,* That said treasurers shall render an account under oath, and pay the amount into the treasury on or before the first day of October in every year.

Mr. Burton moved to amend by inserting as a substitute for the amendment of Mr. Worth, as follows, and called for the yeas and nays, to wit:

"For every passenger on any of the railroads, navigation companies and canals, a tax of one-fourth of one per cent., and all monies received shall be levied and accounted for and paid over by the treasurer of such railroad, navigation companies and canals, to the Public Treasurer of the State, on or before the first day of October in each year. And the said treasurers shall take and subscribe an oath that the returns made by them are just and true, which oath shall be attested by the magistrate before whom the same is taken, and transmitted to the Public Treasurer of the State."

Those who voted in the affirmative are:

Messrs. Burton, Bledsoe, Blount, Dickson, Dobson, Dowd,
Eure, Faison, Harriss of Franklin, Humphrey, Outlaw, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Slaughter, Taylor of Nash, Turner, Watson, Whitaker, Winstead and Walkup—28.

Those who voted in the negative are:

So the amendment of Mr. Burton was adopted.
Mr. Burton now moved to amend as follows, to wit:

Be it further enacted, That all gongs used by hotel-keepers shall be taxed the sum of fifty dollars.

The question was decided in the negative.
Mr. Avery moved that the bill with amendments be indefinitely postponed, and upon this question demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the Senate refused to indefinitely postpone.

The question now recurring upon the passage of the bill the second reading, the yeas and nays were demanded.

Those who voted in the affirmative are:
Messrs. Avery, Bledsoe, Dickson, Dobson, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Outlaw, Pitchford, Rogers, Shaw, Simmons, Speight, Street, Spencer, Taylor of Nash, Watson, Waugh, Whitaker, Winstead, Walkup and Worth—25.

Those who voted in the negative are:
Messrs. Arendell, Blount, Eure, Ramsay, Sharpe, Slaugh-
read the second time. Pending its passage the yeas and nays were demanded.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the resolution was rejected.

Also, a bill to incorporate the Bladen Guards, of Elizabeth City, which was read the first time and passed.

Also, a bill to amend the Caswell Plank Road, which was read the first time and passed.

Also, a bill to incorporate the Granville Independent Grays, which was read the first time and passed.

The Speaker announced the unfinished business of yesterday, viz: The bill entitled Revenue, and that the question was upon the amendment of Mr. Bledsoe to the amendment of Mr. Waugh, viz: in said amendment after the word "iron," insert the words "bacon and lard."

The amendment to the amendment was rejected.

The question then recurring on the amendment, Mr. Faison moved to amend the amendment as follows, to wit: "Add also, 'or any other necessaries of life,'" and upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:
Messrs. Arendell, Bledsoe, Eure, Ramsay, Street, Sharpe, Thomas of Davidson and Walkup—7.

Those who voted in the negative are:
Messrs. Avery, Burton, Dobson, Dowd, Grist, Harris of Chatham, Humphrey, Lane, Outlaw, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Spencer, Taylor of Gran-

So the amendment of Mr. Faison was rejected.

Mr. Waugh now moved to amend as follows, to wit:
The tax imposed in paragraph 25, schedule B, upon all who sell spirituous liquors, wines and cordials manufactured in this State, is hereby repealed.

Upon this question Mr. Waugh demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Blount, Dowd, Eure, Faison, Grist, Hall, Harris of Franklin, Harris of Chatham, Lane, Outlaw, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Slaughter, Spencer, Thomas of Davidson, Walker, Whitaker, Winstead and Worth—24.

So the amendment was rejected.

The question now recurring on the original amendment of Mr. Waugh, and the yeas and nays were demanded.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the amendment of Mr. Waugh, in regard to merchants, grocers, etc., was adopted.

Mr. Worth now moved to amend as follows, to-wit, to come in as last paragraph under schedule A:

So the bill passed the second reading.

Mr. Bledsoe, from the committee to superintend the election of Adjutant-General, reported as follows, to wit:

The committee appointed to superintend the election of Adjutant-General ask leave to report that the whole number of votes cast is 141: of which number Mr. Hoke received 77; Mr. Simonton 63; Mr. Haywood 4; Mr. Jordan 1. Necessary to a choice 73. Mr. Hoke having received a majority of the whole number of votes is duly elected.

M. A. BLEDSOE,
L. L. SHARPE,
Committee.

The Senate concurred in the report.

There being no objection the bill entitled "Revenue" was read the third time, and Mr. Waugh moved to amend as follows, to wit:

"No tax shall be imposed on merchants, grocers or traders for their purchases of sugar, molasses, coffee, salt, iron, and so much of paragraph (19), schedule B, as conflicts herewith, is hereby repealed."

Mr. Ramsay now moved to amend the amendment of Mr. Waugh by inserting in said amendment after the word "iron," the words "tin cups." The amendment to the amendment did not prevail.

Mr. Bledsoe now moved to amend the amendment of Mr. Waugh by adding after the word "iron" the words "bacon and lard."

Pending the vote the Senate adjourned until ten o'clock tomorrow.

THURSDAY, FEBRUARY 21, 1861.

Mr. Lane presented a memorial from citizens of Goldsboro', which was read and left upon the table.
Mr. Pitchford, from the Committee on Corporations, reported back a bill to incorporate the Catauga Gold Mining Aqueduct Company, of Macon county, and recommended its passage.

Mr. Walker, from the same committee, reported back a bill to incorporate Richland Institute, in the county of Haywood, and recommended its passage.

Also, a bill to incorporate Fayetteville Mill Company, in the county of Cumberland, and recommended its passage.

Mr. Humphrey, from the same committee, reported back the bill to incorporate Cross Creek Company, in the county of Cumberland, and with the following amendment, to wit: strike out the word "sixty" and insert the word "thirty," and with this amendment recommended its passage.

Mr. Bledsoe, from the Committee on Claims, reported back the bill to amend the charter of the Farmers Bank of North-Carolina, and recommended its passage.

Mr. Humphrey introduced a resolution in favor of Charles Kuester, which, under a suspension of the rules, was read the second and third times, passed and was ordered to be engrossed.

Received a message from the House, asking the concurrence of the Senate in certain amendments to the following bills, to wit:

A bill to incorporate the Piney Woods Cavalry and Wake Light Dragoons.

A resolution in favor of R. R. Heath, George Howard and R. M. Saunders.

A bill to prevent the sale of spirituous liquors within two miles of Reynoldson Institute, in the county of Gates. The several amendments were concurred in.

Received a message from the House, transmitting a resolution concerning the pay of the members of the General Assembly, which was read the first time and passed, and on motion the rules were suspended and said resolution was

Those who voted in the negative are:
Messrs. Avery, Bledsoe, Dickson, Faison, Hall, Harriss of Chatham, Lane, Pitchford, Thomas of Davidson, Walker and Whitaker—11.

So the amendment of Mr. Burton was adopted.

Mr. Bledsoe now moved to amend as follows, to wit:

"In clause 8th, the tax imposed in paragraph (17) shall be one-half of one per cent. upon the capital employed, and not upon the total amount of purchases;" and upon this question he demanded the yeas and nays.

Be it further enacted, That for every passenger passing over any of the railroads or canals of this State, there shall be levied a tax of one-fourth of a cent per mile, for every mile traveled by said passenger, and the treasurer, president or agent of said companies shall render an account of the same under oath, and pay the amount into the Public Treasury of this State on or before the first day of October in each year. And any railroad or canal company failing to pay the said amounts, shall forfeit and pay the sum of five thousand dollars, to be sued for and recovered in the name of the State, by the Attorney-General in the Superior court of Wake county, for the use of the State.

Those who voted in the affirmative are:
Messrs. Bledsoe, Blount, Dowd, Eure, Grist, Hall, Harriss of Franklin, Street, Spencer, Turner and Walkup—11.

Those who voted in the negative are:

So the amendment of Mr. Bledsoe was rejected.
The question now recurring upon the passage of the bill its third reading, as amended, the yeas and nays were demanded.

Those who voted in the affirmative are:
Messrs. Avery, Burton, Bledsoe, Dickson, Dobson, Dowd, Faison, Grist, Hall, Harris of Chatham, Humphrey, Lane, Outlaw, Pitchford, Ramsay, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Spencer, Taylor of Nash, Thomas of Davidson, Walker, Watson, Waugh, Whitaker, Winstead, Walkup and Worth—32.

Those who voted in the negative are:

So the bill passed the third reading and was ordered to be sent to the House for concurrence.

Received a message from his Excellency the Governor, which is as follows, to wit:

To the Honorable the General Assembly
of North-Carolina:

Gentlemen:—As your session is rapidly approaching its termination, you will pardon me for again presenting to your attention a subject of great public importance, upon which as yet there has been no action by your honorable body. Operations on the Cape Fear and Deep River Navigation Works are now suspended for the want of funds, and unless some aid be granted at the present session of the Legislature, they cannot be resumed. Should this work remain in this condition until the meeting of the next General Assembly, it will in all probability suffer injuries that will be in a measure irreparable.

An appropriation of fifty or sixty thousand dollars would probably prove sufficient to keep the work in navigable order for the coming two years and until the coal mines are opened, when a sufficient amount of freight may reasonably be expected to preserve the works in future without further appropriation.
“That every person travelling on any railroad in which the State is interested, (either as a stockholder, or by reason of any mortgage on said road, or as an endorser of its bonds, or by exchange of bonds therewith,) paying nothing, commonly known by the designation ‘dead heads,’ or paying less than at the rate of two cents per mile, shall list the number of miles he or any member of his family shall have travelled on such roads during the year ending the first day of July, and pay a tax of two per cent. per mile for his own travel, as well as for the travel of each member of his family: Provided, That the officers and employees of the company owning said road, and the stockholders, going and returning from stockholders’ meetings, shall not be deemed ‘dead heads’ when travelling said road in the actual discharge of their duties as officers or employees of said company, or as stockholders attending said meetings; nor shall they be deemed ‘dead heads,’ to whom the free use of the road shall be granted on account of charity: and, provided further, that no one shall be bound to list such travelling done by himself or any member of his family, prior to the first day of May, 1861.”

Mr. Ramsay now moved to amend the amendment of Mr. Worth as follows, to-wit: Insert after the word “charity,” the words “or for those travelling to and from religious or literary meetings or associations.”

The amendment of Mr. Ramsay was rejected.

The question now recurring upon the amendment of Mr. Worth, and the yeas and days were demanded.

Those who voted in the affirmative are:

Messrs. Arendell, Burton, Blount, Dowd, Eure, Harriss of Chatham, Outlaw, Rogers, Shaw, Simmons, Simpson, Speight, Street, Sharpe, Slaughter, Turner, Walkup and Worth—18.

Those who voted in the negative are:

Messrs. Avery, Bledsoe, Dickson, Dobson, Faison, Grist, Hall, Harriss of Franklin, Humphrey, Lane, Pitchford,
So the amendment of Mr. Worth was rejected.

Mr. Burton now moved to amend by striking out the amendment offered by himself, on yesterday, in regard to passengers on any of the railroads or canals in this State, and inserting the following, to-wit:

*Be it further enacted, That for every passenger passing over any of the railroads or canals of this State, there shall be levied a tax of one-fourth of a cent per mile for every mile traveled by said passenger, and the treasurer, president or agent of said companies shall render an account of the same, under oath, and pay the amount into the Public Treasury of this State on or before the first day of October of every year. And any railroad or canal company failing to render such account and failing to pay the said amounts shall forfeit and pay the sum of five thousand dollars, to be sued for and recovered in the name of the State by the Attorney General, in the Superior Court of Wake county, for the use of the State.*

Mr. Avery demanded a division of the question, and demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Dickson, Faison, Hall, Harris of Chatham, Humphrey, Lane, Ramsay, Taylor of Granville, Thomas of Jackson and Walker—11.

Those who voted in the negative are:


So the Senate refused to divide.

The question now recurring upon the amendment of Mr. Burton, the yeas and nays were demanded.

Those who voted in the affirmative are:
Mr. Burton moved to amend by adding "Wardens of the poor, trustees of the roads and magistrates."

Mr. Outlaw now moved to lay the bill with the amendment upon the table, and demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Arendell, Bledsoe, Blount, Dickson, Dobson, Dowd, Faison, Grist, Harriss of Franklin, Harris of Chatham, Pitchford, Ramsay, Street, Spencer, Taylor of Nash, Thomas of Davidson, Turner, Waugh, Winstead and Walkup—22.

So the Senate refused to lay on the table.

The question now recurring upon the passage of the bill the second reading it was rejected.

The bill to set aside execution sales was read the second time, and, on motion, the bill was laid upon the table.

The yeas and nays being demanded, resulted as follows, to wit:

Those who voted in the affirmative are:
Messrs. Dickson, Dobson, Hall, Humphrey, Lane, Outlaw, Pitchford, Ramsay, Rogers, Simmons, Speight, Street, Sharpe, Slaughter, Spencer, Taylor of Granville, Thomas of Jackson, Turner, Walker, Watson, Whitaker and Worth—23.

Those who voted in the negative are:

So the bill was laid upon the table.

The bill to repeal so much of section 5th, chapter 90th of the Revised Code, as exempts State bonds from taxation, was read the second time and passed. There being no objection,
said bill was read the third time, and pending its passage the yeas and nays were demanded.

Those who voted in the affirmative are:

Messrs. Arendell, Burton, Bledsoe, Blount, Dobson, Eure, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Outlaw, Pitchford, Ramsay, Rogers, Simmons, Speight, Street, Sharpe, Slaughter, Spencer, Taylor of Nash, Taylor of Granville, Turner, Waugh, Whitaker, Winstead, Walkup and Worth—37.

Those who voted in the negative are:


So the bill passed the third reading and was ordered to be engrossed.

The bill to amend the 34th and 35th chapters of the Revised Code, entitled Crimes and Punishments, was read the second time and rejected.

The bill concerning the Comptroller was read the second time, and amended as recommended by the Committee and passed. There being no objection, said bill was read the third time, passed and ordered to be engrossed.

Mr. Spencer, from the committee to superintend the election of Adjutant General, reported as follows, to wit:

Whole number of votes 142. Hoke received 68; Simonton 55; Haywood 6; Mann 5; Bryan 4; Kingsbury 2; Simpson 1; necessary to a choice 72. No one receiving that number of votes the election failed.

The hour of 2 o'clock arrived, and the Senate took a recess until three-and-a-half o'clock.

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Three-and-a-half o'clock, P. M.

The bill to charter the Bank of Alamance, was read the second time, and,

On motion of Mr. Walker, was laid upon the table. Yeas 16; nays 10.
Should, however, your honorable body deem it inexpedient to make such appropriation, then I would respectfully suggest the propriety of ordering the State's interest in the work to be sold.

The importance of some action in relation to this work is my apology for again trespassing upon your attention.

JOHN W. ELLIS.

EXECUTIVE DEPARTMENT, February 21, 1861.

On motion of Mr. Avery, the bill to aid the Cape Fear and Deep River Navigation Works, which was read the second time, amended by the adoption of a substitute marked A, and passed, and ordered to be referred to a joint select committee of both Houses, and a message was ordered to be sent to the House with a proposition to raise said committee.

Mr. Bledsoe now moved that the rules be suspended and the Chatham Railroad bill be taken up for consideration, and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:
- Messrs. Avery, Bledsoe, Blount, Dowd, Eure, Faison, Grist, Harris of Chatham, Pitchford, Ramsay, Shaw, Simmons, Street, Sharpe, Spencer, Thomas of Jackson, Thomas of Davidson, Watson and Worth—19.

Those who voted in the negative are:

Two-thirds not voting in the affirmative the rules were not suspended.

Received a message from the House, transmitting an engrossed bill to diminish costs on equity sales for partitions, and stating that said bill had passed that body and that the concurrence of the Senate was asked in the same. Said bill was read the first time and passed.

The bill to regulate free negroes in this State was now read the second time, and,

On motion of Mr. Walker, was laid upon the table.
The bill to incorporate the Central Railroad to the South-Carolina line was read the second time, and,
On motion of Mr. Waugh, the bill was laid upon the table.
Upon this question the yeas and nays were demanded.
Those who voted in the affirmative are:
Messrs. Blount, Dickson, Dobson, Grist, Hall, Humphrey, Lane, Outlaw, Pitchford, Ramsay, Rogers, Speight, Street, Spencer, Waugh, Whitaker and Worth—18.
Those who voted in the negative are:
So the bill was laid upon the table.
The bill in relation to trading with slaves was read the second time and passed. There being no objection, said bill was read the third time, passed and ordered to be engrossed.
On motion of Mr. Eure, the title of the bill was amended to read as follows, to wit: "A Bill to change the rules of evidence in evidence for trading with slaves."
The bill to abolish the freehold qualification for jurors was read the second time, and pending its passage the yeas and nays were demanded.
Those who voted in the affirmative are:
Messrs. Arendell, Burton, Bledsoe, Blount, Dickson, Dobson, Dowd, Faison, Grist, Harris of Chatham, Ramsay, Street, Thomas of Davidson, Turner, Waugh, Winstead and Walkup—17.
Those who voted in the negative are:
Messrs. Eure, Harriss of Franklin, Humphrey, Lane, Outlaw, Pitchford, Rogers, Shaw, Simmons, Speight, Sharpe, Taylor of Granville, Thomas of Jackson, Watson, Whitaker and Worth—17.
A tie occurring, the Speaker decided that said bill do not pass.
The bill to provide for the election of Clerks and Masters in Equity by the people was read the second time, and
Messrs. Burton, Bledsoe, Dobson, Dowd, Eure, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Lane, Pitchford, Ramsay, Simmons, Speight, Street, Sharpe, Taylor of Nash, Thomas of Jackson, Thomas of Davidson, Watson, Whitaker and Worth—24.

So the Senate refused to lay the motion upon the table.

Mr. Humphrey now moved to take a recess until 7 1/2 o'clock, and the question was decided in the affirmative. Yeas 28; nays 9.

Seven-and-a-half o'clock, P. M.

Received a message from the House, transmitting the following enrolled bills and stating that the same had been signed by the Speaker of that body, and to which the signature and ratification of the Speaker of the Senate was asked, to wit:

An act to re-survey and establish the county line between the counties of Surry and Wilkes.

An act to amend an act entitled an act to incorporate the town of Edenton.

Resolution in favor of Gray Bynum.

An act concerning the management of the poor in the county of Forsyth.

An act concerning the Insane Asylum of North-Carolina.

An act to charter the Statesville and Tennessee Turnpike Company.

An act to incorporate the Albemarle Steam Packet Company.

An act to incorporate Bellevue Academy, in the county of Beaufort.

An act to incorporate Riddick's Creek Mining Company.

An act to amend an act entitled an act for the government of Elizabeth city in the county of Pasquotank.

An act to incorporate the Hillsboro' Military Academy.

