

JOURNAL
OF
THE SENATE
OF THE
GENERAL ASSEMBLY
OF THE
STATE OF NORTH CAROLINA,
AT ITS
SESSION OF 1868.

RALEIGH:

N. PAIGE, PRINTER TO THE STATE.

1868.

SENATE JOURNAL.

FIRST DAY.

WEDNESDAY, July 1st, 1868.

Pursuant to Proclamation of W. W. Holden, Governor elect of North Carolina, the Senators elect convened at the Capitol in the City of Raleigh, at 12 M. of Wednesday, July 1st, A. D. 1868.

The Senate having been called to order, R. M. Pearson, Chief Justice of the Supreme Court of North Carolina, administered the Constitutional oath of office to the Lieutenant Governor elect, Tod R. Caldwell, who thereupon assumed the Chair as President of the Senate, and addressed the Senators as follows:

SENATORS:—Having been chosen by the Freemen of North Carolina to the high and honorable office of Lieutenant Governor of the State, I to-day, with unaffected diffidence enter upon my duties, determined, as far as in me lies, to discharge them with fidelity to the country and with such a degree of impartiality as, I trust, may secure the approval of those over whom it is my province to preside.

Well aware, Senators, of the difficulty of my task, and fully cognizant of my inexperience in the administration of parliamentary law, I throw myself upon your indulgence, feeling assured that your generous impulses will prompt you to look upon my defects with a proper measure of allowance, and induce you to aid and sustain me, by friendly counsel, in interpreting and enforcing such rules as you may adopt for the government of this body.

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Our common country has recently passed through a trying ordeal, and although the fury of the tempest has abated, the billows of our troubled ocean are still surging around us. The face of the waters is rough; true and well skilled pilots are needed to steer the old ship of State safely into harbor. The people have chosen us as helmsmen—the cargo is rich and precious—it consists of the lives, the liberties, the fortunes and the honor of our confiding constituents—may we realize our responsibility, and strive not to disappoint their hopes and expectations; but with stout hearts and determined purpose, go to work vigorously, and endeavor to repair the damages of the last seven eventful years. Let us, by acts of kindness and prudent legislation, cultivate a feeling of true friendship and brotherly love among our people, who have recently been so unnaturally estranged, and let the victors in the late conflict compel the gratitude and admiration of the vanquished by an exhibition of charity, that noblest of christian virtues, and by forgiveness to all who by “good works” show that they have repented of their errors and are resolved for the future to dedicate themselves, with all their energies and talents, to the building up of the waste places of our once happy and beautiful land.

We have, Senators, noble and patriotic duties to perform, the chiefest of which is to harmonize our people and prevail upon them to cherish a feeling of respect and veneration for the government of the United States, whose broad ægis is over us all, to shield us from harm and to protect us against foes from without and within. Forgetting then, what is behind us, let us press onward in the glorious struggle to make our's the grandest nation on the face of the globe. This can be accomplished by educating and elevating our people—by indoctrinating the rising generation with the true principles of Republican government—by making the humblest peasant in the land feel that the protecting arm of power is continually around and about him—and by teaching the haughty, the vicious and the strong that they cannot attain to such a height as to be above the avenging hand of violated law. May it be our aim so to Legislate as to do equal and exact justice to all

classes and conditions of men. Then we shall merit the good will and approbation of the wise, the virtuous and the good; a kind and benignant Providence will also smile upon our labors and sustain us in our efforts to ameliorate the condition of our people, and to preserve and perpetuate the good name of our honest old State.

Bespeaking your co-operation, Senators, in enforcing the rules which may be enacted for the government of this body, and invoking the blessing of Almighty God to rest upon our deliberations, I now announce that the Senate is ready to proceed with its further organization.

The President appointed Mr. Barrow, of the 4th District, and Mr. W. H. S. Sweet, of the 10th District, as Principal and Assistant Clerks respectively, *pro tem*. The Constitutional oath was then administered to the following named Senators, who were under no political disabilities, by Associate Justice of the Supreme Court, R. P. Dick, viz:

1st District—	Elihu A. White, Joseph W. Etheridge.
2d	“ Franklin G. Martindale.
3d	“ John B. Respass.
4th	“ William Barrow.
5th	“ Joseph W. Beasley.
6th	“ Henry Eppes.
7th	“ Napoleon B. Bellamy.
8th	“ D. J. Rich.
10th	“ Wm. H. S. Sweet, W. A. Moore.
11th	“ D. D. Colgrove.
13th	“ Edwin Legg, A. H. Galloway.
15th	“ Orlin S. Hayes.
16th	“ James S. Harrington, L. D. Hall.
17th	“ J. B. Cook.
18th	“ Curtis H. Brogden.
19th	“ Willie D. Jones, R. I. Wynné.
20th	“ John A. Hyman.
21st	“ Charles S. Winstead, R. W. Lassiter.
23d	“ Silas Burns.

26th District	T. M. Shoffner, G. W. Welker.
27th	“ Jehn H. Davis.
29th	“ P. T. Beeman.
31st	“ Christopher Melehor.
32d	“ Wm. M. Robbins.
33d	“ P. A. Long.
35th	“ Samuel Forkner.
37th	“ Lawson A. Mason.
38th	“ J. B. Eaves.
39th	“ Samuel P. Smith.
40th	“ James Blythe.

The President thereupon announced that a majority of all the Senators elect having duly qualified, the Senate was prepared to proceed to business.

Certificates of election were presented by the following named Senators elect and laid on the table, viz :

9th District	—Joshua Barnes.
12th	“ Wm. A. Allen.
14th	“ John W. Purdie.
22d	“ Josiah Turner, Jr.
25th	“ John M. Lindsay.
28th	“ Wm. B. Richardson.
34th	“ Peter A. Wilson.
41st	“ Edmund W. Jones.
42d	“ Wm. M. Moore.
43d	“ W. Levi Love.

Mr. Welker moved that the credentials of Mr. Lindsay, Senator elect of 25th District, be taken from the table and he be permitted to qualify.

Mr. Sweet moved, as an amendment, that all the credentials be taken from the table, and the Senators elect be permitted to qualify.

Mr. Moore, of Carteret, moved that Mr. Sweet's amendment be laid upon the table, which was lost, yeas 15, nays 16.

The question then occurred on Mr. Sweet's amendment, which, being lost, the motion of Mr. Welker prevailed, and the Associate Justice of the Supreme Court, R. P. Dick, thereupon administered the Constitutional oath of office to Mr. John M. Lindsay, Senator elect from the twenty-fifth District.

Mr. Galloway moved that the credentials be taken from the table, and the Senators elect who are disqualified, be permitted to qualify and take part in the organization of the Senate.

The President ruled that the motion was out of order, the same question having once been determined in the negative.

Mr. Galloway having appealed from the decision, the President was sustained.

On motion of Mr. Jones, of Wake, the Senate adjourned until to morrow at 11 o'clock.

SECOND DAY.

THURSDAY, July 2d, 1868.

The Senate was called to order at 11 o'clock.

The President in the Chair.

The Journal of Wednesday read, corrected and approved.

The roll of absent members was called, none answering.

On motion of Mr. Moore, of Carteret, the Senate proceeded to the election of Principal Secretary.

Mr. Galloway placed in nomination Mr. T. A. Byrnes.

On motion, Mr. T. A. Byrnes was declared Principal Secretary by acclamation.

On motion of Mr. Cook, the Senate proceeded to the election of an Assistant Secretary.

Mr. Moore, of Carteret, nominated Mr. Logan Harris.

On motion, Mr. Harris was declared Assistant Secretary by acclamation.

The Secretaries elect, were sworn by R. P. Dick, Associate Justice of the Supreme Court of North Carolina, and entered on the discharge of their duties.

On motion, the Senate proceeded to the election of Principal and Assistant Doorkeepers.

The names of J. T. Ball, and Lee Couch, were put in nomination.

The roll was called, members as follows voted for Mr. J. T. Ball :

Messrs. Barrow, Beasley, Bellamy, Brogden, Beeman, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Jones of Wake, Legg, Lindsay, Lassiter, Long, Martindale, Moore of Carteret, Melchor, Mason, Rich, Respass, Smith, Shoffner, Sweet, White, Wynne, Winstead, Welker and Wilson—37.

Mr. Ball having received the entire vote cast, was declared elected.

Mr. Turner, of Orange, addressed the President.

The President refused to recognize him as a member of the Senate, inasmuch as his political disabilities imposed by the Constitutional Amendment, known as Article XIV, had not been removed and that he had not been qualified as a member, his credentials having been laid on the table.

Mr. Robbins appealed from the decision of the President, and demanded the yeas and nays.

The President was sustained by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burnes, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Jones of Wake, Legg, Lindsay, Lassiter, Long, Martindale, Moore of Carteret, Rich, Respass, Smith, Shoffner, Sweet, White, Wynne, Winstead, Welker and Wilson—35.

NAYS—Messrs. Beeman, Melchor, Mason and Robbins—4.

Mr. Moore, of Carteret, nominated Francis W. Gibble as Assistant Doorkeeper.

On motion, of Mr. Galloway, Mr. Gibble was elected by acclamation.

A message was received from the House of Representatives informing the Senate of its organization and readiness for business.

A message was sent to the House informing that body, that the Senate was organized and ready for the despatch of business.

A message was received from the House announcing the passage of a joint resolution appointing a Committee of Five, three on the part of the House, and two on the part of the Senate to wait on the Governor, and inform him of the organization of the General Assembly, and that the same is ready to receive any communication he may desire to make.

On motion of Mr. Galloway, the Senate concurred in the resolution.

Mr. Jones, of Wake, moved to adopt the rules of order of the General Assembly of 1866 and 1867, for the government of the Senate.

Mr. Rich moved to amend by substituting the rules of order of the State Constitutional Convention of 1868. Adopted.

Mr. Robbins offered the following resolution :

Resolved, That the credentials of the Senators elect, which were laid upon the table yesterday, be now taken from the table and that all those Senators who present credentials properly authenticated, be allowed at once to qualify, upon taking the oath prescribed in the Constitution of North Carolina.

Mr. Robbins moved a suspension of the rules on the passage of his resolution.

The President decided that according to the rules adopted, that the rules could not be suspended without one day's notice previously given.

Mr. Moore moved that the President appoint a Committee of Five to investigate the credentials of the members which were laid on the table yesterday.

The motion prevailed.

Mr. Robbins moved to reconsider the vote by which the rules of order were adopted.

The motion did not prevail.

The following resolution introduced by Mr. Sweet, was on motion, adopted:

Resolved, That a Committee of Two be appointed by the President to prepare a Code of Rules for the government of the Senate.

Mr. Barrow presented a preamble and resolutions in relation to the adoption of the Constitutional Amendment, known as the 14th Article.

Laid over under the rule.

Mr. Rich offered a substitute.

Laid over under the rule.

The President announced the following Committee on Investigation:

Messrs. C. S. Winstead, W. A. Moore, D. J. Rich, W. M. Robbins and Wm. Barrow.

Also the following Committee on Rules:

Messrs. W. H. S. Sweet and C. H. Brogden.

On motion of Mr. Rich, the credentials of members laid on the table yesterday were referred to this Committee.

A message was received from the House announcing the following Committee to wait upon the Governor:

Messrs. Estes, Jarvis and Williamson.

The Chair announced R. W. Lassiter, and D. J. Rich, as the Senate Branch of that Committee.

A message was transmitted to the House of Representatives informing that body of the same.

The following joint resolution, introduced by Mr. Sweet, was adopted and ordered to be transmitted to the House of Representatives:

Resolved, The House of Representatives concurring, that a Joint Committee to consist of the Committee of two

on part of the Senate and three on part of the House be appointed to prepare a code of joint rules for the government of the intercourse between the two Houses.

Mr. Robbins moved that the President of the Senate of North Carolina be required by this body to telegraph the Speaker of the House of Representatives and the President of the Senate of the United States, praying that the disabilities of all persons elected to office in this State be removed.

Mr. Moore, of Carteret, moved to amend by inserting "who support the Reconstruction Acts of Congress."

Mr. Etheridge moved to amend the amendment of Mr. Moore by inserting the word "have" so as to read, "who have supported the Reconstruction Acts of Congress."

On motion of Mr. Forkner the entire matter was laid on the table.

Mr. Barrow gave notice that he would move on to-morrow a suspension of the rules to take up his resolutions relating to the Constitutional Amendment.

Mr. Lassiter on the part of the Committee to wait on the Governor reported, that the Governor would send a communication to the Senate at 12½ o'clock.

A message was received from the House of Representatives concurring in the resolution on Joint Rules announcing Messrs. Abbott, Durham and Stilly as the Committee on the part of the House of Representatives.

The President announced Messrs W. H. S. Sweet, and C. H. Brogden, as the Senate branch of that Committee.

A Message received from the House transmitting the following message of the Governor, was read and ordered to be printed (two hundred copies) the House of Representatives concurring :

EXECUTIVE DEPARTMENT OF N. C.,
RALEIGH, July 2d, 1868.

Gentlemen of the Senate and House of Representatives :

Allow me to congratulate you on the auspicious circum-

stances under which you have assembled. Our heartfelt gratitude is due to Almighty God for the suppression of the Rebellion, the preservation of the Union, the just and liberal principles on which it has been reconstructed, and the assurance that we have of future peace and tranquility. The first business to be performed by the Legislature will be the ratification of the amendment to the Constitution of the United States, known as the 14th Article, proposed by the 39th Congress. I respectfully recommend the immediate ratification of this Article.

By an Act of Congress, approved July 25th, 1866, it is provided that "the Legislature of each State which shall be chosen next preceding the expiration of the time for which any Senator was elected to represent said State in Congress, shall on the second Tuesday after the meeting and organization thereof proceed to elect a Senator in Congress in the place of such Senator so going out of office." There are two vacancies to be filled by this Legislature. One of the terms to be thus filled will expire on the 4th of March, 1871, and the other on the 4th of March, 1873.

If it should be the pleasure of the General Assembly, I propose to address the body on Saturday next, the 4th day of July. During your session, gentlemen, it will afford me pleasure to communicate to you any information within the scope of my power, and to make such suggestions from time to time as may seem to be expedient and proper.

Very respectfully,

W. W. HOLDEN.

Mr. Galloway moved to adjourn to meet at eleven o'clock Friday.

The motion was lost.

Mr. Robbins moved to adjourn to meet at 10 o'clock tomorrow. Lost.

Mr. Colgrove moved to adjourn to meet at 9 o'clock tomorrow. Lost.

Mr. Rich moved to take recess until 4 o'clock, P. M. Agreed to.

AFTERNOON SESSION.

The Senate resumed business at 4 o'clock.

The President in the Chair.

Mr. Barrow introduced two resolutions in relation to the election of two United States Senators.

Laid over under the rule.

Received a message from the House of Representatives concurring in the Senate resolution to print two hundred copies of the Governor's message for the use of the General Assembly.

Received a message from the House of Representatives transmitting the following joint resolution asking the concurrence of the Senate :

A joint resolution ratifying the proposed amendment of the Constitution of the United States styled " Article 14th."

WHEREAS, The General Assembly of North Carolina has received notification of the passage by both Houses of the 39th Congress of the United States at its first session of the following proposition to amend the Constitution of the United States by a Constitutional majority of two-thirds thereof in words, viz :

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

Be it 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 article be proposed to the Legislatures of the several States, as an amendment to the Constitution of the United States, which when ratified by three-fourths of said Legislatures shall be valid as a part of the Constitution of said United States, viz :

ARTICLE XIV.

SECTION 1. All persons born or naturalized in the United

States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, Executive and Judicial Officers of a State, or the Members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the United States, or in any way abridged except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SEC. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an Executive or Judicial Officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

SEC. 4. The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the

United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims, shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce by appropriate legislation the provisions of this article.

Therefore Resolved, That the said proposed Amendment to the Constitution be and the same is hereby ratified by the General Assembly of the State of North Carolina.

Resolved, that certified copies of the foregoing preamble and resolutions be forwarded by the Governor to the President of the United States, to the Presiding Officer of the United States Senate and the Speaker of the United States House of Representatives.

Mr. Rich moved that the Senate concur, and demanded the yeas and nays.

Mr. Cook offered an amendment and called the previous question. The call was sustained. The amendment was lost by the following vote :

NAYS—Messrs. Barrow, Beasley, Brogden, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Jones, of Wake, Legg, Lindsay, Lassiter, Long, Martindale, Moore, of Carteret, Melchor, Mason, Rich, Respass, Robbins, Smith, Shoffner, Sweet, White, Winstead, Welker and Wilson—35.

The question recurred upon the joint resolutions as transmitted from the House of Representatives.

Upon their passage the yeas and nays were granted.

The resolutions were adopted by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Jones, of Wake, Legg, Lindsay, Lassiter, Long, Martindale, Moore, of Carteret, Mason, Rich, Respass, Smith, Shoffner, Sweet, White, Winstead and Welker—34.

NAYS—Messrs. Melchor and Robbins—2.

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

THIRD DAY.

FRIDAY, July 3d, 1868.

The Senate met pursuant to adjournment. President in the Chair.

Prayer by the Rev. Mr. Jones, of South Carolina.

Journal of Thursday read and approved.

By leave, Mr Wynne's name was entered in the affirmative on the passage of the Constitutional Amendment.

Mr. Robbins presented the credentials of Mr. Osborne, Senator from Mecklenburg.

The President ruled that Mr. Osborne was not entitled to take the oath of office by reason of his being disqualified by the Constitutional Amendment.

Mr. Robbins appealed from the decision of the President.

The Senate sustained the decision.

On motion of Mr. Colgrove, the credentials of Mr. Osborne were referred to the Committee on Investigation.

The following resolution, introduced by Mr. Welker, was adopted :

Resolved, The House of Representatives concurring, that the General Assembly will be pleased to hear the proposed address of the Governor on the fourth of July ensuing, and that a Committee of two on the part of the Senate and three on the part of the House of Representatives, be appointed to inform him of the fact.

The following resolutions were introduced (S.5) by Mr. Galloway, a resolution in relation to frauds in the election in Caswell County. Laid over under the rule.

By Mr. Robbins, (S. 6,) a resolution declaring the Constitutional Amendment by the General Assembly of North Carolina without legal force and effect in this State. Laid over under the rule.

By Mr. Blythe, the following, which was adopted :

Resolved, That His Excellency, W. W. Holden, be requested to furnish each member of the Senate with a copy of the Constitution of North Carolina, the Ordinances of the late Constitutional Convention, and all the Orders of Gen. Canby bearing upon the late election and the organization of the present State Government.

By Mr. Welker, the following:

Resolved, That the Secretary of the Senate procure a copy of the abstract of the late election returns filed by Gen. Canby in the office of Secretary of the State, and that two hundred copies be printed for the use of the Senate. Adopted.

By Mr. Moore, of Carteret :

Resolved, That the Investigating Committee, to which the credentials of certain Senators elect have been referred, be empowered to administer oaths and send for persons, books and papers. Adopted.

On motion of Mr. Robbins, it was ordered that the President invite Ministers of the Gospel to open the Senate each morning with prayer.

On motion of Mr. Lassiter, it was ordered that the Door-keeper, under the direction of the President, procure a clock for the Senate Chamber either by loan or otherwise.

On motion of Mr. Barrow, (S. 3,) resolution in relation to United States Senators was taken up and rejected.

(S. No. 1,) Resolution of Mr. Robbins in relation to the credentials of certain Senators was taken up.

Mr. Etheridge moved to lay the resolution on the table.

Mr. Welker moved to amend by adding, until the Committee on Investigation report.

The amendment was accepted by Mr. Etheridge.

The motion as amended was adopted.

Mr. Barrow's resolution in relation to the Constitutional

Amendment, also those of Mr. Rich, were taken up, and on motion of Mr. Barrow, laid on the table.

Mr. Forkner moved to adjourn until to-morrow at 10½ o'clock.

Mr. Galloway moved to amend by adjourning till 11 o'clock Monday. The motion was lost.

The motion of Mr. Forkner prevailed.

FOURTH DAY.

SATURDAY, July 4th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. G. W. Welker.

The Journal was read and approved.

Mr. C. S. Winstead, on the part of the Committee on Investigation, reported favorably on the Credentials of the following Senators, viz:

Joshua Barnes, 9th District.

John W. Purdie, 14th District.

W. B. Richardson, 28th District.

Peter A. Wilson, 34th District.

W. M. Moore, 42d District.

W. L. Love, 43d District.

The report was, on motion, accepted and adopted.

On motion of Mr. Galloway, the Senators were sworn in by R. M. Pearson, Chief Justice, and took their seats in the Senate.

The President announced the passage of the Constitutional Amendment, known as Article 14th, by both Houses of the General Assembly, and the ratification thereof by the President of the Senate.

A message was received from the House of Representatives concurring in the Senate resolution appointing a Committee to wait on the Governor, expressing the desire of the General Assembly to hear the proposed address of the Governor on the 4th of July, and appointing the following Committee: Messrs. Ashworth, Argo and Cherry.

The President announced Messrs. S. P. Smith and Lawson A. Mason, as the Senate branch of that Committee.

Received a message from the House of Representatives transmitting House Bill 2, in relation to the bond of the Public Treasurer.

Mr. Cook moved to lay the bill on the table and print.

Mr. Lassiter moved to refer to the Code Commissioners.

The President ruled that the Senate could not refer any matter outside of its body.

Mr. Lassiter withdrew his motion to refer.

The motion of Mr. Cook to lay on the table and print did not prevail.

Mr. Robbins moved as follows:

That the Committee on Investigation be required to ask the opinions of the Judges of the Supreme Court of North Carolina upon the following questions, viz:

1st. Whether the Amendment of the Federal Constitution, entitled Article 14, has any validity yet as a part of the Constitution, or has any force or effect in this State at this time.

2d. Whether the 3d sections of the Omnibus Bill so-called, is binding upon this State in so far as it declares who are or are not eligible to office in North Carolina, and that the Committee be instructed to include that opinion in their report.

Mr. Rich moved to amend by adding, "are any of the reconstructions acts as passed by Congress, binding upon this State in so far as they declare who are or are not eligible to office in North Carolina."

Mr. Robbins accepted the amendment.

Mr. S. P. Smith on the part of the Committee to wait on the Governor, reported that the Governor would deliver his Inaugural Address before both Houses, and requested the

Senate to proceed at once in a body, under the marshalship of the Doorkeepers, to the stand erected.

The Senate took a recess to hear the Inaugural Address of the Governor.

At 1½ o'clock P. M., the Senate resumed business.

The motion of Mr. Robbins was taken up, pending which the Senate,

On motion of Mr. Colgrove, adjourned until 10½ o'clock Monday.

FIFTH DAY.

MONDAY, July 6th, 1868.

The Senate met pursuant to adjournment.

President in the Chair.

Prayer by the Rev. Mr. Branson.

Mr. Galloway introduced a resolution (S. 7,) in relation to the removal of Political Disabilities.

Laid over under the rule.

Mr. Burns, a resolution (S. 8,) inquiring into the condition of the office of Auditor of Public Accounts.

Laid over under the rule.

Mr. Robbins offered a substitute for his motion of Saturday last, requiring the Committee on Investigation to ask the opinion of the Judges of the Supreme Court of North Carolina upon certain questions.

The substitute was rejected.

The question recurred on the original motion as amended by Mr. Rich.

On this motion, Mr. Robbins demanded the yeas and nays. Agreed to.

The motion was lost.

YEAS—Messrs. Barnes, Beeman, Love, Melchor, Mason, Pardie, Robbins, Wynne and Winstead—9.

NAYS—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Legg, Lassiter, Long, Martindale, Moore of Carteret, Moore of Yancey, Rich, Respass, Richardson, Smith, Shoffner, Sweet, Welker, White and Wilson—31.

A message was received from the House of Representatives transmitting Engrossed Bill entitled, "A bill to provide for the qualification of certain officers recently elected under the provisions of the Constitution of the State of North Carolina. Read the first time.

Received, a message from the House of Representatives transmitting the following report of the Joint Committee on rules :

The Joint Committee to consist of the Committee of two on rules in the Senate and the Committee of three on the part of the House, appointed to prepare a Code of Joint rules for the government of intercourse between the two Houses, respectfully report as follows :

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

1. Each House shall transmit to the other all papers on which any bill or resolution shall be founded.

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

3. Messages from one House to the other shall be communicated by their Clerks respectively, unless the House transmitting the message shall specially direct otherwise.

4. It shall be in the power of either House to amend any amendment made by the other to any bill or resolution.

5. In every case of difference between the two Houses, upon any subject of legislation, either House may request a conference, and appoint a Committee for that purpose, and the other shall also appoint a Committee to confer. The Committee shall meet at such hour and place as shall be appointed by the Chairman of the Committee on the part of the House

requesting such conference. The conferees shall state to each other verbally, or in writing, as either shall choose, the reasons of their respective Houses, and confer freely thereon. The Committee shall report in writing, and shall be authorized to report such modifications or amendments as they think advisable. But no Committee on conference shall consider or report on any matters except those directly at issue between the two houses. The papers shall be left with the conferees of the House assenting to such conference, and they shall present the report of the Committee to their House. When such House shall have acted thereon, they shall transmit the same, and the papers relating thereto, to the other, with a message certifying its action thereon.

6. It shall be in order for either House to recede from any subject matter of difference existing between the two Houses at any time previous to conference, whether the papers on which such difference arose are before the House receding, formally and informally; and on such vote to recede, the same number shall be required to constitute a quorum to act thereon, and to assent to such receding, as was required on the original question out of which the difference arose.

7. All Joint Committees of the two Houses, and all Committees of conference, shall consist of three Senators and five members of the House of Representatives, unless otherwise specially ordered by concurrent resolution.

8. There shall be printed, of course, and without order, two hundred and twenty copies of all original bills reported by Committees of either House; and two hundred and twenty copies of all messages from the Governor, all reports of Standing or Select Committees, and all reports or communications made in pursuance of law; and six hundred and nineteen copies of the Journal of each House, which number shall be denominated the "usual number."

9. When the same document shall by separate orders be directed to be printed by both Houses, it shall be regarded as but one order, unless otherwise expressly directed by either House.

10. In the distribution of documents, the Governor and

State officers shall each have the same number as each of the members.

11. The Clerk of each House shall receive from the public printer all matter ordered by the respective Houses, and shall keep a book and enter therein the time of reception by him of every such bill or document, and the number of copies received, and shall cause each and any of such bills or documents to be immediately placed upon the desks of the members.

12. The 220 copies of original bills ordered to be printed by section 8, shall be distributed as follows: To the Senate 70 copies; to the House of Representatives 150 copies. The 220 copies of messages from the Governor, reports of Committees, and reports or communications made in pursuance of law, ordered to be printed by section 8, shall be distributed as follows: To the Senate 70 copies; to the House of Representative 150 copies. The 619 copies of the Journal of each House ordered to be printed by section 8, shall be distributed as follows: To the Senate 70 copies; to the House of Representatives 150 copies, and there shall be printed to bind 399 copies to be distributed as follows: For the Senate 50 copies; for the House of Representatives 120 copies; for the Senate Library 10 copies; for the House of Representatives Library 10 copies; for the Counties, 89 copies; for the State and Territories, 50 copies; for State Library, 10 copies; for State offices, 10 copies. The Clerk of each House shall forthwith, after the Journal thereof of each day is approved, deliver a legible copy thereof to the printer for the two Houses, who shall have the same printed within three days thereafter.

13. There shall be Joint Standing Committees, consisting of three members of the Senate and five members of the House of Representatives, on the following subjects:

1. On Public Buildings and Grounds.
2. On Library.
3. On Deaf, Dumb and Blind Asylum.
4. On Insane Asylum.
5. On Enrolled Bills.
6. On Penal Institutions.
7. On Printing.

The report of the Committee was adopted.

The following resolution introduced by Mr. Galloway, was taken up and adopted :

Resolved, the House of Representatives concurring, That the military authorities be respectfully requested to forward to the General Assembly of the State of North Carolina, the papers in the case of alleged frauds in the election in Caswell County.

(H. 1.) Bill in regard to the Bond of the Public Treasurer, was taken up and read the second time.

On motion of Mr. Brogden, the rules were suspended and the bill passed its third and final reading, and was returned to the House of Representatives from whence it originated.

(S. 6.) Resolution of Mr. Robbins, declaring the passage of the Constitutional Amendment by the General Assembly of North Carolina without legal force, was taken up and put on its passage.

After some discussion, Mr. Barrow called the previous question.

The call was sustained.

On motion of Mr. Robbins, the yeas and nays were ordered on the passage of the resolution.

The resolution was not sustained.

YEAS—Messrs. Barnes, Beeman, Love, Melchor, Mason, Purdie, Robbins and Wilson—8.

NAYS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Legg, Lassiter, Martindale, Moore of Carteret, Moore of Yancey, Rich, Respass, Richardson, Smith, Shoffner, Sweet, Welker, White, Wynne and Winstead.

Mr. Brogden introduced the following resolution :

Resolved, That a message be sent to the House of Representatives proposing to print the Inaugural Address delivered by Governor Wm. W. Holden on the 4th instant, twenty

copies for the use of each member, as in our opinion it should be extensively circulated among the people in every County of the State.

Resolved, That the remarks delivered by Edwin G. Reade, on the same occasion, be published with the Inaugural Address of Governor Holden.

Mr. Etheridge moved to amend by striking out "twenty," and insert "fifty," and add after Edwin G. Reade, "Lieutenant Governor Tod R. Caldwell, President of the Senate."

Mr. Brogden accepted the amendment.

The resolutions, as amended, were adopted and transmitted to the House of Representatives.

Mr Robbins was granted leave of absence on account of sickness in his family.

On motion of Mr. Galloway, the Senate took recess until 4 o'clock, P. M.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Mr. Hayes moved a suspension of the rules, that the House bill entitled "a bill to provide for the qualifications of certain officers recently elected under the provisions of the Constitution of the State of North Carolina," be taken up and put upon its second reading.

The motion did not prevail.

Mr. Robbins moved to refer the bill to a Select Committee of Five. Adopted.

The Committee on Rules reported as follows :

RULES AND ORDERS OF THE SENATE OF THE STATE OF NORTH CAROLINA.

Your committee of two appointed to prepare and report to

the Senate a Code of Rules for the government of its proceedings, would respectfully report as follows :

ORDER OF BUSINESS.

1. The President having taken the Chair at the hour to which the Senate shall have adjourned, and a quorum being present, the Journal of the preceding day shall be read, to the end that any mistakes therein may be corrected.

2. After the reading and approval of the Journal, the order of business shall be as follows :

1. The presentation of petitions.
2. Reports of standing committees.
3. Reports of select committees.
4. Messages from the Governor.
5. Communications and reports from State officers.
6. Messages from the House of Representatives.
7. Notices of bills.
8. Introduction of bills.
9. Third reading of bills.
10. Motions and resolutions.
11. Special Orders.

12. General Orders ; but messages from the Governor and House of Representatives, and communications and reports from State officers, and reports from the committee on engrossed bills, may be received under any order of business.

POWERS AND DUTIES OF THE PRESIDENT.

3. The President shall appoint all committees, unless otherwise ordered by the Senate.

4. He shall have the right to name any member to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President ; but such substitute shall not lose the right of voting on any question while so presiding, nor shall his power as such substitute con-

tinue for a longer period than two days, without leave of the Senate.

5. When the Senate shall be ready to go into committee of the whole, he shall name a chairman to preside therein.

6. He shall assign to door-keepers their respective duties and stations.

7. He shall certify the passage of all bills by the Senate with the date thereof, together with the fact whether passed as majority, three-fifths or two-thirds bills, as required by the Constitution or laws of this State.

OF THE CLERK.

8. It shall be the duty of the Clerk to have the Journal of each day's proceedings printed, and copies thereof placed upon the files of the President, Senators and Reporters, within three days after approval by the Senate.

9. He shall also furnish each Senator daily with a printed list of the General Orders, which shall be kept on file by him in the same manner as other documents. And the President and Clerk of the Senate shall see that all bills shall be acted upon by the Senate in the order in which they are reported and stand upon the Calendar, unless otherwise ordered by two-thirds of the Senators present. The Calendar shall also, in like manner and form, include the number and title of bills and joint resolutions which have passed the House of Representatives, and been received by the Senate for concurrence.

10. He shall transmit such bill as shall have originated in the Senate, and been passed by both Houses, to the Secretary of State, and enter the same upon the Journals.

OF THE RIGHTS AND DUTIES OF SENATORS.

11. Every Senator presenting a paper shall endorse the same; if a petition, memorial, or report to the General Assembly, with a brief statement of its subject or contents, adding his name; if a notice or resolution, with his name; if

the report of a Committee, a statement of such report, with the name of the Committee and member making the same ; if a bill, a statement of its title, with his name, and the fact whether presented on notice, or if by unanimous consent, with a statement of its contents.

12. No member shall speak to another, or otherwise interrupt the business of the Senate, or read any newspaper, while the Journals or public papers are being read ; and when the President is putting a question, or a division by counting shall be had, no Senator shall walk out of, or across the house, nor when a Senator is speaking, pass between him and the President.

13. Every Senator rising to debate, or to present a petition or other paper, to give a notice, make a motion or report, shall address the President, and shall not proceed further until recognized by him. No Senator shall speak more than twice the same day on the same subject, without leave of the Senate ; and when two or more Senators rise at once, the President shall name the Senator who is first to speak.

14. Every Senator who shall be within the bar of the Senate when a question is stated by the Chair, shall vote thereon, unless he shall be excused by the Senate, or unless he be directly interested in the question ; and the bar of the Senate shall include so much of the body of the Senate Chamber as is within the columns.

15. Any Senator requesting to be excused from voting may make, either immediately before or after the vote shall have been called, and before the result shall have been announced, a brief statement of the reasons for making such request, and the question shall then be taken without debate.

16. When a motion to adjourn, or for a recess, shall be affirmatively determined, no member or officer shall leave his place till the adjournment or recess shall be declared by the President.

17. Standing Committees, consisting, unless otherwise ordered, of seven members, shall be appointed by the President, on the following subjects :

1. On Propositions and Grievances.
2. On Privileges and Elections.
3. On Judiciary.
4. On Internal Improvements.
5. On Finance.
6. On Corporations.
7. On Military Affairs.
8. On Agriculture, Mechanics and Mining.
9. On Education.
10. On Penal Institutions.

18. It shall be the duty of the Committee on public printing to examine and report on all questions of printing referred to them, and every motion to print any petition, resolution, report, bill, message, or other manuscript, shall be referred to such Committee, unless otherwise ordered by the Senate. They shall, when practicable, report the approximate cost of all extra printing, and report to the Senate from time to time, any measure they may deem useful for the economical and proper management of the public printing.

19. The Committee on Engrossed Bills shall examine all bills, amendments and resolutions, before they go out of the possession of the Senate, and make report when they find them correctly engrossed, before they are read the third time; they shall also compare such amendments as may be made in the Senate to bills originating in the House of Representatives, and that are concurred in by the House of Representatives; after they shall have been re-engrossed in the House of Representatives, for the purpose of seeing if they are correctly engrossed.

20. Every report of a Committee upon a bill which shall not be considered at the time of making the same, or laid on the table by a vote of the Senate, shall stand upon the General Orders with the bill.

OF GENERAL ORDERS AND SPECIAL ORDERS.

21. The matters referred to the Committee of the Whole

Senate, shall constitute the General Orders, and the business of the General Orders shall be taken up as follows, viz: The Clerk shall announce the title of each bill, with the printed number, or other matter as it shall be reached in its order, when it may be taken up on the motion of any Senator, without the putting of any question therefor; but if not so moved, it shall lose its preference for the day. And whenever three bills have been moved consecutively, the Senate shall go into Committee of the Whole upon them without further order; and no bill shall be considered in Committee of the Whole, unless the same shall have been printed.

22. Any bill or other matter may be made a Special Order for a particular day or hour by a vote of two-thirds of the Senators voting, and if it shall not be completed on that day, it shall retain its place in the General Orders, unless it shall be made a Special Order for another day; and when a Special Order is under consideration, it shall take precedence of any Special Order for a subsequent hour of the same day; but such subsequent Special Order may be taken up immediately after the previous Special Order has been disposed of.

OF THE COMMITTEE OF THE WHOLE.

23. The rules of the Senate shall be observed in the Committee of the Whole, as far as may be applicable, except limiting the number of times of speaking, and except that the yeas and nays shall not be taken. Such Committee may strike out the enacting clause of a bill and report that fact to the Senate; and if the report be agreed to by the Senate, it shall be deemed a rejection of the bill.

24. Bills committed to a Committee of the Whole, shall in such Committee be read by sections. All amendments shall be noted and reported to the Senate by the Chairman. After the report, the bill shall be subject to debate and amendment before the question to engross it is put; such amendments only shall be in order as were offered and decided in

the Committee of the Whole, except by unanimous consent.

25. A motion that the Committee rise and report progress on any bill, shall always be in order, and shall be decided without debate.

OF BILLS.

26. Every bill shall be introduced by motion for leave or on the report of a Committee, or by message from the House of Representatives, and one day's notice, at least, shall be given of an intended motion for leave to bring in a bill, unless the Senate unanimously order otherwise. Such notice shall state generally the subject matter of such bill.

27. When a bill shall be reported by a Committee of the Whole, and not otherwise disposed of, the question shall be, "Shall the report be agreed to?" And when the report of such Committee, if favorable, shall be agreed to, and the bill not otherwise disposed of, the bill shall be ordered engrossed for a third reading. Upon such question, the merits of the bill may be debated, and a motion to lay on the table, to postpone to a certain day, to commit or re-commit, shall be in order. If such question be decided in the negative, such bill shall be deemed lost; but if it be decided in the affirmative, such bill shall, at the pleasure of the Senate, be read a third time, and the final question shall be taken thereon, immediately after such third reading, and without debate.

28. Every bill shall receive three readings, previous to its being passed, and the President shall give notice at each, whether it be the first, second or third. No bill shall be amended or committed until it shall have been twice read, and no bill shall be read a third time out of its regular order nor on the same day on which it is ordered to a third reading, unless on a vote of two-thirds of all the Senators present and voting, nor unless it shall have been printed; and no bill shall be ordered to a third reading without having been acted upon in Committee of the Whole.

29 The question on the final passage of every bill shall be

taken by yeas and nays, which shall be entered on the journal, and unless the bill receive the number of votes required by the Constitution to pass it, it shall be declared lost, except in cases provided for by the 30th rule.

30. If, on taking the final question on a bill, it shall appear that a constitutional quorum is not present, or if the bill require a vote of three fifths of all the members elect to pass it, and it appears that such number is not present, the bill shall be laid on the table, and shall be again read and the final question taken thereon, as provided in the 29th rule, at such time as the Senate shall order.

ON MOTIONS AND THEIR PRECEDENCE.

31. When a question is before the Senate, no motion shall be received, except as herein specified; which motions shall have precedence in the order stated, viz:

1. For an adjournment.
2. To lay on the table.
3. To postpone indefinitely.
4. To postpone to a day certain.
5. To commit to a standing committee.
6. To commit to a select committee.
7. To commit to the Committee of the Whole.
8. To amend.
9. For the previous question.

The motions to adjourn and lay on the table shall be decided without debate, and the motion to adjourn shall always be in order when made by a Senator entitled to the floor.

32. The previous question shall be as follows: "Shall the main question be now put?" and until it is decided, shall preclude all debate. If this question shall be decided in the affirmative, the "main question" shall be on the passage of the bill, resolution or other matter under consideration; but when amendments are pending the question shall be first taken upon such amendments in their order without further debate or amendment. If such question be decided in the neg-

ative, the main question shall be considered as remaining under debate.

33. All motions shall be reduced to writing, if desired by the President or any Senator, delivered in at the table, and read by the President or Clerk, before the same shall be debated; but any such motion may be withdrawn at any time before decision or amendment.

34. If any question contain several distinct propositions, it shall be divided by the President, at the request of any Senator; *Provided*, each sub-division if left to itself, shall form a substantive proposition.

35. The respective motions to postpone or commit shall preclude debate on the main question.

36. When a blank is to be filled, and different sums or time shall be proposed, the question shall be first taken on the highest sum and the longest time.

37. When a question has been once put and decided, it shall be in order for any Senator who shall have voted in the majority, to move a reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the possession of the Senate, and no bill or resolution shall be sent from the Senate on the day of its passage except on the last day of the session or by unanimous consent. Nor shall any motion for reconsideration be in order unless made on the same day, or the next following legislative day on which the vote proposed to be reconsidered shall have taken place. Nor shall any question be reconsidered more than once.

38. All concurrent resolutions shall lie on the table at least one day.

39. All questions relating to the priority of business shall be decided without debate.

40. When the reading of a paper is called for except petitions, and the same is objected to by any Senator, it shall be determined by a vote of the Senate, without debate.

41. No remark reflecting personally upon the action of any

Senator shall be in order in debate, unless preceded by a motion or resolution of investigation or censure.

42. When a Senator shall be called to order he shall take his seat until the President shall have determined whether he was in order or not; and if decided to be out of order, he shall not proceed without the permission of the Senate, and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator, and if a Senator be called to order for words spoken, the exceptional words shall be immediately taken down in writing, that the President or Senate may be better enabled to judge of the matter.

MISCELLANEOUS.

43. No person other than officers of the State, members and officers of the Senate and House of Representatives, unless on invitation of the President, or by a vote of the Senate, shall be admitted within the bar.

44. It shall be the duty of the Clerk to have the documents and bills properly placed upon the files of the President and Senators, in the order of their numbers, and it shall be his duty to see that the mails are punctually delivered.

45. No rule of the Senate shall be altered, suspended, or rescinded without a vote of a majority of all the Senators elected; and no motion to suspend shall embrace more than one rule or relate to any other subject than the one specified in said motion.

46. In case a less number than a quorum of the Senate shall convene they are hereby authorized to send the principal Door-keeper, or any other person, for any or all absent Senators, as the majority of Senators present shall determine.

W. H. S. SWEET,
C. H. BROGDEN.

The report of the Committee on rules was adopted.

Mr. Robbins moved to strike out the previous question as

second in the list of motions on rule thirty-first, and insert as the ninth. Adopted.

Mr. Robbins moved to strike out, in rule the thirty-second, the words, "amendments or," where it first occurs in said rule as reported by the Committee.

Mr. Sweet, Chairman of the Committee, accepted the amendment.

The entire report as amended was adopted.

Mr. Welker introduced the following resolution, which was adopted, and transmitted to the House of Representatives :

Resolved, The House of Representatives concurring, that the usual number of the Rules of the Senate and the House of Representatives, together with the Joint Rules of both Houses be printed with the marginal reference.

The President announced the following select Committee of five in accordance with the motion of Mr. Robbins: Messrs. Robbins, Sweet, Barrow, Winstead and Shoffner.

A message was received from the House of Representatives transmitting the Senate resolution in relation to printing the Governor's Inaugural, &c., amended so as to read 10,000 copies, instead of 50 copies to each member.

Mr. Rich moved to concur in the House amendment.

The Senate did not concur.

A message was sent to the House of Representatives informing them of the non-concurrence of the Senate.

A message was received from the House of Representatives transmitting a bill, (H. 6,) substituted a bill to amend the charter of the Davidson Copper Mining Company.

Read first time.

A message was received from the House of Representatives, transmitting a bill (H. 2) to provide for the holding of a special term of the Superior Court of Law of Caldwell County.

Mr. Robbins gave notice that he would introduce the following bills:

A bill to incorporate the Salisbury Seminary.

A bill to empower the late Clerks to continue to issue process and make writs returnable to the next term of the Superior Court, without specifying the day.

A bill to restore the rate of interest to 6 per cent.

Mr. Cook gave notice of the introduction of the following bills :

On Monday week, or some subsequent day, a bill to encourage manufactures of cotton, wool and linen goods.

On Tuesday week, or some subsequent day, a bill to create a Board of Commissioners, whose duty it shall be to make a partial hydrographic survey of the water power of the State.

By Mr. White, a bill for the relief of the sureties of the old Sheriff of Perquimans.

By Mr. Barrow, a bill to allow the Sheriff of Northampton until January first, 1869, to settle his account of taxes.

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

SIXTH DAY.

TUESDAY, July 7th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by Rev. Mr. Blythe.

The Journal was read and approved.

Mr. Robbins presented the credentials of Mr. Jno. H. McLaughlin, of Iredell.

On motion of Mr. Rich, they were referred to the Committee of Investigation.

Mr. Welker introduced the following resolutions which were laid over under the rule, viz :

* A resolution appointing a Committee in relation to the erection of a Penitentiary.

A resolution in regard to admitting the Commissioners of the Code to the floor of the Senate sitting in the Committee of the Whole.

A resolution in relation to the Board of Public Charities.

By Mr. Hyman, a resolution in relation to the *per diem* and mileage of members.

By Mr. Moore, of Carteret, a resolution on the same subject.

The following resolution introduced by Mr. Galloway was taken up, passed and transmitted to the House of Representatives :

Resolved, That a Committee of three members of the Senate to be joined by four members of the House of Representatives be appointed to consider and report at an early day on the subject of the removal of political disabilities from certain citizens of North Carolina.

The President announced the following Committees :

Propositions and Grievances—Messrs. S. P. Smith, C. H. Brogden, C. Melchor, A. H. Galloway, J. W. Etheridge, P. T. Beeman,

Privileges and Elections—Messrs. W. H. S. Sweet, P. A. Long, Henry Eppes, O. S. Hayes, J. W. Purdie, Jas. Blythe, J. W. Beasley.

Claims—Messrs. Jno. M. Lindsay, S. Forkner, W. L. Love, J. A. Hyman, D. D. Colgrove J. B. Respass, J. H. Davis.

Judiciary—Messrs. C. S. Winstead, Wm. Barrow, W. M. Robbins, W. H. S. Sweet, R. W. Lassiter, R. I. Wynne, I. B. Cook.

Internal Improvements—Messrs. D. J. Rich, R. W. Lassiter, J. B. Eaves, James Blythe, Silas Burns, F. G. Martindale, S. Forkner.

Education and Literary Board—Messrs. G. W. Welker, R. W. Lassiter, D. D. Colgrove, J. A. Hyman, J. B. Eaves, E. A. White N. B. Bellamy.

Military Affairs—Messrs. F. G. Martindale, J. B. Eaves,

Joshua Barnes, C. S. Winstead, J. M. Lindsay, A. H. Galloway, S. P. Smith.

Agriculture—Messrs. W. D. Jones of Wake, J. S. Harrington, J. W. Purdie, L. D. Hall, W. B. Richardson, W. M. Moore of Yancey, J. W. Beasley.

Banks and Currency—Messrs. C. H. Brogden, J. S. Harrington, W. M. Robbins, W. L. Love, D. D. Colgrove, P. T. Beeman, E. Legg.

Corporations—Messrs. W. M. Robbins, D. J. Rich, W. A. Moore, of Carteret, Henry Eppes, P. A. Wilson, Lawson A. Mason, F. M. Shoffner.

¶ The following resolution introduced by Mr. Burns, was taken up, adopted, and transmitted to the House of Representatives :

Resolved, That a Joint Committee composed of two from the Senate, and two from the House of Representatives, be appointed whose duty it shall be to inquire into, and report at as an early day as practicable, the condition of the office of Auditor of Public Accounts ; and that said Committee may, if deemed necessary, employ such aid as in their judgment will facilitate the progress of their duties.

The following messages were received from the House of Representatives :

A message concurring in the Senate resolution regarding the printing of the Rules of both Houses with marginal references.

A message returning Senate resolution concerning the election frauds in Caswell County. Amended by adding "and all other evidence pertaining to similar cases in the State."

On motion of Mr. Etheridge, the Senate concurred in the House amendment, and a message was transmitted to the House of Representatives notifying that body of the same.

The President appointed Messrs. Galloway, Welker, and Love, as the Senate branch of the Committee on the resolution of Mr. Galloway.

Also Messrs. Burns and Brogden as Senate branch of the Committee on the resolution of Mr. Burns.

A message was received from the House of Representatives proposing to go into the election of an Enrolling Clerk, asking the concurrence of the Senate.

On motion, it was ordered that the proposition of the House of Representatives to go into an election of an Enrolling Clerk be concurred in, and that a message be sent to the House of Representatives informing that body that Messrs. Sweet and Wilson constitute the Senate branch of the Committee to superintend said election, and that the Senate will proceed to the election on the return of the messenger.

Mr. Barrow nominated Mr. John A. McDonald,

A message was sent to the House of Representatives notifying them of the same.

The President announced that the hour of election had arrived.

The roll was called, when the following Senators were excused from voting :

Messrs. Robbins, Forkner, Beasley, Barnes, Eaves, Smith, Love, Etheridge, Mason, Long, Welker, Shoffner, Brogden, Wilson, and Eppes.

The following messages were received from the House of Representatives :

A message transmitting a bill entitled "a bill to change the name of the town site in the county of Mitchell."

The bill passed the first reading.

A message receding from the amendment of the Senate resolution to the printing of the Governor's Inaugural Address, &c., and concurring in the original resolution.

A message transmitting a bill entitled, "a bill to provide for the relief of the Sheriffs and their sureties of this State."

Read first time.

Mr. Barrow introduced a bill for the relief of the Sheriff of Northampton.

Mr. Barrow amended by adding the Counties of Wilson and Nash.

The bill passed first reading.

On motion of Mr. Long, the bill entitled, "a bill to amend the Charter of the Davidson Copper Mining Company," was taken up and read a second time, and,

On motion was referred to the Committee of the Whole.

On motion of Mr. Moore, of Carteret, the Senate proceeded to the election of an Engrossing Clerk.

Mr Moore, of Carteret nominated Mr. W. B. Rich.

Mr. Love nominated Mr. R. W. Best.

The following Senators voted for Mr. Rich :

Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Legg, Lassiter, Martindale, Moore of Carteret, Moore of Yancey, Respass, Smith, Shoffner, Sweet, White, Wynne, Winstead and Welker—29.

The following voted for Mr. Best :

Messrs. Beasley, Barnes, Love, Melchor, Purdie, and Robbins—6.

Mr. Rich having received a sufficient number of votes, was declared elected as Engrossing Clerk of the Senate.

Senator Rich was excused from voting.

* On motion of Mr. Robbins the rules were suspended to allow him to introduce a bill entitled "a bill in relation to marriage licenses."

The bill was read first time.

On motion the rules were suspended and the bill passed the second reading.

A motion to suspend the rules to put the bill on its third reading did not prevail ; when,

On motion of Mr. Jones, of Wake, the bill was referred to the Committee on the Judiciary.

Mr. Long moved to adjourn until 10 o'clock to-morrow.

Mr. Blythe moved to amend by inserting 4 o'clock, P. M.

The amendment was adopted.

The motion as amended was lost.

Mr. Welker moved to adjourn until 10½ o'clock to-morrow.

Agreed to.

SEVENTH DAY.

WEDNESDAY, July 8th, 1868.

The Senate met pursuant to adjournment.

President in the Chair.

Prayer by the Rev. G. W. Welker.

The Committee on election of Enrolling Clerk reported the whole number of votes cast 112, of which,

John A. McDonald received	-	-	-	-	-	92
John Syme received	-	-	-	-	-	20

112

Mr. McDonald having received a majority of the whole number of votes cast, was declared elected.

FOR JOHN A. McDONALD:—MESSRS. Barrow, Bellamy, Blythe, Colgrove, Cook, Davis, Etheridge, Hayes, Harrington, Hall, Hyman, Jones of Wake, Legg, Lassiter, Martindale, Moore of Carteret, Rich, Respass, Richardson, Sweet, Wynne and Winstead—22.

A message was received from the Governor stating that copies of the Constitution and Ordinances had been furnished to the members of the General Assembly, and inclosing all orders in his possession from General Canby in relation to the organization of the present State Government.

On motion of Mr. Forkner, the reading of the orders were dispensed with.

Mr. Jones, of Wake, introduced a bill entitled "A bill to extend the Chatham Rail Road."

Read first time, and on motion of Mr. Lassiter, was referred to the Committee on Internal Improvements.

Mr. Robbins moved to allot the Galleries to either race.

Mr. Galloway moved to amend so that white ladies and gentlemen occupy one side of the Gallery, and colored ladies and gentlemen the other side, and the middle to any that choose to occupy it.

The amendment was adopted. Yeas 20, nays 19.

The motion, as amended, was adopted.

The President announced that the Gallery to the right of the President's stand would be allotted to the white ladies and gentlemen, and to the left of the President's stand to the colored ladies and gentlemen.

* Mr. Blythe introduced a resolution fixing the salaries and fees of the public officers.

† Laid over under the rule.

Mr. Davis introduced a resolution fixing the pay and *per diem* of officers of the General Assembly.

Laid over under the rule.

‡ Mr. Moore, of Carteret, called up his resolution in relation to the *per diem* and mileage of members.

Mr. Blythe moved to amend by striking out "six dollars," and insert "four dollars."

On motion of Mr. Barrow, the subject was referred to a Joint Select Committee of Five, three on the part of the House of Representatives, and two on the part of the Senate.

A message to that effect was transmitted to the House of Representatives.

Mr. Welker's resolution admitting the Commissioners of the Code to the floor of the Senate sitting in the Committee of the Whole, was taken up and put upon its passage.

Mr. Brogden moved to amend by striking out all after *Resolved*, and insert as follows: "That the several Standing Committees be authorized to confer from time to time, with the Code Commissioners relative to any proper subject of legislation by this General Assembly."

The amendment was adopted.

The resolution, as amended, was adopted.

* The following resolutions introduced by Mr. Welker were taken up and adopted:

Resolved, That a Committee of one from each Congressional District be appointed to report to the Senate on the most effective policy to secure the erection and provide for the conduct of a State's Prison or Penitentiary in accordance with section 3, article XI, of the Constitution of North Carolina.

Resolved, That a Committee of Five be appointed to report on the appointment and define the duties of a Board of Public Charities, as required by section 7th of Article XI of the Constitution of North Carolina.

Mr. White called up (H. 5,) a bill entitled "A bill to provide for the relief of the Sheriffs and their sureties of this State."

The bill was placed on its second reading.

Mr. White offered the following as a new section, which was adopted :

Section 2, That this act shall be in force from and after the date of its ratification.

The bill passed its second reading, as amended, and,

On motion of Mr. Love, it was referred to the Committee on the Judiciary.

The President announced that the Committee on Banks and Currency would hereafter be considered as the Committee on Finance.

Mr. White introduced a bill entitled "A bill to provide for the relief of the sureties of the late D. F. Bagley, former Sheriff of Perquimans County.

Read first time.

A motion to suspend the rules to place the bill on its second reading was not sustained.

The President appointed the following Committee on Penal Institutions :

Messrs. Lassiter, Welker, Robbins, Beasley, Shoffner, Etheridge and Love.

On motion of Mr. Moore, of Carteret, the Senate adjourned until 10½ o'clock to-morrow.

EIGHTH DAY.

THURSDAY, July 9th, 1868.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Rev. Mr. Brewer.

Mr. Sweet, on the part of the Judiciary Committee, reported as follow.

The Committee on the Judiciary to whom was referred a bill entitled "A Bill in relation to Marriage Licenses," report the following amendments thereto and recommend it be engrossed and printed as amended, and ordered to a third reading :

SEC. 2. After Register in first line, insert " of Deeds."

SEC. 3. After Register in fourth line, insert " of Deeds."

SEC. 4. Strike out " County " in first line, and insert after Register in the first line the words " of Deeds." After the words " in each County," in second line, insert the words " the late Clerk of," and strike out the word " Clerk," in the third line.

The report was adopted.

Mr. Winstead, on the part of the same Committee, reported as follows :

The Committee of the Judiciary, to whom was referred a bill to provide for the relief of Sheriffs and their sureties of the State, have had the same under consideration, and report it back with a recommendation that it do pass.

C. S. WINSTEAD, *Chm'n.*

The report was on motion adopted.

* Mr. Blythe gave notice that, in a few days, he would introduce a bill for the extension of the Wilmington, Charlotte and Rutherford Railroad, from Rutherfordton to the French Broad River.

• Mr. Shoffner gave notice of the introduction of a bill to make bank bills a set off.

• Mr. Barrow gave notice of his intention to introduce a bill to repeal an act entitled "An Act directing the time and place for selling lands in the counties of Halifax, Northampton, Hertford and Martin."

Mr. Galloway introduced a bill entitled "A Bill to elect Inspectors for the city of Wilmington."

Laid over under the rule.

• Mr. Love introduced a resolution in favor of Jno. H. McLaughlin.

Mr. Love moved to suspend the rules and put the resolution on its passage.

Mr. Moore, of Carteret, moved to lay the motion the table.

On the motion to lay on the table, the yeas and nays were demanded by Mr. Love.

The motion was sustained.

YEAS—Messrs. Barrow, Beasley, Bellamy, Beeman, Blythe, Colgrove, Cook, Davis, Eppes, Galloway, Harrington, Hall, Legg, Lindsay, Long, Moore, of Carteret, Rich, Respass, Richardson, Smith, Shoffner, Wynne and Winstead—22.

NAYS—Messrs. Barnes, Brogden, Eaves, Etheridge, Forkner, Hayes, Hyman, Lindsay, Love, Martindale, Moore, of Yancy, Melchor, Mason, Purdie, Robbins, Sweet, White and Wilson—18.

• Mr. Hyman introduced a resolution instructing the Committee on Propositions and Grievances.

Mr. Shoffner, a resolution in relation to County Commissioners.

The President announced the following committees :

Public Charities—Messrs. Welker, Moore, of Carteret, Hayes, Love and Respass.

State's Prison and Penitentiary—First Congressional District, Mr. Barrow ; Second, Mr. Rich ; Third, Mr. Galloway ; Fourth, Mr. Burns ; Fifth, Mr. Welker ; Sixth, Mr. Melchor ; Seventh, Mr. Blythe.

Per Diem and Mileage—Messrs. Moore, of Carteret, and Shoffner.

The resolution of Mr. Davis in reference to *per diem* and mileage was taken up and referred to the Committee on that subject.

On motion of Mr. Barrow, a bill entitled, "a bill for the relief of the Sheriff of Northampton," was taken up and passed its second reading.

A message was received from the House of Representatives announcing the following Committee on *per diem* and mileage :

Messrs. Laffin, Wilkie and Gahagan.

(H. 2.) A bill entitled "a bill to provide for the holding of a special term of Superior Court of Law, of Caldwell County," was taken up and passed its second reading.

(H. 7.) A bill entitled "a bill to change the name of the town site in the County of Mitchell," was taken up and passed second reading.

Mr. Blythe introduced the following resolution :

Resolved, That a message be sent to the House of Representatives proposing to raise a Joint Select Committee of Five, three from the House of Representatives and two from the Senate, to prepare a bill fixing the salaries and fees of public officers in the State, and that they report at as early a day as practicable.

Mr. Rich moved to amend by making the Committee Thirteen, eight from the House of Representatives, and five from the Senate.

The amendment did not prevail.

The resolution was adopted and transmitted to the House of Representatives.

Mr. Robbins introduced a bill entitled "a bill to continue in authority the Provisional Government of the town of Salisbury, and to legalize the acts of the same."

On motion, the rules were suspended and the bill was read the first time.

On motion of Mr. Robbins, the rules were again suspended and the bill passed its second reading.

A motion to suspend the rules for a third reading did not prevail.

On motion of Mr. Etheridge, the bill was referred to the Committee on Corporations with instructions to report tomorrow, A. M.

Yeas 20—Nays 17.

Mr. White called up (H. 5.) a bill entitled "a bill to provide for the relief of Sheriffs and their sureties of the State," and moved to suspend the rules to place the bill on its third and final reading.

The motion did not prevail.

On motion of Mr. Robbins, the vote was reconsidered.

Yeas 28—Nays 7.

On motion the rules were suspended and the bill passed its third and final reading by the following vote:

YEAS—Messrs. Barrow, Beasley, Bellamy, Barnes, Brogden, Beeman, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Harrington, Hall, Hyman, Legg, Lindsay Lassiter, Long, Love, Martindale, Moore, of Carteret, Moore of Yancey, Melchor, Mason, Purdie, Rich, Respass, Richardson, Robbins, Smith, Shoffner, Sweet, White, and Winstead—38.

NAYES—Messrs. Hayes, Wynne and Wilson—3.

Mr. Cook introduced a resolution authorizing the appointment of a standing Committee on Immigration.

Mr. Barrow moved that when the Senate adjourns, that it adjourn to meet at 10 o'clock A. M., each day until otherwise ordered. Adopted.

On motion the Senate Adjourned,

NINTH DAY.

FIRDAY, July 10th, 1868.

The Senate met pursuant to adjournment.

President in the Chair.

Prayer by the Rev. Mr. Whitson.

The Journal of Thursday was read and approved.

By permission, Mr. Lindsay was allowed to record his vote in the affirmative, on the resolutions of Mr. Robbins, in relation to the Omnibus Bill.

Leave of absence was granted Mr. Hyman until Monday, A. M.,

✓ The Committee on Corporations reported as follows :

The Committee on Corporations to whom was referred the bill entitled " a bill to continue in authority the Provisional Government of the town of Salisbury, and to legalize the acts of the same," beg leave to report that they have considered the same, and recommend the following amendments, to wit :

Strike out the words " Provisional Government," in the title of the bill, and insert the words " present municipal officers."