An act to incorporate the Fayetteville Gas Light Company.
An act to incorporate Warren Lodge, No. 101, A. Y. M.
An act to incorporate the town of Enfield.
An act to incorporate the Trustees of Ball Creek Camp Ground in Catawba county.

Mr. Thomas, of Jackson, asked and obtained leave to report back to the Senate to amend an act entitled an act to incorporate the Atlantic, Tennessee and Ohio Railroad, and recommended its passage.

On motion the rules were suspended and said bill was read the third time, and pending its passage, Mr. Hall moved to amend as follows, to wit:

Provided, That the gage of said road be the same as that of the North-Carolina road.

The amendment was not adopted. Yeas 14; nays 14.

A tie having occurred, the Speaker decided the question in the negative.

Those who voted in the affirmative are:
Messrs. Arendell, Bledsoe, Dickson, Hall, Outlaw, Pitchford, Rogers, Speight, Street, Walker, Waugh, Whitaker and Winstead—14.

Those who voted in the negative are:

Mr. Burton now moved to amend said bill, as follows, to-wit:

Provided, The said road shall not discriminate in freight against any other road where this road crosses other roads in this State.

The amendment was adopted.

Mr. Hall now moved to amend as follows, to-wit:

Provided, That this railroad shall not connect with the Charlotte and Columbia Railroad in the town of Charlotte.

Upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:
Messrs. Arendell, Blount, Dickson, Hall, Humphrey, Lane,
The bill to provide for the instruction of common school teachers was read the second time and laid upon the table.

The bill for the protection of stock was read the second time, and,

On motion of Mr. Speight, said bill was laid upon the table.

A bill to amend the Constitution so as to permit Jews to hold office was read the second time and laid upon the table.

A bill to amend an act entitled an Act to incorporate the town of Wilmington, was read the second time, and amended on motion of Mr. Ramsay, by adding the following provisions, to wit:

Provided, That a branch of said Bank be established at the town of Salisbury. With this amendment, said bill was read the third time, passed and ordered to be engrossed. Yeas 21; nays 11.

A bill to amend an act entitled an Act to provide for the pay of talis jurors was read the second time and passed. There being no objection, said bill was read the third time, passed and ordered to be engrossed.

A bill to ascertain the voice of the people in regard to calling a Convention was read the second time and laid upon the table.

A resolution in favor of John G. Beauman was read the second time and laid upon the table.

A resolution in favor of T. H. McKoy was read the second time and laid upon the table.

A bill concerning Cook was read under a suspension of the rules the second and third times, passed and was ordered to be engrossed.

A resolution in favor of George Myers was read the second time and laid upon the table.

A bill to extend the time of perfecting titles to land hereafter entered was read the second and third times, passed and ordered to be enrolled.

A resolution to have coal-grates in the Capitol was read the second time and laid upon the table.

A bill to prevent obstacles in Salmon Creek was read the
second and third times, passed and was ordered to be enrolled.

A bill concerning currency was read the second time and laid upon the table.

A bill to provide for the education of State cadets at the North-Carolina Institute, and for other purposes, was read the second time and rejected.

A resolution in favor of B. H. Eilers was read the second time and laid upon the table.

A bill to incorporate Combusco Smelting and Mining Company was read the second time and laid upon the table.

Mr. Bledsoe, from the joint select committee on the Cape Fear and Deep River Navigation Company, reported back the bill to aid the Cape Fear and Deep River Navigation Company and recommended the passage of the substitute recommended by the Committee on Internal Improvements for said bill, and the bill was read the second time, and pending the passage Mr. Outlaw 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. Outlaw now moved to reconsider the vote by which the said bill was rejected, and then moved to lay that motion upon the table, and demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Those who voted in the negative are:

So the amendment was rejected.
Mr. Worth moved to lay the bill upon the table, and demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Blount, Dickson, Eure, Grist, Hall, Harriss of Franklin, Humphrey, Lane, Rogers, Simmons, Speight, Street, Taylor of Granville, Watson, Waugh, Whitaker and Worth—17.

Those who voted in the negative are:

So the bill was laid upon the table.

A bill to amend the charter of the Wilmington Savings Bank was read the second time and rejected.

A bill to amend the 11th section, 52nd chapter of the Revised Code, was read the second and third times, passed and was ordered to be enrolled.

A bill to repeal an act entitled an act requiring the day of execution on Justices' process, was read the second time and laid upon the table.

A bill to abolish jury trials in the Courts of Pleas and Quarter Sessions in the county of Watauga was read the second and third times, passed and was ordered to be enrolled.

A bill to prosecute works of internal improvements in North-Carolina was read the second time and laid upon the table.

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A bill to amend section 5th, chapter 81, Revised Code, entitled "Oysters and other Fish, was read the second and third times, passed and was ordered to be engrossed.

A bill to provide for the payment of the Clerk's fees and other costs in the county of Macon was read the second and third times and laid upon the table.

A bill to amend the 16th and 17th sections, chapter 34, Revised Code, which was read the second and third times, passed and was ordered to be enrolled.

A bill for the relief of persons who, as securities or otherwise, have paid for Cherokee lands, was read the second and third times and was ordered to be engrossed.

A bill to compel the reading of the minutes of the preceding day every morning during the sitting of the Superior and Inferior courts was read the second and third times, passed and was ordered to be enrolled.

A resolution in favor of the securities of C. Greggs was read the second and third times, passed and was ordered to be enrolled.

A bill to incorporate the Cheraw and Coal Fields Railroad was read the second time, amended by the adoption of a substitute and passed.

On motion of Mr. Lane, the following amendment was adopted, to-wit:

Provided, That the gage of their road shall be the same as the North-Carolina Railroad.

There being no objections, said bill was read the third time, as amended, passed and was ordered to be engrossed.

Received a message from the House, stating that that body had refused to concur in the amendments by the Senate to the revenue bill, and proposing a committee of conference, and that Messrs. Person and Mendenhall had been appointed the House branch of the committee.

The message was concurred in; whereupon, Messrs. Worth and Winstead were appointed the Senate branch of said committee.
Mr. Turner presented the following resolution, to-wit:

Resolved, That the Speaker of the Senate cause to be read, on the morning of the 22d instant, immediately after prayer, Washington’s Farewell Address; and that he is hereby requested to invite the House of Commons, the Governor, Judges of the Supreme Court, and other State officers to be present on the occasion.

Pending the vote upon this resolution, the Senate adjourned until 10 o’clock to-morrow.

FRIDAY, February 22, 1861.

The Senate met at the usual hour. On motion the reading of the Journal was dispensed with.

Received a message from the House, stating that that body had passed an engrossed bill from the Senate entitled a bill for the relief of Davidson College, with accompanying amendments. The Senate concurred in said amendments and ordered a message to be sent to the House stating said concurrence.

Received a message from the House of Commons, stating that the Speaker of that body had signed the following enrolled bills and resolutions to which the signature and ratification of the Speaker of the Senate was asked, to wit:

An Act to amend an Act passed at the present session of the General Assembly entitled an act to appoint a tax collector for Wayne and other counties.

An Act to authorize Daniel Johnson and Ambrose Lutz to establish a toll bridge on the Catawba River.

An Act concerning the Wardens of the Poor for the county of Wake.

An Act to incorporate Greensboro’ Cemetery Company.

An Act to incorporate Salem Camp Ground, Lincoln county.

Resolution in favor of P. A. Smith and B. Abner, of the estate of M. M. Plunkett, deceased.
Resolution to defray the expenses of the Commissioners from Georgia.

An Act to incorporate Davidson College.

Resolution in favor of W. Watson.

Resolution in favor of Jesse McGee of Haywood county.

Resolution in favor of D. W. Courts.

An Act to prevent the sale of Spirituous liquors within two miles of Reynoldson Institute, in the county of Gates.

An Act concerning the management of the poor in Forsyth county.

An Act to incorporate Concord Copper Mining Company.

An Act to incorporate the Tokey Wine Company.

An Act to incorporate the Bank of Roxboro'.

An Act to amend the 1st section of the 120th chapter of the Revised Code, entitled Wrecks.

An Act to lay off and locate a road from Statesville to Wilkesboro'.

An Act to incorporate Oak Hill Academy, in the county of Granville.

An Act to repeal so much of the 10th, 11th, 12th, 13th, 14th, and 15th sections of chapter 107 of the Revised Code relative to the county of Washington.

Resolution in favor of Calvin Bishop.

Resolution in favor of L. N. B. Battle.

Resolution in favor of Josiah Collin.

Resolution in favor of Quentin Busbee and others.

Resolution in favor of the Clerks of the two Houses.

An Act to amend the 70th chapter of Revised Code, entitled Militia.

Received a message from the House, transmitting sundry recommendations for the appointment of Justices of the Peace for sundry counties, which were agreed to.

Also, a bill to amend the Charter of the town of Salisbury and to establish the corporate limits of the same, which was read the second and third times under a suspension of the rules, passed and ordered to be enrolled.
Also, a bill for the relief of C. C. Wilkes and for other purposes was read the second and third times passed and ordered to be enrolled.

A bill to repeal section 4th, chapter 169 of the laws of North-Carolina, passed at the session of 1858-'9, was read the second time, and upon its passage the yeas and nays were demanded.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Outlaw, Rogers, Simmonds, Simpson, Speight, Taylor of Nash.—6.

So the bill passed the second reading.

There being no objection, said bill was read the third time, passed and was ordered to be enrolled.

Mr. Bledsoe asked and obtained leave to make the following report, to wit:

The Committee on Constitutional Reform, to whom was referred the accompanying bills to alter the Constitution, have had the same under consideration, and ask to be discharged from their further consideration.

M. A. BLEDSOE, Chairman.

Mr. Lane, from the joint select committee in regard to the printing the commissioner's report of the Atlantic and North Carolina Rail Road submitted the following minority report, to wit:

The undersigned, one of a joint committee to whom was referred the report of the commissioners to investigate the management of the North Carolina and Atlantic Rail Road Company with the proposition to print the same, respectfully beg leave to submit the following as a minority report.
"After an examination of the report of the commissioners which had been prepared with great care, labor and at an expense to the State of over four hundred and eighty dollars, I became satisfied that the information therein contained should be made public, and that a publication of the said report was due the State and parties concerned. A majority of the committee not concurring in the view to print, I then suggested that the explanation of the President of the Company should be published together with the report. And in this suggestion I had hoped the committee would concur, but such not being the case, I respectfully recommend and for the reasons above set forth, that said report be printed. Respectfully submitted,

WM. K. LANE.

Mr. Bledsoe now presented the following report, to wit:

"The Committee on Claims, to whom was referred a memorial of Gilbert Potter in reference to over-payment of taxes, have had the same under consideration and ask to be discharged from the further consideration of it.

M. A. BLEDSOE, Chairman."

The engrossed bill from the House entitled a bill to provide for limited partnerships, was read the second and third times, passed and was ordered to be enrolled.

The bill concerning the Wilmington and Weldon Rail Road was read the second and third times, and amended by striking out the last section, passed and ordered to be engrossed.

Mr. Hall introduced a bill to authorize the sale of the State’s interest in Cape Fear and Deep River works, which was read and passed.

The resolution in favor of J. N. Moore was read the second and third times and was ordered to be enrolled.

The bill to amend the Hanging Dog Turnpike charter was read the second and third times, passed and was ordered to be engrossed.
The bill to amend the charter of the Fayetteville and Western Plank Road, &c., was read the second and third times, passed and was ordered to be engrossed.

The bill to divide the State into eight judicial circuits was read the second time, and pending its passage the yeas and nays were demanded.

Those who voted in the affirmative are:
Messrs. Burton, Bledsoe, Dobson, Faison, Hall, Harriss of Franklin, Humphrey, Lane, Simpson, Speight, Taylor of Nash, Thomas of Jackson, Waugh and Whitaker—15.

Those who voted in the negative are:
Messrs. Arendell, Blount, Dickson, Dowd, Eure, Grist, Harris of Chatham, Outlaw, Pitchford, Ramsay, Rogers, Simmons, Street, Sharpe, Spencer, Watson and Walkup—17.

So the bill was rejected.

The resolution providing for the publication of colonial records, legislative proceedings, and for other purposes, was read the second and third times, passed and ordered to be engrossed.

The bill to diminish the costs of suits at law was read the second time and rejected.

The bill to authorize the sale of the State's interest in the Cape Fear and Deep River works was read the second time and laid upon the table.

The vote by which the bill to aid the Cape Fear and Deep River works was rejected was now, on motion of Mr. Pitchford, reconsidered, and pending the vote Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Burton, Bledsoe, Dobson, Dowd, Eure, Faison, Hall, Harriss of Franklin, Harris of Chatham, Humphrey, Pitchford, Ramsay, Speight, Street, Thomas of Jackson, Whitaker and Worth—18.

Those who voted in the negative are:
Messrs. Blount, Dickson, Grist, Lane, Outlaw, Rogers,

So the bill was passed and ordered to be engrossed.

Received a message from the House, stating that it was ordered by the House of Commons that the following bill, entitled "a bill to amend section 5, chapter 81, Revised Code, entitled 'Oysters and other Fish,'" with amendment enclosed, be sent to the Senate for their concurrence.

The amendments were concurred in, and a message was ordered to be sent stating said concurrence.

A bill to give the county of Cleveland an additional Superior Court was now introduced by Mr. Burton, and was read the first, second and third times, passed and was ordered to be engrossed.

The bill to protect the North-Carolina Cherokees of Jackson county was read the second and third times, passed and was ordered to be engrossed.

Received a message from the House, transmitting a bill entitled "a bill to amend section 5th, chapter 81, Revised Code, entitled 'Oysters and other Fish,'" with accompanying amendment, in which the concurrence of the Senate was asked. The amendment was agreed to and a message was ordered to be sent stating the same.

The bill to secure the property of married women was now taken up and read the second time, and pending its passage Mr. Humphrey demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Dobson, Eure, Grist, Hall, Harriss of Franklin, Humphrey, Lane, Pitchford, Rogers, Simmons, Simpson, Speight, Street, Spencer, Taylor of Nash, Taylor of Granville, Thomas of Davidson, Walker, Watson, Whitaker and Worth—20.

So the bill was rejected.
The bill to allow the county courts to purchase arms was read the second time, and pending the vote, Mr. Turner moved to strike out in said bill the word "guns," and insert the word "ploughs."

Mr. Outlaw moved to lay said bill upon the table. The motion did not prevail.

The question now recurring on the motion of Mr. Turner, did not prevail.

The question now recurring upon the passage of the bill the second reading was passed.

There being no objection, said bill was read the third time, passed and ordered to be engrossed.

The bill to protect the securities to sheriffs' bonds was read the second time and laid upon the table.

Received a message from the House, transmitting the bill entitled "Revenue," and stating that the House had concurred in the report of the committee of conference on said bill, and the concurrence of the Senate was asked in the same.

The question was upon concurrence in said report, and upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the report was not agreed to.

On motion of Mr. Outlaw, a message was ordered to be sent to the House, stating that the Senate had refused to concur in the report of the committee of conference, and asking the appointment of another committee.

The bill to diminish the costs of equity sales was read the second time and passed.
On motion, the rules were suspended and said bill was read the third time, and Mr. Eure moved to strike out the word "five," and insert the word "three."

The amendment did not prevail.

The question now recurring upon the passage of the bill the third time, was decided in the affirmative, and said bill was ordered to be enrolled.

The bill to require the registration of Coroners' bonds was read the second and third times, passed and ordered to be enrolled.

The bill to amend section 1st chapter 57 of the Revised Code, entitled "Idiots and Lunatics," was read the second and third times, passed and ordered to be enrolled.

A bill to prevent the sale or transfer of expectancies was read the second time and laid upon the table.

A bill to amend an act of 1858-'9, entitled "an Act to extend the Superior Courts of Rowan two weeks,"' was read the second and third times, passed and ordered to be enrolled.

The hour of 2 o'clock now arrived, and the Senate took a recess until 3½ o'clock.

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Three-and-a-half o'clock, P. M.

On motion of Mr. Turner: Whereas, It is of great importance that the geography and resources of North-Carolina be known to her people and to the world, and whereas, the Rev. Samuel Pierce has been for years engaged in the preparation of maps and gazeteer or statistical work of the State, Be it Resolved by the General Assembly of the State, That the enterprise is worthy the favorable regard of the people of North-Carolina, and is recommended to their patronage. Resolved, That the Rev. Samuel Pierce be permitted to have access to the State Library, for the purposes of his said work.

Mr. Pitchford asked leave to report back to the Senate a bill to repeal an act entitled "an Act to incorporate the
town of Franklin in Macon county," and recommend its passage.

The bill to improve the road from John Allen's to the top of the Blue Ridge, at Fisher's Gap, in the county of Surry, was read the second and third times, passed and ordered to be enrolled.

Also, a bill to amend and extend the provisions of the 6th section of the 48th chapter of the Revised Code entitled "Finance," was read the second and third times, passed and ordered to be enrolled.

Also, a bill relating to the election of constables was read the second time and laid upon the table.

Also, a bill to prevent camp-fires was read the second and third times and passed.

Also, a bill to amend chapter 107 section 66 of the Revised Code, relating to free negroes having arms, was read the second time, passed and ordered to be enrolled.

Also, a bill to amend the Revenue act of 1858-'9 was read the second time, passed and was laid upon the table.

Also, a bill to provide for the defence of the State was read the second time, amended as recommended by the committee and passed.

There being no objection, said bill was read the third time, and pending its passage, Mr. Dowd demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Bledsoe, Dickson, Eure, Faison, Grist, Hall, Harris of Franklin, Harris of Chatham, Lane, Pitchford, Rogers, Street, Taylor of Nash, Thomas of Jackson, Thomas of Davidson, Walker, Watson, Waugh, Whitaker, Winstead and Walkup—22.

Those who voted in the negative are:


So the bill passed the third time and was ordered to be engrossed.

A bill concerning insane persons was read the second and third times, passed and was ordered to be enrolled.
A bill to repeal an act, entitled an Act to incorporate the town of Franklin, was read the second and third times, passed and was ordered to be enrolled.

A bill concerning causeways on a certain public road, in Cabarras county, was read the second and third times, passed and ordered to be engrossed.

A bill to amend an act to create a sinking fund was read the second and third times, passed and ordered to be enrolled.

A bill to amend section 2nd, chapter 118, of the Revised Code, entitled "Widows," was read second and third times, passed and ordered to be enrolled.

A bill to repeal section 4th, chapter 169, passed 1858-'9, was read the second and third times, passed and was ordered to be laid upon the table.

A bill to amend the Caswell Plank Road was read the second and third times and was laid upon the table.

A bill to increase the salaries of the Judges of the Supreme and Superior Courts in this State was read the second time and laid upon the table.

Resolution requesting the Secretary of the State to furnish the Capitol with wood was read the second time and was laid upon the table.

Mr. Outlaw asked and obtained leave to change his vote, and to record it against the bill to provide for the defence of the State.