Also strike out the words " Be it enacted, &c., in the enacting clause and insert the words, " The General Assembly of North Carolina do enact." so as to conform to the style prescribed in the Constitution.

Also strike out the words " Be it further enacted," at the beginning of the second and third clauses respectively, these words being deemed unnecessary.

With these amendments the Committee recommend that the Bill be at once put upon its passage, on third reading under a suspension of the rules.

W. M. ROBBINS, *Chairman.*

The report was, on motion, adopted.

Mr. Long moved to postpone indefinitely.

The motion did not prevail.

The bill as amended passed its third and final reading by the following vote :

YEAS—MESSRS. Barrow, Beasley, Barnes, Beeman, Blythe, Davis, Eppes, Forkner, Legg, Lindsay, Love, Martindale, Moore of Carteret, Moore of Yancy, Melchor, Mason, Purdie, Rich, Respass, Richardson, Robbins, Smith, Sweet, White, Wynne, Winstead and Wilson—27.

NAYES—MESSRS. Bellamy Brogden, Colgrove, Cook, Eaves, Galloway, Hayes, Harrington, Hall, Long and Shoffner—11.

Third reading of an act to continue in authority the provisional government of the town of Salisbury and legalizing the acts thereof, (as amended.)

The Committee of Investigation reported as follows :

The Committee of Investigation to whom was referred the credentials of John H. McLaughlin, Senator elect from the 38th Senatorial District, have had the same under consideration, and report with a recommendation that he qualify and take his seat. All of which is respectfully submitted.

C. S. WINSTEAD, *Chairman.*

The report was adopted.

Mr. McLaughlin being properly qualified by E. W. Jones, Judge of Superior Court, took his seat.

Mr. Robbins on the part of the Select Committee to whom was referred (H. 3.) a bill entitled "a bill to provide for the qualification of certain officers recently elected under the provisions of the Constitution of the State of North Carolina," report it back with a bill drawn by themselves as a substitute, and recommend that said substitute be at once put on its passage.

The report was concurred in and the substitute passed its second reading.

Mr. Sweet moved to make it a special order for to-morrow at 11 o'clock.

Mr. Shoffner moved to make it a special order for Monday next at 11 o'clock.

The amendment was adopted.

The motion as amended was adopted.

A message was received from the Governor transmitting General Orders No. 131, which were read.

On motion of Mr. Brogden, the Message, General Orders No. 131, together with previous message with orders therein contained, were ordered to be printed.

A message was received from the House of Representatives concurring in the resolution of the Senate proposing to raise a Joint Committee, to consider the salaries of Public officers; also announcing Messrs. Seymour, Rea and Crawford, as the Committee on the part of the House of Representatives.

The President announced Messrs. Sweet and Davis as the Senate branch of that Committee.

Mr. Moore, of Yancey, gave notice that on to-morrow or some other day soon, he would introduce a bill regulating the official bonds of Sheriffs and County Officers of the Counties of Madison, Yancey, Mitchell, and McDowell.

Mr. Eaves gave notice that on to-morrow he would introduce a bill to attach the County of Catawba to the 10th Judicial District.

Mr. Lassiter gave notice that upon a subsequent day he would introduce a bill for the relief of Willis S. Grandy, of the County of Granville.

Mr. Blythe introduced a bill entitled "a bill to amend an act incorporating the Wilmington, Charlotte and Rutherford Railroad Company."

Read the first time and referred to the Committee on Internal Improvements.

Mr. Sweet, by unanimous consent, introduced a bill entitled "a bill to provide for the Representation of stock owned by the State, and the Counties of Carteret, Craven and Lenoir, in the Atlantic and North Carolina Railroad Company."

On motion of Mr. Sweet, the rules were suspended, and the bill passed its second reading.

Mr. Mason introduced a bill entitled "a bill appointing Judges of Superior Courts, Clerks of Superior Courts and Chairmen of the Board of County Commissioners, to take the

privy examination of *feme covert*s in the conveyance of real estate."

The bill passed first reading and was referred to the Judiciary Committee.

• Mr. Barrow introduced a bill entitled "a bill to repeal an act directing the time and place for selling land in the Counties of Halifax, Northampton, Hertford, and Martin."

Read the first time.

• A bill entitled "a bill in relation to Marriage Licenses," was taken up and passed its third and final reading and transmitted to the House of Representatives.

YEAS—Messrs. Barrow, Beasley, Bellamy, Barnes, Brogden, Beeman, Blythe, Colgrove, Cook, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Legg, Lindsay, Lassiter, Long, Love, Moore of Carteret, Moore of Yancey, Melchor, Mason, Purdie, Respass, Richardson, Robbins, Smith, Shoffner, Sweet, White, Wynne, Winstead, and Wilson—27.

NAY—Mr. Davis—1.

Third reading on "act in relation to Marriage Licenses."

The President announced as the Committee on Enrolled Bills:

Messrs. Legg, and Colgrove.

A bill entitled "a bill to elect Inspectors for the City of Wilmington," was taken up.

• Mr. Galloway offered a substitute which, together with the original bill, was referred to the Committee on Municipal Corporations.

On motion of Mr. Lassiter, it was ordered, that the Door-keeper be instructed to put up at suitable places, in the Senate Chamber, Maps of the State and of the Surveys of the State.

• On motion of Mr. Long, it was ordered that a Special Committee, of twelve, one from each Judicial District be appointed to fix the time for holding the several Superior Courts of the State.

A resolution of Mr. Love, in favor of Mr. McLaughlin, was taken up, and,

On motion, laid on the table.

* The resolution of Mr. Hyman, in relation to the distillation of grain, was taken up and referred to the Committee on Propositions and Grievances.

A resolution by Mr. Shoffner in reference to County Commissioners, was taken up and referred to the Judiciary Committee.

The resolution of Mr. Cook, appointing a Committee on Immigration, was taken up.

Mr. Cook amended so as to read a Committee of five instead of seven and that the Committee be instructed to report by bill or otherwise, measures for the encouragement of Immigration into the State.

The resolution as amended was adopted.

Leave of absence was granted Messrs. Jones, of Wake, and Wynne until Tuesday next.

Mr. Sweet moved to adjourn until 10½ o'clock to-morrow.

Mr. Robbins moved to amend by making it 11 o'clock.

The motion of Mr. Robbins was lost as also the motion of Mr. Sweet.

Mr. McLaughlin asked leave to record his vote on the Constitutional Amendment.

The President ruled that the Senator not being a qualified member of the Senate at the time of the passage of the Constitutional Amendment, could not be allowed to record his vote.

Mr. Wynne appealed from the decision of the President.

The Senate sustained the President.

On motion, the Senate adjourned.

TENTH DAY.

SATURDAY, July 11th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. G. W. Welker.

The Journal of Friday was read and approved.

The Chair announced the following Committees :

On Investigation—Messrs. Cook, Etheridge, Eppes, Rich and McLaughlin.

To fix the time of holding Superior Courts—First Judicial District, Mr. White; Second, Mr. Bellamy; Third, Mr. Sweet; Fourth, Mr. Hayes; Fifth, Mr. Beeman; Sixth, Mr. Lassiter; Seventh, Mr. Winstead; Eighth, Mr. Robbins; Ninth, Mr. Eaves; Tenth, Mr. Smith; Eleventh, Mr. Moore, of Yancey; Twelfth, Mr. Love.

• Mr. Shoffner introduced a bill entitled “A bill to make Bank Bills a set off.”

• By leave Mr. Welker introduced a bill entitled “A bill in relation to Marriages.”

The rules were, on motion, suspended, and the bill was referred to the Committee on the Judiciary.

• Mr. Eaves introduced a bill entitled “A bill to attach the County of Catawba to the 10th Judicial District.”

The bill passed the first reading.

• Mr. Moore, of Yancey, introduced a bill entitled “A bill concerning the bonds of certain officers in the Counties of Madison, Yancey, Mitchell and McDowell.”

Passed the first reading, and, on motion, was referred to Committee on the Judiciary.

• Mr. Davis gave notice that he would introduce a bill on Monday next, to abate the corporation tax in the County of Montgomery.

• On motion, the following bills on third reading, were referred to the Committee of the Whole :

A bill entitled “A bill to provide for the holding of a

Special Term of the Superior Court of Law of Caldwell County.”

A bill entitled “A bill for the relief of the Sheriffs of Northampton, Nash and Wilson Counties.”

A bill entitled “A bill to change the name of the town site in County of Mitchell.”

At 11 o'clock the Senate resolved itself into a Committee of the Whole, for the consideration of bills on third reading.

Mr. W. H. S. Sweet in the Chair.

At 11½ o'clock, the Committee arose and reported as follows :

The Committee of the Whole have had under consideration a bill entitled “A bill to provide for the holding of a Special Term of the Superior Court of Law of Caldwell County,” and report it back to the Senate with a recommendation that it do not pass.

A bill entitled “A bill to change the name of the town site in the County of Mitchell,” and recommend its passage.

A bill entitled “A bill for the relief of the Sheriffs of Northampton, Nash and Wilson Counties,” and recommend its reference to the Committee on Propositions and Grievances.

The report of the Committee was concurred in by the Senate.

The bill entitled “A bill to provide for the holding of a Special Term of the Superior Court of Law of Caldwell County,” was put upon its third and final reading.

The bill was lost by the following vote :

NAYS—Messrs. Barrow, Beasley, Bellamy, Barnes, Brogden, Burns, Beeman, Blythe, Colgrove, Cook, Davis, Eaves, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Jones of Wake, Legg, Lindsay, Lassiter, Long, Love, Martindale, Moore of Carteret, Moore of Yancey, Melchor, Mason, McLaughlin, Purdie, Rich, Respass, Richardson, Robbins, Smith, Shoffner, Sweet, Welker, White, Winstead and Wilson—42.

(H. 7.) A bill to change the name of the Town site in the County of Mitchell, passed its third and final reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Barnes, Brogden, Burns, Beeman, Blythe, Colgrove, Cook, Davis, Eaves, Ethe-

ridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Jones of Wake, Legg, Lindsay, Martindale, Moore of Carteret, Moore of Yancey, Melchor, Mason, McLaughlin, Purdie, Respass, Richardson, Robbins, Smith, Shoffner, Sweet, Welker, White, Winstead and Wilson—39.

NAYS—Messrs Lassiter and Rich—2.

(S. 2,) A bill entitled "A bill for the relief of the Sheriffs of Northampton, Nash and Wilson Counties," was read the third time and referred to the Committee on Propositions and Grievances.

• Mr. Lassiter introduced a bill entitled "A bill for the relief Willis L. Grandy, of Granville County,"

Read first time.

On motion of Mr. Lassiter, the rules were suspended and the bill with accompanying documents, were referred to the Committee on Propositions and Grievances.

On motion of Mr. Sweet, the rules were suspended to place (S. 25,) a bill entitled "A bill to provide for the representation of stock owned by the State and the Counties of Carteret, Craven and Lenoir, in the Atlantic and North Carolina Rail Road Company."

The bill passed a third reading by the following vote:

YEAS—Messrs. Barrow, Beasley, Bellamy, Barnes, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Legg, Lindsay, Lassiter, Long, Love, Martindale, Moore of Carteret, Moore of Yancey, Melchor, Mason, McLaughlin, Purdie, Rich, Respass, Richardson, Robbins, Smith, Shoffner, Sweet, Welker, White, Winstead and Wilson—40.

Ordered, on motion of Mr. Welker, that a Committee of three be appointed on Public Printing, as implied by section 18 of the Senate rules.

The President appointed Messrs. Welker, Hall and Barnes, as that Committee.

• Mr. Beasley introduced a resolution authorizing a Joint Committee of Five, two on the part of the Senate and three on the part of the House of Representatives, to confer with

the Governor and other Heads of Departments, as to what Legislation is actually necessary at this time.

Also, to agree upon the earliest possible day for adjournment.

Under a suspension of the rules, the resolutions were adopted, and transmitted to the House of Representatives.

Leave of absence was granted Mr. Robbins until Tuesday next, on account of sickness in his family.

A message was received from the House of Representatives concurring in and transmitting a message from the Governor appointing Directors of the North Carolina Institution for the Deaf, Dumb and Blind.

On motion of Mr. Winstead, the message was laid on the table for the present, by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Barnes, Brogden, Burns, Beeman, Blythe, Colgrove, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Lindsay, Lassiter, Love, Martindale, Moore of Yancey, Melehor, Mason, McLaughlin, Osborne, Purdie, Respass, Robbins, Smith, Shoffner, Sweet, Welker, White, Wynne, Winstead and Wilson—37.

NAYS—Messrs. Cook, Legg, Moore of Carteret and Rich—4.

A message was received from the House of Representatives transmitting (H. 18,) entitled "A bill to incorporate the Town of Brevard, in the County of Transylvania." Read the first time.

A message was received from the House of Representatives concurring in the Senate amendments to H. 5.

A communication was received from Headquarters, Military Post of Raleigh, stating that the General Assembly can have access to the papers in regard to the election in the County of Caswell, but that they can not be taken from the office.

The following Committee was appointed as called for by the resolution of Mr. Beasley :

Messrs. Beasley and Shoffner.

A message was received from the House of Representatives transmitting (H. —,) a bill entitled "A bill to amend the charter of the City of Wilmington."

Read the first time.

Mr. Galloway moved a suspension of the rules to place the bill on its second reading.

Mr. Moore, of Carteret, moved to refer to the Committee on corporations.

The motion to refer was withdrawn.

Mr. Robbins renewed the motion to refer.

The motion was not sustained.

On motion the rules were suspended and the bill passed its second reading.

On motion of Mr. Legg the rules were again suspended and the bill passed its third and final reading by the following vote:

YAES—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Beeman, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Legg, Lassiter, Long, Martindale, Moore of Carteret, Moore of Yancey, Mason, Purdie, Rich, Respass, Richardson, Shoffner, Sweet, White, Winstead and Wilson—34.

NAYS—Messrs. Barnes, Lindsay, Love, Melchor and Smith—5.

* Mr. Davis gave notice that on Monday next, or some day soon thereafter, he would introduce a bill entitled "A bill to remove all obstructions in the main channel of the Pedee and Yadkin rivers, for the purpose of allowing shad and other fish to run up said streams."

On motion of Mr. Moore, of Carteret, the Senate adjourned.

ELEVENTH DAY.

MONDAY, July 13, 1868.

The Senate met pursuant to adjournment.

President in the chair.

The journal of Saturday read and approved.

Mr. Colgrove was excused from acting on the Committee on Finance, and Mr. Respass appointed in his place.

Mr. Legg, on the part of the Committee on Enrolment, reported that resolutions and bills of the following titles, were properly enrolled:

A joint resolution in relation to alleged frauds in recent elections.

A joint resolution in relation to printing rules.

A joint resolution in relation to the printing of the Governor's Inaugural Address.

A resolution requesting the Secretary of the Senate to procure a copy of election returns.

A resolution authorizing the standing Committees to confer with the Code Commissioners.

A resolution requesting the Governor to furnish each member of the Senate with a copy of the Constitution, Ordinances, &c.

* An act entitled "An Act to amend the charter of the city of Wilmington."

* Mr. Galloway gave notice that, on to-morrow, or some subsequent day, he would introduce a bill entitled "A bill regulating the hours of labor."

* Mr. Martindale gave notice that he would introduce on Tuesday next, a bill entitled "A bill for the relief of the tax payers of Martin and Washington Counties."

* Mr. Davis introduced a bill entitled "A bill to abate the capitation tax in the county of Montgomery. Read first time.

Mr. Davis moved a suspension of the rules to place the bill on a second reading. Lost.

* A communication from J. W. Stephens, of Caswell county, claiming his seat as Senator from the twenty-fourth district, was received, read and referred to the Committee on Privileges and Elections.

(S. 1.) A bill entitled "A bill to provide for the relief of the sureties of the late D. F. Bagley, former Sheriff of the county of Perquimans, was taken up, read a second time, and referred to the Judiciary Committee.

(H. 18.) An engrossed bill entitled "A bill to incorporate the town of Brevard, in the county of Transylvania," was taken up and passed second reading.

A motion, by Mr. Blythe, to suspend the rules to put the bill on the third reading did not prevail.

• (S. 27.) A bill entitled "A bill to repeal an act directing the time and place for selling lands in the counties of Halifax, Northampton, Hertford and Martin, was taken up and passed its second reading.

(S. 30.) A bill entitled "A bill to attach the county of Catawba to the tenth Judicial District," was read a second time and referred to the Committee on the Judiciary.

The following resolution, introduced by Mr. Moore of Yancey, was adopted :

Resolved, That the Committee on the Judiciary be instructed to inquire and ascertain if it is necessary that any legislation be had in order to enable the out going Clerks of the Superior Courts, County Courts, and Masters in Equity, to complete and perfect the business appertaining to their respective offices, and to make report of all such matters as have been referred to them by their respective Courts; and that said Committee report by bill or otherwise at an early day.

A message was received from the House of Representatives transmitting (H. 10,) a bill entitled "A bill to amend Chapter eighty-five of the Revised Code of North Carolina." Read first time.

Also, a message transmitting (H. 21) a bill entitled "A bill to provide for the registration of voters in the city of Wilmington." Read first time.

The following telegram received from Major-General Canby, was read :

All the papers that relate to election frauds in North Carolina, that have reached these Headquarters, have already been transmitted to the Governor of the State. If Colonel Williams has any papers in relation to frauds in Caswell

county, he will be instructed to turn them over to the Governor.

ED. R. S. CANBY,
Major-General Commanding.

On motion of Mr. Rich, the communication from the Governor, appointing Directors for the North Carolina Institution for the Deaf and Dumb and the Blind, was taken up.

After some discussion the subject was postponed temporarily.

The hour of the Special Order having arrived, (H. 3,) a bill entitled "A bill for the qualification of certain officers, recently elected under the provisions of the Constitution of North Carolina," amended by a substitute, was taken up and passed second reading.

On motion, the rules were suspended, and the bill passed its third reading.

On motion, the bill was referred to a special Committee of three.

A message was received from the House of Representatives, asking for the return of (H. 21) a bill entitled "A bill to provide for the registration of voters of the city of Wilmington," for reconsideration. The bill was returned.

A message was received from the House of Representatives, asking concurrence in (H. R. 19) a resolution in relation to the landless population of the State.

The Senate concurred in the resolution and returned it to the House of Representatives, notifying that body of the same.

A message was received from the House of Representatives concurring in (S. 30) a resolution appointing a joint Committee to confer with the heads of departments on matters of necessary legislation, and announcing Messrs. Bowman, Laffin and Price, as the House branch of that Committee.

• On motion, the rules were suspended and (H. 6) a bill entitled "A bill to amend the charter of the Davidson Copper Mining Company," was taken up and passed its third and last reading, by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Barnes, Brogden, Burns, Beeman, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Galloway, Hayes, Harrington, Hall, Hyman, Jones, of Wake, Legg, Lindsay, Lassiter, Long, Love, Martindale, Moore, of Carteret, Moore, of Yancey, Melchor, Mason, Purdie, Respass, Richardson, Smith, Shoffner, Welker and Wilson—37.

NAYS—Messrs. Rich, Sweet and White—3.

The following Committee was appointed as Senate branch in accordance with (H. 19) a resolution in relation to the landless population of the State: Messrs. Hayes and Forkner.

Mr. Colgrove gave notice that on to-morrow, or some subsequent day, he would introduce a bill in reference to the collection of taxes in this State.

The President announced the following as the Senate branch of the Committee on enrolled bills: Messrs. Cook, Rich and Purdie.

On motion of Mr. Respass, the Senate adjourned.

TWELFTH DAY.

TUESDAY, July 14, 1868.

The Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Dr. Smith.

¶ The following resolution, introduced by Mr. Barrow, was on motion adopted:

Resolved, That the Judiciary Committee be instructed to report a bill to prevent the destruction of fish in the waters of North Carolina.

(H. 10.) A bill entitled "A bill to amend chapter eighty-five Revised Code of North Carolina," was taken up and passed second reading.

A motion, by Mr. Galloway, to suspend the rules for a third reading of the bill was lost.

*(S. 33.) A bill to abate the capitation tax in the county of Montgomery, was taken up and read a second time.

Mr. Colgrove moved to amend by adding the county of Jones.

Mr. Blythe moved to amend by striking out the counties of Jones and Montgomery, and insert all the Counties of the State.

On motion of Mr. Respass, the bill and amendments were referred to the Committee on Propositions and Grievances.

Mr. Barrow obtained permission to introduce an amendment to (S. 7) a bill to repeal an act directing the time and place for selling land in the counties of Halifax, Northampton, Hertford and Martin.

On motion of Mr. Rich, the communication from the Governor, appointing Directors for the North Carolina Institution for the Deaf, Dumb and the Blind, was taken up.

Mr. Rich moved that the Senate concur in the appointments.

On motion of Mr. Wilson, the yeas and nays were taken.

The Senate concurred by the following vote:

YEAS—Messrs. Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall Hyman, Jones, of Wake, Legg, Lassiter, Martindale, Rich, Respass, Richardson and Smith—24.

NAYS—Messrs. Barrow, Beasley, Barnes, Beeman, Lindsay, Long, Love, Moore, of Yancey, Melchor, Mason, McLaughlin, Purdie, Shoffner, Winstead and Wilson—15.

Mr. Forkner was excused from voting.

Mr. Welker introduced the following resolution:

Resolved, That the Senate of North Carolina entertain the highest opinion of the eminent services rendered the State by Mr. Willie J. Palmer, Principal of the Deaf, Dumb and Blind Asylum; and have the highest regard for him as a philanthropist and gentleman, who is in an eminent degree fitted for his position, and respectfully request the Board of Directors of

that Asylum, to retain his valuable services to the cause of humanity, in that Institution.

Mr. Etheridge moved to lay the resolution on the table.

On this motion the yeas and nays were taken.

The motion did not prevail by the following vote :

YEAS—Messrs. Blythe, Colgrove, Cook, Etheridge, Eppes, Hayes, Harrington, Hall, Legg, Rich and Sweet—11.

NAYS—Messrs. Barrow, Beasley, Barnes, Brogden, Burns, Beeman, Davis, Eaves, Forkner, Galloway, Hyman, Jones, of Wake, Lindsay, Lassiter, Long, Love, Martindale, Moore, of Carteret, Moore, of Yancey, Melchor, Mason, McLaughlin, Purdie, Respass, Richardson, Smith, Shoffner, Welker, White, Winstead and Wilson—31.

Mr. Cook moved to postpone indefinitely.

On this motion, the yeas and nays were granted.

The motion was lost by the following vote :

YEAS—Messrs. Burns, Blythe, Colgrove, Cook, Etheridge, Eppes, Legg, Rich and Sweet—9.

NAYS—Messrs. Barrow, Beasley, Barnes, Brogden, Beeman, Davis, Eaves, Forkner, Harrington, Hall, Hyman, Jones, of Wake, Lindsay, Lassiter, Long, Love, Martindale, Moore, of Carteret, Moore, of Yancey, Melchor, Mason, McLaughlin, Purdie, Respass, Richardson, Smith, Shoffner, Welker, White, Winstead and Wilson—31.

Mr. Cook moved to amend by striking out all after the word "position."

The amendment did not prevail.

Mr. Shoffner moved the previous question.

Mr. Cook moved to lay the motion on the table.

The motion was lost.

Mr. Cook moved to postpone until to-morrow at 11 o'clock.

The motion was lost.

The call for the previous question prevailed.

The yeas and nays were granted on the passage of the resolution.

The resolution was adopted by the following vote :

YEAS—Messrs. Barrow, Beasley, Barnes, Brogden, Burns, Beeman, Colgrove, Davis, Eaves, Etheridge, Forkner, Harrington, Hall, Hyman, Jones, of Wake, Lindsay, Lassiter, Long, Love, Martindale, Moore of Carteret, Moore of Yancey, Melchor, Mason, McLaughlin, Purdie, Respass, Richardson, Smith, Shoffner, Welker, White, Winstead and Wilson—34.

NAYS—Messrs. Bellamy, Blythe, Cook, Eppes, Galloway, Hayes, Legg, Rich and Sweet—9.

Mr. Colgrove introduced a bill (S. 34) to provide for the collection of taxes.

Read first time.

A message was received from the House of Representatives, transmitting (H. 24) a bill entitled "A bill confirming a decree made by the Superior Court of Buncombe county, at Fall Term, 1868.

A message was received from the House of Representatives proposing to go immediately into the election of one United States Senator, for the term ending 4th March, 1873, asking the concurrence of the Senate.

A message was sent to the House of Representatives concurring in the proposition to go into an election of United States Senator, announcing Messrs. Barnes and Love as the Senate Election Committee, and that the Senate would go into the election immediately on the return of the messenger.

Leave of absence was granted Mr. Beeman from to-morrow morning until Monday next.

Also, Mr. McLaughlin for an indefinite period.

The hour having arrived, the Senate proceeded to an election in conformity with an act of Congress to regulate the time and manner of holding elections for Senators in Congress, approved July 25th, 1866, for a United States Senator for the term ending March 4th, 1873, under the superintendence of Messrs. Barrow and Love.

Mr. Brogden nominated Hon. John Pool.

Mr. Barnes nominated Hon. Wm. A. Graham.

Mr. Pool received thirty-six votes, as follows :

FOR MR. POOL.—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Jones, of Wake, Legg, Lindsay, Lassiter, Long, Martindale, Moore, of Carteret, Moore, of Yancey, Rich, Respass, Richardson, Smith, Shoffner, Sweet, Welker, White, Winstead and Wilson—36.

FOR MR. GRAHAM.—Messrs. Barnes, Love, Melchor, Mason, McLaughlin and Purdie—6.

Mr. Pool received a majority of thirty votes.

Mr. Sweet, on the part of the special Committee of three to whom was referred (H. 3) a bill to provide for the qualification of certain officers recently elected under the provisions of the Constitution of North Carolina, reported the bill back with several amendments.

The bill was ordered engrossed and printed, and made a special order for to-morrow at 11 o'clock.

Mr. Winstead gave notice that on to-morrow, or some subsequent day, he would introduce a bill entitled "A bill to authorize the Air Line Railroad Company in South Carolina to construct its road through this State.

On motion of Mr. Cook, a message was sent to the House of Representatives proposing to go into an election of a United States Senator for the term ending March 4th, 1871.

The Committee on election of United States Senator for the term ending March 4th, 1873, reported whole number of votes cast in both Houses, one hundred and forty-four, of which Mr. Pool received one hundred and thirteen votes. Mr. Graham received thirty-one votes. Mr. Pool's majority in both Houses eighty-two.

A message was received from the House of Representatives concurring in the proposition to go into an election for a United States Senator, for the term ending March 4th, 1871.

The President appointed Messrs. Cook and Mason as the Senate branch of the Committee, to superintend the election.

Mr. Sweet nominated Hon. Joseph C. Abbott.

Mr. Love nominated Hon. Mathias E. Manly.

The Senate proceeded to the election of a United States Senator for the term ending March 4th, 1871, with the following result :

FOR MR. MANLY.—Messrs. Barnes, Love, Melehor, Mason, and Purdie—5.

FOR MR. ABBOTT.—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Jones, of Wake, Legg, Lassiter, Long, Martindale, Moore, of Carteret, Moore, of Yancey, Rich, Respass, Richardson, Smith, Shoffner, Sweet, Welker, White, Winstead and Wilson—34.

The following resolution of Mr. Welker was adopted and transmitted to the House of Representatives for concurrence :

Resolved, The House of Representatives concurring, that tomorrow at twelve o'clock, an election be held for a Public Printer.

A message was received from the House of Representatives concurring in the Senate resolution to elect a Public Printer.

The Committee on election of United States Senator for the term ending March 4th, 1871, reported the whole number of votes cast in both Houses, one hundred and thirty-four, of which Mr. Abbott received one hundred and four votes, Mr. Manly received twenty-eight votes, Bedford Brown one, and Nathaniel Boyden one.

Mr. Abbott's majority in both Houses seventy-four.

On motion, the Senate adjourned.

THIRTEENTH DAY.

WEDNESDAY, July 15th, 1868.

The Senate met at 10 o'clock.

The President in the Chair.

Prayer by Rev. Mr. Long, Senator from Davidson.

The Journal was read and approved.

• Mr. Rich, Chairman of the Committee on Internal Improvements, to whom was referred a bill to “extend the Chatham Rail Road,” reported that they have had the same under consideration, and recommend that it do pass.

Mr. Winstead, on the part of the Judiciary Committee, to whom was referred a bill “appointing Judges of the Superior Courts, Clerks of the Superior Courts, and Chairmen of the Boards of County Commissioners, to take the privy examination of *feme covert*s in the conveyance of real estate,” reported that they have had the same under consideration, and report back a substitute for the bill, with a recommendation that it do pass.

• The Committee on Propositions and Grievances, to whom was referred a “bill for the relief of Willis Grandy,” reported the same back with a substitute, with a recommendation that it do pass.

The report was adopted.

The following notices were given :

• By Mr. Love—that he would to-morrow or some early day thereafter, introduce a bill to increase the capital stock of the Western Rail Road Company.

Also, a bill to prevent the sacrifice of real property under execution sales.

• By Mr. Moore, of Yancey—That he would introduce a bill to incorporate the Enterprise Manufacturing Company.

• Mr. Winstead introduced a bill entitled, “A bill to authorize the Air Line Rail Road Company in South Carolina to construct its road within the limits of this State.”

The bill was read first time, ordered to be printed, and referred to the Committee on Internal Improvements.

• Mr. Cook introduced a bill providing for the encouragement of Manufactures in cotton, woolen, jute and linen goods.

Read the first time and referred to the Committee on Corporations.

• Mr. Martindale introduced a bill extending the tax lists for the Counties of Washington and Martin.

Mr. Sweet, on the part of the Committee on the Judiciary, reported a bill entitled "A bill to provide for the filling of vacancies occurring in the offices provided for in Article VII, of the Constitution of North Carolina."

Read the first time.

By permission, Mr. Brogden introduced a bill entitled "A bill to extend the time for registering grants, *mesne* conveyances, powers of attorney, deeds of sale, deeds of gift, deeds of trust, and marriage settlements.

Read the first time.

The rules were suspended and the bill passed its second reading.

The rules were again suspended, and the bill placed on its third and last reading.

Mr. Love moved to amend by striking out "two years," and insert "six months."

Mr. Davis moved to amend the amendment by inserting "one year."

Both amendments were lost.

On motion of Mr. Hayes, the vote to suspend the rules to put the bill upon its third and last reading, was reconsidered.

The hour for the Special Order having arrived, the Senate resolved itself into a Committee of the Whole, for the consideration of a bill entitled "a bill to provide for the qualifications of certain officers recently elected under the provisions of the Constitution of North Carolina."

The Committee arose at 12 M., reported progress, and asked leave to sit again.

The report was accepted.