Mr. Turner, to record his vote against the bill to provide for the purchase of arms and munitions of war.

Mr. Arendell, against the adoption of the report of the committee of conference on the bill entitled Revenue.

Received a message from the House, transmitting the following enrolled bills and resolutions, and stating that the Speaker of that body had signed the same, and that the signature and ratification of the Speaker of the Senate was asked to the same, to wit:

An act to incorporate Military Companies in this State.

An act to incorporate Connagah Mining Company.
An act to incorporate the Buncombe Powder Manufacturing Company, located in Buncombe county.

An act to change the time of closing the polls of elections in Washington county.

An act allowing the Raleigh and Gaston Railroad Company, to increase their capital stock.

An act to declare what shall be sufficient to constitute the crime of rape, carnally knowing and abusing a female child under the age of ten years and buggery.

An act to incorporate the Salem and Thomasville Turnpike Company.

An act to empower and authorize Samuel Burks, late sheriff of Hyde County, to collect arrears of taxes due him for the year of 1855.

An act to amend the charter of the town of Salisbury, and to establish the corporate limits of said town.

An act to incorporate Carolina Gold and Copper Mining Company.

An act for the relief of Davidson College.

An act to incorporate the Lincoln Copper and Gold Mining Company.

Seven-and-a-half o'clock, P. M.

The bill to allow less than a majority to transact the county business of Iredell county was read the second time, amended and passed. There being no objection, said bill was read the third time, passed and ordered to be sent to the House for concurrence.

The bill concerning a Convention was read the second time and laid upon the table.

A bill to amend the Revised Code, entitled Geology, was read the second and third times, passed and was ordered to be enrolled.

A Resolution concerning a distribution of the Revised Code was read the second and third times, passed and ordered to be enrolled.
A bill concerning county courts in the county of Columbus was read the first and second times, passed and was ordered to be enrolled.

A resolution in favor of Clark Bird was read the second and third times, passed and ordered to be enrolled.

A bill to amend the 9th section of the 93d chapter of the Revised Code, entitled Printing.

A bill to authorize an organization of a volunteer force by the town of Washington, which was read the second and third times, and pending passage the third reading, the yeas and nays were demanded.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Burton, Lane, Pitchford, Rogers, Street, Sharpe, Turner, Watson and Whitaker—9.

So the bill passed and was ordered to be enrolled.

The Speaker announced that Messrs. Thomas, of Davidson, and Faison would constitute the committee of conference on the bill entitled "Revenue."

Received a message from the House, transmitting the bill entitled "Revenue," and stating that the committee had agreed upon reporting the bill, amended by striking out that portion of the bill in regard to taxing gaming tables, and that having reference to taxing passengers travelling free upon the roads in which the State is a stockholder.

The Speaker announced that the report of the committee was informal; whereupon,

Mr. Outlaw moved to send a message to the House, proposing that said bill and report be recommitted to the committee of conference, and the motion prevailed.

Received a message from the House, stating that the House had concurred in the proposition of the Senate to recommit
the revenue bill and the report of the committee of conference to the said committee for the purpose of correcting the informality in said report; whereupon the bill and report were recommitted.

The bill to restore to the county of Cherokee jury trial was now read the second and third times, passed and was ordered to be enrolled.

The bill to authorize certain persons in the county of Wake to send their children to a common school in the county of Granville was read the second and third times, passed and ordered to be enrolled.

The bill to abolish jury trial in the Court of Pleas and Quarter Sessions of Polk county, was read the second and third times, passed and was ordered to be enrolled.

Received a message from the House, transmitting the following report from the committee of conference, to wit:

"The committee of conference upon the subject of revenue report the accompanying bill embodying the amendments made by the Senate to the House bill, with the exception of the one striking out the provision taxing land at fifteen cents on the one hundred dollars of value, which they propose shall be restored at the rate of eighteen cents on the one hundred dollars of value, and also the tax upon railroad passengers.

S. J. PERSON, Chairman."

Pending the vote upon the adoption of the report, the yeas and nays were demanded.

Those who voted in the affirmative are:
Messrs. Bledsoe, Dickson, Hall, Harriss of Franklin, Harris of Chatham, Lane, Pitchford, Rogers, Speight, Street, Thomas of Jackson, Thomas of Davidson, Walker, Watson and Waugh—15.

Those who voted in the negative are:
Messrs. Arendell, Burton, Blount, Dowd, Grist, Outlaw,

So the report was adopted.

Mr. Lane now moved to reconsider the vote by which said report was adopted, and then moved to lay that motion upon the table, and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Dickson, Hall, Harriss of Franklin, Harris of Chatham, Lane, Pitchford, Street, Thomas of Jackson, Thomas of Davidson, Walker, Watson and Waugh—12.

Those who voted in the negative are:


So the Senate refused to lay the motion to reconsider on the table.

The question now recurring on the motion to reconsider, the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the vote was reconsidered.

The question again recurring upon the adoption of the report of the committee.

Those who voted in the affirmative are:

Messrs. Bledsoe, Dickson, Faison, Hall, Harriss of Franklin, Harris of Chatham, Lane, Pitchford, Rogers, Taylor of Nash, Thomas of Jackson, Thomas of Davidson, Walker, Watson, Waugh, Whitaker and Winstead—17.

Those who voted in the negative are:

So the question was decided in the affirmative and the bill was ordered to be enrolled.

A bill to prevent free negroes from hiring slaves was read the second and third times, passed and was ordered to be enrolled.

The bill to provide for the relief of the Atlantic and North-Carolina Railroad was read the second time, and pending its passage, Mr. Arendell demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Grist, Street, Thomas of Jackson—4.

Those who voted in the negative are:


So the bill was rejected.

On motion the Senate adjourned until 10 o'clock to-morrow.

SATURDAY, February 23, 1861.

The Senate met at the usual hour. On motion, the reading of the Journal was dispensed with.

Mr. Simpson asked and obtained leave to record his vote in favor of the bill to increase the salary of the Comptroller.

Messrs. Bledsoe and Faison, to change their vote on the bill entitled „Revenue” and to record their votes in favor of the adoption of the report of the committee of conference.

On motion of Mr. Hall, a message was ordered to be sent to the House, proposing to raise two additional committees on enrolled bills.

On motion, Mr. Walker was permitted to withdraw from the files of the Senate a bill to provide for the establishment
of a school for the instruction of common school teachers, which had been laid upon the table.

A bill to authorize the sale of the old jail in the county of Wilkes was read the second and third times, passed and was ordered to be enrolled.

On motion of Mr. Bledsoe,

Resolved, That so much of the joint rules of the two Houses as require the engrossment of bills be so far repealed as to allow all bills written in a fair hand, without amendment, to pass to the other House without engrossment, and when there are no amendments or interlineations written fair and without errors, to be ratified without enrollment after being examined and signed by the committee on enrolled bills.

The resolution in favor of the estate of George Crofton was read the second time and rejected.

A bill to allow the county trustees to sell certain lots in the town of Statesville was read the second and third times, passed and was ordered to be enrolled.

A resolution in favor of E. P. Stillwell, of Jackson county, was read the second and third times, passed and was ordered to be enrolled.

A bill to amend an act entitled an act to incorporate Bassom College, in the town of Linester, Buncombe county, was read the second and third times, passed and ordered to be enrolled.

A bill supplemental to a bill passed at the present session of the General Assembly, entitled an act to incorporate the Chatham Railroad Company was read the second time and rejected, and upon this question the yeas and nays were demanded.

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, stating that the House concurred in the Senate resolution, "that so much of joint rules of the two Houses, as requires engrossment of bills, be so far repealed as to allow all bills written in a fair hand, without amendment, to pass the other House without engrossment, and when there are no amendments or inter-lineations written fair and without errors, to be ratified without enrolment, after being examined and signed by the committee on enrolled bills.

A bill to provide for united partnerships was read the second and third times, passed and was ordered to be enrolled.

The bill to establish the University Railroad was read the second time.

A bill to amend an act to incorporate the Jonathan Turnpike was read the second and third times, passed and was ordered to be enrolled.

A bill to incorporate the University Railroad Company was read the second and third times, passed and ordered to be enrolled.

A bill to incorporate the Caswell Railroad was read the second time, and pending the vote the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Arendell, Burton, Bledsoe, Dobson, Dowd, Eure, Erwin, Harriss of Franklin, Harris of Chatham, Outlaw, Ramsay, Simpson, Thomas of Jackson, Whitaker and Winstead—15.

So the bill passed the second reading.

There being no objection said bill was read the third time, and pending its passage, Mr. Waugh moved to amend as follows, to wit:
"Strike out the clause authorizing the North Carolina Railroad Company to subscribe sixty thousand dollars stock," and upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the amendment was rejected.

The question recurring upon the passage of the bill the third time,

Those who voted in the affirmative are:


Those who voted in the negative are:


A tie occurring, the Speaker decided the question in the affirmative.

Mr. Sharpe now moved to reconsider the vote by which the bill supplemental to the bill passed at the present session, incorporating the Chatham Railroad, and demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:
Messrs. Blount, Dickson, Hall, Lane, Outlaw, Rogers, Turner, Walker and Whitaker—9.

So the vote was reconsidered.

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

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Dickson, Dobson, Eure, Hall, Harris of Franklin, Lane, Outlaw, Rogers, Turner, Whitaker and Winstead—11.

So the bill passed the second reading.

Mr. Bledsoe now moved to suspend the rules to put the bill on the third reading, and Mr. Taylor, of Nash, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


Two-thirds voting in the affirmative the rules were suspended.

The question recurring upon the passage of the bill on its third reading, Mr. Turner moved to amend as follows, to-wit:

Nor shall the bonds thus issued by the Treasurer of this State be sold to the company or any other person, when the bonds of North-Carolina are selling in their markets at less than their par value in cash.

Upon this question he demanded the yeas and nays.
Messrs. Dobson, Hall, Lane, Rogers, Turner, Whitaker and Winstead—7.

Those who voted in the negative are:

Mr. Lane now moved to amend as follows, to-wit:

Provided, That this railroad shall not connect with the Coal Field and Cheraw Road or run within two miles of said Cheraw and Coal Field Railroad, and a connection of said road with the Cheraw and Coal Field road, the charter of this road shall be forfeited. And upon this question the yeas and nays were demanded.

Those who voted in the affirmative are:
Messrs. Hall, Lane, Rogers and Waugh—4.

Those who voted in the negative are:

So the amendment did not prevail.

The question now recurring upon the passage the third reading, the yeas and nays were ordered.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the bill passed the third reading and was ordered to be enrolled.

The bill to incorporate Sulphur Springs Camp Ground, in
the county of Cleaveland, was read the second and third times, passed and ordered to be enrolled.

Received a message stating that the House had passed the accompanying engrossed bill with enclosed amendments, viz: "A bill to provide for a continuation of improvements of the Cape Fear and Deep River Slack Water," in which the concurrence of the Senate is respectfully asked.

On motion, the message and amendments were agreed to, and the bill as amended was ordered to be enrolled.

The bill to amend Revised Code, section 14th, chapter 26th, on Corporations, was read the second time and laid upon the table.

A bill to incorporate the town of Boon Hill, in Johnson county, was read the second and third times, passed and ordered to be enrolled.

A bill to incorporate the North-Carolina Shoe Manufacturing Company, in the town of Charlotte, was read the second and third times, passed and ordered to be enrolled.

The hour of 2 o'clock arrived and the Senate took a recess until 3½ o'clock.

Three-and-a-half o'clock, P. M.

Received a message from the House, transmitting the following enrolled bills and resolutions and stating that the same had been signed by the Speaker of that body and to which the signature and ratification of the Speaker of the Senate was respectfully asked, to wit:

An act to allow the county trustees to sell certain property in the town of Statesville.
An act to require the registration of Coroners' bonds.
An act to prevent damages by camp-fires.
An act to amend the 16th and 17th sections chapter 34 Revised Code.
An act to amend an act entitled "Revenue," ratified 16th day of February, 1859.

Resolutions in favor of Door-keepers.
An act to amend the 4th section of an entitled "an Act for the better regulation of Pilotage in the Cape Fear River and Bars," ratified the 7th day of February, 1859.

An act to amend section 2d chapter 118 of the Revised Code, entitled "Widows."

Resolution providing for the publication of certain Colonial records and legislative proceedings.

An act concerning insane persons.

An act concerning Wilmington & Weldon Railroad Company.

An act to amend an act passed at the session of 1858-'59, entitled "an Act to provide for the payment of talis jurors."

An act to amend section 5th chapter 81 Revised Code, entitled "Oysters and other Fish."

An act for the relief of Charles Wilkes and to charter the St. Catharine Mills and Charlotte Railroad Company.

An act to change the rules of evidence in indictments for trading with slaves.

An act to incorporate the Rudicil Gold Mining Company of Baltimore city.

An act to amend Chapter 107 section 66 of the Revised Code relating to free negroes.

An act to incorporate the town of Lincolnton, passed at Raleigh in the year 1852, chapter 209.

An act to give Cleaveland county two additional superior courts.

An act to extend the limits of the town of Lexington.

The Speaker announced that Messrs. Faison, Walkup and Blount would constitute the additional committee on enrolled bills for the present week.

A bill to amend an act entitled "an Act to incorporate the Atlantic, Tennessee and Ohio Railroad," was read the third time, and on motion of Mr. Hall, the following amendment was adopted, to wit:

Provided, That said road shall not be either the North-Carolina gauge, but an independent gauge; and upon the
vote on this amendment the yeas and nays were demanded.

Those who voted in the affirmative are:

Messrs. Arendell, Burton, Bledsoe, Dickson, Faison, Grist, Harriss of Franklin, Harris of Chatham, Lane, Outlaw, Pitchford, Rogers, Taylor of Nash, Watson, Waugh, Whitaker and Walkup—17.

Those who voted in the negative are:


So the amendment was adopted.

The question now recurring upon the passage of the bill the third reading,

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Arendell, Dickson, Grist, Hall, Harriss of Franklin, Lane, Outlaw, Pitchford, Rogers, Watson, Waugh, Whitaker.—12.

So the bill passed the third reading as amended and was ordered to be sent to the House for concurrence.

A resolution in favor of J. C. Tuter was read the second and third times, passed and was ordered to be enrolled.

A resolution in favor of George Crofton was on motion of Mr. Walkup recommended and put upon second and third readings, passed and ordered to be enrolled.

A resolution in favor of Henry Bagby was read the second and third times, passed and was ordered to be enrolled.

A bill to construct a Rail Road from Dallas, North Carolina, to the South Carolina line, was read the second time and passed.

On motion the Senate took a recess until 7½ o'clock.
Seven-and-a-half o'clock, P. M.

Received a message from the House, transmitting the following enrolled bills and resolutions, and stating that the Speaker of that body had signed the same, and to which the signature and ratification of the Speaker of the Senate was asked, to wit:

An act to incorporate the Greenville and Goldsboro' Rail Road Company.

An act to amend an act entitled an Act to extend the powers of the New River Navigation Company.

An act to extend the time of perfecting titles to lands heretofore entered.

An act to prevent obstacles in Salmon Creek.

An act to incorporate the Orange Light Infantry.


Resolution for the relief of the sureties of C. Grigg.

Resolution in favor of Jas. H. Moore.

An act to incorporate the Williamston and Tarboro' Rail Road Company.

An act to amend an Act to extend the provisions of the 6th section of the 48th chapter of the Revised Code entitled "Fences."

An act to improve the road from John Allen's to the top of the Blue Ridge at Fisher's Gap in the county of Surry.

An act to repeal section 4th chapter 159 of the laws of North Carolina, passed at the session of 1858-'9.

An act to allow less than a majority of the magistrates to transact the county business of Iredell and Chatham counties.

The bill to incorporate Richland Institute in the county of Haywood was read the second and third times, passed and was ordered to be enrolled.

A bill to amend the charter of the Farmers Bank of North Carolina was read the second and third times, passed and was ordered to be enrolled.

A bill to incorporate Wrightsville Turnpike Company was
read the second and third times, passed and ordered to be engrossed.

A bill to incorporate the Granville Independent Grays was read the second and third times, passed and was ordered to be enrolled.

A bill to amend section 71st chapter 31 of the Revised Code was read the second and third times and laid upon the table.

A bill to incorporate the Black Mountain Turnpike was read the second and third times, passed and was ordered to be enrolled.

Received a message from the House, transmitting the following enrolled bills and resolutions, and stating that the same had been signed by the Speaker of that body, and to which the signature and ratification of the Speaker of the House was asked, to wit:

A bill concerning the town of Jonesville, in the county of Martin.

An act to authorize and empower E. D. Hall, late sheriff of New Hanover county, to collect arrears of taxes.

An act to protect the Fair Ground of the Union Agricultural, Mechanical and Commercial Society of Newbern.

A bill to incorporate the Cherokee Mining Company.

Resolution in favor of Daniel Tucker.

An act to enlarge the corporate limits of the town of Monroe, and for other purposes.

A bill to incorporate the Independent Grays, Topsail Riflemen, Franklin Rifles, the Albemarle Grays, and the Sharon Riflemen.

Resolution in favor of John L. Cantwell.

An act to incorporate the town of Rockingham.

An act to release and remit any penalties or any forfeiture increased by the Corporation created by an act entitled an
act to incorporate the Lagrange Mining and Manufacturing Transportation Company.

Resolution in favor of Henry Bagby.
Resolution in favor of J. C. Luter.
Resolution in favor of the estate of G. Croften.
Bill to incorporate the Caswell Rail Road Company.
An act to amend an act to create a Sinking Fund.
An act to amend the 11th section, 52d chapter of the Revised Code.

An act to repeal an act entitled an act to incorporate the town of Morganton in Burke county, and to incorporate said town under the law for the better government of the town.
An act to abolish Jury Trials in the Court of Pleas and Quarter Sessions of Polk county.
An act to incorporate the Bank of Thomasville.
An act to restore to the county of Cherokee Jury Trials.
An act to authorize the organization of a volunteer force by the town of Washington.
An act to amend section 1st, chapter 57th of the Revised Code, entitled "Idiots and Lunatics."
An act to amend the charter of the town of Newbern, chapter 31.
An act to compel the reading of the minutes of the preceding day, every morning during the sitting of the Superior and Inferior Courts.
An act to amend an act entitled an Act to incorporate the Atlantic Mutual Fire and Marine Insurance Company.
An act to construct a railroad from Dallas, North-Carolina, to the South-Carolina line.
An act to authorize Washington Harriss, late sheriff of Franklin, to collect arrears of taxes.
An act to amend an act entitled an Act to incorporate the Atlantic, Tennessee and Ohio Railroad Company, ratified February 16, 1855.

A bill to incorporate the Bank of Western, North-Carolina, was read the second time, and pending its passage, Mr. Lane
moved to lay on the table, and demanded the yeas and nays. Those who voted in the affirmative are:


Those who voted in the negative are:


So the motion did not prevail.