The hour of 12 having arrived, the Senate, preceded by the President and Clerks, repaired to the House of Representatives, to meet in Joint Assembly for the purpose of comparing the result of the vote for United States Senators given on yesterday.

The Joint Assembly was organized by the President of the Senate, being President thereof, who announced the purpose of the Assembly.

The Principal Clerk of the Senate then read the Journal

of the Senate embracing the action of that body in the voting for United States Senators on yesterday.

The Clerk of the House of Representatives read the Journal of that body containing the proceedings in relation to the voting for United States Senators.

The President of the Joint Assembly announced as follows :

Gentlemen of the Senate and House of Representatives : It appearing from the Journals of the General Assembly of the State of North Carolina that the two Houses composing the same did, on Tuesday, the 14th of July, A. D. 1868, in conformity with the law, proceed to elect a Senator to represent said State in the Congress of the United States, for the unexpired term, ending on the 4th day of March, 1873, and it also appearing that Hon. John Pool did in said election receive a majority of all the votes in each House of said General Assembly : I do, therefore, hereby declare that the said John Pool is duly elected Senator as aforesaid, to represent the State of North Carolina in the Congress of the United States.

Gentlemen of the Senate and House of Representatives : It appearing from the Journals of the General Assembly of the State of North Carolina that the two Houses composing the same did, on Tuesday, the 14th day of July, A. D. 1868, in conformity with the law, proceed to elect a Senator to represent said State in the Congress of the United States for the unexpired term, ending on the 4th day of March, 1871 ; and it also appearing that Hon. Joseph C. Abbott did, in said election, receive a majority of all the votes in each House of said General Assembly : I do, therefore, hereby declare that the said Joseph C. Abbott is duly elected Senator as aforesaid, to represent the State of North Carolina in the Congress of the United States.

The President thereupon declared the purposes for which the two Houses had convened in Joint Assembly accomplished, dissolved the same, and the Senators returned to their Hall.

The Senate, on re-assembling, resolved itself into a Committee of the Whole for the further consideration of a bill entitled " A bill for the qualification of certain officers recently

elected under the provisions of the Constitution of North Carolina.”

At 1 $\frac{3}{4}$ o'clock the Committee arose and reported, through its Chairman, Mr. Brogden, the adoption of certain sections, reported progress, and asked leave to sit again.

The report was adopted.

Leave of absence was granted Mr. Eaves until Friday next, and Mr. Purdie until Wednesday next.

Mr. Robbins gave notice that at an early day he would introduce a bill concerning Legal Process.

On motion the Senate adjourned.

FOURTEENTH DAY.

THURSDAY, July 16th, 1868.

The Senate met at 10 o'clock.

The President in the Chair.

The Journal read and approved.

The following messages were received from the House of Representatives :

Concurring in Senate resolution appointing a joint Committee to inquire into the condition of the office of Auditor of Public Accounts, and announcing as the House branch of that Committee : Messrs. Estes, Davis of Carteret, and Blair.

Also concurring in joint resolution appointing a Committee on the removal of political disabilities, and appointing as the House branch of that Committee : Messrs. Graham of Montgomery, Sinclair, Foster and Sykes.

A message proposing to go into an election of State Printer at 12 o'clock.

The proposition was concurred in, and a message sent to the House of Representatives, announcing Messrs. Welker and Barnes as Senate branch of the committee to superintend the election.

A message transmitting a resolution in relation to Public Schools.

On motion of Mr. Barrow, the Senate resolved itself into a Committee of the Whole, for the consideration of a bill entitled "a bill to provide for the qualification of certain officers recently elected under the provisions of the Constitution of the State of North Carolina."

At 1½ o'clock, the Committee arose and through its Chairman, Mr. Barrow, reported the bill to the Senate as amended, and asked that it do pass.

The report was adopted.

The bill passed by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Hayes, Harrington, Hall, Hyman, Legg, Lindsay, Lassiter, Long, Moore of Carteret, Moore of Yancey, Rich, Respass, Richardson, Smith, Shoffner, Sweet, Welker, White, Winstead and Wilson—33.

NAYS—Messrs. Barnes, Love, Melchor, Purdie and Robins—5.

By unanimous consent, Mr. Love introduced a minority report of the special committee, to whom was referred "a bill in relation to the qualification of certain officers recently elected under the provisions of the Constitution of North Carolina."

On motion of Mr. Hayes, the bill as reported to the Senate by the Committee of the Whole, in relation to the "qualification of certain officers recently elected under the provisions of the Constitution of North Carolina," was order to be engrossed and transmitted to the House of Representatives.

By permission, Mr. Lindsay, introduced a joint resolution urging Congress to a speedy action in the settlement of loyal claims.

Laid over.

Mr. Blythe introduced a resolution instructing the Judiciary Committee.

Laid over.

The following notices were given :

By Mr. Shoffner, of the introduction of a bill requiring

Trustees of the University of North Carolina, to reside in the county for which they are appointed.

- By Mr. Respass, of the introduction of a bill to change the time of listing and collecting taxes.
- By Mr. Welker, of the introduction of a bill to organize a State Police.

By Mr. Wilson, of the introduction of a bill ratifying and confirming the Charter of the North Western Railroad Company.

By Mr. Moore, of Carteret, of the introduction of a bill to amend chapter 120, Revised Code of North Carolina.

Also a bill to amend the charter of the town of Beaufort.

A message was received from the House of Representatives announcing N. Paige, and Messrs. Pell and Gales, as nominees in that body for Public Printer.

Leave of absence was granted Messrs. Wilson and Respass until Tuesday next.

The hour having arrived, the Senate proceeded to the election of a Public Printer.

Mr. Moore, of Carteret, nominated N. Paige.

Mr. Robbins nominated Messrs. Pell and Gales.

The roll was called, and resulted as follows:

FOR N. PAIGE:—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Hayes, Harrington, Hall, Hyman, Legg, Lindsay, Lassiter, Long, Martindale, Moore of Carteret, Moore of Yancey, Rich, Respass, Richardson, Smith, Sweet, Welker, White, Winstead and Wilson—32.

FOR MESSRS. PELL & GALES:—Messrs. Barnes, Love, Melchor, Purdie, and Robbins—5.

Mr. Rich, on part of the Committee of Investigation, reported unfavorably upon the credentials of Messrs. Allen, Osborne and Turner.

Mr. Robbins of the Committee presented a lengthy minority report in favor of admitting Messrs. Allen, Osborne, and Turner, as a substitute for the majority report.

The substitute was lost.

Mr. Love moved that the consideration of the report of the

Special committee on credentials, be postponed until to-morrow, (Friday) at 11 o'clock; and that the Secretary of the Senate be requested to notify such Senators to be in attendance at that time, when the Senate will hear them, in person or by counsel, if they had anything to say in their defence.

On this motion the yeas and nays were ordered.

The motion was adopted by the following vote:

YEAS—Messrs. Barrow, Beasley, Brogden, Blythe Cook, Eaves, Eppes, Forkner, Hayes, Harrington, Hyman, Lindsay, Love, Martindale, Moore of Yancey, Melchor, Respass, Richardson, Robbins, Shoffner, Sweet, Welker, White, Winstead and Wilson—26.

NAYS—Messrs. Bellamy, Burns, Colgrove, Davis, Etheridge, Legg, Long, Moore of Carteret, Rich and Smith—10.

Mr. Welker on part of the Committee of election for Public Printer reported 129 votes cast, of which N. Paige received 101. Messrs. Pell & Gales 28.

Mr. N. Paige was declared elected.

Mr. Robbins introduced a series of joint resolutions in relation to the natural distinction between the black and white races.

Laid over under the rule.

Mr. Moore, of Carteret, moved that there be an afternoon session on to-morrow and each day thereafter, at 3 o'clock, until the Senators elect, who claim seats in the Senate, or counsel have been heard: *Provided*, That no vote shall be taken during an evening session.

Mr. Shoffner moved to strike out "3 o'clock," and insert "8 o'clock."

The motion was lost.

The original motion of Mr. Moore, of Carteret, was adopted.

A message was received from the House of Representatives transmitting a bill entitled "a bill to provide for the registration of voters in the City of Wilmington."

Read and referred to the Committee on Corporations.

A message was received from the House of Representatives concurring in Senate bill entitled "an act to provide for the representation of stock owned by the State, and the Counties

of Carteret, Craven and Lenoir, in the Atlantic and North Carolina Railroad Company.”

Ordered to be enrolled.

Also a bill providing the appointment of Inspectors for the City of Wilmington, by the Governor.

Read first time.

A motion by Mr. Sweet to suspend the rules and place the bill upon its second reading, was lost.

On motion of Mr. Barrow, the bill was order to be printed.

Mr. Jones, of Wake, gave notice of the introduction of a bill entitled “an act to incorporate the North Carolina Assurance, Annuity and Trust Company.”

Bills with titles as follows—were taken from the Calendar, and passed second reading :

A bill entitled “a bill to extend the Chatham Railroad.”

A substitute reported by the Judiciary Committee for a bill entitled “a bill appointing Judges of the Supreme and Superior Courts, Clerks of the Superior Courts, and Chairmen of Board of County Commissioners, to take privy examination of *feme covert*s in the conveyance of real estate.”

A bill to provide for the collection of taxes.

A bill entitled “a bill confirming a decree made by the Superior Court of Buncombe County, at Fall term 1868.”

On motion of Mr. Colgrove, the Senate adjourned.

FIFTEENTH DAY.

FRIDAY, July 17th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

The Journal was read and approved.

Bills of the following titles were introduced :

By Mr. Welker, a bill entitled “A bill creating a State Police.”

By Mr. Jones, of Wake, "A bill to incorporate the North Carolina Life Assurance, Annuity and Trust Company."

Read the first time.

By Mr. Moore, of Yancey, a bill entitled "A bill to incorporate the Enterprise Manufacturing Company."

Read the first time.

By Mr. Shoffner, a bill entitled "A bill requiring Trustees of the University to live in the Counties for which they are appointed."

Read the first time.

By Mr. Wilson, a bill entitled "A bill ratifying and confirming the Charter of the North Western North Carolina Rail Road Company."

Read the first time.

On motion, the Senate resolved itself into a Committee of the Whole to take into consideration the following bills:

A bill entitled "A bill to repeal an act directing the time and place for selling land in the Counties of Halifax, Northampton, Hertford and Martin."

A bill entitled "A bill to extend the time for Registering Grants, Conveyances, Powers of Attorney, &c."

A bill entitled "A bill to extend the Chatham Rail Road."

The Committee arose, and through its Chairman, Mr. Sweet, reported the passage of the above named bills, with an amendment to a bill entitled "A bill to extend the Chatham Rail Road," by striking out the words "graded terminus, at or near Haw River," and insert the word "Gulf."

The report of the Committee was adopted by the Senate.

A bill entitled "A bill to repeal an act directing the time and place for selling land in the Counties of Halifax, Northampton, Hertford and Martin," was taken up and passed its third and last reading by the following vote:

YEAS—MESSRS. BARROW, Beasley, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Jones of Wake, Lindsay, Lassiter, Long, Martindale, Moore of Carteret, Moore of Yancey, Melchor, Mason, Purdie, Richardson, Robbins,

Smith, Shoffner, Sweet, Welker, White, Winstead and Wilson—37.

A bill entitled "A bill to extend the time of Registering Grants, Conveyances, Powers of Attorney, &c.," was taken up and placed upon its third and final reading.

Mr. Davis moved to amend by striking out "two years," and inserting "one year." Adopted.

On a suspension of the rules Mr. Robbins further amended by inserting after the word "heretofore," in the tenth line, the words "or hereafter may be."

The bill, as amended, passed its third and final reading, by the following vote :

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Jones of Wake, Legg, Lindsay, Lassiter, Long, Love, Moore of Carteret, Moore of Yancey, Melchor, Mason, Purdie, Robbins, Smith, Shoffner, Sweet, Welker, White, Winstead and Wilson—36.

The Senate concurred in the amendment to a bill entitled "A bill to extend the Chatham Rail Road."

The further consideration of this bill was postponed until Thursday next.

The following resolution introduced by Mr. Brogden, was adopted, and transmitted to the House of Representatives for concurrence :

Resolved, That the Joint Committee to examine and investigate the affairs of the Auditor's office, be and are hereby authorized to burn and destroy all the Coupons in said office, after carefully examining and comparing all said Coupons with each and every entry in the books of the Auditor's office.

A message was received from the House of Representatives, transmitting a message from the Governor, stating that so much of the message as refers to Internal Police, was referred to the House Committee on Military Affairs; and that that part relating to officers, was referred to the Judiciary Committee.

On motion of Mr. Barrow, the message was ordered to be printed and referred to the Committee on Military Affairs.

On motion, the rules were suspended and a bill entitled "A bill creating a State Police," was referred to the Committee on Military Affairs.

• The Joint Committee on Enrollment, through Mr. Cook, reported the following bills and resolutions properly enrolled :

• An act entitled "An act to incorporate the City of Wilmington."

An act to change the name of the town site in the County of Mitchell.

A Joint resolution authorizing the printing of the Inaugural Address.

A Joint resolution in relation to election frauds in the County of Caswell.

The bills above designated were ratified by the President and transmitted to the House of Representatives for ratification.

Leave of absence was granted Mr. Richardson until Tuesday next.

On motion the rules were suspended and the Special Order was postponed until Thursday next.

Mr. Hayes moved to postpone until next meeting of the Legislature. Lost.

Mr. Colgrove moved to make the hour 3 o'clock, P. M.

The motion did not prevail.

Ordered that the hour of the Special Order be made 12 o'clock Thursday next.

On motion of Mr. Etheridge, it was ordered that the President of the Senate be requested to invite Ministers of the Gospel, who are members of this body, to officiate in opening the Senate with prayer.

Mr. Sweet offered the following resolution, which was adopted under a suspension of the rules, and transmitted to the House of Representatives :

Resolved, That a Committee on Public Printing be authorized to arrange with the Code Commissioners for the printing

of the Code or any portion thereof in addition to the number authorized by ordinance of the Constitutional Convention, ratified March 13, 1868, said usual number being for the use of the Senate and House of Representatives.

5 Mr. Love introduced a bill entitled "A bill to increase the capital stock of the Western North Carolina Rail Road."

Read the first time.

6 On motion of Mr. Hayes, a bill entitled "A bill concerning the Inspectors of the City of Wilmington," was taken up and passed the second reading under a suspension of the rules.

Mr. Legg gave notice that on to-morrow he would introduce a bill in reference to the Quarantine of the Post of Wilmington.

Mr. Blythe gave notice that at an early day he would introduce a bill to remove the restrictions from the charter of the Greenville and French Broad Rail Road.

On motion of Mr. Forkner, the Senate adjourned.

SIXTEENTH DAY.

SATURDAY, July 18, 1868.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Rev. Dr. Smith.

The journal read and approved.

The following messages were received from the House of Representatives:

A message enclosing report of joint Committee on adjournment—asking concurrence of the Senate.

A message concurring in the Senate resolution, authorizing the Committee "to examine the condition of the office of Auditor of Public Accounts," and burn and destroy the coupons in said office.

A message asking concurrence in the House resolution allowing per *diem* and mileage to members elect banned by the Constitutional Amendment.

A message transmitting the following acts and resolutions ratified:

* An act entitled "An Act to amend the charter of the city of Wilmington."

An act entitled "An Act to amend an act to incorporate the Davidson Copper Mining Company."

An act entitled "An Act to change the name of the town site of Mitchell county."

A joint resolution in relation to alleged frauds in the recent election for members of the General Assembly.

A joint resolution authorizing the printing of the Governor's Inaugural, &c.

The following notices were given:

* By Mr. White, that on the twentieth, or some day thereafter, he would introduce a bill for the protection of the mechanics and laborers of the State.

* By Mr. Robbins, a bill declaring that the records of the late County Courts, when turned over to the Superior Courts, shall be deemed records of the Superior Courts.

* By Mr. Brogden, that at an early day he would introduce a bill for the protection of mechanics.

* Mr. Blythe presented a bill entitled "A bill to amend an act entitled an act to incorporate the Greenville and French Broad Railroad Company, ratified the 13th day of February, 1855."

Read first time.

On motion, the Senate resolved itself into a Committee of the Whole, for the consideration of the following bills:

A bill entitled "A bill confirming a decree made by the Superior Court of Buncombe county, at Fall Term, 1867."

* A bill entitled "A bill concerning the Inspectors for the city of Wilmington."

A bill entitled "A bill to amend chapter eighty-five of the Revised Code of North Carolina."

The Committee arose, and through its Chairman, Mr. Sweet, reported as follows:

That the Committee had under consideration a bill entitled "A bill confirming a decree made by the Superior Court of Buncombe county, at Fall Term, 1867," and reported it back to the Senate, and asked to be discharged from its further consideration.

A bill entitled "A bill concerning Inspectors for the city of Wilmington," and recommend it be referred to a special Committee of three.

A bill entitled "A bill to amend chapter eighty-five of the Revised Code of North Carolina," and recommend its passage.

The Senate concurred in the report, with the exception of a bill entitled "A bill confirming a decree made by the Superior Court of Buncombe county, at Fall Term, 1867," which, on motion of Mr. Blythe, was laid on the table for the present.

A bill entitled "A bill concerning Inspectors of the city of Wilmington," was read third time, and referred to a special Committee of three, consisting of Messrs. Sweet, Hall and Legg.

A bill entitled "A bill to amend chapter eighty-five of the Revised Code of North Carolina," was read the third time, and referred to the Committee on Corporations.

Leave of absence was granted Mr. Galloway on account of sickness, for an indefinite period.

Mr. James W. Osborne appeared with his credentials, and it appearing that the political disabilities under which he had been laboring, had been removed, the Senator was allowed to qualify and take his seat.

A message was received from the House of Representatives transmitting Senate substitute for a bill entitled "A bill for the qualification of certain officers recently elected under the provisions of the Constitution of North Carolina," with an amendment, asking the concurrence of the Senate.

On motion of Mr. Sweet, the bill, with the amendment, was referred to a joint conference Committee of five, to con-

sist of two on the part of the Senate, and three on the part of the House of Representatives.

The President appointed Messrs. Robbins and Sweet as the Senate branch of the Joint Committee.

On motion, the Senate resolved itself into a Committee of the Whole, Mr. Brogden in the chair, for the consideration of the following bills:

A bill entitled "A bill to incorporate the town of Brevard, in the county of Transylvania."

A bill entitled "A bill to provide for the collection of taxes."

A substitute for a bill entitled "A bill appointing Judges of Superior Courts, Clerks of Superior Courts, and Chairmen of the Boards of County Commissioners to take privy examination of *feme covert*s in the conveyance of real estate."

A bill entitled "A bill to incorporate the town of Brevard, in the county of Transylvania."

The Committee arose and reported through its chairman Mr. Brogden, a bill entitled "A bill to provide for the collection of taxes." After due consideration, the Committee report back the bill with a recommendation that it be postponed indefinitely. The report was adopted.

A bill entitled "A bill to incorporate the town of Brevard, in the county of Transylvania." The Committee recommend its passage.

A substitute for a bill entitled "A bill appointing Judges of Superior Courts, Clerks of Superior Courts, and Chairmen of Boards of Commissioners to take privy examination of *feme covert*s in the conveyance of real estate." The Committee report the bill back amended, with recommendation that it do pass.

A bill entitled "A bill to incorporate the town of Brevard in the county of Transylvania," was taken up and passed its third and last reading, by the following vote:

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Davis, Eaves, Eppes, Forkner, Hayes, Harrington, Hall, Jones, of Wake, Legg, Lindsay, Lassiter, Long, Love, Martindale, Moore of Yancey, Melchor, Mason, Os-

born, Shoffner, Sweet, Welker, White, Winstead and Wilson—31.

NAYES—None.

A bill entitled "A bill to provide for the relief of Sheriffs," was put upon its third and last reading, and passed by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Davis, Eaves, Eppes, Forkner, Harrington, Hall, Jones, of Wake, Legg, Lindsay, Lassiter, Long, Love, Martindale, Moore, of Yancey, Melchor, Mason, Osborne, Smith, Shoffner, Sweet, Welker, White, Winstead and Wilson—30.

NAYS—Mr. Colgrove—1.

A substitute for a bill entitled "A bill appointing Judges of the Supreme and Superior Courts, Clerks of Superior Courts and Chairmen of Boards of Commissioners to take privy examination of *feme covert*s, in the conveyance of real estate," was taken up and passed its third reading.

The amendments of the Committee of the Whole, were concurred in by the Senate, and the bill passed by the following vote :

YEAS.—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Eppes, Forkner, Hayes, Harrington, Hall, Jones, of Wake, Legg, Lindsay, Lassiter, Long, Martindale, Moore, of Yancey, Melchor, Mason, Osborne, Smith, Shoffner, Welker, White, Winstead and Wilson—29.

NAYS.—Mr. Davis—1.

The substitute for a bill entitled "A bill for the relief of Willis L. Grandy, of Granville county," was taken from the calendar, and passed its several readings.

A message was received from the House of Representatives concurring in the report of the Joint Committee of Conference.

The Senate concurred in the amendments to a bill entitled "A bill to provide for the qualification of certain officers recently elected under the provisions of the Constitution of North Carolina," as reported by the Committee of Conference, by the following vote :

YEAS.—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Davis, Eaves, Eppes, Forkner, Hayes, Har-

rington, Hall, Jones, of Wake, Legg, Lindsay, Long, Martindale, Moore, of Yancey, Melchor, Mason, Purdie, Smith, Shoffner, Sweet, Welker and White—28.

NAYS.—Messrs. Robbins, Winstead and Wilson—3.

On motion of Mr. Hayes, it was ordered that a message be transmitted to the House of Representatives, asking concurrence to print two thousand copies of this bill for the use of the Members of the General Assembly.

On motion of Mr. Jones, of Wake, the Senate adjourned.

SEVENTEENTH DAY.

MONDAY, July 20th, 1868.

The Senate met at 10 o'clock.

The President in the Chair.

Prayer by the Rev. H. T. Hudson.

Mr. Purdie, by unanimous consent, was allowed to change his vote from the affirmative to the negative in the bill providing for the qualification of certain officers recently elected under the provisions of the Constitution of North Carolina.

Mr. Sweet, on the part of the Special Committee of Three, to whom was referred a bill entitled "A bill concerning Inspectors for the City of Wilmington," reported the bill back with several amendments, and recommend the passage of the bill as amended.

A message was received from the House of Representatives, transmitting a resolution in relation to the Committee on Penitentiary.

Mr. Robbins gave notice that on to-morrow, or some future day, he would introduce a bill to extend the charter of the High Shoals Manufacturing and other Companies.

Mr. Purdie gave that he would introduce a bill retaining the present Mayor and Commissioners of the town of Fayetteville.

Mr. White introduced a bill entitled "A bill for the protection of Mechanics and other laborers."

Read the first time.

Mr. Cook, on the part of the Committee on Enrollment, reported that an act entitled "An act to provide for the representation of the stock owned by the State and Counties of Carteret, Craven and Lenoir, in the Atlantic and North Carolina Rail Road," was properly enrolled; whereupon the bill was ratified by the President and transmitted to the House of Representatives.

Mr. Lindsay, by unanimous consent, withdrew his resolution asking Congress for a speedy settlement of certain claims.

Mr. Sweet introduced a resolution instructing the Secretary of State.

Mr. Colgrove, a resolution requesting the Code Commissioners to prepare rules for Registration throughout the State.

Mr. Blythe, a resolution relating to the organization of the Militia.

A message was received from the House of Representatives concurring in the Senate message to print two thousand copies of a bill entitled "An act for the qualification of certain officers recently elected under the provisions of the Constitution of North Carolina."

A bill entitled "A bill extending the tax lists for the Counties of Martin and Washington," was taken up and passed its second reading.

A bill entitled "A bill to provide for the filling of vacancies occurring in the offices provided for in Article VII of the Constitution of North Carolina," was taken up and read the second time.

Mr Robbins offered the following amendment: In section first strike out the words "by the Governor of the State," and insert "by a special election to be held by the Sheriff of the County under a writ of election issued to him by the Governor of the State."

The amendment was lost, and the bill passed its second reading.

A resolution in relation to Public Schools was taken up and referred to the Committee on Education.

A bill entitled "A bill to incorporate the North Carolina Life Assurance Annuity and Trust Company," was taken up, read the second time, and referred to the Committee on Corporations.

A bill entitled "A bill to incorporate the Enterprise Manufacturing Company," was read a second time, and referred to the Committee on Corporations.

The joint resolutions of Mr. Robbins in relation to the natural distinctions of the races, were taken up, and after some discussion by Messrs. Robbins, Brogden, Blythe and Welker, were referred to a Special Committee of Five.

On the motion to refer, the yeas and nays were ordered on the demand of Mr. Robbins.

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Hayes, Harrington, Hall, Legg, Lassiter, Long, Martindale, Rich, Smith, Shoffner, Sweet, Welker, White, Wynne, Winstead, and Wilson—29.

NAYS—Messrs. Lindsay, Love, Melchor, Mason, Osborne, Purdie, and Robbins—7.

The President appointed the following Committee on the resolutions of Mr. Robbins:

Messrs. Robbins, Shoffner, Osborne, Sweet and Brogden.

Mr. Brogden asked to be excused from serving on the Committee.

Objected to.

A message was received from the House of Representatives, enclosing a bill in relation to the Superintendent of Public Works.

Read first time.

A message was received from the House of Representatives transmitting a message from the Governor enclosing papers from General Canby, in relation to the quarantine system established throughout the State.

On motion of Mr. Brogden, the message was ordered to be

printed and referred to the Committee on Propositions and Grievances.

A bill entitled "a bill to require Trustees of the University of North Carolina to reside in the county for which they are elected, and a bill entitled "a bill ratifying and confirming the charter of the North Western North Carolina Railroad Company," were taken up and passed second readings.

A bill entitled "a bill to increase the capital stock of the Western North Carolina Railroad Company was taken up and passed second reading.

A resolution allowing *per diem* and mileage to members of the Legislature elect banned by the Constitutional Amendment, was taken up and put on its passage.

Mr. Forkner moved to refer to the Committee on Finance.

The motion was lost—yeas 15, nays 16.

Mr. Cook moved to postpone until Wednesday next, at 11½ o'clock, and make it the special order for that hour.

On this motion the yeas and nays were ordered.

YEAS—Messrs. Beasley, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Etheridge, Forkner, Hayes, Harrington, Hall, Legg, Long, Martindale, Rich, Smith, Shoffner, Sweet, Welker and Wynne—21.

NAYS—Messrs. Barrow, Bellamy, Eaves, Eppes, Lindsay, Lassiter, Love, Melchor, Mason, Osborne, Purdie, Robbins, White, Winstead and Wilson—15.

Leave of absence was granted Mr. Burns until Wednesday next.

Also, Mr. Welker, for to-morrow and the day after on official business.

And Mr. Beasley until Monday next.

On motion of Mr. Winstead, rule 17th was amended by making the Standing Committee on the Judiciary nine instead of seven.

The President appointed Messrs. Osborne and Forkner as the additional members of the Judiciary Committee.

On motion of Mr. Davis, the Senate adjourned.

EIGHTEENTH DAY.

TUESDAY, July 21st, 1868.

The Senate met pursuant to adjournment.

Prayer by the Rev. Thos. H. Pritchard, D. D.

The Journal of Monday was read and approved.

A message was received from the House of Representatives transmitting engrossed H. 44, a bill entitled an act in relation to provisional municipal officers, asking the concurrence of the Senate.

The bill was read first time.

Mr. Respass gave notice of the introduction of the following bills :

A bill to amend chapter forty-second, sections eight and nine of Revised Code, entitled Entries and Grants.

A bill defining the boundaries of land granted by patent from the State.

Bills of the following titles were introduced and passed first reading :

• By Mr. Robbins, S. 52, a bill entitled an act in relation to legal process.

• S. 53, a bill entitled an act in relation to the records of the late County Courts.

• S. 54, a bill entitled an act to extend the charter of the High Shoals Manufacturing Company.

A message was received from the House of Representatives transmitting, S. 25, an act to provide for the representation of stock owned by the State and Counties of Carteret, Craven, and Lenoir, in the Atlantic and North Carolina Rail Road.

The President announced the ratification of the bill by both Houses of the General Assembly.

The Senate resolved itself into Committee of the Whole for the consideration of bills of the titles as follows :

S. 31, a bill for the relief of Willis L. Grandy.

S. 37, a bill for the relief of tax payers of Martin and Washington Counties.

S. 38, a bill to provide for the filling of vacancies occurring in the offices provided for in article seven of the Constitution of North Carolina.

The Committee arose, and through its Chairman Mr. Barrow, reported as follows:

The Committee have had under consideration,

S. 31, A bill for the relief of Willis L. Grandy and report it back to the Senate, amended by striking out in section second all after the word "shall," in second line down to and including the word "cents," in the fourth line, and inserting the following words, "upon the payment of \$23,40, and the payment of necessary cost accrued." As amended the Committee recommend the adoption of the bill.

The report was concurred in and the bill was ordered to be engrossed for a third reading.

S. 37, A bill for the relief of tax payers of Martin and Washington Counties.

The Committee report this bill back to the Senate with a recommendation that it be postponed indefinitely.

The report of the Committee was concurred in.

S. 38, a bill to provide for the filling of vacancies occurring in the offices provided for in article seven of the Constitution of North Carolina.

The Committee report the bill back to the Senate with a recommendation that it do pass.

The report of the Committee was concurred in, and the bill was ordered to be engrossed for a third and final reading.

S. 37, A bill for the relief of tax payers of Martin and Washington Counties was taken up and placed on its third reading and final passage.

The bill was lost by the following vote:

YEAS.—Messrs. Barrow, Eppes, Hyman, Legg, Martindale and Mason—6.

NAYS.—Messrs. Bellamy, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Forkner, Harrington, Lindsay, Lassiter, Love, Melchor, Osborne, Purdie, Rich, Respass, Robbins, Sweet, White, Wynne, Winstead and Wilson—23.

House bill to amend the charter of the Davidson Copper Mining Company was ratified by the President.

A message was received from the House of Representatives concurring in the Senate resolution in relation to the printing of the Code.

On motion of Mr. Hays, H. 44, a bill in relation to provisional municipal officers was taken up and put on its second reading.

Mr. Robbins offered a substitute for the entire bill.

M. Osborne moved to refer the substitute with the original bill to the Judiciary Committee.

The motion did not prevail.

Mr. Osborne moved to lay the subject matter on the table for the present, and make it a special order for Friday next at eleven o'clock.

The motion was not sustained.

On the substitute of Mr. Rollins, the yeas and nays were agreed to. The substitute was lost.

YEAS—Messrs. Barnes, Lindsay, Love, Melchor, Mason, Osborne, Purdie, Robbins and Wilson—9.