The question now recurring upon the passage of the bill the second reading, Mr. Pitchford demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the bill passed the second reading.

The question now recurring upon the passage of the bill the third reading, was decided in the affirmative. Yeas 15; nays 13.

A resolution in favor of W. L. Pomeroy was read the second and third times, passed and was ordered to be enrolled.

A bill to amend the act incorporating the town of Warsaw, and for the better government of the said town, was read the second and third times, passed and was ordered to be enrolled.

A bill to permit persons to remove the remains of their deceased relatives when buried upon the land of others was
read the second and third times, passed and was ordered to be laid upon the table.

On motion of Mr. Ramsay,

Resolved, That the thanks of the Senate are due and tendered to the Doorkeepers for the faithful and courteous manner in which they have discharged the duties of their office.

The resolution in favor of W. H. and R. S. Tucker was read the second and third times, passed and was ordered to be enrolled.

A bill concerning a public road, leading from Taylorsville to Boon, in Watauga county, was read the second and third times, passed and was ordered to be enrolled.

A resolution in favor of Wm. Thompson was read the second and third times, passed and was ordered to be enrolled.

A bill to amend an act of the General Assembly of North Carolina, passed at the present session of 1860-61, to incorporate the University Railroad Company, was read the second time and laid upon the table.

On motion of Mr. Outlaw, the Senate adjourned until five o'clock Monday next.

MONDAY, FEBRUARY 25, 1861.

The Senate met at 5 o'clock, A. M. The reading of the Journal was dispensed with.

On motion of Mr. Burton, a supplemental bill to a bill passed at the present session to lay off and establish the county of Clay was taken up, and under a suspension of the rules was read the first, second and third times, passed and was ordered to be enrolled.

On motion of Mr. Thomas, of Davidson, the resolution offered by Mr. Grist on Saturday last was now taken up, to wit:
Resolved, That the thanks of the Senate are due and are hereby tendered to the Hon. Henry T. Clark, for the able, faithful and impartial manner in which he has presided over the deliberations of the Senate, and discharged the duties of the chair, during the present session.

On motion of Mr. Outlaw the resolution was unanimously adopted.

On motion of Mr. Arendell,

Resolved, That the thanks of the Senate are due and are hereby tendered to the Clerks of the Senate for the faithful and able discharge of their duties during the session of this General Assembly.

On motion of Mr. Spencer, the resolution was unanimously adopted.

Received a message from the House, transmitting the following enrolled bills and resolutions, and stating that the same had been signed by the Speaker of that body, and to which the signature and ratification of the Speaker of the Senate was asked, to wit:

An act to incorporate the Black Mountain Turnpike Company.

An act to incorporate the Bank of Western, North Carolina.

An act to amend the act incorporating the town of Warsaw, and for the better government of said town.

An act to charter the North-Carolina Shoe Manufacturing Company.

An act to incorporate the Sulphur Springs Camp Ground in the county of Cleaveland.

An act to incorporate the town of Boon Hill in Johnson county.

An act to incorporate the University Railroad Company.

An act to provide for the continuation of the improvement of Cape Fear and Deep River Slack Water Navigation.

An act to authorize certain persons in Wake county to send their children to a common school in the county of Granville.
An act in favor of J. Tapscott, late sheriff of the county of Alamance.

An act to incorporate the Buncombe Powder Manufacturing Company.

An act to amend the Revised Code, chapter 2, entitled "Agriculture and Geology."

An act concerning county courts in the county of Columbus.

Resolution in favor of Clark Bird.

An act to abolish jury trials in the courts of Pleas and Quarter Sessions in Watauga county.

An act to repeal an act entitled an act to incorporate the town of Franklin, in Macon county, and to incorporate said town of Franklin under the law for the better government of towns.

An act to incorporate the State Educational Association of North Carolina.

An act to diminish costs of equity sales for partition.

An act concerning the distribution of the Revised Code.

An act to amend the 9th section of the 93d chapter of the Revised Code, (public printing.)

An act concerning common schools in North-Carolina.

An act supplemental to an act passed at the present session of the General Assembly entitled an act to incorporate the Chatham Railroad Company.

An act to authorize the sale of the old jail in Wilkes county.

Resolution in favor of E. P. Stillwell, of Jackson county.

A bill to provide for limited partnerships.

A bill entitled an act to amend an amended act to incorporate the Jonathan Turnpike Company, passed at the session of 1858-'9.

An act to amend an act entitled an act to incorporate Bascom College, in the town of Lexington, Buncombe county, passed at the session of the General Assembly in the year 1858-'9.

An act supplemental to an act passed at the present session of the General Assembly, entitled an act to incorporate the Chatham Railroad Company.
An act to incorporate the Dover and Trenton Turnpike and Plank Road Company.

An act to amend the Revised Code.

A resolution in favor of Wm. Thompson.

A resolution in favor of W. L. Pomeroy.

An act supplemental to an act creating the county of Clay.

An act concerning a public road from Taylorsville to Wautaga.

An act to incorporate the Albemarle Steam Packet Company.

Received a message from the House announcing that the hour had arrived in which the General Assembly had agreed to adjourn sine die, and that that body would adjourn immediately on the return of the messenger; whereupon the Speaker, in an appropriate address, made acknowledgements for the resolution commendatory of the manner in which he had presided over the deliberations of the Senate during the session now about to close, and thereafter he declared the Senate of North-Carolina, for the session of 1860-'1, adjourned sine die.

HENRY T. CLARK,
Speaker of the Senate.

By order: JOHN W. ALSPAUGH,
Clerk of the Senate.
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JOURNAL

OF

THE SENATE

OF THE

GENERAL ASSEMBLY,

OF THE

STATE OF NORTH-CAROLINA,

AT ITS

FIRST EXTRA SESSION,

1861.

RALEIGH:

JOHN SPELMAN, PRINTER TO THE STATE.

1861.
At an Extra Session of the General Assembly of the State of North-Carolina, begun and held in the City of Raleigh, on Wednesday the first day of May, Anno Domini one thousand eight hundred and sixty-one, and in the eighty-fifth year of our Independence, being the day appointed by the Governor of the State, in his proclamation of the 17th day of April, A. D. 1861, which said proclamation is as follows, to wit:

State of North Carolina.

A Proclamation, by John W. Ellis, Governor of North Carolina.

Whereas By Proclamation of Abraham Lincoln, President of the United States, followed by a requisition of Simon Cameron, Secretary of War, I am informed that the said Abraham Lincoln has made a call for 75,000 men to be employed for the invasion of the peaceful homes of the South, and for the violent subversion of the liberties of a free people, constituting a large part of the whole population of the late United States: And, whereas, this high-handed act of tyran-
nical outrage is not only in violation of all constitutional law, in utter disregard of every sentiment of humanity and Christian civilization, and conceived in a spirit of aggression unparalleled by any act of recorded history, but is a direct step towards the subjugation of the whole South, and the conversion of a free Republic, inherited from our fathers, into a military despotism, to be established by worse than foreign enemies on the ruins of our once glorious Constitution of Equal Rights.

Now, therefore, I, JOHN W. ELLIS, Governor of the State of North-Carolina, for these extraordinary causes, do hereby issue this, my Proclamation, notifying and requesting the Senators and Members of the House of Commons of the General Assembly of North-Carolina, to meet in Special Session at the Capitol, in the City of Raleigh, on Wednesday the first day of May next. And I furthermore exhort all good citizens throughout the State to be mindful that their first allegiance is due to the sovereignty which protects their homes and dearest interests, as their first service is due for the sacred defence of their hearths, and of the soil which holds the graves of our glorious dead.

United action in defence of the sovereignty of North-Carolina, and of the rights of the South, becomes now the duty of all.

Given under my hand, and attested by the Great Seal of the State. Done at the City of Raleigh, the 17th day of April, A.D., 1861, and in the eighty-fifth year of our Independence.

JOHN W. ELLIS.

By the Governor,
GRAHAM DAVES, Private Secretary.

And the said Proclamation being read by the Clerk, the following members of the Senate, upon the calling of the roll, responded to their names, to wit: Messrs. Speaker, Arendell, Avery, Burton, Brown, Bledsoe
Barringer, Blount, Dickson, Dobson, Dowd, Eure, Erwin, Faison, Grist, Hall, Harris of Franklin, Harriss of Chatham, Humphrey, Lane, Morehead, Outlaw, Pitchford, Ramsay, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Sharpe, Spencer, Stubbs, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Watson, Waugh, Whitaker, Winstead, Walkup and Worth.

On motion of Mr. Avery, a message was ordered to be sent to the House of Commons, stating that a quorum of the Senate was present, and that the same was duly organized and in readiness to proceed to the transaction of the public business.

Received a message from the House, informing that the House was organized and in readiness to transact the public business.

On motion by Mr. Avery, it was further ordered that a message be sent to the House, proposing to raise a Joint Select Committee of two on the part of the Senate and three on the part of the House, to wait upon his Excellency, the Governor, informing him of the due organization of both branches of the General Assembly, and of their readiness to receive any communication he may desire to make to them:

Whereupon, the Speaker appointed on the committee, in the behalf of the Senate, Messrs. Avery and Arendell.

Received a message from the House stating that the same had concurred in the proposition of the Senate, to raise a Joint Select Committee to wait upon his Excellency, the Governor, informing him of the organization of the two branches of the General Assembly, and that Messrs. Ransom, Hoke and Ferebee had been appointed the House branch of said Committee.

Mr. Avery, on behalf of the Joint Select Committee, to wait upon his Excellency, the Governor, reported that his Excellency would forthwith communicate to the General Assembly a communication in writing.
Received a message from the House, transmitting a message from his Excellency, the Governor, with a proposition that twenty copies of the same be printed for the use of the members of the General Assembly, which was agreed to and the message was read, and is as follows, to wit:

**Governor's Message.**

*To the Honorable, the General Assembly of North-Carolina:*

The safety and welfare of the State, in my judgment, demanded that you should be convened at this unusual period.

At the time of your adjournment, six of the States had, in the most solemn manner known to our institutions, withdrawn themselves from the Federal Union, and established a Confederate Government, able and determined to maintain its independence.

Whatever differences of opinion may have existed as to the wisdom of the successive steps taken by those States, it was generally conceded in North-Carolina that they could not rightfully be constrained by force to remain in the Union.

You were greatly divided in opinion as to the right of a State to secede from the Union, and also as to the expediency of exercising the right at that time, admitting it to exist; but all admitted that if conciliatory measures should fail to restore the seceding States to the Union, they should be permitted to withdraw in peace. Probably not one of your number ever believed that the Federal Government would ever be guilty of the wickedness of drawing the sword without having first tendered the olive branch.

The right now asserted by the constituted authorities of that government, to use military force for the purpose of coercing a State to remain in the Union against its will, finds no warrant in the Constitution, and still less in the principles in which all our republican institutions are based.
Ours is a government of the popular will, not of force. In its construction the consent of the governed was substituted for the rule of the sword, the former being regarded as the "vital principle of republics," and the latter as "the immediate parent of despotism." As our fathers loved liberty and hated tyranny, they selected that power of government which conserves the one, and rejected that, which, sooner or later, never fails to produce the other.

Upon this principle our State governments were formed—each a complete and sovereign republic within itself; and in associating themselves in a Federal Union they did not surrender it, for such would have been a surrender of their right of self-government. This theory of our government precludes the idea of an authority vested in the federal head to coerce, by force of arms, a State acting in its sovereign capacity.

More explicit evidence of the intent of the framers of the Constitution is furnished by the journals and proceedings of the Convention. This evidence cannot be kept too prominently in view, as it illustrates the character of our confederacy, and furnishes a safe guide for the performance of public duty.

Two distinct propositions were made in the Convention to confer upon the Federal Government power to coerce a State.

The first was a proposition to confer upon the National Legislature the power "to call forth the force of the Union against any member of the Union failing to perform its duty under the articles thereof."

The second was in these words: "If any State, or any body of men in any State, shall oppose or prevent the carrying into execution such act or treaties, the federal executive shall be authorized to call forth the power of the confederate States, or so much thereof as may be necessary to enforce and compel obedience to such acts, or an observance of such treaties."

All the members who spoke upon these propositions spoke against them, and all, including their movers, voted against them.
The sentiments then expressed by the two leading minds of the Convention, representing the two opposing classes of political opinions which divided it, leave nothing to doubt as to the true interpretation of its action.

Mr. Madison observed, "that the more he reflected on the use of force, the more he doubted the practicability, the justice and the efficacy of it, when applied to people collectively and not individually. An Union of the States, containing such an ingredient, seemed to provide for its own destruction. The use of force against a State would look more like a declaration of war than an infliction of punishment, and would probably be considered by the party attacked as a dissolution of all previous compacts by which it might be bound."

General Hamilton, speaking on the same subject, said: "But how can this force be exerted upon the States collectively? It is impossible. It amounts to a war between the parties. Foreign powers also will not be idle spectators. They will interpose. The confusion will increase and a dissolution of the Union will ensue." Again, illustrating, by an historical example, the consequences of an exercise of such a power by a Confederate Government, he said: "Its decrees were signals of war."

The Declaration of Independence had distinctly declared: "That whenever any form of government becomes destructive of these ends, (the security of their rights,) it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness." And to have given to the Federal Government power to compel the organized communities of States to remain under the Government against their will, would have been to give to it a power which the Declaration of Independence had declared could not be possessed by any Government whatever. Hence we are not surprised to find that the proposal to confer such a power had no advocate in the Convention.
After a Government had been organized, one of the earliest, as it was undoubtedly one of the most important and delicate duties devolving on Congress, was to furnish the President with the powers necessary to enable him to "take care that the laws be faithfully executed," and to pass such laws as might be necessary to "provide for calling forth the militia to execute the laws of the Union, suppress insurrection and repel invasion."

Accordingly we find that as early as 1793 a law was passed for the purpose. It having been found defective it was suspended by the act of 28th February, 1795, which, without addition or amendment, has remained the law on the subject down to the present time; enacted by a Congress, which, to a large extent, was composed of the individuals who had assisted in framing the Constitution; it is the best interpreter of the general language used in that instrument; and from the day of its passage down to the 4th of March, of the present year, no President has ever construed it as giving him power to use military force except as a posse comitatus, or otherwise in aid of civil process. Ours being a government of law, and not a military despotism, no other construction could be placed upon that act. When, in 1833, the State of South Carolina forbade the execution of the tariff law within her limits, the act of 1795 was in force precisely as it is to-day; but President Jackson knowing that the act only authorized the use of the military force in aid of civil process, and that there would be no courts in South Carolina to issue process, called upon Congress for additional powers, and that body enacted what has been familiarly known as the "Force Bill." That act was, in my opinion, violative of the Constitution; but no attempt was ever made to exercise the powers conferred by it, and it expired by its own limitation, in 1835. The political friends of the present administration, well knowing that there was no law on the statute book under which the President could use military force in the States, from which the Federal Judges, Marshals and other civil officers had
been expelled, urged Congress, at its last session, to enact laws conferring on him such authority. The journals of that body will show that bills for the purpose were pressed with the utmost pertinacity, and also that they were not enacted into laws.

He usurped the coveted powers which Congress had refused to confer on him, and whilst Commissioners from the Confederate States were at the seat of Government, urging a peaceful settlement of all questions in dispute, and striving to avert from the country the calamities of civil war—whilst the people were being deluded by daily protestations from the President of his firm purpose to preserve the peace, and we were in momentary expectation of hearing that Fort Sumter, in Charleston harbor, had been evacuated, a secret expedition was fitted out and stealthily dispatched to commence the war, by an attempt to throw reinforcements into that fortification. To high criminality in involving the country in civil war was added base perfidy in exciting hopes and expectations to be dashed at the moment of fruition.

Having thus commenced the war, the President, on pretence that the act of 1795 confers on him power to do so, issued a proclamation calling on the States to furnish seventy-five thousand men for carrying it on, and the Secretary of War officially informed me that North Carolina was expected to furnish two regiments to aid the North in subjugating her sister States—we might with propriety say, of some of them, her daughters—of the South. I promptly replied to that functionary, that "I regard a levy of troops for the purpose of subjugating the States of the South as in violation of the Constitution, and an usurpation of power. I can be no party to this wicked violation of the laws of the country, and to this war upon the liberties of a free people. You can get no troops from North Carolina."

The outburst of indignation with which the proclamation of the President has been received by all the citizens of the State, convinces me that I did not mistake the people whose
Chief Magistrate I am. The alacrity with which they have sprung to arms—outstripping the slow forms of law, and enabling me to assemble an army from the plough and the workshops, in less time than it has required to convene the General Assembly—is proof that long years of peace and order have only made more dear to them their rights and liberties, and have not in the least impaired their readiness and their ability to defend them.

Under the advice of the Council of State, I have established at the seat of Government a camp of instruction, to which I have ordered such troops as are ready for service and are not needed for the protection of the seaboard.

A usurper who had already seized the sword without authority of law and was using it against his own countrymen, could not with safety to the State be allowed to establish himself in the strongholds and fortified places within our limits. I, therefore, in discharge of a plain obligation, devolving on me as Governor of the State, and in virtue of the powers vested in me as Governor and Captain-General and Commander-in-Chief of the Militia, lost no time in taking possession, in the name of the State, of the forts, arsenals and other property of the Federal Government within the State, and they are now held, under my orders, by adequate garrisons.

I will, in due time, lay before you a statement of the property thus taken into possession so soon as reports can be prepared by the proper departments.

Experience having brought to light radical defects in the laws for the organization of the military forces of the State, I invite your early attention to the subject. It is believed that the legislation of your late session has not materially improved our military system; and I have no hesitation in expressing the opinion that the existing laws are wholly inadequate to the emergency that is upon us. I forbear making suggestions in detail upon this subject, and will content myself merely with remarking that the military regulations of other countries, especially those renowned for achievements
in arms, should not be lost sight of in the trying necessity by which we are surrounded. The efficiency of this branch of the public service requires, in my opinion, a thorough revision and modification of existing legislation on the subject.

I would respectfully recommend the raising and organization of ten regiments to serve during the war, and that appropriate bounties be offered to all persons thus enlisting.

Of the sum of three hundred thousand dollars appropriated at your late session for arming the State, I have expended thirty-five thousand three hundred and twenty dollars and fifty-five cents, which amount will be increased by outstanding contracts to the further sum of twenty-five thousand dollars or thereabouts.

The State being at present provided with arms, I would recommend that the remainder of this appropriation be directed to the preparation of munitions of war and the manufacture of arms that may be hereafter needed. The Arsenal at Fayetteville is in all respects a suitable location for the prosecution of such works.

Our seacoast defences are of the utmost importance and have engaged a large share of the attention of this department. Specific plans for the construction of new works and making good our defence in that quarter, will, with more propriety, be laid before the proper committees of your body.

An expenditure has been made for various purposes connected with the defence of the State, the details and amount of which will be communicated to you by the proper officers. A portion of it has been advanced by private individuals and a portion remains unpaid. Adequate means should be provided to meet this expenditure, and also to enable the State to carry on the war in defence of its rights and liberties.

It gives me pleasure to acknowledge the timely and important aid rendered me by the Governors of Virginia and South Carolina towards placing our fortifications on the sea coast in a defensible condition. I cheerfully reciprocated this favor to the extent of my ability by sending to the Governor of
Virginia a portion of the arms in our possession, and which could conveniently be spared.

The Northern Government is now concentrating a large force in the District of Columbia, ostensibly to protect the seat of government; but such a force cannot be allowed to remain within the limits of Maryland and on the borders of Virginia without seriously endangering the liberties of the people of those States. If they be conquered and overrun, North Carolina will become the next prey to the invaders. Policy, then, as well as sympathy and feelings of brotherhood engendered by a common interest, requires us to exert our energies in the defence of Maryland and Virginia. Every battle fought there will be a battle fought in behalf of North Carolina, and there our troops should be speedily sent.

There can be no doubt that the people of our State are now fully united as to the policy to be pursued with reference to the Northern Government. It is a settled conviction of the public mind that the time has arrived when we must separate from the people of that section of the country. They have drawn the sword against us and are now seeking our blood. They have promised to partition our property and the earnings of our people among their mercenary soldiers after our subjugation shall have been effected. Even those among them who professed to be our friends are now most zealous in this wicked crusade against us. All fraternity of feeling is lost between us and them. We can no longer live with them. There must be a separation at once and forever.

With the view therefore, of the secession of North Carolina from the Northern Government, and her Union with the Confederate States at as early a period as practicable, I would respectfully recommend that a Convention of the people be called with full and final powers. The powers of the Convention should be full, because the sovereignty of the people must be frequently resorted to during the war, and it therefore becomes necessary that it should be temporarily reposed in the Convention; the action of the Convention should be final,
because of the importance of a speedy separation from the Northern Government, and the well known fact, that upon this point our people are as a unit.

I cannot close this communication without congratulating you upon the harmony of feeling and the union of purpose now existing among the people of every part of North Carolina. No sooner was it seen that our liberties were menaced by the usurper, than all party feuds were forgotten, and the patriotic fires that burned in the bosoms of our ancestors were rekindled in the breasts of their descendants. The hearts of the people everywhere are prepared for the contest before us. Let us fervently implore Almighty God, that united counsels and harmony of purpose may prevail among us, that we may be enabled to preserve the blessings of liberty that we have inherited from our fathers.

JOHN W. ELLIS.

EXECUTIVE DEPARTMENT,
RALEIGH, May 1st, 1861.

Mr. Avery introduced a bill to authorize and require the Governor of the State to call a Convention of the people of the State, which was read the first time, and pending the vote upon its passage, Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:

No votes having been cast in the negative, the bill passed its first reading.

Mr. Avery now moved that the rules be suspended, and
that the bill be put upon its second and third readings, and
the motion prevailed.

The question recurring upon the passage of the bill the
second reading.

Mr. Outlaw proposed to amend as follows, to wit: Insert
before the last section, the following additional section, viz:
"Be it further enacted, That the authority of the Conven-
tion herein called, shall cease in two years from the time of
its assembling;" and upon the adoption of this amendment
he demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Brown, Bledsoe, Blount, Dowd, Eure,
Erwin, Faison, Grist, Harris of Franklin, Harriss of Chath-
ham, Humphrey, Lane, Morehead, Outlaw, Pitchford,
Ramsay, Rogers, Shaw, Simmons, Simpson, Speight, Street,
Stowe, Sharpe, Spencer, Stubbs, Taylor of Nash, Taylor of
Granville, Thomas of Jackson, Thomas of Davidson, Turner,
Watson, Waugh, Winstead, Walkup and Worth—37.

Those who voted in the negative are:
Messrs. Avery, Burton, Barringer, Dobson, Hall, Taylor
of Brunswick, Walker and Whitaker—8.

So the amendment was adopted.

Received a message from the House transmitting a bill,
ettitled a bill to authorize and require the Governor of North-
Carolina, to call a Convention of the people of the State, and
stating that said bill had passed its three several readings in
that House and had been ordered to be engrossed and sent to
the Senate for concurrence.

Mr. Avery now moved that the bill offered by himself for
the same purpose with amendments adopted, be laid upon
the table, and upon this question he demanded the yeas and
nays.

Those who voted in the affirmative are:
Messrs. Avery, Burton, Bledsoe, Barringer, Dickson,
Dobson, Erwin, Faison, Hall, Harris of Franklin, Hum-
phrey, Lane, Morehead, Pitchford, Rogers, Shaw, Simmons,

Those who voted in the negative are:

So the bill and amendments were laid upon the table.

The House bill to call a Convention of the people of the State was now put upon its first reading, and pending its passage, Mr. Turner moved to refer and print. The motion did not prevail.

Mr. Erwin moved to adjourn, and demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the motion to adjourn did not prevail.

The question now recurring upon the passage of the bill the first reading,
Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Blount, Dickson, Dobson, Dowd, Eure, Erwin, Faison, Grist, Hall, Harris of Franklin, Harris of Chatham, Humphrey, Lane, Morehead, Outlaw, Pitchford

No votes having been cast in the negative, the bill passed the first reading.

There being no objections made, the bill was now read the second time and pending its passage,

Mr. Outlaw moved to amend as follows, to-wit:
"Be it further enacted, That all the power and authority of the Convention called by this act shall cease at the expiration of two years from the time of its assembling: Provided, The said Convention shall not sooner adjourn sine die." And upon this question

Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:

So the amendment did not prevail.

The question now recurring upon the passage of the bill the second reading,

Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Blount, Dickson, Dobson, Dowd, Eure, Erwin, Faison, Grist, Hall, Harris of Franklin, Harriss of Chatham,
Humphrey, Lane, Morehead, Outlaw, Pitchford, Ramsay, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Sharpe, Spencer, Stubbs, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Watson, Waugh, Whitaker, Winstead, Walkup and Worth—45.

Mr. Turner voted in the negative.

So the bill passed the second its reading,

No objection being made, the bill was now read the third time, and pending its passage,

Mr. Worth moved to amend as follows, to-wit:

Add to the provisions of the bill the following proviso, viz:

"Provided, That any amendment made to the Constitution of the State by said Convention, or any treaty or agreement annexing or confederating this State to any other State or Government, shall have no validity, until ratified by a vote of the people of the State, in such manner as the said Convention may prescribed." And upon this question

Mr. Worth 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 question again recurring upon the passage of the bill the third reading,

Mr. Outlaw moved to amend as follows, to-wit:
"Be it further enacted, That no ordinance of the Convention connecting North Carolina permanently with any other Government or State, shall have any validity or force until it shall have been ratified by a majority of the qualified voters of the State in the manner prescribed by said Convention."

And upon the question of amendment,

Mr. Outlaw 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 question again recurring upon the passage of the bill the third reading,

Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Sharpe, Turner and Worth—3.

The bill having received the votes of two thirds of all the members of the Senate, the Speaker announced that it had
passed the third reading, and it was ordered to be enrolled.

The Speaker announced that Messrs. Hall, Walkup and Eure would constitute the committee for the present week on enrolled bills.

Received a message from the House, transmitting a resolution concerning the equipment and provisioning of the volunteers of the State, and stating that the same had passed its three several readings in the House. Ordered to be engrossed and transmitted to the Senate for concurrence.

On motion of Mr. Avery, the rules were suspended and the resolution was put upon its three several readings, passed and ordered to be enrolled.

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

THURSDAY, May 2nd, 1861.

Mr. Dockery, the Senator from Richmond, and also Mr. Slaughter, the Senator from Hertford, asked and obtained leave to have their names recorded as voting in the affirmative on the passage of the bill, passed on yesterday, to authorize and require the Governor to call a Convention of the people of the State.

Received a message from the House, stating that Messrs. Merrimon, Ward, Latham, Rogers and Green had been appointed the House branch of the committee on enrolled bills for the present week.

Mr. Turner introduced resolutions concerning our relations with the General Government, which were read, and

On motion of Mr. Turner, ordered to be printed and made the special or for twelve o'clock, to-morrow.

Mr. Barringer introduced a bill to repeal the 5th section of the 76th chapter of the Revised Code, which was read the first time and passed.
On motion of Mr. Barringer, the rules were suspended, and said bill was put upon its second and second readings, passed and ordered to be engrossed.

Mr. Barringer introduced a bill to define what is, and punish the crime of, treason against the State of North Carolina, and other offenders against the dignity and sovereignty of the State, which was read the first time, passed and referred to the Committee on the Judiciary.

Received a message from the House, transmitting an engrossed resolution concerning the tender of troops, which was read the first time, passed and referred to the Committee of Military Affairs.

Received a message from the House, transmitting a message from the Governor, announcing the presence of a Commissioner to the State of North Carolina from the State of South Carolina, and proposing to raise a Joint Select Committee of three on the part of each House, to wait upon the said Commissioner, and to make arrangements for his reception. The proposition was agreed to: whereupon, the Speaker appointed on said Committee, Messrs. Walkup, Grist and Taylor, of Brunswick.

On motion of Mr. Avery, a message was ordered to be sent to the House, proposing to raise a Joint Select Committee of three on the part of each House, to suggest proper devices for a State flag.

Received a message from the House, transmitting a resolution, providing for the appointment of Special Messengers for Executive Department, which was read the first time and passed.

On motion of Mr. Barringer, the rules were suspended, and the resolution was put upon its second and third readings, passed and was ordered to be enrolled.

On motion of Mr. Grist, "Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of constructing a telegraphic connection between Beaufort Harbor and Goldsboro'"
Received a message from the House, proposing to raise a Joint Select Committee of five on the part of each House, to be styled the Committee on Police Regulation, which proposition was concurred in: whereupon, the Speaker appointed on said Committee, Messrs. Dockery, Lane, Morehead, Taylor, of Granville, and Pitchford.

On motion of Mr. Outlaw, the Senate took a recess until 3 o'clock.

Three o'clock, P. M.

Mr. Walkup, from the Committee to wait upon the Hon. F. J. Moses, Commissioner from South Carolina, reported that the duty had been performed, and that the object of the Commission had reference to the Convention of the people and not to the Legislature: whereupon, Mr. Walkup introduced to the Senate the Hon. Mr. Moses, of South Carolina, to whom was extended the freedom of the Senate Chamber.

Received a message from the House, proposing that the General Assembly meet at 4½ o'clock, at the encampment of our brave volunteers. The proposition was agreed to.

Received a message from the House, proposing to raise a Joint Select Committee of five on the part of each House, to take into consideration so much of the Governor's message as relates to the militia law and the military department of the State. The proposition was agreed to.

Mr. Erwin introduced a bill, concerning the election of field-officers for the regiment now encamped in the city of Raleigh, and to limit the time of volunteer service, which was read the first time and passed, and

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

The hour of 4½ o'clock having now arrived.
On motion of Mr. Outlaw, the Senate adjourned until ten o'clock to-morrow.

FRIDAY, MAY 3rd, 1861.

The Journal was read.

Mr. Street, from the Committee on Military Affairs, reported as follows, to wit:

"The Committee on Military Affairs, to whom was referred a resolution upon the subject of a telegraphic communication between Goldsboro' and Beaufort Harbor, have considered the same and direct me to report that in the opinion of the committee, our sea-board is the most exposed portion of the State to an invasion by the enemy; and in as much as it is not proposed to concentrate large bodies of troops in that quarter for its defence, it becomes eminently necessary to have the means of rapid communication with the interior, that forces may be forwarded with as little delay as possible to the point assailed.

"They have, therefore, directed me to report the accompanying bill to accomplish that object, and recommend its passage.

N. H. STREET,
for the Committee."

The bill was read the first time and passed.

On motion of Mr. Arendell, the rules were suspended that the bill might be read the second and third times.

Pending its passage the second reading, Mr. Taylor, of Brunswick, moved to amend as follows, to wit: "Insert after the word 'Beaufort Harbor,' the words 'and from the town of Wilmington, in New Hanover county, to the town of Smithville, in Brunswick county;' also in the provisions of the bill, strike out the words 'fifteen' and insert the words 'twenty-five.'"
The amendments were adopted.

Mr. Ramsay moved to amend by adding to the bill the following additional section:

"Be it enacted, That the Governor be authorized to extend the same from the City of Raleigh to the towns of Charlotte and Statesville, and that so much money be drawn from the treasury as may be necessary for that purpose."

Mr. Avery moved to lay the bill and amendments upon the table for the purpose of introducing the following resolutions, to wit:

"Resolved, That a message be sent to the House proposing to raise a Joint Select Committee of three on the part of each House to enquire into the expediency of so amending the joint rules for the Government of the General Assembly, as to provide for the holding of the deliberations of the sessions of both Houses, if necessary in secret."

The resolution was adopted.

Mr. Grist introduced a resolution authorizing the Governor to erect and equip batteries or other fortifications at the inlets of Hatteras and Ocracoke, which was read the first time and passed, and on motion of Mr. Arendell, was laid upon the table.

Received a message from the House proposing to raise a Joint Select Committee of five on the part of each House to be entitled the Committee of Ways and Means.

The proposition was agreed to.

Received a message from the House proposing to raise a Joint Select Committee of three on the part of the House and two on the part of the Senate, to be denominated the Committee on Post offices and Post roads.

The message was agreed to.

Received a message from the House transmitting the following engrossed bills and resolutions, in which the concurrence of the Senate was asked, to wit:

A resolution of thanks to his Excellency the Governor of the State.
A resolution authorizing the Governor to appoint a Commissioner.

A bill to charter the Northampton Guards.
All of which were read the first time, and pending the passage of the resolution of thanks to the Governor,
Mr. Turner moved that said resolution be laid upon the table; and upon this question
Mr. Bledsoe demanded the yeas and nays.
Those who voted in the affirmative are:
Those who voted in the negative are:
So the resolution was not laid upon the table.
The question now recurring upon the adoption of the resolution, the yeas and nays were demanded.
Those who voted in the affirmative are:
Those who voted in the negative are:
Messrs. Dockery and Turner—2.
So the resolution was adopted.
The following message was received from the House, to wit:
"It was ordered the accompanying message from his Excel-
lency, the Governor, be transmitted to the Senate, with a proposition to print the same, and refer it to the Committee on the Judiciary with instructions that they report thereon immediately.'''

"The House concur in the proposition to appoint a Committee on amending the Joint Rules for secret sessions, and appoint Messrs. Clark, Ferebee and Mendenhall on the part of House of Commons.''

The message is as follows, to wit:

"To the Honorable, the General Assembly

of North-Carolina:

"I am authoritatively informed that divers unpatriotic and evil disposed persons have issued civil process against sundry persons who are now enlisted in the public service for the purpose of defending their country, the lives and the property of all our people against our enemy, who is now blockading our ports and threatening to invade our soil.

"Volunteers now on duty are harassed by writs in the hands of the Sheriff of Wake County, issued upon various pretences, and in some instances, there is reason to believe, issued merely with the view of compelling the defendants to enter into forced and unjust compromises.

"With the view of preventing these unpatriotic practices, I respectfully recommend that a law be at once enacted, prohibiting the service of any kind of civil process upon any person who now is or may hereafter enlist in the military service of the State, during the proper term of his service and for one year thereafter.

"I also deem it highly important to pass a general law of a similar character, applicable to all other persons for a limited period. Property of every species has greatly depreciated in value. Gold and silver are not to be had, and there is neither morality nor justice in allowing the few persons who may be
disposed to take advantage of a great public calamity to impoverish their fellow citizens for their own gain.

JOHN W. ELLIS.

"Executive Department.
Raleigh, May 3rd, 1861."

The proposition was concurred in: whereupon the Speaker appointed on the Committee concerning secret sessions, Messrs. Stowe, Outlaw and Speight.

Mr. Turner introduced a resolution to purchase the arms of the Hillsboro' Military Academy, which was read the first time and passed, and on motion of Mr. Turner, said bill was read the second and third times, passed and ordered to be engrossed.

Received a message from the House of Commons, stating that the Speaker of that body had signed the accompanying enrolled bills and resolutions and the signature of the Speaker of the Senate is respectfully asked thereto:

Joint resolution concerning the equipment and provisioning of volunteers.

An act to repeal 5th section of the 76th chapter of the Revised Code, entitled "Oaths."

A joint resolution for special messengers of the Executive Department.

An act to authorize and require the Governor of North Carolina to call a Convention of the people of this State.

All of which were signed and ratified by the Speaker of the Senate in the presence of the Senate.

The bill to amend the charter of the Northampton Guards was now read the first time and passed.

The resolution authorizing the Governor to appoint a Commissioner, was read the first time and passed.

Received a message from the House transmitting a bill to authorize the banks to issue small notes, which was read the first time, passed and referred to the Committee on Ways and Means.
On motion of Mr. Ervin, the Committee on Military Affairs was permitted to be temporarily absent for the purpose of transacting its business.

Mr. Worth introduced the following preamble and resolutions which were read and laid upon the table, to wit:

"Whereas, Revolution exists in the State, and war is impending, and in order to make provision for every emergency until the meeting of the Convention which has been ordered,

"Be it resolved, That five additional members be added to the Governor's Council, to be elected by joint ballot of the two houses, and that said council have power to exercise all legislative and executive power, and to loan money and draw on the Treasurer to such extent as they may deem necessary for the defence and security of the State, until the meeting of said Convention.

"Be it further resolved, That this General Assembly, immediately after the election of said additional councillors, adjourn sine die.'"

The Speaker announced that Messrs. Pitchford, Worth, Bledsoe, Rogers and Arendell would constitute the Committee on Ways and Means.

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

SATURDAY, MAY 4TH, 1861.

Mr. Outlaw, from the Committee to enquire into the expediency of holding the deliberations of the two Houses in secret, reported as follows, to wit:

"The Joint Select Committee to whom it was referred to enquire into the propriety of an additional joint rule providing for the holding of secret sessions by the two Houses, have considered the same and report the following additional rule: 'Either House of the General Assembly may at any time when they may deem it proper, conduct their deliberations in secret
session. A motion to go into secret session shall be decided without debate. A separate journal shall be kept of the proceedings, in secret session, and shall not be published until the injunction of secrecy is removed. The officers of the two Houses shall take the following oath in addition to those now prescribed by law, to wit: I, A. B., do solemnly swear or affirm (as the case may be,) that I will not disclose or in any manner divulge any of the proceedings of the House of which I am an officer, while in secret session, so help me God. The members of the two Houses shall be considered as pledging their honor, not to disclose or in any manner divulge the proceedings of their respective Houses, had in secret session. A motion to go into secret session shall at all times be in order.'"

D. OUTLAW,
Chairman.

Received a message from the House, transmitting the names of sundry persons to be appointed justices of the peace; whereupon, on motion of Mr. Turner, the message was laid upon the table.