NAYS—Messrs. Barrow, Bellamy, Brogden, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Hayes, Harrington, Hyman, Legg, Lassiter, Long, Martindale, Rich, Respass, Sweet, White, Wynne and Winstead—24.

Mr. Lindsay asked to be excused from voting. Objected to.

The question recurred on the original bill.

Mr. Osborne moved the following as an additional section :

That the provisions of this bill shall only extend to those corporations, the commissioners of which have been actually appointed by one or other of the military Governors of this State.

On the adoption of which Mr. Osborne asked for the yeas and nays.

Agreed to.

The amendment was lost by the following vote :

YEAS—Messrs. Barnes, Lindsay, Love, Melchor, Mason, Osborne, Purdie, Robbins, Wynne and Wilson—10.

NAYS—Messrs. Barrow, Bellamy, Brogden, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Hayes, Harrington, Hyman, Legg, Lassiter, Long, Martindale, Rich, Respass, Sweet, White and Winstead—23.

Mr. Love moved to strike out "January" in section 2, and insert "October."

The amendment was not agreed to.

Mr. Cook moved the previous question.

Agreed to.

Mr. Love moved to adjourn.

The motion did not prevail.

Mr. Robbins demanded the yeas and nays on the passage of the bill on its second reading.

Agreed to.

The bill passed the second reading by the following vote:

YEAS—Messrs. Barrow, Bellamy, Brogden, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Hayes, Harrington, Hyman, Legg, Lassiter, Long, Martindale, Rich, Respass, Sweet, White and Winstead—23.

NAYS—Messrs. Barnes, Lindsay, Love, Melchor, Mason, Osborne, Purdie, Robbins and Wilson—9.

Mr. Rich moved a suspension of the rules to place the bill on its third reading.

The motion did not prevail.

Leave of absence was granted Mr. Wilson from to-day until Monday next.

The President announced the ratification by both Houses of the General Assembly of, H. 3, A bill providing for the qualification of certain officers recently elected under the Constitution of North Carolina.

The President also announced the ratification of a joint resolution relating to the committee ordered to investigate the affairs in the Auditor's office.

On motion, the Senate adjourned.

NINETEENTH DAY.

WEDNESDAY, July 22d, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. T. H. Pritchard, D. D.

The Journal of Tuesday was read and approved.

The following notices were given :

By Mr. Love, that on to-morrow or soon thereafter, he would introduce a bill to repeal an ordinance of the Constitutional Convention, appointing Commissioners to investigate the affairs of the Albemarle and Chesapeake Canal Company.

By Mr. Rich, that on to-morrow or some subsequent day he would introduce a bill providing that persons not born on the soil of North Carolina shall not be considered as foreigners.

By unanimous consent Mr. Robbins introduced S. 55, a bill entitled an act in relation to the records of the late courts of equity.

Read first time.

Mr. Hayes called up H. 44, a bill entitled an act in relation to provisional municipal officers.

The bill passed its third reading, under a suspension of the rules, and was transmitted to the House of Representatives.

YEAS—Messrs. Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Lassiter, Legg, Long, Martindale, Moore of Carteret, Rich, Respass, Smith, Sweet, White and Winstead—27.

NAYS—Messrs. Barnes, Lindsay, Love, Mason, Melchor, McLaughlin, Purdie, Robbins and Wynne—9.

Mr. Respass introduced the following bills :

S. 56, A bill to amend chapter 42, section 8, Revised Code, entitled Entries and Grants.

Passed first reading.

S. 57. A bill to change the time to list and collect the County and State taxes.

Engrossed S. 38, A bill to provide for the filling of vacancies occurring in the offices provided for in Article VII of the Constitution of North Carolina, was taken up and passed third reading and was transmitted to the House of Representatives.

YEAS—Messrs. Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Rich, Respass, Smith Sweet, White and Winstead—28.

NAYES—Messrs. Barnes, Lindsay, Love, Mason, Melchor, Osborne, Purdie, Robbins and Wynne—9.

Engrossed S. 31, A bill entitled an act for the relief of Willis L. Grandy, passed third reading and transmitted to the House of Representatives.

YEAS—Messrs. Barnes, Bellamy, Brogden, Burnes, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hall, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Rich, Respass, Robbins, Smith, Sweet, White, Wynne and Winstead,—37.

The following resolutions were adopted :

By Mr. Colgrove S. 50.

* *Resolved*, The House of Representatives concurring, that the Code Commissioners be requested to prepare rules for registration throughout the State and report as soon as practicable.

By Mr. White, S. 58.

Resolved, That the Committee on the Judiciary be instructed to report a bill providing for a uniform system of valuing lands in this State.

Bills and resolutions with titles as follows were taken up :
Engrossed H. 20, a bill in relation to the Superintendent of Public Works.

Read second time, and

On motion of Mr. Lassiter, was referred to the Committee on Salaries and Fees.

S. 47. A bill entitled an act to amend an act entitled an act to incorporate the Greenville and French Broad Rail Road Company ratified February 13th, 1855.

Read second time and referred to the Committee on Internal Improvements.

S. 48. A bill for the protection of Mechanics and other laborers.

Read second time, ordered to be printed and referred to the Judiciary Committee.

S. 52. A bill entitled an act in relation to legal process.

Read second time and referred to the Committee on Judiciary.

S. 53. A resolution introduced by Mr. Rich instructing the Committee on Printing to furnish the Code Commissioners with three copies of all bills, resolutions, &c., passed by the General Assembly.

The resolution was adopted.

H. 43. Engrossed bill in relation to the Inspectors of the City of Wilmington, was

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

The hour of the special order having arrived, the Senate took up,

H. 32. A resolution allowing *per diem* to members of the General Assembly elect banned by the Constitutional amendment.

The resolution was rejected.

Mr. Cook moved a reconsideration of the vote.

The motion did not prevail—yeas 6, nays 20.

The report of the Joint Committee was taken up and the following resolution reported by them was discussed:

Resolved, by the Senate and House of Representatives in General Assembly convened, That this General Assembly adjourn on Monday the 10th day of August next if practicable, to meet on Tuesday the 10th day of November next.

Mr. Sweet moved to amend by striking out all after "practicable."

Agreed to.

The report as amended was concurred in, and transmitted to the House of Representatives.

S. 49, A resolution instructing the Secretary of State was taken up and amended by Mr. Sweet, by adding to the resolution, "and that he be authorized to employ the necessary Clerks to carry out the object of this resolution."

The resolution as amended was referred to the Committee on Salaries and Fees.

The following resolution S. 51, was adopted :

Resolved, That the Committee on Military Affairs be requested to report a bill at an early day for organizing the Militia of this State, and that they be instructed to provide in said bill for organizing the white and colored races in separate companies.

A message was received from the House of Representatives transmitting the following resolution asking concurrence of the Senate :

WHEREAS, The Senate has passed a resolution authorizing the appointment of a Committee of one from each Congressional District to select a site for a Penitentiary, therefore,

Resolved, That this House do concur in said resolution of the Senate and order the appointment of a like Committee to be a Joint Committee and ask that the Senate on their part will assent to a Joint Committee for the same purpose.

The resolution was concurred in.

S. 53, A bill entitled an act in relation to the records of the late County Courts; and

S. 54, A bill to extend the Charter of the High Shoals Manufacturing Company were taken up and passed second reading.

Mr. Love introduced a resolution pertaining to salaries.

On Motion of Mr. Rich, the Senate took recess for fifteen minutes.

At the expiration of which time the Senate resumed business.

Leave of absence was granted Mr. Winstead and Mr. Barrow.

On motion of Mr. Respass, the Senate adjourned.

TWENTIETH DAY.

THURSDAY, July 23d, 1868.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Rev. Henry Hardie.

The journal of Wednesday was read and approved.

Mr. Harrington introduced the following resolutions, which were adopted and ordered to be spread upon the journal :

Resolved, That the affliction which has fallen upon us, in the decease of the Hon. Lorenzo D. Hall, fills our hearts with sadness, while we recognize the hand of that mysterious Providence which has taken the patriotic counsellor, the faithful friend, and the genial gentleman from our midst.

Resolved, That we tender to the friends and relatives of the deceased our heart-felt sympathy in this sad bereavment.

Resolved, That a Committee of three be appointed by the President to attend the body of the deceased to its final resting place.

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

Resolved, That these resolutions be published in the Sentinel and Standard of this city, and a copy furnished to the family of the deceased.

Mr. Sweet moved that the Senate in a body, accompany the remains of the deceased to the depot.

Agreed to.

The President, in accordance with the resolutions of Mr. Harrington, appointed the following Committee:

Messrs. Harrington, Love and White.

A message was received from the House of Representatives announcing the appointment of Messrs. Sinclair, Argo and Kinney, as a Committee to confer with the Senate Committee as to the forms necessary to be carried out, in relation to the death of Mr. L. D. Hall, Senator.

Eloquent and impressive eulogies were pronounced by Messrs. Sweet, Rich, Robbins, Osborne, Cook and Wynne.

The Senate, on motion, adjourned.

TWENTY-FIRST DAY.

FRIDAY, July 24th, 1868

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Rev. Mr. Eppes.

Mr. Rich moved a call of the house.

The roll was called, a majority of the members being present, the President announced a quorum.

Mr. Osborne presented the credentials of Mr. Bedford Brown, which, on motion of Mr. Lassiter, were referred to the Committee on Investigation.

Mr. Lindsay moved to reconsider the vote by which the credentials were referred.

The motion did not prevail.

Mr. Cook, on the part of the Committee on Enrollment reported a resolution on printing correctly enrolled, whereupon it was ratified by the President.

Mr. Welker gave notice of the introduction of the following bills:

- A bill to limit the liabilities of Sheriffs.
- A bill to regulate the execution of capital offenders.

Mr. Sweet introduced a joint resolution, S. 58, authorizing the Treasurer of the State to negotiate a loan of \$100,000 for ninety days.

A motion to suspend the rules to put the resolution on its passage did not prevail.

Mr. Blythe introduced, S. 59, a resolution providing for evening sessions.

Bills of the following titles were taken up on second reading and disposed of as follows :

S. 55, A bill entitled an act in relation to the records of the late Courts of Equity, read second time and referred to the Judiciary Committee.

S. 56, A bill to amend an act, chapter forty-two, section eight, entitled entries and grants, passed second reading.

S. 57, A bill to change the time to list and collect the County and State Taxes. Read second time and referred to the Committee on Finance.

S. 54, A resolution pertaining to salaries was temporarily tabled.

H. R. 43, A resolution instructing the Board of Education to prepare and report a plan and code of laws, for the organization, government, &c., of Public Free Schools, was adopted and transmitted to the House of Representatives.

On motion, the Senate resolved itself into a Committee of the Whole for the consideration of bills, with titles as follows :

S. 44, A bill to require Trustees of the University of North Carolina to reside in the County for which they are chosen.

S. 45, A bill ratifying and confirming the charter of the North-Western North Carolina Rail Road Company.

S. 46, A bill to increase the capital stock of the Western N. C. Rail Road.

The Committee arose, and, through its chairman Mr. Sweet, reported that they had under consideration,

S. 44, A bill to require Trustees of the University of North Carolina to reside in the County for which they are chosen ;

and report it back to the Senate, amended by inserting the word "hereafter," after the word "shall."

The report of the Committee was concurred in, and the bill ordered engrossed for a third and final reading.

S. 45, A bill entitled an act ratifying and confirming the charter of the North-Western North Carolina Rail Road Company.

The Committee recommend that the bill be referred to the Committee on Internal Improvements.

The report of the Committee was concurred in.

S. 46, A bill to increase the capital stock of the Western N. C. Rail Road.

The Committee recommend that the bill be referred to the Committee on Internal Improvements.

The report of the Committee was concurred in.

A message was received from the House of Representatives transmitting House bill, in relation to Provisional Municipal Officers, which was then ratified by the President.

A motion by Mr. Robbins, to suspend the rules to place S. 53, a bill entitled an act in relation to the records of the late County Courts, and place it on its third and final reading and passage, was lost.

On motion of Mr. Jones of Wake, S. 16, a bill to extend the Chatham Rail Road, was taken up.

Leave of absence was granted Mr. Martindale, also Mr. Sweet, until Monday or Tuesday next.

The following resolution, reported by the joint Committee on Per Diem and Mileage, was taken up.

Resolved, That the *per diem* and mileage for the President of the Senate, Speaker of the House of Representatives, Members of both Houses and officials be as follows, to wit :

President and Speaker,	\$10 00
Members of both Houses,	7 00
Principal and Assistant Clerk,	7 00
Enrolling and Engrossing Clerk,	7 00
Doorkeepers,	7 00
Pages,	3 00

and that mileage at the rate of twenty cents per mile each way, be granted to the President, Speaker and Members of both Houses.

Mr. Sweet offered to amend by making the *per diem* of

Members of both Houses,	\$6 00
Principal and Assistant Clerks,	6 00
Doorkeepers,	6 00

Mr. Robbins moved to amend the amendment by making the *per diem* of

President and Speaker,	\$8 00
Members,	5 00
Clerks and Doorkeepers,	5 00
Mileage,	10

Mr. Wynne moved to postpone the subject matter until tomorrow at 10½ o'clock.

The motion was not sustained.

The question was taken on the amendment of Mr. Robbins.

The amendment was rejected.

Mr. Cook offered to amend the amendment of Mr. Sweet, by making *per diem* of

President and Speaker,	\$10 00
Clerks,	8 and 7 00
Members,	4 00
Doorkeepers,	6 and 5 00
Pages,	2 00
Mileage,	20

The amendment was rejected.

Mr. Rich moved to amend by making the *per diem* of the

President and Speaker of the House,	\$12 00
Members and Clerks,	8 00

The amendment was rejected.

Mr. Davis offered to amend by making the *per diem* of

President and Speaker,	\$8 00
Clerks,	6 00
Members,	5 00
Doorkeepers,	5 00

and twenty cents per mile going to and returning by the most usual and nearest travelled route.

The amendment did not prevail.

The amendment of Mr. Sweet was lost.

Mr. Cook moved to amend by making the *per diem* of the President and Speaker \$12.

Rejected.

The resolution offered by the Joint Committee was rejected by the following vote.

NAYS.—Messrs. Barnes, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Forkner, Hayes, Hyman, Jones of Wake, Lassiter, Lindsay, Mason, Melchor, Moore of Yancey, Osborne, Purdie, Richardson, Robbins, Sweet, Welker and Wynne—23.

YEAS.—Messrs. Bellamy, Brogden, Etheridge, Eppes, Galloway, Long, Martindale, Moore of Carteret, Rich, Respass, Shoffner and Smith—12.

Mr. Osborne gave notice that he would introduce a bill to amend the charter of the Atlantic, Tennessee and Ohio Rail Road Company.

The following messages were received from the House of Representatives.

A message stating that there was a motion in the House to reconsider the concurrence of the House of Representatives on the resolutions on adjournment, which motion to reconsider has been postponed until Wednesday next.

A message concurring in the Senate's amendment of the resolutions on adjournment, by striking out all after the words "if practicable."

A message transmitting House bill to provide for filling vacancies in County offices.

A message was received from the Code Commissioners submitting the following acts :

1st. The Code of Civil Procedure to Special Proceedings. Read first time.

2d. An act in relation to the powers and duties of Clerks of the Superior Courts. Read first time.

3d. An act concerning the government of Counties. Read first time.

On motion, the Senate adjourned.

TWENTY-SECOND DAY.

SATURDAY, July 25th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Blythe.

The Journal of Friday was read and approved.

Mr. Wynne moved a call of the House.

A quorum being present the motion was not put.

Mr. Forkner, on the part of the Committee of Internal Improvements to whom was referred S. 45, a bill entitled "a bill ratifying and confirming the Charter of the North Western North Carolina Rail Road Company," reported the bill back to the Senate and recommend its passage.

S. 35, A bill entitled "a bill to authorize the Air Line Rail Road Company of South Carolina to construct and operate its Road within the limits of the State.

The committee report the bill back to the Senate with the following amendments and recommend its passage :

First, strike out from the words "not South of &c," in the tenth line of the first section to the word "Salisbury" in the eleventh line inclusive, and insert "at or near the town of Charlotte."

Second, at the end of section first, add these words: "*Provided, however,* That the property of the Air Line Rail Road Company, shall not hereby be exempt from like taxation as other property in this State."

Third, in second section, after the word "require," in the eleventh line, strike out all to the end of the section.

Fourth, strike out in the fourth section, the words "its passage," and add the words "and after its ratification."

The following notices were given.

By Mr. Forkner, that he would introduce a bill to provide for the settlement of estates of deceased persons.

By Mr. Jones, of Wake, of a bill to incorporate the North Carolina Home Insurance Company.

By Mr. Respass, of a bill to set aside certain sales of lands made by the Clerk and Master in Beaufort County at Spring Term, 1868.

Bills of the following titles were introduced :

By Mr. Moore, of Carteret, S. 60, a bill entitled "a bill to amend sections 2, 6 and 8, chapter 120, Revised Code of North Carolina."

Read first time.

By Mr. Welker, S. 61, a bill to limit liabilities of Sheriffs.

Read first time.

S. 62, A bill to regulate capital executions.

Read first time.

By Mr. Osborne, S. 63, a bill to amend the Charter of the Atlantic, Tennessee and Ohio, Rail Road Company.

Read first time.

H. 43, A bill entitled "a bill concerning Inspectors for the City of Wilmington," was taken up and put on its third reading.

By unanimous consent, Mr. Galloway was allowed to offer the following amendments :

Strike out all of section first to the word "who" in line seven and insert the "General Assembly of North Carolina do enact, That the Governor shall appoint seven Inspectors for the City of Wilmington, who shall severally hold office at the pleasure of the Governor as Inspector of naval stores, Inspector of provisions and forage, Inspector of shingles and wood, and four Inspectors of timber, lumber and staves."

In section two, line three, strike out the word "shall" and insert "may."

Between the words "dollars" and "with" in line ten,

section two, insert, "except the Inspector of shingles and wood whose bond shall be in the sum of five hundred dollars."

The amendments were adopted.

The bill passed its third and final reading by the following vote :

YEAS—Messrs. Beasley, Barnes, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Hyman, Jones of Wake, Lindsay, Lassiter, Long, Moore of Carteret, Moore of Yancy, Melchor, Mason, McLaughlin, Osborne, Respass, Richardson, Smith, Shoffner, Welker, and Wynne—30.

NAYS—Messrs. Purdie and Robbins—2.

S. 44, Engrossed bills requiring Trustees for the University of North Carolina to reside in the County for which they are chosen, passed third reading, by the following vote :

YEAS—Messrs. Beasley, Bellamy, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Hyman, Jones of Wake, Lindsay, Lassiter, Melchor, McLaughlin, Osborne, Purdie, Richardson, Robbins, Shoffner, Welker, and Wynne—24.

NAYS—Messrs. Barnes, Galloway, Hayes, Long, Moore of Carteret, Moore of Yancy, Mason, Respass, and Smith—9.

The President announced the following Senate Branch of the Committee to select a site for a Penitentiary :

First Congressional District,	Respass,
Second " "	Eppes,
Third " "	Beeman,
Fourth " "	Burns,
Fifth " "	Winstead,
Sixth " "	Osborne,
Seventh " "	Blythe.

The report of the Committee of Internal Improvements, on S. 35, a bill to "authorize the Air Line Rail Road Company in South Carolina to construct and operate its road within the limits of this State," was taken up under a suspension of the rules, and the report of the Committee concurred in.

The bill passed second reading.

On motion of Mr. Forkner, the rules were suspended, and the bill was placed on its third and final reading.

Mr. Hayes moved to postpone until Wednesday next at eleven o'clock.

On motion to postpone, Mr. Forkner asked for the yeas and nays.

Agreed to.

YEAS—Messrs. Bellamy, Barnes, Brogden, Colgrove, Davis, Eppes, Galloway, Hayes, Hyman, Long, Purdie, and Wynne—12.

NAYS—Messrs. Burns, Blythe, Cook, Eaves, Etheridge, Forkner, Jones of Wake, Lindsay, Lassiter, Moore of Carteret, Moore of Yancey, Melchor, Mason, McLaughlin, Osborne, Respass, Richardson, Robbins, Smith, and Welker—19.

The motion did not prevail.

The bill passed its third and final reading by the following vote :

YEAS—Messrs. Bellamy, Burnes, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Forkner, Hyman, Jones of Wake, Lindsay, Lassiter, Long, Moore of Carteret, Moore of Yancy, Melchor, Mason, McLaughlin, Osborne, Respass, Richardson, Robbins, Smith, Welker, and Wynne—26.

NAYS—Messrs. Barnes, Brogden, Galloway, Hayes, and Purdie—5.

The following messages were received from the House of Representatives :

A message concurring in S. 38, "A bill to provide for the filling of vacancies occurring in the offices provided for in Article seven, in the Constitution of North Carolina."

A message concurring in S. 39, "A bill to extend the time for registering grants *mesne* conveyance, powers of Attorney, deeds of sale, deeds of gift, deeds of trust, and marriage settlements."

A message transmitting for concurrence H. 51, Engrossed bill, to provide for the attendance of witnesses in certain cases.

Read first time and referred to the Judiciary Committee.

A message transmitting H. 62, a resolution in favor of Hugh B. Guthrie, Sheriff of Orange County.

The resolution was concurred in under a suspension of the rules.

• Mr. Cook by permission, introduced S. 64, "a bill for the organization of the Militia of North Carolina."

Mr. Hayes introduced a resolution in relation to the printing of certain acts of the General Assembly.

Mr. Cook moved a suspension of the rules to take up S. 64, a bill for the organization of the Militia of North Carolina.

Pending which, the Senate on motion, adjourned.

TWENTY-THIRD DAY.

MONDAY, July 27th, 1868.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Rev. H. T. Hudson.

The journal of Saturday was read and approved.

Mr. Cook, on the part of the Committee on Enrollment, reported the following acts and resolutions correctly enrolled, whereupon they were duly ratified by the President.

S. 38, An act providing for the filling of vacancies occurring in offices, provided for in article seven of the Constitution of North Carolina.

S. 39, An act to extend the time for registering grants, mesne conveyances, powers of attorney, deeds of gift, deeds of trust and marriage settlements.

H. 43, An act concerning Inspectors of the city of Wilmington.

H. 62, A resolution in favor of Hugh B. Guthrie, Sheriff of Orange.

Mr. Blythe gave notice that, on to-morrow, he would move to amend the rules,

1st. By striking out the clause requiring bills to be considered in the Committee of the Whole.

2d. Strike out the section requiring bills to be read second time before being referred.

Mr. Lassiter, of intention to introduce a bill, "To incorporate the Union Emigrant and Transportation Company."

Bills and resolutions of the following titles, were introduced and read the first time.

By Mr. Forkner, S. 65, a bill to provide for the settlement of estates of deceased persons.

By Mr. Galloway, S. 66, a bill regulating the hours of labor.

By Mr. Robbins, S. 67, a bill in relation to usury.

• S. 68, A bill to incorporate the Salisbury Cemetery Association.

By Mr. Cook, S. 69, a bill to provide for a Hydrographic Survey of the State.

By Mr. Respass, S. 70, a bill for the relief of the Sheriffs and the people.

By Mr. Galloway, S. R. 71, a resolution requesting the members of Congress to exert their influence to secure an appropriation to improve the bar of the Cape Fear River.

By Mr. Jones of Wake, S. R. 72, a resolution referring certain claims for supplies furnished to the Insane Asylum during the war to the Committee on Claims.

A message was received from the House of Representatives enclosing,

H. 42, Engrossed bill authorizing a Medical College in the State of North Carolina, to dissect dead bodies, asking concurrence.

Read first time.

Also, S. 27, engrossed bill concurring in the same.

Mr. Etheridge moved that, on and after to-day, the Senate have an afternoon session, commencing at four o'clock.

The motion did not prevail.

Mr. Etheridge moved that the Rules be so amended that the order for the previous question shall come second in the order of motions.

The yeas and nays were asked for.

Not agreed to.

The motion did not prevail.

The following bills, prepared by the Code Commissioners, were taken up, read second time and referred to the Judiciary Committee.

C. C. 1. A bill in relation to the powers and duties of Clerks of Superior Courts.

C. C. 2. A bill concerning the government of Counties.

C. C. 3. The Code of Civil Procedure.

Leave of absence was granted Mr. Beasley until Saturday.

Mr. Welker presented a petition of Mr. John W. Stephens, which was made a special order for Tuesday at eleven o'clock.

Mr. Osborne introduced a resolution, S. R. 72, in relation to the residence provided for the Governors.

Referred to the Committee on Public Buildings.

Bills of the following titles were taken up, read second time and disposed of as stated :

S. 60, A bill to amend sections second, sixth, and eighth, chapter one hundred and twenty, Revised Code of North Carolina.

Referred to the Judiciary Committee.

S. 61, A bill to limit liabilities of Sheriffs.

Referred to the Judiciary Committee.

S. 62, A bill to regulate capital executions.

Referred to the Committee on Penal Institutions.

S. 63, A bill to amend the charter of the Atlantic, Tennessee and Ohio Rail Road Company.

Referred to the Committee on Internal Improvements.

S. 44, A bill for the organization of the Militia of North Carolina.

Referred to the Committee on Military Affairs.

Engrossed. H. A bill to provide for the filling vacancies in County Offices.

Passed.

The report of the Committee on Internal Improvements, to whom was referred,

S. 45, A bill ratifying and confirming the charter of the North-Western North Carolina Rail Road Company, was taken up and concurred in by the Senate.

The bill passed its third and final reading by the following vote:

YEAS.—Messrs. Beasley, Bellamy, Barnes, Brogden, Burns, Beeman, Blythe, Cook, Davis, Eaves, Eppes, Forkner, Galloway, Hayes, Hyman, Jones of Wake, Lindsay, Lassiter, Long, Love, Moore of Carteret, Moore of Yancey, Melchor, McLaughlin, Osborne, Purdie, Respass, Richardson, Robbins, Shoffner, Welker, Wynne and Winstead—33.

NAYS.—None.

Mr. Galloway gave notice that on to-morrow he would move to amend the Rules so as to require a majority of the whole number of Senators present to suspend the Rules.

Mr. Love introduced an order requesting certain information from the Public Treasurer.

The Senate, on motion, adjourned.

TWENTY-FOURTH DAY.

TUESDAY, July 28th, 1868.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Rev. G. W. Welker.

The Journal of Monday was read and approved.

Mr. Cook, on the part of the Committee on Enrollment, reported, H. R. 43, a resolution instructing the Board of Education to prepare and report a plan and code of laws for the organization, government, &c., of Public Free Schools; also Joint Senate resolution in relation to printing rules.

Whereupon, it was duly ratified by the President.

The following notices were given :

By Mr. Brogden, of a bill to provide for funding the matured interest of the public debt.

By Mr. Love, of a bill to prevent the obstruction of the passage of fish in the Valley River in the County of Cherokee.

By Mr. Respass, of a bill to vacate lands to the use of the State in certain cases.

By Mr. Wynne, of a bill regulating the sales of lands sold under executions, &c.

By Mr. Rich, of a bill to amend an ordinance of the late Constitutional Convention to aid the Tarboro' and Williamston Rail Road Company.

By Mr. Blythe, of a bill to prevent conspiracy and sedition.

By Mr. Mason, of a bill to incorporate the Woodlawn Cotton Manufacturing Company in the County of Gaston.

A message was received from the House of Representatives transmitting, S. 1, a bill in relation to Marriage Licenses, amended by inserting the words "celebrate or," before the word "solemnize," in third section, and ask concurrence of the Senate.

The Senate concurred in the amendment.

Mr. Brogden, on the part of the Committee on Finance to which was referred, S. 28, a bill to make bank bills a set off, report the bill back to the Senate with a recommendation that it do pass.

Bills and resolutions, with titles as follows, were introduced and disposed of as stated :

By Mr. Love, S. 73, a bill to repeal an ordinance of the Constitutional Convention, passed March 16th, 1868.

Read first time.

By Mr. Robbins, S. 74, a bill to require replevy bonds in attachment cases.

Read first time.

S. 75, A bill to define the boundaries of lands granted by the State.

Read first time.

By Mr. Sweet, S. R. 76, a resolution in relation to filling a vacancy in the sixteenth Senatorial District.

Adopted.

By Mr. Love, S. R. 77, a resolution asking certain information from the Public Treasurer.

Laid over under the rules.

By Mr. Mason, S. R. 78, a resolution instructing the Judiciary Committee.

Laid over.

By Mr. Lindsay, S. R. 79, a resolution granting certain powers to the Committee on Claims.

On motion of Mr. Blythe, the words "or committed," in rule twenty-eighth, fourth line, were stricken out.

Mr. Blythe moved to strike out the two last lines of rule twenty-eight.

On motion of Mr. Robbins, action on the motion was deferred one day for consideration.

The hour of the Special Order having arrived, the petition of Mr. Jno. W. Stephens was taken up, and on motion, referred to the Committee on Privileges and Elections.

S. 16, A bill to extend the Chatham Rail Road was taken up and recommitted to the Committee on Internal Improvements.

Bills with titles as follows, were taken up, read second time and disposed of as stated :

S. 65, A bill to provide for the settlement of the estate of deceased persons.

Referred to the Judiciary Committee.

S. 66, A bill regulating the hours of labor.

Referred to the Committee on Agriculture and Mining.

S. 67, A bill in relation to usury.

Referred to the Committee on Finance.

S. 68, A bill to incorporate the Salisbury Cemetery Association.

Referred to the Committee on Corporations.

S. 69, A bill to provide for a Hydrographic Survey of the State.

Referred to the Committee on Internal Improvements.

S. 70, A bill for the relief of the Sheriffs and the people.

Referred to the Committee on Finance.

S. R. 71, A joint resolution requesting the Representatives of North Carolina in Congress, to exert their influence to secure an appropriation to improve the Bar of the Cape Fear River, was adopted and transmitted to the House of Representatives.

H. 42, Engrossed bill authorizing Medical Colleges in the State of North Carolina to dissect dead bodies.

Passed second reading.

S. R. 72, A resolution requesting certain information from the Public Treasurer, was taken up.

Mr. Blythe moved to amend by adding the following: "That he report if any money, at any time within the last twelve months, has been used for party purposes; if so, what amount. That he report if the property of the State has been used to advance the interest of any party; if so, what party and what property."

Agreed to.

The resolution as amended, was adopted.

S. R. 58, A joint resolution authorizing the State Treasurer to negotiate a loan not exceeding \$100,000 for ninety days, was taken up.

Mr. Robbins offered the following substitute:

Resolved, That the Committee on the Judiciary be instructed to bring in forthwith a bill, requiring the new Sheriffs of North Carolina to send immediately to the Treasury the moneys collected by the late Sheriffs and turned over to them by the late Sheriffs.

The substitute was rejected.

The resolution was adopted and transmitted to the House of Representatives.

S. R. 59, A resolution in relation to evening sessions was laid on the table.

A message was received from the House of Representatives, concurring in the Senate amendments to, H. 43, a bill in relation to Inspectors for the city of Wilmington.

Mr. Lassiter, in behalf of the Judiciary Committee, to which was referred, H. 51, a bill to provide for the attendance of witnesses in certain cases, reported the bill back to the Senate and asked to be discharged from its further consideration.

The Committee was discharged.

Mr. Hayes introduced the following joint, S. R. 73, resolution, which was adopted and sent to the House of Representatives :

Resolved, the House of Representatives concurring, That one thousand copies of all acts of this General Assembly relating to county Officers and their duties, be printed for the use of the members of the General Assembly.

On motion of Mr. Lassiter, section four of the Rules were amended so as to make the Committee on Internal Improvements consist of nine instead of seven members.

The President appointed Messrs. Osborne and Hayes as the addition to that Committee.

The President announced a change on the Committee to select a site for a Penitentiary—Mr. Respass announced from the First Congressional District, and Mr. Rich from the Second Congressional District.

Mr. Burns, on the part of the Committee on Internal Improvements, to which was referred, S. 16, a bill to extend the Chatham Rail Road, reported the bill back as originally introduced, with the following provision to be added to the first section :

Provided, That the privilege shall not be so construed as to relieve the said Company from constructing their Rail Road to the Gulf in Chatham County.

On motion, the bill was made a special order for to-morrow at 11½ o'clock.

A message was received from the House of Representatives, transmitting engrossed House bill to amend an act, entitled "An act to provide for the qualification of certain officers recently elected under the provisions of the Constitution of North Carolina."

The bill passed its first reading.

On motion, the rules were suspended and the bill read a second time.

Mr. Love moved to postpone until to-morrow at eleven o'clock.

The motion did not prevail.

Mr. Osborne moved to amend by adding, "That the County Treasurer be required to give bond in the sum of \$10,000.

The amendment was rejected.

Mr. Love moved to amend by requiring the Treasurer to give bonds in twice the estimated sum which will come into his hands.

The amendment was rejected.

The bill passed its second reading.

The bill passed its third and final reading by the following vote:

YEAS—Messrs. Barnes, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones, of Wake, Lassiter, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Richardson, Respass, Robbins, Shoffner, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—40.

NAYS—None.

Mr. Beeman was excused from acting on the Committee for selecting a site for the Penitentiary, and

Mr. Galloway was placed on that Committee in his stead.

On motion, the Senate adjourned.

TWENTY-FIFTH DAY.

WEDNESDAY, July, 29th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. J. B. Smith,

The Journal of Tuesday was read and approved.

The following notices were given of the introduction of bills.

✓ By Mr. Galloway, of a bill for the protection of game.

By Mr. Rich, of a bill to incorporate the Respass Guano Company.

By Mr. Martindale, of a bill for the protection of fishermen and regulating the fishing interest in the waters of the State.

The following reports of Committees were received :

Mr. Winstead on the part of the Judiciary Committee, reported back to the Senate the following bills :

C. C. 3, The Code of Civil Procedure.

S. 61, a bill to limit liabilities of Sheriffs.

S. 52, a bill in relation to legal process, and recommend their passage.

Senate resolution with regard to the late Clerks of the several Courts of North Carolina.

The Committee asked to be discharged from the further consideration of the subject.

The report was concurred in.

S. 55, a bill in relation to the records of the late Courts of Equity.

The Committee recommend that it do not pass.

The report was concurred in.

S. 58, a resolution in relation to the uniform valuation of lands in the State.

The Committee recommend that it be referred to the Committee on Finance.

The report was concurred in.

S. 30, a bill to attach the County of Catawba to the tenth Judicial District.

The Committee reported the bill back and asked to be discharged from the further consideration of the subject.

The report of the Committee was concurred in.

The Judiciary Committee through Mr. Sweet reported back C. C. 2, an act concerning the Government of Counties, with a recommendation that it do pass.

Mr. Smith on the part of the Committee on Propositions and Grievances, to whom was referred S. 21, a resolution directing that Committee to report a bill to prohibit the distillation of corn and wheat in this State, reported the bill back and asked to be discharged.

The report was concurred in.

Mr. Welker on the part of the Committee on Penal institutions to whom was referred S. 62, a bill to regulate Capital Executions, reported the bill back with a recommendation that it do pass.

Mr. Cook, on the part of the Committee on Enrollment reported the following bills as being properly enrolled, whereupon they were ratified by the President.

S. 1, a bill in relation to marriage licenses.

S. 46, a resolution in relation to the filling a vacancy in the sixteenth Senatorial District.

House bill to amend an act to provide for the qualification of certain officers recently elected under the provisions of the Constitution of the State of North Carolina.

A bill to provide for the relief of the Sheriffs of this State and their sureties.

S. 27, a bill to repeal an act directing the time and place for selling land in the Counties of Halifax, Northampton, Hertford and Martin.

Bills of the titles as follows were introduced and disposed of as stated:

By Mr. Blythe, S. 80, a bill to punish conspiracy, sedition and rebellion.

Read first time and referred to a special Committee of three consisting of Messrs. Blythe, Shoffner, and Mason.

By Mr. Brogden, S. 81, a bill to provide for funding the matured interest of the Public debt.

Read first time.

By Mr. Love, S. 82, a bill to prevent the obstruction of the free passage of fish in Valley River.

Read first time and referred to a special Committee of five consisting of Messrs. Love, Blythe, Eaves, Moore, of Yancy, and Smith.

By Mr. Rich, S. 83, a bill to amend an ordinance to aid the Williamston and Tarboro' Rail Road Company.

Read first time.

By Mr. Sweet, S. 84, a bill to provide for the filling of vacancies that may occur in the General Assembly.

Read first time.

By Mr. Wynne, S. 85, a bill regulating the selling of land under executions.

Read first time.

By Mr. Respass, S. 86, a bill vacating certain lands to the State.

Read first time.

* By Mr. Jones, of Wake, S. 87, a bill to incorporate the North Carolina Mutual Home Insurance Company.

Read first time and referred to the Committee on Finance.

Mr. Rich on the part of the Committee on Internal Improvements, to whom was referred S. 47, a bill to amend an act entitled an act to incorporate the Greenville and French Broad Rail Road Company, ratified 13th day of February, A. D. 1855, reported the bill back with a recommendation that it do pass.

Mr. Welker moved that in Article twenty-eight of the rules of order for the Senate the words "nor unless it shall have been printed," be stricken out.

The motion did not prevail.

The motion of Mr. Blythe to strike out the last two lines of rule twenty-eight was taken up and discussed.

Mr. Sweet offered the following amendment:

In rule twenty-eight strike out lines nine and ten and insert the following, to wit:

“After a bill shall have passed its second reading, if it is not committed or recommitted or otherwise disposed of, it shall be engrossed and placed on a general file of bills ready for a third reading to be taken up in order, or at such time as a majority of the Senators shall determine.”

The amendment was adopted.

On motion of Mr. Osborne it was ordered that a message be sent to the House of Representatives requesting the return of S. 58, a joint resolution authorizing the Public Treasurer to negotiate a loan.

The hour of the special order having arrived, the Senate took up S. 16, a bill to extend the Chatham Rail Road.

The amendment to strike out “or near Haw River,” and insert “the Gulf,” as reported by the Committee of the whole was rejected.

The following amendment as reported by the Committee on Internal Improvements to whom the bill was recommitted was adopted:

Add to section one, “*Provided*, That this privilege shall not be construed to relieve said Company from the obligation to build their Road to the Gulf in Chatham County.”

Mr. Sweet offered the following amendment as section two, which on motion was adopted:

Sec. 2. The Chatham Rail Road Company shall not expend any money on that portion of its line South of its intersection with the Western Rail Road except for the survey and location of the same, until that portion of its line between its junction with the North Carolina Rail Road and its intersection with the Western Rail Road, is completed, and in operation with sufficient rolling stock and suitable depot, freight and engine buildings and machine shops, nor until the obligation

expressed in the proviso in section one of this act shall have been discharged.

On motion of Mr. Jones, of Wake, section two of the bill was made section three.

The bill as amended passed its third and final reading by the following vote.

YEAS—Messrs Barrow, Barnes, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Hyman, Jones of Wake, Legg, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Respäss, Robbins, Shoffner, Smith, Sweet, Welker, White, Wynne, Winstead, and Wilson—41.

The following messages were received from the House of Representatives :

A message transmitting S. 58, a joint resolution authorizing the State Treasurer to negotiate a loan.

A message transmitting H. 78, a bill authorizing the Public Treasurer to borrow money.

Read first time.

S. 58, a joint resolution authorizing the State Treasurer to negotiate a loan, was taken up and passed its second reading by the following vote :

YEAS—Messrs. Barrow, Bellamy, Brogden, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Hayes, Hyman, Jones of Wake, Lindsay, Long, Love, Martindale, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Respäss, Shoffner, Smith, Sweet, Welker, White, Wynne, Winstead, and Wilson—35.

NAYS—Messrs. Barnes, and Robbins—2.

The following bills and resolutions were taken up, read the second time and disposed of as stated :

S. 28, a bill to make Bank Bills a set off.

Passed.

S. 74, a bill to require replevy bonds in attachment cases.

Referred to the Judiciary Committee.

S. 73, a bill to repeal an ordinance of the Constitutional Convention passed March 6th, 1868.

Passed.

S. 75, a bill to define the boundaries of lands granted by the State.

Referred to the Judiciary Committee.

S. 77, a resolution requesting the Public Treasurer to furnish certain statements.

Mr. Moore of Carteret moved to lay the resolution on the table.

On this motion the yeas and nays were granted.

YEAS—Messrs. Bellamy, Cook, Davis, Etheridge, Jones of Wake, Moore of Carteret, Respass, and Smith—S.

NAYS—Messrs. Barrow, Barnes, Brogden, Burns, Blythe, Colgrove, Eaves, Eppes, Forkner, Galloway, Hyman, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Sweet, Welker, White, Wynne, Winstead and Wilson—31.

The motion was rejected.

Mr. Cook moved to amend by inserting "also for the Convention of 1865-66.

Mr. Rich moved to amend the amendment by adding the following:

That the Treasurer be also requested to furnish a detailed statement of the School or Literary fund of 1861, and what has become of the same, and also of the expenses of the provisional Government since May 20th, 1865 with a detailed statement of the same.

Mr. Eaves moved to adjourn.

The motion did not prevail.

Mr. Jones moved to postpone until the meeting of the Legislature in November next.

On motion of Mr. Love the yeas and nays were agreed to on the motion to postpone.

The motion did not prevail by the following vote:

YEAS—Messrs. Barrow and Jones of Wake—2.

NAYS—Messrs. Barnes, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Hyman, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Smith, Sweet, Welker, White, Wynne, Winstead, and Wilson—38.

Mr. Cook accepted the amendment of Mr. Rich.

Mr. Etheridge offered the following amendment:

That the Treasurer be authorized to report for what purpose the \$100,000, has been expended since the adjournment of the Constitutional Convention up to the time the late Treasurer went into office.

The amendment was adopted.

The amendment of Mr. Cook as amended was adopted by the following vote:

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Hyman, Jones of Wake, Lindsay, Long, Mason, Martindale, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—38.

NAYS—Messrs. Barnes, and Love—2.

The question recurred on the original resolution as amended, which was adopted:

YEAS—Messrs. Barrow, Barnes, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hays, Hyman, Jones of Wake, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Smith, Sweet, Welker, White, Wynne, Winstead, and Wilson—40.

Mr. Shoffner gave notice that he would on to-morrow, or

some subsequent day introduce a bill for the relief of the people.

On motion of Mr. Colgrove, the Senate adjourned.

TWENTY-SIXTH DAY.

THURSDAY, July 30th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Long.

Mr. Osborne presented a petition from the citizens of the County of Union.

Referred to the Committee on Military Affairs.

Mr. White presented a petition from the citizens of the Counties of Perquimans and Chowan who had served in the army of the United States.

Referred to the Committee on Proposition and Grievances.

Mr. Winstead, on the part of the Judiciary Committee, to which was referred S. B. 1, A bill to provide for the relief of sureties of the late D. F. Bagley, former Sheriff of the County Perquimans, reported the bill back to the Senate with a recommendation that it do not pass.

The report was concurred in.

Mr. Winstead, on the part of the same Committee, to which was referred S. 60, A bill to amend sections second, sixth and eighth, chapter 120, Revised Code of North Carolina, reported the bill back with a recommendation that it do pass.

Mr. Brogden, on the part of the Committee on Finance, to which was referred S. 70, a bill for the relief of the Sheriffs and the people, reported the bill back with a recommendation that it do pass.

Mr. Robbins, on the part of the Committee on Corporations,

to which was referred S. 68, a bill to incorporate the Salisbury Cemetery, reported the bill back to the Senate with the following amendment:

At the head of the fifth section add the following proviso:

Provided, That a suitable part of said grounds shall be reserved for the burial of strangers and persons not owning individual burial lots therein, and a separate portion of said grounds shall be set apart for the burial of persons of color.

With the amendment the Committee recommended the passage of the bill.

Mr. Lindsay, on the part of the Committee on Claims, reported favorably on the claims of

P. F. Pescud, - - - - - \$978 76

F. J. Hutchings, - - - - - 893 00

Against the Insane Asylum, and recommend their payment.

Mr. Sweet, on the part of the Committee on Salaries and Fees, to which was referred, H. 20, a bill in relation to Superintendent of Public Works, reported the bill back to the Senate with the following amendment:

Section 2. This act shall take effect from and after its ratification.

The amendment was agreed to.

The bill passed second and third readings under a suspension of the rules, by the following vote:

YEAS—Messrs. Barrow, Barnes, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Hayes, Harrington, Hyman, Lassiter, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Robbins, Smith, Sweet, Welker, White, Wynne and Winstead—38.

NAYS—Messrs. Respass and Wilson—2.

Mr. Love moved to reconsider the vote.

Mr. Sweet moved to lay the motion on the table.

Mr. Love asked for the yeas and nays.

Agreed to.

YEAS—Messrs. Brogden, Burns, Colgrove, Cook, Davis, Etheridge, Eppes, Galloway, Hayes, Hyman, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Rich and Sweet—16.

NAYS—Messrs. Barrow, Barnes, Beeman, Bellamy, Blythe, Eaves, Forkner, Harrington, Jones of Wake, Lassiter, Lindsay, Long, Love, Mason, Martindale, McLaughlin, Purdie, Richardson, Respass, Robbins, Smith, Welker, White, Wynne, Winstead and Wilson—26.

The motion to reconsider did not prevail.

Mr. Forkner moved to postpone the bill until to-morrow at 10 o'clock, and make it a Special Order for that hour.

Mr. Robbins moved to postpone until the 4th Monday in November next.

The motion of Mr. Robbins prevailed. Yeas 21, nays 13.

A message was received from the House of Representatives transmitting H. 81, a bill to empower the County Commissioners to draw Jurors for the Superior Courts.

Read first time.

Mr. Osborne gave notice of his intention to introduce a bill concerning refunding bonds.

Mr. Barrow of a bill to prevent frauds on County Treasurers.

Bills of the following titles were introduced and passed first reading.

By Mr. Martindale, S. 88, a bill for the protection of Fish in North Carolina.

By Mr. Galloway, S. 89, a bill to protect or prevent the killing of game between the 15th of April and 15th October.

S. 56, a bill to amend an act, chapter 42, section 8, entitled Entries and Grants, was read the third time.

Mr. Respass offered an amendment.

The bill and amendment was, on motion, referred to the Judiciary Committee.

S. 73, A Bill to repeal an ordinance of the Constitutional

Convention passed March 16th, 1868, passed third reading by the following vote :

YEAS—Messrs. Barrow, Beeman, Brogden, Burns, Blythe, Davis, Eaves, Eppes, Forkner, Harrington, Hyman, Jones of Wake, Lassiter, Long, Mason, Martindale, Melchor, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Smith, Welker, White, Winstead and Wilson—31.

NAYS—Messrs. Colgrove, Hayes and Moore of Carteret—3.

S. 53, a bill in relation to the records of the late County Courts, passed third reading by the following vote :

YEAS—Messrs. Barrow, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Love, Martindale, Melchor, Moore of Yancey, McLaughlin, Osborne, Purdie, Richardson, Respass, Robbins, Shoffner, Smith, Welker, Wynne, Winstead and Wilson—33.

NAY—Moore of Carteret—1.

S. R. 58, a joint resolution authorizing the State Treasurer to negotiate a loan, passed third reading by the following vote :

YEAS—Messrs. Barrow, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Love, Martindale, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Richardson, Respass, Shoffner, Smith, Welker, White, Wynne, Winstead and Wilson—34.

NAY—Mr. Robbins—1.

S. 28, a bill to make Bank Bills a set off, passed third reading by the following vote :

YEAS—Messrs. Barrow, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Eppes, Forkner, Hayes, Harrington, Hyman, Lassiter, Love, Melchor, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Smith, Welker, White, Wynne, Winstead and Wilson—33.

H. 42, a bill authorizing Medical Colleges in North Carolina

to dissect dead bodies was read third time and referred to the Judiciary Committee.

S. 54, a bill to extend the Charter of the High Shoals Manufacturing Company, passed third reading by the following vote:

YEAS—Messrs. Barrow, Barnes, Beeman, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Forkner, Galloway, Harrington, Jones of Wake, Lassiter, Long, Love, Martindale, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Richardson, Respass, Robbins, Shoffner, Smith, White, Winstead and Wilson—33.

H. B. to provide for filling vacancies in County officers, was read third time and laid on the table.

The report of the Committee on S. 61, to limit liabilities of Sheriffs, was taken up and concurred in.

The bill passed the second reading.

The rules were suspended for third reading.

Mr. Robbins amended by inserting between for and obedience "any acts heretofore done in," as amended passed the third reading by the following vote:

YEAS—Messrs. Barrow, Barnes, Beeman, Bellamy, Burns, Blythe, Davis, Eaves, Forkner, Harrington, Lassiter, Long, Love, Mason, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Richardson, Respass, Robbins, Shoffner, Sweet, Welker, White, Wynne, Winstead and Wilson—29.

Mr. Blythe introduced S. R. 90, a resolution declaring the seats of members banned by the Constitutional Amendment vacant, and authorizing the President to notify the Governor of the same.

Mr. Blythe withdrew his resolution until the Committee on Investigation reported.

Mr. Winstead, on the part of that Committee, presented a majority report stating that inasmuch as the Honorable Bedford Brown, Senator elect from the 24th District, is banned by the Constitutional Amendment, he is not entitled to his seat.

Mr. Blythe renewed his Resolution.

On motion the name of the Honorable Bedford Brown was added to the names contained in the resolution.

Mr. Osborne moved to make Mr. Turner's case a Special Order for to-morrow at 11 o'clock.

The motion did not prevail.

On motion of Mr. Robbins, action in Mr. Brown's case was deferred until the contested election case between Messrs. Brown and Stephens was disposed of.

The resolution was then adopted.

Leave of absence was granted Mr. Eppeš from to-morrow until Tuesday next.

On motion of Mr. Davis, the Senate adjourned.

TWENTY-SEVENTH DAY.

FRIDAY, July 31st, 1868.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Rev. Mr. Nicholson.

The Journal of Thursday was read and approved.

Mr. Love was allowed to record his vote in the affirmative on, S. 73, a bill to repeal an ordinance of the Constitutional Convention, passed March 16th, 1868.

Mr. Galloway presented a petition from the citizens of Wilmington.

Referred to the Judiciary Committee.

Mr. Rich, on the part of the Committee on Internal Improvements, to whom was referred a bill to provide for the hydrographic survey of the State, reported the bill back to the Senate with the following amendments: strike out in section 4 the words "on the lines of Railway" and insert "of this State," also insert after the word "observation" the words "or otherwise." As amended, the Committee recommend its passage.

Mr. Winstead, on the part of the Judiciary Committee, to whom was referred S. 56, a bill to amend an act, chapter 42, section 8, entitled "Entries and Grants," recommend the following amendments: section 1, insert in line 3 after the word "all" "persons having made." Section 2, strike out in line 2, the words "in all events." As amended, the Committee recommend its passage.

Mr. Winstead, on the part of the Judiciary Committee, to whom was referred, S. 65, a bill to provide for the settlement of estates of deceased persons, reported the bill back to the Senate with a substitute for the same.

Mr. Blythe, on the part of the select committee to whom was referred, S. 74, a bill to punish conspiracy, sedition and rebellion, reported the same back with a substitute for the bill.

By unanimous consent, Mr. Lindsey was allowed to withdraw the report of the Committee on Claims.

Mr. Colgrove, on the part of the Committee on Engrossment, reported, S. 16, a bill to extend the Chatham Rail Road properly engrossed.

Mr. Cook, on the part of the Committee on Enrollment, reported as properly enrolled, a resolution directing the State Treasurer to furnish the Senate with information regarding the expenses of the Constitutional Convention, the Convention of 1865-'66, the disposition of the Literary Fund, and the one hundred thousand dollars, since the adjournment of the Constitutional Convention.

A resolution asking what moneys have been expended for the Republican party's celebration in this City, July 4, 1868.

Whereupon they were ratified by the President.

A message was received from the House of Representatives transmitting a joint resolution on per diem and mileage:

President and Speaker,	\$9 00
Members,	7 00
Clerks,	8 00
Doorkeepers,	7 00
Mileage,	20

On motion of Mr. Respass, \$9 00 was stricken out, and \$10 00 inserted.

Mr. Lindsey moved to strike out \$7 00 as pay of members and insert \$6 00.

Mr. Robbins moved to insert \$5 00.

The question was taken on \$7 00, which was rejected.

YEAS—Messrs. Barrow, Bellamy, Colgrove, Etheridge, Eppes, Galloway, Harrington, Hyman, Jones, of Wake, Lassiter, Moore, of Carteret, Rich, Respass, Shoffner, Smith, Wynne—16.

NAYS—Messrs. Barnes, Beeman, Brogden, Burns, Blythe, Cook, Davis, Eaves, Forkner, Hayes, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore, of Yancey, McLaughlin, Osborne, Purdie, Richardson, Robbins, Sweet, Welker, White, Winstead and Wilson—27.

The vote was taken on the motion of Mr. Lindsay, which was adopted.

YEAS—Messrs. Barrow, Burns, Colgrove, Eppes, Forkner, Harrington, Hyman, Jones, of Wake, Lassiter, Lindsay, Mason, Martindale, Melchor, Moore, of Yancey, McLaughlin, Osborne, Rich, Richardson, Smith, Sweet, Welker, White and Wilson—23.

NAYS—Messrs. Barnes, Beeman, Bellamy, Blythe, Cook, Davis, Eaves, Etheridge, Galloway, Hayes, Long, Love, Moore, of Carteret, Purdie, Respass, Robbins, Shoffner, Wynne and Winstead—19.

Mr. Lindsey moved to strike out \$8 00 as the per diem of Clerks and insert \$6 00.

Mr. Moore, of Carteret, moved to insert \$10 00.

On this motion, the yeas and nays were granted.

The motion was rejected.

YEAS—Messrs. Bellamy, Colgrove, Galloway, Hayes and Moore, of Carteret—5.

NAYS—Messrs. Barrow, Barnes, Beeman, Brogden, Burns, Blythe, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Harrington, Hyman, Jones, of Wake, Lassiter, Lindsay, Long,

Love, Mason, Martindale, Melchor, Moore, of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—38.

Mr. Moore, of Carteret, moved to strike out \$8 00 and insert \$9 00.

On this motion, the yeas and nays were granted.

The motion was rejected.

YEAS—Messrs. Bellamy, Colgrove, Galloway, Hayes, Moore, of Carteret, and Respass—6.

NAYS—Messrs. Barrow, Barnes, Beeman, Brogden, Burns, Blythe, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Harrington, Hyman, Jones, of Wake, Lassiter, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore, of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—37.

Mr. Respass moved to strike out \$8 00 and insert \$8 50.

The motion did not prevail.

YEAS—Messrs. Bellamy, Colgrove, Etheridge, Galloway, Hayes, Moore, of Carteret, and Respass—7.

NAYS—Messrs. Barrow, Barnes, Beeman, Brogden, Burns, Blythe, Cook, Davis, Eaves, Eppes, Forkner, Harrington, Hyman, Jones, of Wake, Lassiter, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore, of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Smith, Sweet, Welker, White, Winstead and Wilson—35.

Mr. Galloway moved to strike out \$8 00 and insert \$8 25. The motion was lost.

Mr. Respass moved to strike out \$8 00 and insert \$7 50. Not agreed to by the following vote :

YEAS—Messrs. Barrow, Bellamy, Blythe, Davis, Etheridge, Eppes, Galloway, Hayes, Hyman, Martindale, Moore, of Carteret, Respass and Shoffner—13.

NAYS—Messrs. Barnes, Beeman, Brogden, Burns, Colgrove, Cook, Eaves, Forkner, Harrington, Jones, of Wake, Las-

siter, Lindsay, Long, Love, Mason, Melchor, Moore, of Yancey, McLaughlin, Osborne, Purdie, Richardson, Robbins, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—29.

On motion, \$7 00 was agreed to for Clerks.

The *per diem* of \$7 00 for Doorkeepers was rejected.

Mr. Jones, of Wake, moved to reconsider the vote.

The motion was not sustained.

Mr. Lindsay moved to insert \$6 00 for Doorkeepers.

Agreed to.

Twenty cents per mile as mileage was adopted.

The resolution as amended was returned to the House of Representatives.

Bills with titles as follows were introduced and disposed of as stated :

By Mr. Shoffner, S. 91, a bill to prevent the sacrifice of property under execution.

Passed first reading.

By Mr. Barrow, S. 92, a bill in relation to County Treasurers.

Passed first reading.

By Mr. Shoffner, S. 93, a bill to amend an ordinance of the Convention ratified March 14th, 1868.

Passed first reading.

By Mr. Osborne, S. 94, a bill concerning refunding bonds.

Read first time and referred to the Judiciary Committee.

By Mr. Lassiter, S. 95, a bill to charter the Union Immigrant and Transportation Company.

Read first time and referred to the Committee on Corporations.

The following notices were given :

By Mr. Richardson, of a bill to authorize the Western Rail Road Company to open and improve the navigation of lower Little River in the Counties of Cumberland and Moore.

By Mr. Rich, of a bill for the relief of Churchill Perkins, Henry Mordecai and David Hinton.

C. C. 3. The Code of Civil Procedure was taken up and passed second reading.

Mr. Winstead moved a suspension of the rules to place the bill on its second reading.

The motion was not sustained.

Mr. Shoffner moved to make the bill a special order for Thursday next at 11 o'clock.

Mr. Love amended by making the bill a special order for to-morrow at 11 o'clock.

C. C. 2. An Act concerning the Government of Counties. Passed second reading.

The following messages were received from the House of Representatives :

A message concurring in resolution to print 1000 copies of acts in relation to County officers and their duties.

A message notifying the Senate of the refusal of the House to concur in Senate amendments to the resolution regarding the *per diem* and mileage, asking a committee of conference on the subject.

The Senate concurred and the President announced the following committee : Messrs. Osborne, Cook and Blythe.

A message transmitting S. 35, a bill to authorize the Air Line Rail Road Company in South Carolina to construct and operate its Road within the State, amended by striking out " or near " in line 11, asking concurrence of the Senate.

The Senate concurred in the amendment and notified the House of Representatives of the same.

Leave of absence was granted Messrs. Lassiter, Hyman and Respass until Monday next ; to Messrs. Shoffner and Robbins for to-morrow and Monday.

The following resolution introduced by Mr. Barrow was adopted :

Resolved, That the Committee on Public Charities be instructed to inquire whether any legislation is necessary to continue in force the laws for the support of the poor and to report by bill or otherwise.

Bills with titles as follows were taken up, read second time and disposed of as stated :

S. 83. A bill to amend an ordinance to aid the Williamston and Tarboro Rail Road Company.

Rejected.

S. 52. A bill in relation to legal process.

Passed.

S. 78. A resolution instructing the Judiciary Committee to report a bill providing that administrators, executors, &c., shall pay all claims pro rata, except in special cases.

On motion of Mr. Osborne, the Senate adjourned.

TWENTY-EIGHTH DAY.

SATURDAY, August 1st, 1868.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Rev. G. W. Welker.

Mr. Blythe presented a petition from Mr. Bowen to amend the charter of the Judson Female College.

Referred to the Committee on Propositions and Grievances.

Mr. Cook, on the part of the Committee on Enrollment, reported the following resolution properly enrolled :

A resolution in relation to Senators banned by the Howard Amendment.

Whereupon it was ratified by the President.

Mr. Smith, on the part of the Committee on Propositions and Grievances, to which was referred, S. 33, a bill to abate the capitation tax of Montgomery.

The Committee reported the bill back to the Senate and asked to be discharged from further consideration thereof.

The Senate concurred in the report of the Committee.

Majority and minority reports were received from the Committee on Salaries and Fees.

Mr. Love moved that the reports be printed and made a special order for Monday at eleven o'clock.

Mr. Osborne moved to amend so as to make them a special order for Wednesday at eleven o'clock.

The following notices of bills were given :

By Mr. Osborne, of a bill to amend the charter of the Mecklenburg Female College.

By Mr. Colgrove, of a bill for an abatement of the capitation tax in the County of Jones, for the year 1868.

By Mr. Etheridge, of a bill for the protection of the fowling interests of the State.

Hayes introduced a bill, S. 96, to provide for the payment of the burial expenses of the late Hon. Lorenzo D. Hall, and for other purposes.

Read first time.

A message was received from the House of Representatives, announcing the following as the House Conference Committee on Per Diem and Mileage :

Messrs. Downing, Laffin, Bowman, Stilley and Estes.

Mr. Forkner called up, H. 78, a bill to authorize the Public Treasurer to borrow money.

On motion of Mr. Osborne, the bill was temporarily postponed.

The hour of the Special Order having arrived, C. C. 3, the Code of Civil Procedure was taken up and read third time.

Mr. Osborne moved to amend by striking out section eight, and substituting the following :

SEC. 8.—*To what actions these enactments are applicable :*

The following enactments are applicable to,

1. All civil actions which, at the approval by the government of the United States of the Constitution adopted by a Convention of this State on the 16th of March, 1868, were pending in any County Court, Superior Court of Law or Court

of Equity, and which were not founded on contract as far as they may be, according to the stage of progress of the action and having regard to its subject and not to its form, and to

2. All civil actions which shall be commenced after the ratification of this act, not founded on a contract made prior to the ratification.

All actions commenced prior to the ratification of this act, or which shall be hereafter commenced for causes of action embraced within the provisions of an ordinance, entitled "An ordinance respecting the jurisdiction of the Courts of this State," ratified on the 14th day of March, 1868, shall be governed in respect to the practice and procedure therein by the provisions of that ordinance and the existing laws, as far as may be.