Mr. Avery, from the Committee on the Judiciary, reported back the bill to define and punish treason against the State of North-Carolina, and recommended its passage.

Mr. Hall introduced a bill to provide for the arming of the State, which was read the first time and passed. Mr. Hall moved to refer said bill to the Committee on Military Affairs.

Mr. Turner moved to amend the motion by Mr. Hall by adding the words, "and that the same be printed."

Mr. Worth moved that the motion and amendment be laid upon the table, which motion prevailed.

Mr. Street introduced a bill to organize the Surgeon General's Department, which was read the first time, passed and ordered to be printed and referred to the Committee on Military Affairs.
Received a message from the House, stating that the same had concurred in the proposition of the Senate to go into secret session.

Mr. Bledsoe introduced a resolution to amend the charter of the city of Raleigh, and all other cities and towns in the State, which was read the first time and passed; and, on motion of Mr. Bledsoe, the rules were suspended and the said bill was read the second and third times, passed and ordered to be engrossed.

Received a message from the House, transmitting the following engrossed bills and resolutions, in which the concurrence of the Senate was asked, to wit:

A bill to exempt sewing machines from execution.
A bill for patrol.
A bill to repeal restrictions upon fisheries.
A bill to repeal an act appropriating two thousand five hundred dollars for lighting and heating the capitol.
A resolution to provide for the printing of the Volunteer's Hand Book, and
A resolution authorizing and requesting the Governor to commission such officers of North-Carolina as have resigned or may hereafter resign their commissions in the navy and army of the United States.

Received a message from the House, transmitting a bill to authorize the county courts to lay taxes for the purpose of the support of volunteers and police forces, which was read the first time and passed; whereupon, Mr. Ramsay moved to suspend the rules, and put the bill upon its second and third readings.

Mr. Stubbs moved to refer to the Committee on Ways and Means, which motion prevailed.

Received a message from the House, transmitting the following resolution authorizing the Governor to use all the powers of the State, civil and military, consistent with the Constitution, to protect the persons and property of our citizens, which was read the first time.
The Speaker now proceeded to administer the oath required to the Clerks and Officers of the Senate, with the view of holding secret sessions.

Mr. Bledsoe introduced the following preamble and resolutions, to wit:

"Whereas, Abraham Lincoln has been, and still is endeavoring to raise money upon the faith and credit of the so-called United States, for the purpose of waging a wicked, unjust, unholy and unconstitutional war upon the Southern States: and whereas North-Carolina is neither morally or legally bound to pay, or in any wise to contribute to the payment of any debt incurred by the said Government since the 4th day of March last: Now, therefore, to the end that there may be no misapprehension on the part of those who may invest their means in the security of said government, it is, therefore,

"Resolved, That North-Carolina will never, in any event, pay any portion of the debt incurred by what is called the United States Government, since the fourth day of March last, or any portion of any debt or liability which may be incurred hereafter.

"Resolved, That a copy of these resolutions be forwarded to Abraham Lincoln and the Governors of all the States by the Governor of North-Carolina."

On motion of Mr. Turner, the resolutions were referred to the Committee on Ways and Means.

Received a message from the House, stating that the House of Commons was now in secret session, pursuant to the joint order of the General Assembly, and asking that the proper oath be administered to the officers of the Senate. The proposition was agreed to.

Mr. Barringer introduced a bill to provide for the education of State cadets at the North-Carolina Military Institute, and for other purposes, which was read the first time, passed and referred to the Committee on Military Affairs. The bill to exempt sewing machines from execution, was
read the first time, passed and was referred to the Committee on the Judiciary.

Mr. Avery, from the joint select committee to whom was referred so much of the Governor's message as relates to the militia law and the military department of the State, reported a bill entitled, "a bill to establish a telegraphic line in this State," and recommended its passage.

The resolution to provide for the printing of the Volunteer's Hand Book, was read the first time, passed and referred to the Committee on Military Affairs.

The resolution authorizing and requesting the Governor to commissio-n such offices of North-Carolina as have resigned, or may hereafter resign their commission in the navy and army of the United States, was read the first time, passed and referred to the Committee on Military Affairs.

The bill to repeal restrictions upon fisheries, was read the first time and passed, and, on motion of Mr. Stubbs, the rules were suspended, and said bill was read the second and third times, passed and ordered to be enrolled.

The bill for patrol was read the first time and passed.

The bill to repeal an act appropriating two thousand five hundred dollars for lighting and heating the capitol, was read the first time and passed.

The resolution authorizing the Governor to use all the powers of the State, civil and military, consistent with the Constitution, to protect the persons and property of our citizens, was read the first time and passed.

Mr. Taylor, of Brunswick, introduced a bill for the protection of the lives and property of our citizens, which was read the first time and passed.

On motion of Mr. Avery, the bill to define and punish treason was now taken up and read the second time.

Mr. Worth moved that the said bill be printed and made the special order for 12 o'clock on Monday next; and upon the question to print and refer, Mr. Worth demanded the yeas and nays.
Those who voted in the affirmative are:
Those who voted in the negative are:
Messrs. Arendell, Avery, Burton, Brown, Bledsoe, Barringer, Blount, Dickson, Dobson, Eure, Faison, Harris of Franklin, Harriss of Chatham, Humphrey, Lane, Morehead, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Spencer, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Watson, Waugh, Whitaker and Winstead—34.
So the Senate refused to refer and print.
The question recurring upon the second reading of the resolution, it was passed.
On motion of Mr. Speight, the rules were suspended, and the bill read the third time, passed and ordered to be engrossed.
The resolution authorizing the Governor to appoint a commissioner, was read the second time and passed. No objection being made, said resolution was read the third time, passed and ordered to be enrolled.
The Speaker announced that Messrs. Faison, Outlaw, Winstead, Stowe and Thomas of Davidson, would constitute the committee on Post-offices and Post-roads.
On motion of Mr. Thomas, of Jackson, the Senate adjourned until 10 o'clock on Monday next.

MONDAY, May 6th, 1861.
The Senate met at 10 o'clock, and the journal was read.
Mr. Stubbs introduced resolutions from Washington county, which were referred to the Committee on Police Regulations.
Mr. Avery, from the Committee on Military Affairs, reported a bill, entitled a bill to provide for the defence of the State, which was read the first time and passed.
On motion of Mr. Outlaw, the bill was ordered to be printed.

Mr. Morehead, from the same Committee, reported the bill to provide for the printing of the Volunteer's Hand Book, recommended the passage of the following substitute, to-wit:

"Resolved, To print twenty thousand of a synopsis of Army Regulations, and one thousand copies of Army regulations of the Confederate States"

"Resolved, That the Governor have printed for the use of the State, twenty thousand copies of a synopsis of Army Regulations of this State, and one thousand copies of the Army Regulations of the Confederate States of America."

Mr. Morehead, from the same Committee, reported back the bill to provide for the education of State Cadets and with the following amendment recommended its passage, to-wit:

"Be it further enacted, That the Treasurer be authorized to pay to the President of the Board of Directors of the said Institution the sum of ten thousand dollars, immediately upon the ratification of this act, out of any money in the Treasury."

Mr. Morehead, from the same Committee, reported back the resolution authorizing and requesting the Governor to commission such officers of the Army and Navy as have or may resign their commissions, with a substitute, and recommended the passage of said substitute.

Mr. Pitchford, from the Committee on Ways and Means, reported back the bill to authorize the courts to lay taxes for the support of volunteers and recommended its passage.

Mr. Pitchford, from the same Committee, reported back the resolution on Federal Relations and with the following amendments, recommended its passage, to-wit:

In the first resolution, strike out the words "will never," and insert the words "ought never," and after the word "event" insert the word "to," also strike out the whole of the second section.

Mr. Outlaw introduced a resolution to pay Commissioners, which was read the first time and passed.
On motion of Mr. Outlaw, said resolution was read the second and third times, passed and ordered to be engrossed.

Mr. Morehead introduced a bill to facilitate loans to the State, which was read the first time, passed and referred to the Committee on Ways and Means.

Received a message from the House, transmitting the following engrossed bill, to-wit:

A bill to repeal a resolution, passed at the late session of the General Assembly, entitled a resolution to authorize the publication of certain Colonial records, which was read the first time and passed.

Also, a bill to provide for the manufacturing of arms and other munitions of war, which was read the first time and passed.

Also, a resolution authorizing the Treasurer to pay Edward Yarborough ten dollars, which was read the first time and passed.

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

Mr. Avery introduced a bill, authorizing volunteers to vote for delegates to the Convention, which was read the first time and passed, and referred to the Committee on the Judiciary.

The bill for Patrol was now read the second time and passed. There being no objection made, the said bill was read the third time, passed and ordered to be enrolled.

Under a suspension of the rules, the bill to repeal the resolution appropriating two thousand five hundred dollars for the lighting and heating the capitol, was read the second and third times, passed and ordered to be enrolled.

Also, a bill to amend the charter the Northampton Guards, was read the second and third times, passed and ordered to be enrolled.

Also, a bill to provide for the publication of the Volunteer's Hand Book, was read the second time, and the substi-
tute by the committee was adopted and read the third time, passed and ordered to be sent to the House for concurrence.

Mr. Winstead introduced a bill to enroll free persons of color, which was read the first time, passed and referred to the Committee on Military Affairs.

Under a suspension of the rules, the bill to provide for the education of State Cadets, at the North Carolina Institute, was read the second time, and

On motion of Mr. Turner, laid upon the table.

Under a suspension of the rules, the bill to establish a State telegraphic line, was read the second time, and pending passage,

Mr. Avery moved to amend as follows, to-wit:

"Be it further enacted, That the Governor is further authorized, whenever the public safety demands it, to take possession of and control the telegraphic lines already erected in this State, and employ suitable persons to take charge of the same, making such arrangements for the use thereof with the owners as he may deem just and proper." Pending discussion upon this amendment,

On motion of Mr. Stowe, the Senate went into secret session.

Half-past Twelve o'clock.

In Secret Session.

The question was upon the adoption of the amendment by Mr. Avery to the bill to authorize the establishment of a telegraphic line in this State, and the said amendment was adopted.

The question now recurring upon the passage of the bill the second reading, was decided in the affirmative.

No objection being made, said bill was read the third time and passed, and ordered to be engrossed and sent to the House for concurrence.

The resolutions by Mr. Bledsoe on Federal Relations were
now taken up and read the second time, and pending the adoption of the amendment by the Committee,

Mr. Outlaw moved to lay the resolutions on the table; and upon the question to lay on the table

Mr. Bledsoe demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Avery, Brown, Bledsoe, Barringer, Dickson, Dobson, Faison, Hall, Harriss of Franklin, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Taylor of Nash, Taylor of Brunswick, Thomas of Jackson, Walker, Waugh and Whitaker—23.

So the motion to lay on the table did not prevail.

The question again recurring upon the adoption of the amendments by the Committee to Mr. Bledsoe’s resolutions, was decided in the affirmative.

The question now recurring upon the passage of the resolutions was decided in the affirmative.

There being no objection made, the resolutions were read the third time, and pending passage,

Mr. Morehead demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Mr. Turner.

So the resolutions were adopted.
Mr. Arendell introduced a resolution in favor of Wm. C. King, which was read the first time, passed and referred to the Committee on Claims.

Also, a resolution in favor of Col. B. Leecraft, which was read the first time, passed and referred to the Committee on Claims.

On motion of Mr. Avery, the Senate took a recess until 4 o'clock.

Four o'clock, P. M.

The Senate met pursuant to adjournment.

The bill authorizing the County Courts to lay taxes for the support of volunteers, was read the second time, and referred to the Committee on Miliary Affairs.

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

TUESDAY, MAY 7TH, 1861.

The Senate met at the usual hour.

On motion of Mr. Avery, the injunction of secrecy, so far as reading the journal is concerned, was removed and the journal was read.

Mr. Morehead, from the Committee on Military Affairs, reported back the bill to enroll free men of color, and recommended that said bill do not pass.

The bill to provide for the manufacturing of arms, was now read the second time, and

Mr. Outlaw moved to amend by striking out the word "Colonel," wherever it occurs, and inserting the words, "of the rank of Captain." The question was decided in the affirmative. Yeas 20; nays 14.

Mr. Turner moved to amend as follows, to wit:

Be it further enacted, That no civilian shall ever be a superintendent. The amendment did not prevail.
The question now recurring upon the passage of the bill as amended, was decided in the affirmative:

There being no objection the bill was read the third time, passed and ordered to be sent to the House for concurrence in the amendment.

Received a message from the House, transmitting a bill entitled a bill to raise ten thousand State troops, which was read the first time and passed.

On motion of Mr. Avery, the rules were suspended, and the bill was put upon its second reading. Pending discussion, on motion of Mr. Waugh, the Senate went into secret session.

On motion of Mr. Avery, the joint rule in regard to secret sessions, was so amended as not to exclude officers and members of the House from the Senate Chamber during the deliberations of the Senate in secret session.

The question again recurred upon the passage of the bill the second reading, and was decided in the affirmative.

There being no objection made, the bill was read the third time, passed and was ordered to be enrolled.

Mr. Avery now moved that the vote by which the bill passed the third time, be reconsidered, and then moved that said motion be laid upon the table, and the motion to lay on the table prevailed.

Received a message from the House proposing that the General Assembly adjourn sine die, Saturday next at six o'clock, A. M.

On motion of Mr. Waugh, the message was laid upon the table.

Received a message from the House, stating that that body had concurred in the Senate amendment to the bill to provide for the manufacturing of arms and other munitions of war; whereupon, on motion of Mr. Morehead, the Senate receded from its amendment to said bill, and the bill was ordered to be enrolled, and the House was informed of the same.
Mr. Outlaw introduced a bill to provide against the sacrifice of property, and to suspend proceedings in certain cases, which was read the first time, passed and, on motion of Mr. Outlaw, referred to a select committee of five.

On motion of Mr. Avery, the bill to provide for the defence of the State, was now taken up and read the second time, and pending its passage, Mr. Burton moved to amend as follows, to wit:

"Sec. 6. Be it enacted, That the Governor shall appoint a major-general for each division of said corps of volunteers, and a brigadier-general for each brigade, and he shall, by and with the consent of a majority of the commissioned officers of each regiment, appoint a colonel, lieutenant-colonel and a major for each regiment." The amendment was adopted.

Mr. Avery moved to amend as follows, to wit:

Insert in the 1st line of the 7th section, after the word "Governor," the words "by and with the advice and consent of the Military Board:" also, insert in the 9th line of the 5th section, after the word "division," the words "in manner hereafter directed." The amendments were adopted. There being no objection made, the bill was read the third time, passed and ordered to be engrossed.

Mr. Morehead, from the Committee on Military Affairs, reported back the bill to authorize the county courts to lay taxes to support volunteers, and recommended the passage of a substitute for said bill.

On motion of Mr. Avery, the resolution authorizing the Governor to erect batteries and other fortifications at the inlets of Hatteras and Ocracoke, was taken up and read the second time, and pending passage,

Mr. Avery moved to amend as as follows, to wit:

Insert after the word "Ocracoke," the words "and at such other places on our sea coasts or rivers, as in his judgment the public safety may demand." The amendment was adopted. The question recurrring upon the passage of the resolution as amended, was decided in the affirmative.
There being no objection the resolution was read the third time, passed and ordered to be engrossed.

On motion of Mr. Outlaw, the injunction of secrecy, as to the proceedings of the Senate was removed.

Received a message from the House, concurring in the proposition of the Senate to raise a joint select committee in regard to the adoption of a State flag, and stating that Messrs. Ransom, Mendenhall and Wright have been appointed on said committee.

The Speaker announced that Messrs. Outlaw, Turner, Wedbee, Shaw and Winstead would constitute the committee to whom the bill to provide for the protection of property and the stay of legal proceedings was referred.

The Speaker announced that Messrs. Avery, Hall and Brown would constitute the committee on the adoption of a State flag.

On motion the Senate adjourned until 10 o'clock tomorrow.

WEDNESDAY, MAY 5TH, 1861.

Mr. Thomas, of Jackson, introduced a bill to cause the bridges on the Western Turnpike to be repaired, which was read the first time, passed and referred to the Committee on Military Affairs.

Mr. Avery, from the Judiciary Committee, reported back the bill to authorize the volunteers now encamped to vote for delegates to the Convention, and with the following amendment, and recommended its passage, to wit:

Strike out all of the 2nd section after the word "delegates," and insert the words, "until 4 o'clock, P. M., on Thursday next succeeding the day of election," and add the following clause to the title of the bill, to wit: "and supplemental to a bill to authorize and require the Governor of the State to call a convention of the people of the State."
On motion of Mr. Avery, the rules were suspended and the said bill was read the second and third times, amended as recommended by the committee, passed and ordered to be engrossed.

Mr. Avery moved to reconsider the vote by which the bill passed the third reading, and then moved that the motion to re-consider be laid upon the table, which motion prevailed.

Mr. Outlaw, from the committee of five to whom was referred the bill to provide against the sacrifice of property, and to suspend legal process, reported back the said bill, and recommended its passage, amended as follows, to wit:

That the blank in the 3d section be filled with the words "sixth day of November, 1860;" also, in fourth section, strike out the word "small," in the fourth line; also, in the 6th section, strike out the words, "nor to debts hereafter contracted," also the proviso, and insert the following section, to come in after the sixth section:

"Be it further enacted, That all judgments confessed, mortgages and deeds of trust hereafter made, shall be null and void."

On motion of Mr. Outlaw, the rules were suspended, and the bill was read the 2d and 3d times, and amended as recommended by the committee.

Mr. Stubbs moved to amend as follows, to wit:

"Be it further enacted, That this act shall not apply to any interest upon any debt now outstanding, which has accrued or may accrue from and after the first day of January, 1861, and if any debtor shall fail to pay such interest on the first day of January of each and every year, then it shall be lawful for the person to whom the same may be due, to bring suit for the said interest, and have execution therefor." The amendment prevailed. Yeas 19, nays 14.

Mr. Morehead moved to amend as follows, to wit:

Strike out the 4th section and insert, "That no execution shall issue upon any judgment of a court of record or court of equity, or judgment of a magistrate, without the further
authority of the Legislature, and no civil process shall be
served upon any citizen of this State, while in the military
service of this State.'"

Mr. Outlaw called for a division of the question, and the
Senate decided to divide.

The question was then first upon striking out, and was
decided in the negative.

Mr. Lane demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Avery, Dockery, Dowd, Eure, Grist,
Morehead, Ramsay, Rogers, Simmons, Speight, Spencer,
Stubbs, Thomas of Davidson, Walker and Walkup—16.