All actions commenced prior to the ratification of this act, or which shall be hereafter commenced, founded on a contract made prior to the ratification of this act, and not embraced in the ordinance above mentioned, shall be governed in respect to the practice and procedure therein up to and including the judgment, by the laws existing prior to the ratification of this act, as near as may be; and subsequent to judgment shall be governed by the enactment of this act.

The amendment was adopted.

Mr. Osborne offered the following amendments :

1. To section seventy-two, add at the end of the section, "Whenever any person shall be allowed to sue as a pauper, no officer shall require of him any fee, and he shall neither pay nor recover costs in any case."

2. Amend section seventy-three by adding, "It shall be dated on the day of its issue."

3. Amend section seventy-five by inserting after the word "shall" in the first line, the words "Note on it the day of its delivery to him and".

4. Amend section one hundred and ten to read thus: "The said judgment on issues of fact shall be final, any party within ten days' notice of such judgment, may pray an appeal to the Supreme Court of the State from such judgment, upon any matter of law or legal inference therein, under the regulations provided in Title XIV. But execution shall not be suspended until the undertakings required by sections two hundred and ninety-nine, three hundred, three hundred and one, three hundred and two and three hundred and three, shall have been given as required."

5. Amend section one hundred and thirty-nine, by striking out the word "executions," in sub-division two, line one, and substituting the word "judgment." Also, by adding at the end of sub-division four, the words, "and also of all judgments rendered in other Courts, and authorized by law to be entered on his judgment docket."

The amendments were adopted.

The bill as amended passed its third and final reading by the following vote:

YEAS—Messrs. Barrow, Bellamy, Barnes, Brogden Burns, Beeman, Colgrove, Cook, Davis, Eaves, Etheridge, Forkner, Lindsay, Legg, Love, Martindale, Moore of Carteret, Melchor, Mason, McLaughlin, Purdie, Osborne, Richardson, Smith, Sweet, Welker, White, Winstead and Wilson—29.

NAYS—Messrs. Blythe, and Harrington—2.

• C. C. 2. A bill concerning the government of Counties was taken up and read third time.

Section fifteen, page 12, was amended by striking out two and inserting three.

The bill as amended passed its third reading by the following vote:

YEAS—Messrs. Barrow, Bellamy, Barnes, Brogden, Burns, Beeman, Blythe, Colgrove, Davis, Eaves, Etheridge, Forkner, Galloway, Harrington, Lindsay, Love, Martindale, Moore of Carteret, Melchor, McLaughlin, Osborne, Purdie, Rich, Rich-

ardson, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—31.

NAYS—Mr. Legg—1.

• Mr. Welker introduced, S. R. 97, a resolution instructing the Committee on Public Buildings.

Mr. Osborne, on the part of the Joint Committee on Per Diem and Mileage, reported as follows:

Per Diem of President of the Senate and Speaker of the House of Representatives,	\$10 00
Members,	7 00
Clerks of both Houses,	7 00
Doorkeepers,	6 00
Mileage,	20

On the adoption of this report the yeas and nays were demanded.

The call was sustained.

The report was adopted by the following vote:

YEAS—Messrs. Barrow, Bellamy, Brogden, Blythe, Colgrove, Cook, Etheridge, Forkner, Galloway, Harrington, Jones of Wake, Legg, Lindsay, Martindale, Moore of Carteret, Melchor, McLaughlin, Osborne, Rich, Smith, Wynne and Winstead—22.

NAYS.—Messrs. Barnes, Burns, Beeman, Davis, Eaves, Love, Moore of Yancey, Purdie, Richardson, Sweet, Welker, White and Wilson—13.

The following bills were taken up, read second time and disposed of as follows:

S. 81. A bill to provide for the funding of the matured interest of the public debt.

Referred to the Committee on Finance.

S. 84. A bill to provide for the filling of vacancies that may occur in the General Assembly.

Passed.

S. 85. A bill regulating the selling of land under execution. Referred to the Judiciary Committee.

S. 86. A bill to vacate certain lands to the State. Referred to the Judiciary Committee.

S. 47. A bill to amend an act, entitled "An act to incorporate the Greenville and French Broad Rail Road Company," ratified the 13th day of February, 1855.

Passed.

S. 60. A bill to amend sections second, sixth and eighth, chapter one hundred and twenty Revised Code of North Carolina.

Passed.

S. 68. A bill to incorporate the Salisbury Cemetery Association.

The amendments reported by the Committee on Corporations, to which the bill was referred, were adopted.

The bill as amended passed.

S. 88. A bill for the protection of fish in North Carolina.

Amended by Mr Etheridge by adding the following, as

SEC. 4. All persons fishing in the waters of Croatan and Pamlico Sounds, shall be required to set their nets north and south, or within one point variation, subject to the same penalties of the bill.

The bill as amended was referred to the Judiciary Committee.

S. 70. A bill for the relief of the Sheriffs and the people.

Laid over until Tuesday next.

H. 81. A bill to empower the County Commissioners to draw jurors for the Superior Courts.

Passed.

S. 89. A bill to protract or prevent the killing of game between the 15th of April and the 15th of October.

Tabled.

A Bill to provide for the Hydrographic Survey of the State.

The amendments of the Committee on Internal Improvements, to which the bill was referred, were adopted.

As amended the bill passed its second reading.

On motion, the rules were suspended and, H. 81, a bill empowering County Commissioners to draw jurors for the Superior Courts passed its third and final reading by the following vote :

YEAS.—Messrs. Barrow, Barnes, Brogden, Burns, Beeman, Blythe, Cook, Davis, Eaves, Forkner, Hayes, Harrington, Jones of Wake, Lindsay, Love, Martindale, Moore of Carteret, Melchor, Mason, Osborne, Purdie, Richardson, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—29.

NAYS.—Messrs. Bellamy, Colgrove, Etheridge, Galloway, Legg, McLaughlin and Rich—7.

S. 92. A bill in relation to County Trustees.

Passed its second reading.

The following messages were received from the House of Representatives :

A message concurring in engrossed, S. 16, bill to extend the Chatham Rail Road.

A message concurring in the report of the Joint Conference Committee on *per diem* and mileage.

A message transmitting engrossed, H. 84, bill to regulate the admission of attorneys to practice law in the several Courts of the State of North Carolina.

Read first time.

House resolution, authorizing the printing of enactments for the use of members, asking concurrence in the same.

Resolutions were offered by Messrs. Love and Welker.

Objected to. Whereupon,

On motion of Mr. Welker, the Senate adjourned.

TWENTY-NINTH DAY.

MONDAY, August 3d, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Hudson.

The Journal of Saturday was read and approved.

The Committee on Internal Improvements reported favorably on S. 97, a bill to amend the Charter of the Charlotte and South Carolina Rail Road Company.

Mr. Cook, on the part of the Committee on Enrollment, reported the following bills as correctly enrolled, whereupon they were duly ratified by the President:

A bill to authorize the Air Line Rail Road Company in South Carolina to construct and operate its road within the limits of this State.

A bill to extend the Chatham Rail Road.

A joint resolution authorizing the State Treasurer to negotiate a loan.

A joint resolution printing 1,000 copies of all acts relating to County officers and their duties.

A message was received from the House of Representatives transmitting a resolution in favor John J. Sawyer, asking concurrence.

The Senate concurred in the resolution.

The following bills prepared by the Code Commissioners were read the first time and referred to the Judiciary Committee.

C. C. 4, An act concerning the fees of Clerks of the Superior Courts, Sheriffs, Registers of Deeds, Solicitors, Coroners, Constables, Justices of the Peace and Jurors.

C. C. 5. A bill concerning the jurisdiction and powers of Clerks of the Superior Courts, and proceedings before them as Judges of the Probate.

Bills with titles as follows were introduced and disposed of as stated :

By Mr. Rich, S. 98, a bill to incorporate the Respass Guano Company.

Read first time and referred to the Committee on Corporations.

By Mr. Etheridge, S. 99, a bill to protect the fowling interest of Currituck County.

Passed first reading.

By Mr. Martindale, S. 100, a bill for the organization of the Militia.

Read first time and referred to the Committee on Military Affairs.

By Mr. Harrington, S. 101, a bill to repeal an act of 1795, Chartering the Cape Fear Navigation Company.

Read first time and referred to the Committee on Internal Improvements.

By Mr. Legg, S. 102, a bill for the preservation of the public health by establishing suitable Quarantine regulations for the Port of Wilmington.

Passed first reading.

By Mr. Osborne, S. 103, a bill to amend the Charter of the Mecklenburg Female College.

Passed first reading.

By Mr. Jones, of Wake, S. 104, a bill to incorporate the North State Swamp Land, Naval Store and Lumber Company.

Passed first reading.

By Mr. Welker, S. R. 105, a resolution to investigate the claims in the 24th Senatorial District.

Adopted.

The following messages were received from the House of Representatives :

A message transmitting, S. 26, a bill appointing Clerks of Superior Courts to take privy examination of *feme covert*s, in the conveyance of real estate.

Amended by inserting after the words "Superior Courts" in first section, the words "or any Justice of the Peace."

The Senate concurred in the amendment.

A message transmitting Engrossed H. 84, a bill to regulate the admission of Attorneys to practice law in the several Courts of the State of North Carolina.

Read first time.

Engrossed H. 80, a bill in relation to the powers and duties of the Superior Court Clerks.

Read first time and referred to the Committee on the Judiciary.

Engrossed H. 12, a bill to prevent the sale of intoxicating liquors on the days of election.

Read first time.

A message announcing that the House of Representatives had agreed to reconsider H. B. 12, a bill to prevent the sale of intoxicating liquors on the days of election, and asking the return of the same.

The following notices were given :

By Mr. Jones, of a bill to incorporate the Ridgeway Land and Immigration Company.

By Mr. Rich, of a bill to incorporate the Deep River Manufacturing Company.

By Mr. Beeman, of a bill to amend an act passed by the General Assembly, session 1865-'66, for the relief of such persons as may suffer from the destruction of Records, &c.

By Mr. Sweet, that on to-morrow or some subsequent day he would move to amend Rule 31, by transposing the motion for the previous question, from the position it now occupies in the list of privileged motions to the second position among said motions.

Also, to amend Rule 32 by inserting after the word "debate" in line third, the words "or amendment."

On motion of Mr. Winstead, the Committee on Military Affairs, was made to consist of nine.

The President announced the names of Messrs. Cook and McLaughlin, as the addition to that Committee.

Bills, with titles as follows, were taken up and read second time and disposed of as stated :

S. 65. A bill to provide for the settlement of the estates of deceased persons.

The amendments reported by the Judiciary Committee to which the bill was referred, were adopted.

The bill as amended passed its second reading.

S. 62. A bill to regulate capital executions.

The bill was amended by striking out the word " passage," and inserting " ratification."

As amended the bill passed its second reading.

S. 74. A bill to punish conspiracy, sedition and rebellion with the substitute offered by the Special Committee to which the bill was referred, were read, ordered to be printed and laid on the table.

Passed.

S. 93. A bill to amend an ordinance of the Covention, ratified March 14th, 1868.

Passed.

S. 96. A bill to provide for the payment of the burial expenses of the late Hon. L. D. Hall, and for other purposes.

Mr. Cook offered to amend by striking out " during the session," and insert " to August first."

Mr. Love moved to amend by inserting " up to the day of his death."

Mr. Moore of Carteret, moved to refer to the Committee on Salaries and Fees. Lost.

Mr. Lindsay moved to insert " August 10th." Lost.

The amendment of Mr. Love was rejected.

The amendment of Mr. Cook was adopted.

The bill as amended passed its second reading by the following vote :

YEAS—Messrs. Barrow, Bellamy, Barnes, Brogden, Burns, Beeman, Blythe, Colgrove, Cook, Eaves, Etheridge, Forkner,

Hayes, Harrington, Jones of Wake, Legg, Lindsay, Martindale, Moore of Carteret, Moore of Yancey, Melchor, McLaughlin, Osborne, Purdie, Richardson, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—32.

NAY—Mr. Galloway—1.

Mr. Love was excused from voting.

Mr. Welker, on the part of the Committee on Printing, reported the following resolution :

Resolved, That the Treasurer of the State of North Carolina be ordered to pay bill of printing of Messrs. N. Paige & Co., amounting to \$78.56.

The resolution was adopted.

Leave of absence was granted Mr. Davis until Wednesday next.

Mr. Galloway moved to adjourn.

Mr. Blythe asked for the yeas and nays.

The call was agreed to.

The motion to adjourn did not prevail.

Engrossed, H. 84, a bill to regulate the admission of attorneys to practice law in the several Courts of the State of North Carolina, was called up and read second time, and rejected.

The following motion of Mr. Welker was adopted :

S. 97. Moved, the House of Representatives concurring, that the Joint Standing Committee on Public Buildings be instructed to make such changes or arrangements in regard to the several rooms in the Capitol that the Superintendent of Public Instruction shall be provided with a convenient room for his present occupation.

H. R. 35. A resolution authorizing the printing of the acts of the General Assembly for the use of members was concurred in by the Senate and transmitted to the House of Representatives.

S. 107. A joint resolution allowing two pages in each House the sum of \$3 00 per day.

Adopted.

Mr. Colgrove moved to adjourn.

The motion did not prevail.

Mr. Colgrove called up a resolution in relation to evening sessions.

The resolution was laid on the table.

On motion of Mr. Galloway, the Senate adjourned.

THIRTIETH DAY.

TEUSDAY, August 4th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Miller.

The Journal of Monday was read and approved.

The following notices were given :

By Mr. White, of a bill to empower County Commissioners in certain cases to appoint tax collectors.

By Mr. Winstead, of a bill to allow the Great Western, Norfolk and Bristol Rail Road Company, to continue its Road through the Counties of Granville, Person and Caswell in this State.

By Mr. Legg, of a bill to amend section five, chapter eighty-five, of Revised Code.

A bill for the preservation of the Court House and the County Offices and Records of the respective Counties.

A bill to establish rates of bar and river pilotage for the Cape Fear River.

A bill to incorporate the Cape Fear River and Wacomman Canal Company.

By Mr. Respass, of a bill to repeal an ordinance of the Convention to provide for the payment of the interest of the public debt.

By Mr. Barrow, of a bill to facilitate the settlement of the estates of deceased persons and for other purposes.

By Mr. Colgrove, of a bill to appropriate money to defray the expenses of the deaf, dumb and blind asylum.

Bills with titles as follows were taken up, read third time, and disposed of as stated :

S. 52. A bill in relation to legal process.

Laid on the table.

S. 84. A bill to provide for the filling of vacancies that may occur in the General Assembly.

Passed by the following vote :

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Beeman, Blythe, Colgrove, Cook, Eaves, Etheridge, Forkner, Galloway, Hayes, Harrington, Hyman, Legg, Lindsay, Love, Martindale, Moore, of Carteret, Moore, of Yancey, Melchor, Mason, McLaughlin, Osborne, Purdie, Respass, Richardson, Robbins, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—36.

NAYS—None.

S. 47. A bill to amend an act entitled an act to incorporate the Greenville and French Broad Rail Road Company, ratified 13th February, 1855.

Recommitted to the Committee on Internal Improvements.

S. 92. A bill in relation to County Treasurers.

Passed by the following vote :

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Beeman, Blythe, Colgrove, Cook, Eaves, Etheridge, Forkner, Hayes, Harrington, Hyman, Legg, Lindsay, Long, Moore, of Carteret, Moore, of Yancey, Melchor, Mason, McLaughlin, Richardson, Smith, Sweet, Welker, White, Winstead and Wilson—29.

NAYS—Messrs. Love, Osborne, Purdie, Respass and Robbins—5.

S. 96. Engrossed bill to provide for the payment of the burial expenses of the late Hon. L. D. Hall, and for other purposes passed by the following vote :

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Beeman, Colgrove, Cook, Eaves, Forkner, Harrington, Hyman, Lindsay, Long, Martindale, Moore of Carteret, Moore of Yancey, Melchor, Mason, McLaughlin, Osborne, Purdie, Respass, Richardson, Robbins, Smith, Welker, White, Wynne, Winstead and Wilson—30.

NAYS—None.

S. 68. A bill to incorporate the Salisbury Cemetery Association passed by the following vote :

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Beeman, Blythe, Colgrove, Cook, Eaves, Etheridge, Forkner, Hyman, Lindsay, Long, Love, Martindale, Moore of Carteret, Moore of Yancey, Melchor, Mason, McLaughlin, Osborne, Purdie, Respass, Richardson, Robbins, Smith, Welker, White, Wynne, Winstead and Wilson—32.

NAYS—None.

S. 60. A bill to amend sections two, six and eight, chapter one hundred and twenty, Revised Code of North Carolina, was amended by striking out "and" in eleventh line, and adding at the end of the line the words "third and fourth," and after the word "advertise" thirteenth line insert "when practicable."

As amended, the bill passed by the following vote :

YEAS—Messrs. Barrow, Bellamy, Burns, Blythe, Colgrove, Cook, Eaves, Etheridge, Forkner, Galloway, Hayes, Harrington, Hyman, Legg, Long, Martindale, Moore of Carteret, Moore of Yancey, Richardson, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—26.

NAYS—Messrs. Beeman, Lindsay, Love, Mason, Melchor, McLaughlin, Osborne, Purdie, Respass and Robbins—10.

Mr. Winstead, on the part of the Judiciary Committee, reported an engrossed H. 80, a bill for the government and duties of Superior Court Clerks. After some discussion, the bill was recommitted to the Judiciary Committee.

Mr. Osborne, on the part of the Judiciary Committee, to which was referred engrossed H. 42, a bill authorizing medical

colleges in the State of North Carolina to dissect dead bodies, reported the bill back with a substitute for the same.

Mr. Welker amended the substitute by adding after the word "remains" the words "or for other purpose."

Mr. Lindsay amended by adding after the word "purpose" the words "except for removal and reinterment."

The bill as amended, passed third and final reading by the following vote:

YEAS—Messrs. Barrow, Beeman, Bellamy, Brogden, Blythe, Colgrove, Cook, Eaves, Etheridge, Forkner, Galloway, Hyman, Lindsay, Love, Martindale, Melchor, McLaughlin, Osborne, Purdie, Richardson, Respass, Smith, Sweet, Welker, Winstead and Wilson—26.

NAYS—Messrs. Burns, Harrington, Legg, Moore of Carteret, Moore of Yancey and White—6.

Mr. Osborne, on the part of the Judiciary Committee, to which was referred an act concerning the fees of Clerks of the Superior Courts, Sheriffs, Registers of Deeds, Solicitors, Coroners, Constables, Justices of the Peace and Jurors, reported the bill back with the following amendments: Amend by adding after section 8 as follows:

SEC. 9. How fees of Officers recovered.

If an officer to whom fees are payable by any person, shall fail to receive them at the time the service is performed, he may have judgment, therefore, on motion to the Court in which the action is, or was pending, upon twenty days' notice to the person to be charged at any time within one year after the determination of the action, in which the service was performed. If the motion for judgment be in behalf of the Clerk of the Superior Court, it shall be made to the Judge of the Court either in or out of term.

Amend an act concerning fees of Clerks, Sheriffs, &c., as follows: Add to No. 7, under head of fees of Sheriffs as follows: If the subpœna was received fifteen days before its re-

turn day, if less than fifteen days and more than three days before its return day, the sheriff shall receive mileage as in number two above. If three days or less, he shall receive mileage as in number three above.

After the end of the list of fees allowed Justices of the Peace, add :

Salary and fees of the Clerk of Supreme Court :

The salary and fees of the Clerk of the Supreme Court shall be as provided by section twenty-five, chapter one hundred and two of the Revised Code of this State.

At the end of fees of Coroners, add the following :

For burying a pauper over whom an inquest has been held, to be paid by the County. The fees in cases numbered one, two, and three, shall be paid by the County, if the deceased be a pauper; otherwise by his personal representatives.

That in clauses under the head of Register, ten cents be struck out, and three cents inserted.

Mr. Winstead introduced, S. 108, a bill providing for the punishment of sheriffs, or other officers for violation of any law or ordinance of the Constitutional Convention of 1868.

The bill passed first reading and was referred to the Judiciary Committee.

The following messages were received from the House of Representatives :

A message transmitting a resolution in favor of Benjamin Durfee.

Mr. Robbins amended the resolution by adding the following words: "*Provided*, That the Engrossing Clerk of the House of Representatives shall receive pay only from the date of his election."

The resolution as amended was adopted and transmitted to the House of Representatives.

A message transmitting the following act for ratification: an act to empower the County Commissioners to draw jurors for the Superior Courts.

The bill was ratified by the President.

S. 69. A bill to provide for the hydrographic survey of the State was, on motion of Mr. Respass, indefinitely postponed by the following vote:

YEAS—Messrs. Barrow, Beeman, Bellamy, Brogden, Burns, Eaves, Forkner, Harrington, Hyman, Lindsay, Long, Love, Mason, Melchor, Moore of Yancey, McLaughlin, Osborne, Purdie, Richardson, Respass, Robbins, Smith, White, Wynne, Winstead and Wilson—26.

NAVS—Messrs. Colgrove, Cook, Hayes, Legg, Martindale, Moore of Carteret, and Welker—7.

On motion of Mr. Wynne, the Senate adjourned.

THIRTY-FIRST DAY.

WEDNESDAY, August 5th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. G. W. Welker.

The following resolution introduced by Mr. Sweet, was adopted and transmitted to the House of Representatives:

Resolved, the House of Representatives concurring, That the joint resolution fixing the 10th day of August, as the day of adjournment, be rescinded, and that this General Assembly do adjourn on Monday, the 17th day of August, 1868, to meet again on the third Monday of November, 1868, unless sooner convened by his Excellency, the Governor.

Mr. Lindsay on the part of the Committee of Claims reported favorably on the claims of Messrs. P. F. Pescud, F. J. Hutchings, James M. Towles, R. K. Ferrell, and reported a

resolution directing the State Treasurer to pay the amount in the report.

Mr. Love amended the resolution by inserting the individual names, and the amounts of the indebtedness to each.

The hour of the special order having arrived, it was postponed until 12 o'clock.

After some discussion, Mr. Hayes moved to recommit to the Committee with instructions.

On this motion the yeas and nays were called.

The call was sustained.

The motion was rejected by the following vote :

YEAS—Messrs. Bellamy, Burns, Colgrove, Cook, Etheridge, and Hayes—6.

NAYS—Messrs. Barrow, Beasley, Beeman, Brogden, Blythe, Davis, Eaves, Eppes, Forkner, Harrington, Hyman, Jones of Wake, Legg, Lindsay, Long, Love, Martindale, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—34.

By request the President divided the resolution and took up the claim of P. F. Pescud for \$978.76.

On this claim the yeas and nays were demanded.

Agreed to.

Allowed by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Brogden, Blythe, Cook, Davis, Eaves, Eppes, Forkner, Harrington, Hyman, Jones of Wake, Legg, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—36.

NAYS—Messrs. Bellamy, Burns, Colgrove, Etheridge, and Hayes—5.

The claim of Mr. Hutchings amounting to \$893.04 was next put.

The yeas and nays were called for and agreed to.

The claim was allowed by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Brogden, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Harrington, Hyman, Jones of Wake, Legg, Lindsay, Love, Mason, Martindale, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—37.

NAVS—Messrs. Bellamy, Burns and Hayes—3.

The claim of Jas. M. Towles amounting to \$89.35, was on motion carried.

So also the claim of R. K. Ferrell amounting to \$191.13.

The hour of 12 M. having arrived the special order being the report of the Committee of Salaries and Fees, was taken up.

Mr. Welker offered the following substitute :

WHEREAS, The Constitution of the State creates several State Executive Officers, the full extent of whose duties cannot now be ascertained, &c. ; Whereas, The several State officers under the old Constitution of the State, which have been continued under the new Constitution, have additional duties imposed upon them, the extent of which will be better known at the next session of the General Assembly ; and whereas, The Salaries of the State officers, should be somewhat proportioned to the extent of duties required of them respectively ; Therefore,

Be it Resolved, the House of Representatives concurring, That the report of the Joint Committee on Salaries and Fees be recommitted to said Committee, with instructions to report a monthly compensation for the State Officers, until their annual salaries shall have been determined by law.

After some discussion, Mr. Moore, of Carteret, moved the previous question.

On this motion, Mr. Love called for the yeas and nays.

The call was not agreed to

The call for the previous question was sustained.

The question recurred on the resolution offered by Mr. Welker.

Mr. Robbins called for the yeas and nays.

Agreed to.

The resolution was adopted by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Hayes, Hyman, Jones of Wake, Legg, Long, Martindale, Moore of Carteret, Moore of Yancey, Rich, Richardson, Respass, Shoffner, Smith, Sweet, Welker, and Wynne—30.

NAYS—Messrs. Harrington, Love, Mason, McLaughlin, Osborne, Purdie, Robbins, Winstead, and Wilson—9.

The following messages were received from the House of Representatives :

A message transmitting Engrossed H. 67, an act to amend an act to provide for the qualification of officers recently elected.

The bill was read the first time.

A message concurring in the Senate amendment to the House resolution in favor of Benjamin Durfee.

A message transmitting Engrossed H. 12, an act to prevent the sale of intoxicating liquors on the day of election.

Read first time.

Engrossed H. 92, a bill to repeal an act ratified February 12th, 1866.

Read first time.

A message from the Public Treasurer, in relation to the Senate resolution directing the State Treasurer to furnish the Senate with a statement of the expenses incurred by the late Constitutional Convention; also the Convention of 1865-'66, and also the disposition of the Literary funds and the \$100,000 since the Constitutional Convention adjourned, &c.

On motion of Mr. Robbins, the message was ordered to be printed and laid on the table of members.

The following message was received from the Public Treasurer :

STATE OF NORTH CAROLINA,
TREASURY DEPARTMENT,
Raleigh, N. C., August 5th, 1868,

HON. TOD R. CALDWELL, *President of the Senate :*

I beg leave to respectfully acknowledge the receipt of the following resolutions of the Senate, viz :

Resolved, That the Treasurer be respectfully requested to report to this body without delay, whether any sum or sums of money have been paid by him, as Treasurer, to defray the expenses of the Republican Party Celebration of this City on the 4th of July instant, and if so what sum or sums were paid, and to whom and by what authority.

Resolved, That he report if any money at any time within the last twelve months has been used for party purposes ; if so, what amount.

Resolved, That he report if the property of the State has been used to advance the interests of any party; if so, what property, and what party.

In reply thereto, I respectfully state that by law, all original accounts against the State must be presented to the Auditor's Office of this State, and passed by him. If he approves the claim, he grants a warrant on the Treasurer, which, after being signed by the Governor, is payable at the Treasury. The warrant expresses the object for which it is drawn, in general terms only ; after being paid and entered on the books of the Treasury Department, the warrant is then transferred to the office of the Auditor, and is there preserved.

It is apparent then that this office cannot furnish the items of expenditure, and that specific information involving the details of such items can only be obtained from the Auditor's

office. With this preliminary explanation, I beg leave to reply to the questions contained in the foregoing resolutions as follows :

On the 10th of July, a warrant was presented at the counter signed by S. W. Burgin, Comptroller for \$268.14, in favor of Maguire and Noland for building stand and superintending 4th of July celebration.

It does not appear that this was for defraying the expenses of the Republican Party celebration in this City. I have not seen the original account against the State, but presume this expenditure was for building a stand for the purpose of accomodating the Governor, the Judges of the Supreme and Superior Courts, the members of the General Assembly and other officers and citizens of the State in inaugurating the new government, it being deemed that the Hall of the House of Representatives was too small to contain those desirous of witnessing.

While the above statement expresses my information and belief, if the Senate will indicate concerning what expenditures in particular suspicion exists, it will give me great pleasure to furnish a copy of the warrant as preserved on my books, and throw all the light I can on the subject.

Respectfully,

D. A. JENKINS, *Public Treasurer.*

Mr. Osborne moved to lay the report on the table.

Mr. Moore, of Carteret, moved to print.

The motion was lost.

Mr. Barrow introduced S. 109, a bill to facilitate the settlement of the estates of deceased persons and for other purposes.

Read first time and referred to the Judiciary Committee.

Mr. Harrington called up Engrossed H. 93, a bill to notify the Governor in certain cases of the qualification of County officers.

And under a suspension of the rules the bill passed its second reading.

On motion of Mr. Harrington, the rules were suspended and

the bill passed its third and final reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Long, Moore of Carteret, Richardson, Smith, and Wynne—22.

NAYS—Messrs. Beeman, Love, Martindale, Melchor, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Robbins, Welker, and Wilson—12.

Leave of absence was granted Mr. Barnes for an indefinite period ; to Mr. Colgrove until Monday next.

Mr. Osborne, on the part of the Judiciary Committee, to whom was referred, H. 80, a bill in relation to the powers and duties of Superior Court Clerks, &c., reported the bill back with several amendments.

The amendments were agreed to.

On motion of Mr. Moore, of Carteret, a further consideration of the matter was postponed until to-morrow at 11 o'clock.

Mr. Robbins, on the part of the Judiciary Committee to whom was referred, S. 85, a bill regulating the selling of lands under execution, reported the bill back to the Senate with several amendments.

Mr. Etheridge moved a recess until 4 o'clock P. M.

Not agreed to.

On motion of Mr. Robbins, the Senate adjourned.

THIRTY-SECOND DAY.

THURSDAY, August 6th, 1868.

The Senate met at ten o'clock.

The President in the Chair.

Prayer by the Rev. James Blythe, Senator from Henderson.

Mr. Sweet rose to a question of privilege, in relation to the report in the Raleigh Sentinel, as to what Mr. Sweet said on yesterday in regard to Mr. R. K. Ferrell.

Mr. Brogden, on the part of the Committee on Finance, reported the bill in relation to listing and collecting the State and County taxes, with recommendation that it pass.

On motion of Mr. Respass, the bill was ordered to be printed and made the special order for to-morrow at 11 o'clock.

Mr. Winstead, on the part of the Judiciary Committee, reported favorably on the bill in relation to refunding bonds.

Also, favorably upon a bill concerning the jurisdiction and powers of the Clerks of the Superior Courts.

Mr. Jones of Wake, on the part of the Committee on Agriculture, &c., reported the bill regulating the hours of labor, with a recommendation that it do pass.

Mr. Brogden presented a report from the Committee of Finance, in relation to the Auditor's Office, which was read and transmitted to the House of Representatives with a proposition to print.

Mr. Osborne, on the part of the Judiciary Committee, reported favorably upon the bill in relation to Sheriffs, and recommended the following amendment, which was adopted:

SEC. 2. That, upon conviction of any officer for the foregoing offence, he shall be fined and imprisoned at the discretion of the Court.