Those who voted in the negative are:
Messrs. Brown, Bledsoe, Blount, Dickson, Dobson, Faison,
Hall, Harriss of Franklin, Harriss of Chatham, Lane, Outlaw,
Pitchford, Shaw, Simpson, Street, Stowe, Sharpe, Slaughter,
Taylor of Nash, Taylor of Brunswick, Waugh, Whitaker,
Winstead and Whedbee—24.

So the question was decided in the negative.

Mr. Eure moved to postpone and make it the special order
for 12 o'clock to-morrow, and upon this question Mr. Outlaw
demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Avery, Blount, Dockery, Dowd, Eure,
Grist, Morehead, Pitchford, Ramsay, Simmons, Spencer,
Stubbs, Taylor of Granville, Thomas of Jackson, Thomas of
Davidson, Walker and Walkup—18.

Those who voted in the negative are:
Messrs. Brown, Bledsoe, Dickson, Dobson, Faison, Hall,
Harriss of Franklin, Lane, Outlaw, Rogers, Shaw, Simpson,
Speight, Street, Stowe, Sharpe, Slaughter, Taylor of Nash,
Taylor of Brunswick, Turner, Waugh, Whitaker, Winstead,
and Whedbee—24.

So the Senate refused to postpone.

The question now recurred upon the passage of the bill its
third reading as amended, and was decided in the affirmative and ordered to be engrossed.

On motion of Mr. Outlaw, the vote by which the bill passed its third reading, was reconsidered, and the motion to reconsider was laid upon the table.

On motion of Mr. Avery, the Senate took a recess until 4 o'clock.

Four o'clock, P. M.

Received a message from the House, stating that that body had passed the engrossed bill from the Senate, entitled a bill to authorize the volunteers to vote for delegates to the Convention, with the following amendments, to-wit:

Strike out the word "their" in the 2nd line of the 2nd section, and insert the word "the."

Also, in the 4th line after the word "counties," insert the words "from which the volunteers may come."

On motion of Mr. Bledsoe, the amendments were concurred in.

Mr. Morehead introduced a bill to create a Military Board, which was read the first time and passed.

There being no objection made, the bill was read the second time, and pending passage,

Mr. Outlaw moved to amend as follows, to-wit:

In the first section after the word "Governor," insert the words "with the consent of the General Assembly," and upon this amendment

Mr. Outlaw demanded the yeas and nays.

Mr. Turner moved to amend the amendment of Mr. Outlaw, by substituting instead thereof the words "elected by the General Assembly." The amendment was rejected.

Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arendell, Brown, Bledsoe, Dockery, Dowd, Eure, Grist, Morehead, Outlaw, Ramsay, Simpson, Speight, Sharpe,
Slaughter, Spencer, Stubbs, Taylor of Nash, Thomas of Davidson, Turner, Walkup and Whedbee—21.

Those who voted in the negative are:
Messrs. Avery, Barringer, Dickson, Dobson, Faison, Hall, Harris of Franklin, Harris of Chatham, Lane, Pitchford, Rogers, Shaw, Simmons, Street, Stowe, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Walker, Waugh, Whitaker and Winstead—22.

So the amendment did not prevail.

Mr. Walkup now moved to postpone the further consideration of the bill until to-morrow, ten o'clock.

The motion did not prevail.

Mr. Outlaw moved to amend by adding in the first section after the word "Governor" the words "with the consent of the Senate," and upon this question he demanded the yeas and nays.

Mr. Turner moved to amend the amendment by striking out the word "Senate," and inserting the words "General Assembly," and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Brown, Bledsoe, Barringer, Dickson, Dobson, Faison, Hall, Harris of Franklin, Harris of Chatham, Lane, Pitchford, Rogers, Shaw, Simmons, Simpson, Speight, Street, Stowe, Taylor of Nash, Taylor of Granville, Taylor of Brunswick, Thomas of Jackson, Thomas of Davidson, Walker, Whitaker and Winstead—27.

So the amendment to the amendment did not prevail.

The demand for the yeas and nays being withdrawn, the question recurred upon the motion by Mr. Outlaw, and was decided in the negative.

Mr. Avery moved to amend as follows, to-wit:
Strike out the words "and pay" in the third section, and insert the words "and pay of a Colonel in the ranks of the Confederate States."

The amendment was adopted.

The question recurring upon the passage of the bill its second reading, was decided in the affirmative.

There being no objection, the bill was read the third time, passed and ordered to be engrossed.

On motion of Mr. Avery, the vote by which the bill passed the third reading, was reconsidered, and the motion to reconsider, was on motion of Mr. Avery, laid upon the table.

Mr. Bledsoe, from the Committee on Claims, reported back the resolution in favor of Col. B. Leecraft, and recommended its passage.

On motion of Mr. Arendell, the resolution was read the second and third times, passed and ordered to be engrossed.

The resolution in favor of W. C. King, was now read the second time, and pending passage,

Mr. Taylor, of Brunswick, moved to lay it upon the table.

The motion to lay on the table did not prevail.

The question again recurring upon the passage of the resolution the second time,

Mr. Avery moved to amend as follows, to-wit:

Substitute for the resolution the following, to-wit:

"Resolved, That the Governor pay and refund to the citizens of the State all sums of money or provisions advanced in feeding or quartering the troops called out by him for the defence of the State, and that the accounts for the same be audited by the Military Board."

Received a message from the House, proposing to raise a committee of three on the part of each House to enquire when the General Assembly may adjourn sine die without detriment to the public interest.

On motion of Mr. Outlaw, the message was laid upon the table.

Received a message from the House, stating that the Speaker had signed the following enrolled bills, and asking
the signature and ratification of the Speaker of the Senate in the presence of the Senate.

An act for Patrol.
An act to repeal an act appropriating two thousand five hundred dollars for lighting and heating the capitol.
An act to amend the charter of the Northampton Guards.
Resolution authorizing the Treasurer to pay Edward Yarborough.
Resolution authorizing the Governor to appoint a Commission.
Resolution of thanks to his Excellency, the Governor of the State.
An act to amend the charter of the City of Raleigh and other cities and towns.
Resolution on Federal Relations.
Resolution to pay Commissioners to the Peace Conference at Washington and Montgomery.
An act to provide for the manufacture of arms and other munitions of war.
Joint resolution concerning the equipment and provisioning of Volunteers.
An act to raise ten thousand State troops.
A bill to repeal restrictions upon fishing.
On motion, the Senate adjourned until 10 o'clock, to-morrow.

THURSDAY, MAY 9th, 1861.
The Senate met at the usual hour.
The journal was read.
Mr. Hall, from the Committee on Post-offices and Post-roads, reported a resolution concerning post-offices and post-roads, and recommended its passage.
On motion, the rules were suspended, and the resolution read the second and third times, passed and ordered to be engrossed.
Mr. Morehead introduced resolutions from citizens of Guilford county, asking for the establishment of a military encampment at Greensboro, which were read and withdrawn for the purpose of introducing the same in the House of Commons.

Mr. Hall introduced a bill to authorize the issuing of due bills by the town of Wilmington, which was read the first time, and on motion of Mr. Pitchford, referred to the Committee on Ways and Means.

Mr. Pitchford introduced a resolution to repeal the chapter of the Revised Code, in regard to Geological Survey, which was read the first time and passed.

Also, a bill concerning Common Schools, which was read the first time and passed.

Mr. Pitchford moved to suspend the rules, and put the resolution concerning Common Schools upon its second and third readings.

The motion prevailed, and the resolution was read the second time, and pending vote,

Mr. Lane demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the amendment was rejected.

On motion of Mr. Walker, the bill to provide for the education of State cadets, at the North Carolina Institute, was taken up, and read the second time, and the question was upon the adoption of the substitute by the Committee, for the bill and was decided in the negative.
The question recurring upon the passage of the bill, was decided in the affirmative.

There being no objection, the bill was read the third time, and pending passage,

Mr. Turner moved to amend by the adoption of a substitute. Pending discussion,

Mr. Turner moved to refer the same to the Committee on Military Affairs, which motion prevailed.

Received a message from the House, transmitting the following bills and resolutions, and stating that the same had been passed by that body, and the concurrence of the Senate asked therein, to-wit:

A bill concerning taxes.

A resolution authorizing and requiring the Governor to provide for the provisioning of troops.

And under a suspension of the rules, the Senate bill and resolution were read the first, second and third times, passed and were ordered to be engrossed.

The bill to authorize the publication of a synopsis of the Army Regulations, was now received by message from the House, stating that the same had been passed by that body with the following amendments, to-wit:

Strike out twenty thousand copies, and insert five thousand copies. The amendment was not concurred in.

Also, proposing that the printing of the said synopsis be advertised and let out to the lowest bidder, the contractor giving bond and security for the due deliverance of the job. The amendment prevailed.

Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Barringer, Dickson, Hall, Harris of Franklin, Lane, Pitchford, Shaw, Taylor of Nash, Taylor of Granville and Taylor of Brunswick—11.

On motion of Mr. Outlaw, the Senate took a recess until 4 o'clock, this afternoon.

**Afternoon Session—Four O'clock, P. M.**

Mr. Arendell introduced a bill to establish a Navy Yard at or near the Port of Beaufort, which was read the first time, passed and referred to the Committee on Military Affairs.

The resolution authorizing and requesting the Governor to Commission such officers as have or may resign their commissions in the Army and Navy of the United States, and in the Army and Navy of the Confederate States, was read the second time and the amendment by the committee adopted; Whereupon,

Mr. Street moved to reconsider the vote by which the substitute was adopted, which motion prevailed, and on motion of Mr. Street, said substitute was amended as follows, to wit:

After the word *pay*, add the words, "Same rank and pay as officers of similar rank in the service of the Confederate States."

There being no objection, said bill was read the third time, as amended, and passed and ordered to be engrossed.

Received a message from the House stating that that body had passed the engrossed bill from the Senate with the following amendments, to wit:

In section 1st, 7th and 13th lines, after the word *Governor*, insert "By and with the advice of the Military Board."

Insert same amendment after Governor in 2nd line of 4th section. Also same amendment after Governor in first line of 5th section. Also in
the 7th and 8th lines of 5th section, strike out the word Regiments in each line. In 3rd and 4th lines of 7th section strike out the words "he shall appoint by and with the advice and consent of a majority of" and insert the word "Company," in the 4th line of same section after the word commissioned. Also in the 6th line of the 7th section, strike out "appoint" after the word Regiment, and insert "shall elect." Insert in 5th line of 12th section, after the word "lieutenant," "who shall rank as 2nd Lieutenant." Also strike out so much of section sixteen as relates to the act of General Assembly at its late session of 1860-61, entitled "Militia." Insert at the end of 7th section the following, "Who shall hold their offices only while such regiments are in service. And such officers so appointed shall have power to appoint staff officers of like number and like rank as officers of the same rank in the regular army of the Confederate States of America are empowered to appoint."

Mr. Turner introduced a bill to repeal the act exempting State bonds from taxation, which was read the first time, passed and referred to the Committee on Ways and Means. The resolution authorizing the Governor to use all the powers of the State, both civil and military, consistent with the constitution to protect the persons and property of our citizens, was read the second time and laid upon the table. Mr. Morehead, from the Committee on Military Affairs, reported back the bill to provide for the education of State Cadets at the North-Carolina Military Institute, and recommended that said bill pass in its original form. On motion of Mr. Walker, the said bill was read the third time, and pending passage. On motion of Mr. Stubbs, it was laid upon the table. The bill to enroll free men of color, was taken up, and On motion of Mr. Avery, laid upon the table. Received a message from the House stating that the Speaker of that body had signed the enrolled bill entitled, "an act authorizing Volunteers to vote for delegates to the Conven-
tion, and asking that the Speaker of the Senate sign and ratify the same in the presence of the Senate.

The bill to repeal a resolution of the late session, entitled "a resolution to authorize the publication of certain colonial records, was read the second time and laid upon the table.

The bill to authorize the County Courts to lay taxes for the support of Volunteers, was read the second time, and the amendment by the Committee adopted.

The question then recurring upon the passage of the bill the second reading, as amended, was decided in the affirmative.

There being no objection made, said bill was read the third time, passed and ordered to be engrossed.

On motion of Mr. Morehead, Messrs. Worth and Barringer were appointed a Committee to enquire into the expediency of having the synopsis of the Militia regulations printed at the Deaf and Dumb Institution.

Received a message from the House stating that that body had concurred in the amendment of the Senate to the bill concerning the first regiment.

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

FRIDAY, MAY 10TH, 1861.

The Senate met at the usual hour.

The journal was read.

Mr. Worth, from the Committee on Ways and Means, to whom was referred the bill to authorize the banks to issue small notes, submitted the following report, to wit:

"To the General Assembly of North-Carolina:"

"The Committee of Ways and Means to whom was referred the bill, "to authorize the banks to issue small notes," have had the same under consideration and report, that they have
decided on another policy for supplying a circulation of small notes, to wit: the issue of small notes on the faith and credit of the State, and they recommend that this bill do not pass, and they recommend as a substitute the accompanying bill.

J. WORTH,
for the Committee."

Mr. Bledsoe, from the same Committee, reported back the bill authorizing the issuing of due bills by the town of Wilmington, and recommended that said bill do not pass.

Also, the bill to repeal the act exempting State bonds from taxation, and asked to be discharged from the further consideration of said bill.

Also, the bill to facilitate loans to the State, and asked to be discharged from its further consideration.

Mr. Pitchford, from the Committee on Ways and Means, submitted the following report, to-wit:

"The Committee on Ways and Means, to whom was committed the charge of devising some suitable plan for meeting the demands which may be made on the public treasury during the next two years, after mature deliberation, have instructed me to report the following bill, entitled a bill to provide for the defence of the State, and to recommend its passage.

THOMAS J. PITCHFORD,
Chairman of Committee."

May 10th, 1861.

Mr. Pitchford, from the Select Committee on Military Affairs, reported back the bill to cause the bridges and the Western Turnpike to be repaired, and recommended a substitute for said bill.

Mr. Brown introduced a bill to extend the charter of the Bank of the State of North Carolina, for certain purposes, which was read the first time and passed.

Mr. Bledsoe, a resolution in favor of John C. Palmer, which was read the first time and passed.
Mr. Walker, a resolution to allow the several counties to use the public arms, not otherwise in use, which was read the first time and passed.

Mr. Barringer, a resolution to enable the Comptroller to employ a clerk, which was read the first time and passed.

Mr. Eure, a bill to make valid certain irregular proceedings in the county courts, which was read the first time and passed.

On motion of Mr. Eure, said bill was read the second and third time, passed and ordered to be engrossed.

Mr. Worth, from the Committee to inquire into the expediency of having the synopsis of the Army Regulations printed at the Deaf and Dumb Asylum, submitted the following report, to-wit:

"To the General Assembly of North Carolina:

"The Committee appointed to inquire into the facilities of the Deaf and Dumb Asylum to do a portion of the printing required by the State, report

"That we have seen through the printing department of said Institution, and conferred with the Superintendent and head-printer and examined many specimens of their printing, and we are satisfied that a large portion of our public printing may be done there with neatness and despatch, without any additional outlay for type or presses—at about one-half the present cost of printing; and not only without detriment, but with advantage to the Institution.

Respectfully submitted by

JONATHAN WORTH,
V. C. BARRINGER,
Committee."

On motion of Mr. Pitchford, the bill to provide for the defence of the State, was read the second time.

Mr. Stubbs moved to amend the third section, by striking out the words five and ten cents.
Mr. Brown moved to amend the amendment by adding, that no bill shall be issued under the denomination of one dollar.

The motion by Mr. Brown was withdrawn, and the question recurred upon the amendment by Mr. Stubbs, and Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Arendell, Avery, Bledsoe, Blount, Dickson, Dobson, Dockery, Eure, Faison, Grist, Hall, Harris of Franklin, Harris of Chatham, Lane, Pitchford, Rogers, Street, Sharpe, Spencer, Thomas of Davidson and Whedbee—21.

So the amendment did not prevail.

On motion of Mr. Worth, the vote by which the resolution was passed the third reading, providing for the publication of a synopsis of Military Regulations, was reconsidered.

And on motion of Mr. Outlaw, the resolution was laid upon the table.

The question now recurred upon the passage of the bill to provide for the public defence, its second reading, and was decided in the affirmative.

There being no objection made, the said bill was read the third time.

Mr. Pitchford moved to amend as follows, to-wit:

"Be it further enacted, That this act shall be in force from and after its ratification." The amendment was adopted.

Mr. Slaughter moved to amend by adding the following additional clause, to-wit:

"Be it further enacted, That the provisions of this act authorizing the issue of Treasury notes, shall not be so construed as to authorize the issuing notes for the payment of appropriations for internal improvements made at the late session of the General Assembly."
The amendment was rejected.

The question now recurring upon the passage of the bill as amended, the third reading, it was decided in the affirmative, and ordered to be engrossed.

On motion of Mr. Avery, the following was substituted for the title of the bill, to-wit:

A bill to provide Ways and Means for the public defence.

Mr. Avery moved to reconsider the vote by which the bill passed the third reading, and then moved to lay the motion to reconsider on the table, and the motion to lay on the table prevailed.

Mr. Brown asked and obtained leave of absence from and after to-day for the Senator from Mecklenburg.

Mr. Dockery asked and obtained leave of absence from and after to-day for the Senator from Martin.

Mr. Barringer introduced a bill to render the common jails of this State lawful for military purposes, which was read the first time, passed and referred to the Committee on the Judiciary.

Received a message from the House, stating that that body had passed the accompanying resolution, and that the concurrence of the Senate was asked in the same, to-wit:

A resolution in favor of H. D. Turner, which was read the first time, and referred to the Committee on Claims.

Received a message from the House, stating that that body had concurred in the amendment of the Senate to the bill authorizing the county courts to lay taxes.

Mr. Turner called up the resolutions offered by himself, and made the special order for 12 o'clock, to-day, entitled a declaration of independence, which resolutions are as follows, to-wit:

**Declaration of Independence.**

"Resolved, That we, the people of North Carolina, do hereby dissolve the political bonds, which connected us to the Government of the United States of America, and absolve our-
selves from all allegiance to said Government, and abjure all political connection, contract or association with that Government, who have blockaded our ports, ruined our commerce and wantonly trampled on our rights and liberties, and shed inhumanly the blood of Southern patriots at Harper's Ferry and at Baltimore.

"Resolved, That we no longer acknowledge the existence and control of any law or legal officer of the United States, civil or military within this State.

"Resolved, That we do hereby declare ourselves a free and independent people, are, and of a right ought to be, a sovereign and self-governing people, under the control of no power other than that of our God, and a government established by the people of North Carolina.

"Resolved, That the maintenance of this declaration of our independence, we solemnly pledge to each other, our mutual co-operation, our lives, our fortunes and our most sacred honor.

"Resolved, That these resolutions be enrolled and signed by the members of this General Assembly, and be published for the consideration and approval of all the good and loyal people of North Carolina."

Mr. Waugh moved that these resolutions be postponed until the meeting of the Convention.

Mr. Turner demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Brown, Bledsoe, Barringer, Dickson, Dobson, Faison, Hall, Harris of Franklin, Lane, Morehead, Pitchford, Rogers, Speight, Street, Stowe, Taylor of Granville, Taylor of Brunswick, Thomas of Davidson, Whitaker and Winstead—21.

Those who voted in the negative are:


So the resolutions were postponed.
Received a message from the House, as follows, to-wit:
"The House of Commons have passed the Senate bill (No. 73,) entitled a bill to provide against the sacrifice of property, and to suspend proceedings in certain cases, with an amend-
ment, to-wit:
Strike out all after the enacting clause, and insert the en-
closed substitute."
Mr. Barringer moved that the bill and message be post-
poned until the 25th of May, and upon this question,
Mr. Outlaw demanded the yeas and nays.
Those who voted in the affirmative are:
Messrs. Avery, Barringer, Morehead, Ramsay, Simmons,
Stubbs, Thomas of Davidson, Walkup and Worth—9.
Those who voted in the negative are:
Messrs. Brown, Bledsoe, Blount, Dickson, Dobson, Dockery,
Dowd, Eure, Faison, Grist, Hall, Harris of Franklin, Harriss
of Chatham, Lane, Outlaw, Pitchford, Rogers, Simpson,
Speight, Street, Stowe, Sharpe, Slaughter, Taylor of Nash,
Taylor of Granville, Taylor of Brunswick, Turner, Waugh,
Whitaker, Winstead and Whedbee—32.
So the Senate refused to postpone.
The question then recurred upon the adoption of the amend-
ment of the House of Commons to the bill.
And Mr. Outlaw demanded the yeas and nays.
Those who voted in the affirmative are:
Messrs. Arendell, Avery, Brown, Bledsoe, Dickson, Dob-
son, Dockery, Eure, Faison, Grist, Hall, Harris of Franklin,
Harriss of Chatham, Lane, Outlaw, Pitchford, Simpson,
Speight, Street, Stowe, Sharpe, Slaughter, Spencer, Taylor of
Nash, Taylor of Granville, Taylor of Brunswick, Thomas of
Those who voted in the negative are:
Messrs. Barringer, Dowd, Morehead, Ramsay, Simmons,
Stubbs, Thomas of Davidson, Turner, Walkup and Worth—10.
So the amendment was concurred in, and the bill ordered
to be enrolled.
Received a message from the House, stating that that body had concurred in the amendment of the Senate to the resolution authorizing the Governor to commission such officers of the army and navy as may or have resigned their commissions, to service in the army of this State.

Also, stating that the House had refused to recede from its amendment to the resolution to provide for the printing of a synopsis of army regulations; whereupon, on motion, a message was ordered to be sent, proposing a Committee of Conference.

On motion of Mr. Avery, the Senate took a recess until 4 o'clock, this afternoon.

**Afternoon Session—Four o'clock, P. M.**

Received a message from the House, stating that that body had passed the accompanying engrossed resolution, and asked the concurrence of the Senate in the same, to wit:

A resolution for the relief of the committees of safety of towns of Newberne and Wilmington, which was read the first time and passed.

On motion of Mr. Hall, the rules were suspended, and said bill was read the second time, and pending its passage, Mr. Avery moved to amend by striking out all after the enacting clause, and insert:

"That the Governor be, and is hereby authorized to pay and refund to the people of incorporated towns of the State, all such sums of money or provisions advanced, and other reasonable expenses incurred in clothing, equipping, feeding or quartering the volunteer corps called by him into the service of the State, and the expenses for the munitions of war, and that the claims on that account be audited by the Military Board: Provided, That this act applies only to such claims as existed prior to its passage: and Provided further, That this act shall not apply to money or other things advanced at the time by way of donation."
Pending vote, received a message from the House, stating that that body had concurred in the proposition of the Senate to raise a committee of conference; and that Messrs. Donnell, Person and Mendenhall would constitute the committee on the part of the House; whereupon the Speaker announced that Messrs Worth, Barringer, and Morehead would constitute the committee on the part of the Senate.

The question again recurring upon the adoption of Mr. Avery's amendment,

Mr. Pitchford now moved to amend the amendment by striking out the second proviso to said amendment, and the amendment was adopted.

The question now recurring upon the adoption of the amendment, was decided in the affirmative and ordered to be sent to the House for concurrence.

Received a message from the House, stating that it was ordered that a message be sent to the Senate proposing to raise a joint committee of three on the part of each House to confer when the two Houses should adjourn, and to consider the propriety of the General Assembly taking a recess until some time in June, and that said committee be requested to report this afternoon or at the earliest possible moment.

The proposition was concurred in; whereupon the Speaker appointed on behalf of the Senate, Messrs. Avery, Thomas of Davidson and Hall.

On motion of Mr. Stowe, the bill entitled a bill to amend an act entitled an act to lay off and establish a new county by the name of Mitchell, was taken up and read the second and third times, passed and ordered to be engrossed.

Mr. Simpson introduced a bill to authorize the subscription to the Greensboro' and Leaks ville Railroad Company, which was read the first time and passed.

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

The resolution to enable the Comptroller of State to employ a clerk was read the second time.
Mr. Lane moved to amend as follows, to wit:

"Resolved, That the salary of the Comptroller of State be increased to the sum of twelve hundred and fifty dollars per annum, and that he be allowed a clerk at a salary of six hundred dollars per annum. Pending vote, Mr. Turner demanded the yeas and nays."

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Arendell, Avery, Brown, Bledsoe, Dickson, Dobson, Dowd, Faison, Harriss of Franklin, Humphrey, Lane, Pitchford, Rogers, Simmons, Simpson, Speight, Street, Stowe, Thomas of Jackson, Whitaker and Winstead—21.

So the Senate refused to lay the resolution on the table.

The question again recurring upon the amendment of Mr. Lane, was decided in the negative.

On motion of Mr. Turner, the resolution was laid upon the table.

Received the following message from the House, stating that the Speaker has signed the following enrolled bills, and has ordered them to be transmitted to the Senate for the signature of the Speaker of that body.

A bill to establish telegraphic lines in this State.
Resolution in favor of Col. B. Leeraft.
Resolution authorizing the Governor of the State to provide for the provisioning of troops while passing through this State.
Resolution concerning the regiment of volunteers near Raleigh.
A bill to provide for the public defence.
A bill to create a military board.

Whereupon, the Speaker proceeded to sign and ratify the same in the presence of the Senate.

The bill to extend the charter of the bank of the State, was read the second and third times, passed and ordered to be engrossed.
The resolution in favor of John C. Palmer, was read the second and third times, passed and ordered to be engrossed.

The resolution in favor of H. D. Turner, was read the second and third times, passed and ordered to be engrossed.

The engrossed bill to repeal an act, passed at the late session, entitled an act to establish tax collectors, was read the first time and passed.

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

SATURDAY, MAY 11TH, 1861.

The Senate met at the usual hour. The Journal was read.

Mr. Pitchford from the Committee on Police Regulations, reported back resolutions from Washington county, and asked to be discharged from their further consideration.

Mr. Avery, from the committee on adjournment, submitted the following report, to wit:

"Resolved, That the two Houses of the General Assembly, at one o'clock, P. M., vote by joint ballot upon the proposition "that the two Houses of the General Assembly adjourn on Monday next at 6 o'clock A. M., to meet at 11 o'clock A. M., on Tuesday, the 4th day of June, A. D. 1861, and that those members who are favorable to such adjournment shall deposit a ballot on which shall be written the word, 'adjournment,' and those who are opposed to the proposition shall deposit a ballot, on which shall be written the words, 'no adjournment.'"

Mr. Morehead moved that the resolution be amended by striking out all after the words "6 o'clock, A. M."

Mr. Humphrey moved to amend the amendment by striking out the 4th of June and inserting the 25th.

A division of the question was demanded and the Senate decided to divide.
The question was put first upon striking out and was decided in the affirmative.

The question was then upon inserting the 25th of June, and was decided in the affirmative.

The question now recurring upon the amendment by Mr. Morehead,

Mr. Outlaw moved to insert "subject to the call of a Convention," and upon this question Mr. Outlaw demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Arendell, Avery, Brown, Bledsoe, Barringer, Dickson, Dobson, Eure, Faison, Hall, Harris of Franklin, Humphrey, Lane, Pitchford, Ramsay, Shaw, Simmons, Speight, Street, Stowe, Taylor of Nash, Thomas of Jackson, Whitaker and Winstead—24.

So the Senate refused to divide.

The question now recurred upon the adoption of the amendment to the amendment by Mr. Outlaw, and was decided in the negative.

The question then recurring upon the motion by Mr. Humphrey, to insert 25th of June, it was decided in the affirmative, and the resolution was ordered to be sent to the House for concurrence.

Mr. Worth introduced a resolution relating to printing the Journals of the Senate and House of Commons which was read the first time and passed.

Mr. Avery, from the Committee on the Judiciary, reported back a bill to exempt sewing machines from taxation; also a bill to render the jails of the State lawful for military purposes, and asked to be discharged from their further consideration.

Mr. Lane introduced a resolution for the increase of the
salary of the Comptroller of State, which was read the first time and passed.

Received a message from the House stating that that body had passed the accompanying engrossed resolutions and bills, viz:

“Resolution concerning printing Military Law.
A bill to regulate the pay of volunteers now in the service of the State.
Resolution to authorize settlement with agent of Cherokee bonds.
A bill to extend the charter of the Bank of the State of North-Carolina, &c.’’

And asked the concurrence of the Senate in the same.
All of which were read the first time and passed.

On motion, the bill to extend the charter of the Bank of the State for certain purposes, was read the second and third times, passed and ordered to be enrolled.
The bill to authorize the issuing of due bills by the town of Wilmington was taken up and laid upon the table.
The bill to repeal the act exempting State Bonds from taxation was taken up and laid upon the table.
The bill to abolish the office of Geological Surveyor was taken up and laid upon the table.
The bill providing for ceding five miles square of the Territory of North-Carolina to the Confederate Government, was read the first time and, on motion of Mr. Barringer, was laid upon the table.

And upon this motion Mr. Thomas, of Jackson, demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:
Messrs. Avery, Dickson, Faison, Hall, Harris of Franklin,
Humphrey, Lane, Simmons, Taylor of Nash, Taylor of Granville and Taylor of Brunswick—11.

So the bill was laid upon the table.

On motion of Mr. Morehead, the bill to facilitate loans to the State was laid upon the table.

The engrossed bill to provide for the time when the volunteers shall receive pay for their services, was read the first time and passed, and on motion, the rules were suspended and said bill was read the second time.

And on motion of Mr. Avery, the proviso to the bill was stricken out.

The question again recurring upon the passage of the bill the second reading, was decided in the affirmative.

There being no objection, said bill was read the third time, passed and ordered to be sent to the House for concurrence.

Received a message from the House, stating that "the House of Commons had passed the enclosed engrossed bill, viz:

"A bill to cede exclusive jurisdiction to the Confederate States of America over five miles square of Territory in North-Carolina for a seat of Government, and respectfully ask the concurrence of the Senate therein."

The bill to authorize the Banks to issue small notes was now taken up and the substitute adopted.

The bill to repeal the act passed at the late session in regard to tax collectors was read the second and third times.

Mr. Outlaw moved to amend by striking out the word 'Orange' in 1st section, and inserting the word 'Orange' in the 3rd section. The amendment did not prevail.

The question then recurring upon the passage of the bill its third reading, was decided in the affirmative and ordered to be enrolled.

The bill to cause the Bridges and Western Turnpike to be repaired was taken up and laid upon the table.

The bill to authorize the Banks to issue small notes was taken up and laid upon the table.
Mr. Avery introduced a bill relating to interest on State bonds, which was read the first time and passed. There being no objection, the bill was read the second time, and Mr. Pitchford moved to insert the words "current Funds." The amendment did not prevail.

The question recurring upon the passage of the bill its third reading, was decided in the affirmative and ordered to be engrossed.

Received a message from the House stating that the committee on Enrolled Bills having examined the following bills and finding them correctly enrolled, and the Speaker of the House of Commons having signed the same, they are herewith transmitted to the Senate for the signature of the Speaker thereof, to wit:

"A bill to make valid certain irregular proceedings of the County Courts of the State and for other purposes.

A bill to provide against the sacrifice of property and to suspend proceedings in certain cases.

A bill to define and punish treason against the State of North-Carolina and other offences against the sovereignty of the State.

A bill concerning taxes.

A resolution authorizing the Governor to erect batteries and other fortifications and to purchase, charter and equip such steamers or other vessels as may be necessary for the defence of the sea coast of this State.

A resolution in favor of H. D. Turner.

A resolution concerning Post offices and Post roads.

A bill to authorize the County Courts and corporate towns and cities to lay taxes for police purposes."

Whereupon the Speaker of the Senate proceeded to sign and ratify the same in the presence of the Senate.

Received a message from the House stating that that body had concurred in the proposition of the Senate on the question of taking a recess until the 25th day of June next, and that the hour had arrived which had been agreed upon to go
into the joint ballot on adjournment. Whereupon the Speaker appointed Messrs. Arendell and Dobson to superintend the vote: Whereupon the Senate proceeded to vote, which resulted, for adjournment 30, and no adjournment 8.

Received a message from the House stating that they had passed the accompanying engrossed bill entitled "a bill to provide for the further organization of the Military Departments."

Mr. Eure moved to amend by striking out the words "Clerk of the Adjutant General." The amendment was withdrawn.

Mr. Eure now moved to strike out "eight hundred," and insert "five hundred," and upon this question he demanded the yeas and nays.

Those who voted in the affirmative are:
Messrs. Arendell, Blount, Dockery, Dowd, Eure, Morehead, Outlaw, Simmons, Street, Stowe, Slaughter, Spencer, Taylor of Nash and Whedbee—14.

Those who voted in the negative are:

So the amendment was adopted.

Received a message from the House stating that the Speaker of the House of Commons had signed the accompanying resolution, viz:

"A resolution authorizing and requesting the Governor to commission such officers of North-Carolina as have resigned or may hereafter resign their commissions in the Army and Navy of the United States."

And that it was transmitted to the Senate for the signature of the Speaker thereof: Whereupon the Speaker of the Senate proceeded to sign and ratify the same in the presence of the Senate.

On motion of Mr. Outlaw, the Senate took a recess until 4 o'clock this afternoon.
Afternoon Session—Four O’clock, P. M.

The question was upon the passage of the bill providing for the organization of the Military Departments the third reading

And Mr. Avery moved to amend as follows, to wit: "And each Department may employ a messenger if deemed necessary at the same salary." The amendment was adopted.

The question now recurring upon the passage of the bill as amended the third reading, and the same being put thereon, it was decided in the affirmative and ordered to be sent to the House for concurrence in the amendment.

Mr. Arendell, from the committee to superintend the joint ballot upon adjournment, reported that there had been in the House of Commons 71 votes cast in favor of adjournment and 12 votes against it, and in the Senate 22 votes for and 8 against it. Making an aggregate of 119 votes; for adjournment 105, and against it 30. More than the Constitutional requirement having voted for adjournment, it was declared that the General Assembly would adjourn at 6 o’clock, May 13th, to meet again at 11 o’clock, June the 25th, 1861.

Received a message from the House stating that that body had passed the accompanying resolutions in which the concurrence of the Senate was asked, to wit:

"A resolution in favor of W. H. and R. S. Tucker," which was read first, second and third times, passed and ordered to be enrolled.

"A resolution in favor of H. J. Brown," which was read first, second and third times, passed and ordered to be enrolled.

A resolution in favor of the increase of the salary of the Comptroller was taken up, and on motion laid upon the table.

Also the resolution to permit the counties to use public arms not otherwise in use was laid upon the table.

The engrossed resolution to authorize a settlement with the Agent of Cherokee Bonds was read first, second and third times, amended, passed and ordered to be sent to the House for concurrence.
The engrossed resolution concerning Military laws was taken up and laid upon the table.

On motion of Mr. Avery, it was

"Resolved, That a message be sent to the House proposing to change the joint rules so as to allow either Houses by the vote of a bare majority, to send bills or resolutions to the other for concurrence without engrossment.

Received a message from the House, stating "the House of Commons have passed the accompanying bill entitled 'Militia,' with the following amendments," to wit:

Insert on page 5, section 8th, at the end of 6th line "112."

On same page strike out the word "Robeson" in first line of table and insert "Robesonupper 3 rz," and "Robesonlower 112."

On 6th page strike out the word, "South," as marked; add the following to the end of the 87th section:

"Provided, That this act shall not be construed to abolish the office of Adjutant General created by the act passed at the regular session of 1860-'61."

With these amendments, the bill is ordered to be sent to the Senate, without amendment asking the concurrence of that body.

The message was read and pending reading of the bill, Mr. Bledsoe moved to postpone its further consideration until the 25th of June. There being no quorum voting,

On motion of Mr. Pitchford, the Senate took a recess until 8 o'clock, this evening.

Night Session—Eight O'clock P. M.

The Senate met pursuant to adjournment.

A quorum not being present,

On motion of Mr. Whitaker, the Senate adjourned until 4½ o'clock, A. M., Monday next.
MONDAY, MAY 13TH, 1861.

The Senate met pursuant to adjournment. A quorum not being present, the Journal was not read.

Received a message from the House stating that the Speaker of that body had signed the following enrolled bills and resolutions, and the signature of the Speaker of the Senate is respectfully asked thereto:

"A resolution in favor of J. C. Palmer.
A resolution to authorize a settlement with Agent of Cherokee Bonds.
A resolution in favor of Henry J. Brown and others.
An act to repeal an act passed at the session of 1860-61, entitled an act to appoint a tax collector for the counties of Wayne, Haywood, &c., as to certain counties.
An act to provide Ways and Means for the public defence.
An act to provide for the time when Volunteers shall receive pay for their services.
An act to provide for the organization of the Departments of the Military service and for other purposes.
An act to extend the charter of the Bank of the State of North-Carolina for certain purposes.
A bill to amend an act entitled, 'an act to establish a new county by the name of Mitchell.' "

Received a message from the House stating that that body has passed a resolution in favor of the Doorkeepers and asked the concurrence of the Senate therein.

Whereupon the resolution was read the first, second and third times, passed and ordered under a suspension of the rules to be transmitted to the House for the signature of the Speaker of that body.

Received a message from the House transmitting the above resolution, stating that the Speaker of that body had signed it and requesting the signature of the Speaker of the Senate thereto.

The Speaker signed and ratified the same in the presence of the Senate.
The Speaker announced that the business before the General Assembly was now concluded and that the hour at which the General Assembly, by a joint ballot, had agreed to adjourn, had arrived, and therefore he declared the Senate adjourned until Tuesday the 25th day of June, 1861.

HENRY T. CLARK,
Speaker Senate.

By Order,

J. W. Alspraguth,
Clerk Senate.
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### FIRST EXTRA SESSION.

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