Mr. Robbins offered the following amendments, which were adopted:

Insert after the word "ordinance," in the first section, "in relation to the stay of proceedings for the collection of debts passed by," and omit the word "of," before the words "Constitutional Convention;" also, after the word "force," insert "concerning the same subject."

The bill passed its third reading by the following vote:

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eaves, Eppes, Forkner, Galloway, Hayes, Hyman, Legg, Lindsay, Lassiter, Love, Martindale, Moore of Carteret, Melchor, Osborne, Pardie, Rich, Respass, Richardson, Robbins, Smith, Shoffner, Welker, White, Wynne and Winstead—33.

NAYS—Messrs. Harrington and Wilson—2.

Mr. Robbins presented the following reports:

Upon the bill in relation to inspectors for the city of Wilmington, the Committee on Corporations recommend the indefinite postponement of the same.

Upon a bill providing for the registration of voters for the city of Wilmington, the Committee on Corporations recommend the indefinite postponement of the same.

Upon a bill to amend chapter eighty-five, Revised Code, the Committee on Corporations report the same back to the Senate, and ask to be discharged from its further consideration.

Upon a bill to incorporate "The Respass Guano Company," the Committee on Corporations report a substitute for the same.

The substitute was adopted and the bill passed its second reading.

Upon a bill to incorporate the "Union Immigrant and Transportation Company," the Committee on Corporations report the same back with a recommendation that it do pass.

Mr. Lindsay, Chairman of the Committee on Claims, reported favorably upon claims of divers persons against the Insane Asylum.

Mr. Lindsay introduced a resolution providing for the payment of the claims as reported by the Committee.

Mr. Respass moved to lay the whole matter on the table and print.

Mr. Love moved to amend, by making it the special order for to-morrow at twelve o'clock.

Adopted.

The motion as amended was adopted.

The hour having arrived, the special order was taken up, it being the bill in relation to the powers and duties of Clerks of the Superior Courts.

Mr. Robbins introduced an amendment to the fifth Judicial district.

The amendment was lost.

On motion of Mr. Osborne, the rules were suspended and the bill put upon its second and third readings.

The bill passed its second reading.

The yeas and nays were taken, and the bill passed its third reading by the following vote :

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Eaves, Eppes, Forkner, Harrington, Lassiter, Legg, Long, Love, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Respass, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—29.

NAYS—None.

Mr. Purdie, from the Committee on Enrollment, reported the following bills and resolutions properly enrolled :

Resolution authorizing the printing of acts for the use of members of the General Assembly.

Resolution in relation to the Committee on Credentials.

Resolution supplying each member of the Senate with certain documents.

A message was received from the House of Representatives transmitting the following bills and resolutions, ratified by the Speaker of the House.

An act notifying the Governor, in certain cases, of the qualification of County Commissioners.

Resolution requesting the military authorities to forward to the General Assembly the papers in the case of alleged frauds in the election in Caswell County.

Resolution in relation to the address of the Governor on the fourth of July.

The President of the Senate ratified the above bills and resolutions.

A message was received from the House of Representatives transmitting a bill, entitled "A bill to establish Special Courts for the Cities of Wilmington and Newbern.

The bill was read first time.

On motion of Mr. Winstead, the rules were suspended and the bill put on its second reading.

Mr. Welker moved to amend by inserting the following: In the third section, after the word "appointed," "who shall hold office until the general election in 1870: when the Judges of the Courts shall be elected by the electors of the respective Cities and the several Counties in their jurisdiction." Lost.

Mr. Robbins offered a substitute for the bill.

Mr. Respass moved to adjourn.

Mr. Moore of Carteret, called for the yeas and nays.

The call was sustained.

The motion was lost by the following vote:

YEAS—Messrs. Beasley, Brogden, Burns, Jones of Wake, Long, Moore of Yancey, Osborne, Richardson, Respass, Robbins, White, Wynne and Wilson—13.

NAYS—Messrs. Barrow, Beeman, Bellamy, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Harrington, Hyman, Lassiter, Legg, Lindsay, Martindale, Melchor, Moore of Carteret, McLaughlin, Purdie, Rich, Shoffner, Smith, Sweet, Welker and Winstead—27.

Mr. Hayes moved to reconsider the vote to suspend the rules to put the bill upon its several readings.

The President decided that the motion to reconsider did not prevail—twenty-six not having voted for the same.

Mr. Robbins appealed from the decision of the President.

The President was sustained.

Mr. Robbins moved to amend his substitute, by adding at the end of first section, "*Provided*, That at the general election in 1870, and thereafter every four years, a new election shall be held."

Mr. Shoffner moved to amend as follows: "*Provided*, That the Governor shall issue a writ of election for the Judges of said Courts; who shall be elected by the electors residing within the jurisdiction of said Courts."

Mr. Robbins moved to lay the bill on the table.

Mr. Moore, of Carteret, moved to adjourn.

Mr. Respass called for the yeas and nays.

The call was not sustained.

Mr. Moore, of Carteret, from the Committee on Corporations, reported the bill in relation to providing for the encouragement of manufacturers in cotton and woolen goods, with a recommendation that it pass.

Mr. Winstead, from the Committee on the Judiciary, reported the following amendments to the bill concerning the jurisdiction and powers of the Clerks of the Superior Courts and proceedings before them as Judges of Probate:

Amend chapter one, section two, sub-division one, by inserting after the word "deeds" the words "official bonds."

Amend chapter two, article one, by inserting the following additional section, to be marked section fifteen, and to come immediately after section fourteen.

SEC. 15. *Official Bonds:*

The official bonds of all County officers, including constables, must be acknowledged by the obligors, or proved on oath of the subscribing witness thereto, before the Judges of Probate of the respective Counties: *Provided*, That the official bonds of the Clerk of the Superior Court may be proved or acknowledged as herein directed, before the Register of Deeds of the proper County.

With these amendments the Committee recommended the passage of the bill.

The amendments were adopted.

Mr. Respass moved to adjourn.

Mr. Legg moved to amend by adding till four o'clock.

Mr. Love moved to amend the amendment by inserting eight o'clock. Lost.

Mr. Legg's amendment was lost.

Mr. Shoffner then moved to amend the original motion to adjourn to ten minutes before ten. Carried.

The motion to adjourn as amended was carried.

THIRTY-THIRD DAY.

FRIDAY, August 7th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Hudson.

The Journal of Thursday was read and approved.

Mr. Osborne, from the Judiciary Committee, reported favorably upon a bill in regard to the records of Anson County.

Mr. Winstead, from the Judiciary Committee, reported favorably upon a bill in relation to estates of deceased persons, and for other purposes.

The Committee on Enrollment reported that the resolution, ratifying the constitutional amendment, properly enrolled, whereupon the President ratified the same.

The following notices were given :

By Mr. Winstead, that he would, at an early day, introduce a bill to incorporate the Roanoke Batteau Company.

By Mr. Robbins, of a bill concerning the drawing of jurors for the ensuing Fall Terms of the Superior Courts.

By Mr. Burns, of a bill to provide for the employment of convicts of the State in the erection of a Penitentiary.

By Mr. Moore, of Carteret, of a bill to empower the Mayor and Commissioners of the town of Newport to appoint an Inspector of Naval Stores.

Mr. Love introduced a bill, S. 115, fixing the salaries and fees of certain officers.

The bill was read first time, and referred to Committee on Salaries and Fees by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Martindale, Moore of Carteret, Richardson, Respass, Shoffner, Smith, Sweet, Welker, White and Wynne—32.

NAYS—Messrs. Love, Melchor, McLaughlin, Osborne, Purdie, Robbins, Winstead and Wilson—8.

Mr. Mason was excused from voting.

Mr. Forkner introduced the following bills from the Code Commissioners, which were read first time, and placed upon the calendar :

An act concerning the Register of Deeds.

An act concerning the Courts of Justices of the Peace and civil proceedings therein.

An act to regulate and provide for the registration of voters throughout the State.

Mr. Colgrove introduced a bill appropriating money to defray the expenses of the Deaf, Dumb and Blind Asylum.

Read first time, S. 116.

Mr. Jones, of Wake, introduced a bill to incorporate the Ridgeway Land and Immigration Company.

Referred to Committee on Corporations. S. 117.

Mr. Legg introduced a bill providing for the preservation of Court Houses and the records contained therein. S. 118.

Also, a bill to establish rates of bar and river pilotage for the Cape Fear River. S. 120.

And a bill to amend section five, chapter eighty-five, Revised Code. S. 119.

A message was received from the House of Representatives, concurring in the bill to provide for the payment of the burial expenses of Hon. L. D. Hall with an amendment striking out "1st of August" and inserting "17th of August."

The Senate concurred in the amendment.

A message was sent to the House of Representatives, notifying that body of the same.

A message was received from the House of Representatives, transmitting a bill providing for the organization of a special militia.

Read first time.

Mr. Sweet moved to suspend the rules, and put the bill upon its second and third readings.

Mr. Winstead moved to print and to make special order for eleven o'clock to-morrow.

Mr. Lassiter moved to amend the motion of Mr. Winstead, by making special order for Friday next.

The special order was postponed until the vote on the postponement of the bill under consideration could be taken.

The motion to postpone was lost.

Mr. Robbins moved to make it the special order for to-morrow at 10 o'clock.

Carried.

S. 70. A bill for the relief of the Sheriffs and the people was taken up.

Mr. Winstead moved to postpone indefinitely.

Mr. Respass called for the yeas and nays.

Mr. Moore, of Carteret, moved the previous question.

The question was not sustained.

The bill was postponed by the following vote:

YEAS—Messrs. Barrow, Beeman, Blythe, Etheridge, Forkner, Harrington, Hyman, Legg, Love, Mason, Martindale, Melchor, Moore, of Yancey, McLaughlin, Osborne, Robbins, Sweet, Welker, White, Wynne, Winstead and Wilson—22.

NAYS—Messrs. Barnes, Beasley, Brogden, Burns, Cook,

Davis, Eaves, Eppes, Hayes, Jones, of Wake, Lassiter, Moore, of Carteret, Purdie, Richardson, Respass, Shoffner and Smith—17.

H. 66. A bill to establish special courts for the cities of Newbern and Wilmington was taken up.

Mr. Osborne introduced a substitute for the bill.

Mr. Robbins withdrew his substitute offered yesterday and introduced another in its place.

The substitute of Mr. Robbins was lost.

The substitute of Mr. Osborne was adopted.

The bill as amended passed its third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Hayes, Harrington, Hyman, Lassiter, Legg, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore, of Carteret, McLaughlin, Osborne, Purdie, Rich, Richardson, Respass, Shoffner, Smith, Sweet, White, Wynne, Winstead and Wilson—39.

NAYS—Messrs. Robbins and Welker—2.

A message was received from the House of Representatives, announcing the concurrence of that body in a resolution in regard to the pay of pages.

On motion of Mr. Forkner, the special order for 12 o'clock was further postponed, and, S. 65, a bill concerning the estates of deceased persons was taken up.

On motion of Mr. Forkner, all after the word "class" in fifth section was stricken out.

A motion by Mr. Rich to strike out first class was rejected.

Mr. Shoffner moved to amend by placing the second class where the first class stands, and put the first in place of the second, as it now stands.

The motion was lost.

Mr. Barrow moved to insert after the word "full" in fourth class "at the death of the deceased."

Adopted.

Mr. Hayes moved to strike out all after the word "laborers"

in second line in sixth class, to first, and after "employment" in sixth line.

Mr. Hayes asked for the yeas and nays. Granted.

Mr. Robbins moved to strike out and insert "during the current year of the death of the deceased."

Mr. Barrow moved to strike out "six months" and insert "two years" in sixth class.

Mr. Jones, of Wake, moved to postpone until Wednesday next at eleven o'clock.

Mr. Moore, of Carteret, moved to take a recess to four o'clock.

Mr. Respass moved to adjourn to fifteen minutes before ten o'clock A. M., to-morrow. Carried.

THIRTY-FOURTH DAY.

SATURDAY, August 8th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Long.

The Journal of Friday was read and approved.

Mr. Brogden, on the part of the Committee on Finance to which was referred,

S. 81, a bill to provide for the funding of the matured interest on the public debt,

Reported the bill back and recommended its favorable consideration.

The report of the Committee was, on motion, ordered to be printed.

The Committee on Internal Improvements to which was re-committed,

S. 47, a bill to amend an act to incorporate the Greenville and French Broad Rail Road Company, ratified February 13th, 1855,

Reported the bill back and recommended its favorable consideration.

The Committee on Public Charities reported,
S. 121. A bill defining the duties of a Board of Public Charities.

The President ratified a Joint Resolution in relation to the Pages of both Houses.

The hour of the Special Order having arrived,

Engrossed H. 94, a bill providing for the organization of a Special Militia, was taken up and read second time.

Mr. Respass offered a substitute for the bill.

The yeas and nays were called for on its passage.

Agreed to.

The substitute was adopted by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Brogden, Burns, Cook, Eaves, Hayes, Jones of Wake, Lassiter, Legg, Lindsay, Love, Mason, Melchor, McLaughlin, Purdie, Rich, Richardson, Respass, Robbins, Sweet, White, Wynne, Winstead and Wilson—27.

NAYS—Messrs. Bellamy, Blythe, Colgrove, Davis, Etheridge, Epps, Forkner, Galloway, Harrington, Hyman, Long, Martindale, Moore of Carteret, Moore of Yancey, Sheffner, Smith and Welker—17.

Mr. Cook moved a reconsideration of the vote.

After considerable discussion, Mr. Barrow moved to postpone and make a Special Order for Monday next at 10 o'clock.

Mr. Harrington moved to postpone and make a Special Order for Tuesday next at 10 o'clock.

Mr. Cook moved to postpone until Monday next at 9 o'clock.

The motion of Mr. Harrington prevailed.

The following messages were received from the House of Representatives :

A message concurring in S. R. 97, a resolution instructing the Joint Standing Committee on Public Buildings to provide a suitable room for the Superintendent of Public Instruction.

A message transmitting a communication from the Governor in relation to an excursion to Morehead City, also the resolution of the House Committee to which the communication was referred, asking concurrence of the Senate.

The Senate concurred in the resolution and returned it to the House of Representatives.

Leave of absence was granted Mr. Harrington until Tuesday next.

Mr. Burns introduced, S. 121, a bill to provide for the employment of convicts and the building of a Penitentiary.

Ordered to be printed and made a Special Order for Monday next at 10 o'clock.

Mr. Barrow called up engrossed H. 92, a bill to repeal an act ratified February 22d, 1868.

Mr. Barrow offered a substitute for the bill.

The substitute was adopted.

The bill, as amended, passed second reading.

On motion of Mr. Barrow the rules were suspended, when the bill passed third and final reading by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Eppes, Forkner, Galloway, Hayes, Hyman, Jones of Wake, Lassiter, Lindsay, Long, Love, Mason, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Purdie, Richardson, Respass, Robbins, Shoffner, Smith, Sweet, Welker, White, Winstead and Wilson—38.

NAYS—None.

Mr. Bellamy gave notice that on Monday next he would move a reconsideration of the vote by which certain words in class 6, section 1, of a bill entitled an act to regulate the settlement of estates of deceased persons were not stricken out.

S. 104. A bill to incorporate the North State Swamp Land, and Naval Store and Lumber Company, was taken up and referred to the Committee on Corporations.

Mr. Robbins on the part of the Committee on Corporations to which was referred,

S. 117. A bill to incorporate the Ridgeway Land and Immigration Company,

Reported the bill back with amendments.

On motion the Senate adjourned.

THIRTY-FIFTH DAY.

MONDAY, August 10th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Dr. Atkinson.

The Journal of Saturday was read and approved.

The hour of the special order having arrived,

S. 121, A bill to provide for the employment of convicts and the building of a Penitentiary was taken up, read a second time and referred to the Committee on Penal Institutions.

Bills with titles as follows were introduced :

By Mr. White, S. 122, a bill empowering County Commissioners to appoint tax collectors in certain cases.

Read first time.

By Mr. Winstead, S. 123, a bill to authorize the Norfolk and Great Western Rail Road Company to continue its Road through the Counties of Granville, Person and Caswell in this State.

Read first time and referred to the Committee on Internal Improvements.

S. 124. A bill to incorporate the Roanoke Batteau Transportation Company.

Read first time and referred to the Committee on Internal Improvements.

By Mr. Richardson, S. 125, a bill to authorize the Western Rail Road Company to open and improve the navigation of Lower Little River in the Counties of Cumberland and Moore.

Read first time and referred to the Committee on Internal Improvements.

By Mr. Rich, a bill to incorporate the Deep River Manufacturing Company.

The Committee on Public Buildings, to whom was referred the resolution, S. R. 72, requesting that Committee to report a amount of expenditure necessary to place the Governor's

residence in habitable condition, reported at length with detail of items, placing the amount necessary at \$10,000.

Leave of absence was granted as follows :

To Mr. Lindsay from Friday next for the balance of the session ; also, to Messrs. Mason and Etheridge from Tuesday next ; to Mr. Smith from after Thursday next, and also to Mr. McLaughlin.

Mr. Lassiter gave notice of his intention to introduce a bill to prevent the carrying of deadly weapons concealed about the person.

An act concerning the Courts of Justices of the Peace and civil proceedings therein, was taken up and passed second reading.

On motion, the rules were suspended and the bill placed on its third reading.

Mr. Hayes moved to amend by striking out in the sixth section, second line, the word "from" down to and including the word "showing" in the same line ; also, from and including the word "but," in the fifth line to the balance of the section.

The bill with the amendment was referred to the Judiciary Committee.

Mr. Love moved a call of the house.

The roll was called and a quorum found present.

The following messages were received from the House of Representatives :

A message transmitting engrossed, H. 103, a bill to amend an act to incorporate the Atlantic Fire Company, No. 1, in the city of Newbern.

Read first time.

A message transmitting engrossed, H. 98, a bill relating to the weighing of rosin at the port of Wilmington.

Read first time.

A message concerning the resolution (126) of the Committee on Claims.

A message stating that the House of Representatives had re-considered the vote by which they agreed to the resolution on adjournment. Laid on the table.

A message amending, S. 60, a bill to amend sections two, six and eight, chapter one hundred and twenty, Revised Code of North Carolina, by striking out \$5,000 and inserting \$15,000.

Laid over.

A message concurring in Senate substitute for the engrossed, H. 66, bill to establish Special Courts in the cities of Wilmington and Newbern.

A report was received from the Committee on Privileges and Elections.

On motion of Mr. Lindsay, the report of the Committee on Claims was taken up.

Mr. Rich moved a recess until half past three o'clock.

Mr. Barnes moved to take a recess until eight o'clock.

Mr. Sweet introduced a resolution (127) instructing the Treasurer of the State.

The resolution was adopted.

S. 93. A bill to amend an ordinance of the Convention, ratified March 14th, 1868, was read third time and tabled by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Burns, Cook, Eaves, Etheridge, Forkner, Hayes, Hyman, Lasser, Lindsay, Moore of Carteret, Rich, Richardson, Sweet, Wynne and Wilson—20.

NAYS—Messrs. Brogden, Blythe, Colgrove, Davis, Galloway, Jones of Wake, Love, Moore of Yancey, McLaughlin, Purdie, Shoffner, Smith, Welker and Winstead—14.

Mr. Sweet offered the following resolution, which was adopted under a suspension of the rules:

Resolved, That, after Monday the 10th instant, there shall be two sessions of the Senate per day, viz: a morning session at 9.40, and an evening session at 8 o'clock.

On motion, the Senate adjourned.

THIRTY-SIXTH DAY.

TUESDAY, August 11th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Blythe.

The Committee on Enrolled Bills reported the following bills properly enrolled, whereupon they were ratified by the President :

An act to provide for the payment of the burial expenses of the late Hon. Lorenzo D. Hall and for other purposes.

An act for the relief of Willis S. Grandy.

A resolution in relation to salaries.

An act to establish Special Courts in the cities of Newbern and Wilmington.

A resolution in relation to an office for the Superintendent of Public Instruction.

An act to limit liabilities of Sheriffs.

A resolution in relation to settling certain claims.

An act requiring the Trustees of the University of North Carolina to reside in the County for which they are chosen.

An act ratifying and confirming the charter of the North Western North Carolina Rail Road Company.

An act to repeal an act ratified Feb. 22nd, 1868.

On motion of Mr. Sweet, the special order was postponed until eleven o'clock.

Mr. Rich, on the part of the Committee on Internal Improvements, to whom was referred a bill to incorporate the Roanoke Battean Transportation Company, reported the bill back with a recommendation that it be referred to the Committee on Corporations.

The report was concurred in.

Mr. Lassiter introduced, S. 128, a bill to prevent the carrying of concealed deadly weapons.

Read first time.

Mr. Moore, of Carteret, S. 129, a bill in relation to the Mayor and Commissioners of the town of Beaufort.

Read first time.

Leave of absence was granted Mr. Love from and after Thursday next.

Mr. Davis gave notice of his intention to introduce a bill to transfer the County of Montgomery to another Congressional and Judicial District.

Mr. Robbins, on the part of the Judiciary Committee to whom was referred a bill concerning the Courts of Justices of the Peace and civil proceedings therein, reported the same back to the Senate with amendments.

The Senate concurred in the amendments, and the bill passed second reading.

On third reading, Mr. Robbins amended section sixty-one by adding the following: "This section shall not apply to Justices now holding any of the aforesaid offices."

On motion of Mr. Barrow, the entire section was stricken out.

On motion, the special order was further postponed until twelve o'clock.

The bill passed, as amended, the third and final reading, by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Forkner, Gal'oway, Hayes, Harrington, Hyman, Jones, of Wake, Lassiter, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore, of Carteret, Moore, of Yancey, McLaughlin, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Smith, Sweet, Welker, White, Winstead and Wilson—41.

NAYS—None.

Mr. Robbins, on the part of the Committee on Corporations, to whom was referred a bill, S. 42, a bill to incorporate the North Carolina Life Assurance, Annuity and Trust Company, reported the bill back to the Senate with a recommendation that the enacting words in the second and subsequent sections be

stricken out. As amended, the Committee recommended its passage.

The report of the Committee was concurred in.

The bill passed its third and final reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Barnes, Brogden, Burns, Beeman, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Éppes, Forkner, Hayes, Harrington, Hyman, Jones, of Wake, Lindsay, Lassiter, Long, Love, Martindale, Moore, of Carteret, Moore, of Yancey, Melchor, Mason, McLaughlin, Osborne, Purdie, Rich, Respass, Richardson, Robbins, Smith, Shoffner, Sweet, White, Wynne, Winstead and Wilson—42.

NAYS—None.

The following messages were received from the House of Representatives :

A message transmitting a report of the Committee on Penal Institutions with the following resolution :

Resolved by the House of Representatives, the Senate concurring. That a Committee of one from each Congressional District be appointed by the Speaker of the House to report on the location, erection, and management of a Penitentiary in accordance with Article XI., Section 3, of the Constitution.

The resolution was concurred in.

A message transmitting a resolution in favor of N. Paige & Co. was concurred in.

A message transmitting engrossed H. 108, a bill to provide for the registration of voters.

Read first time.

Engrossed H. 106, a bill to provide for the civil rights of citizens of North Carolina.

Read first time.

Engrossed H. 110, a bill in relation to jurors.

Read first time.

On motion, the rules were suspended, and the bill passed its several readings.

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones, of Wake, Lassiter, Lindsay, Mason, Melchor, Moore, of Carteret, Moore, of Yancey, McLaughlin, Osborne, Purdie, Richardson, Respass, Robbins, Shoffner, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—40.

NAYS—None.

S. 62. A bill to regulate capital executions was taken up and passed third reading.

YEAS—Messrs. Barrow, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Eaves, Eppes, Forkner, Galloway, Hayes, Hyman, Jones, of Wake, Lassiter, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore, of Carteret, McLaughlin, Osborne, Purdie, Rich, Respass, Robbins, Shoffner, Smith, Sweet, Welker, Wynne, Winstead and Wilson—36.

NAYS—Messrs. Barnes and Harrington—2.

The Senate concurred in House amendment to, S. 60, a bill to amend sections two, six and eight, chapter one hundred and twenty of Revised Code of North Carolina by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Eaves, Lassiter, Love, Mason, Melchor, McLaughlin, Osborne, Purdie, Richardson, Respass, Robbins, Shoffner, White, Wynne and Wilson—22.

NAYS—Messrs. Blythe, Colgrove, Cook, Davis, Etheridge, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Long, Martindale, Moore of Carteret, Moore of Yancey, Rich, Smith, Sweet, Welker and Winstead—20.

Mr. Osborne gave notice of his intention to introduce a bill in relation to suits pending in the late Supreme Court of this State.

The hour of the special order having arrived, the bill providing for a special militia was taken up.

The question was on the motion of Mr. Cook to reconsider the vote by which the substitute for the bill was adopted.

On the motion to reconsider, Mr. Robbins called the yeas and nays. Agreed to.

YEAS—Messrs. Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones, of Wake, Lassiter, Lindsay, Long, Martindale, Moore of Carteret, Moore of Yancey, Richardson, Shoffner, Smith, Sweet, Welker and Winstead—26.

NAYS—Messrs. Barnes, Beeman, Eaves, Love, Mason, Melchor, McLaughlin, Osborne, Purdie, Robbins, White and Wilson—12.

The motion to reconsider prevailed.

Mr. Martindale offered an amendment to the amendment, in the form of a substitute.

The yeas and nays were agreed to on its passage.

The amendment was adopted.

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Lindsay, Long, Martindale, Moore of Carteret, Moore of Yancey, Rich, Richardson, Shoffner, Smith, Sweet, Welker, Wynne and Winstead—31.

NAYS—Messrs. Barnes, Beeman, Love, Melchor, McLaughlin, Purdie, Robbins and Wilson—8.

Mr. Love offered an amendment to section two, which was rejected.

Mr. Love offered the following amendment:

“Under this act no colored officer, either commissioned or non-commissioned, shall ever command or drill any white man or men.”

The amendment was rejected by the following vote:

YEAS—Messrs. Barnes, Blythe, Davis, Love, Melchor, Moore of Yancey, McLaughlin, Purdie, Richardson, Robbins, Winstead and Wilson—13.

NAYS—Messrs. Bellamy, Brogden, Burns, Colgrove, Cook, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hy-

man, Jones of Wake, Long, Martindale, Moore of Carteret, Smith, Sweet, Welker and Wynne—20.

Mr. Love moved to amend section fourth.

The amendment was lost.

Mr. Love moved to strike out the words "appoint," &c.

Lost.

The bill passed second reading :

YEAS—Messrs. Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Long, Martindale, Moore of Carteret, Moore of Yancey, Rich, Shoffner, Smith, Sweet, Welker, Wynne and Winstead—26.

NAYS—Messrs. Barnes, Love, Melchor, McLaughlin, Purdie, Robbins and Wilson—7.

S. 104. A bill to incorporate the North State Swamp Land, Naval Store and Lumber Company passed second and third readings under a suspension of the rules.

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Eppes, Forkner, Galloway, Hayes, Hyman, Jones of Wake, Lassiter, Lindsay, Long, Love, Mason, Melchor, Moore of Carteret, Moore of Yancey, McLaughlin, Osborne, Purdie, Richardson, Respass, Robbins, Shoffner, Smith, Sweet, Welker, Wynne, Winstead and Wilson—88.

NAYS—Messrs. Bellamy and Harrington—2.

A message was received from the Governor, nominating as Judge of the Special Court for the City of Wilmington, Mr. Edward Cantwell.

The Senate confirmed the nomination of Mr. Cantwell.

Mr. Hayes presented a communication from J. Eldridge, Sheriff of Bladen County.

Mr. Robbins moved to lay the communication on the table.

The motion did not prevail.

On motion, it was referred to the Committee on Privileges and Elections.

On motion, the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President in the Chair.

On motion of Mr. Robbins, the vote by which the Senate concurred in the House amendment to, S. 60, a bill to amend sections two, six and eight, chapter one hundred and twenty, of the Revised Code of North Carolina, was reconsidered, when on motion, the Senate refused to concur in the amendment of the House of Representatives.

A message was received from the House of Representatives, transmitting H. 90, a bill to provide for the payment of the interest of the lawful debt of the State.

Read first time.

The second report of the Code Commissioners was taken up and read first time.

A bill concerning the jurisdiction and powers of Clerks of the Superior Courts, and proceedings before them as Judges of Probate, passed its second reading, as amended by the Judiciary Committee.

The report of the Committee on Claims was taken up for consideration, when

On motion of Mr. Rich, it was laid on the table until the return of Mr. Respass.

S. 65. A bill to provide for the settlement of the estates of deceased persons was read third time.

Amended by Mr. Barrow by striking out in sixth class "six months" and inserting "three years."

The bill, as amended, passed third reading as follows:

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Etheridge, Eppes, Forkner, Galloway, Hayes, Harrington, Lassiter, Legg, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore of Car-

teret, Moore of Yancey, Osborne, Purdie, Rich, Richardson, Shoffner, Smith, Welker, White and Wilson—35.

NAVS—None.

S. 98. A bill to incorporate the Respass Guano Company passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Etheridge, Eppes, Forkner, Harrington, Hyman, Lassiter, Lindsay, Long, Love, Mason, Melchor, Moore, of Carteret, Moore, of Yancey, Osborne, Purdie, Richardson, Robbins, Shoffner, Smith, Sweet, Welker, White and Wilson—33.

NAVS—Messrs. Hayes and Legg—2.

Engrossed II. 42, a bill authorizing Medical Colleges in the State of North Carolina to dissect dead bodies passed its third reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Eppes, Hayes, Harrington, Hyman, Lassiter, Lindsay, Melchor, Moore, of Carteret, Moore, of Yancey, Osborne, Purdie, Robbins, Smith, Sweet, Welker and Wilson—24.

NAVS—Messrs. Barnes, Beeman, Rich and Shoffner—4.

A bill concerning the "Register of Deeds" passed second reading.

A bill to incorporate the Deep River Manufacturing Company passed second reading.

Engrossed II. 108, a bill to provide for the registration of voters passed second reading, and was made the special order for Thursday next at eleven o'clock, A. M.

Mr. Richardson introduced, S. 130, a bill providing for furnishing the Executive Mansion.

Read first time.

S. 91. A bill to prevent the sacrifice of property under execution was read third time and laid over until to-morrow.

S. 116. A bill to appropriate money for the Asylum of the Deaf, Dumb and Blind was read second time and referred to the Committee on Public Charities.

A bill prohibiting the disinterring and sale of dead bodies was amended by Mr. Robbins, and, as amended, passed second and third readings by the following vote :

YEAS—Messrs. Barrow, Barnes, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Forkner, Hayes, Lassiter, Legg, Lindsay, Long, Mason, Martindale, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Smith, Sweet, Welker, White, Winstead and Wilson—31.

NAYS—None.

S. 77. A bill to provide for the funding of the matured interest of the public debt passed second reading.

The Senate, on motion, adjourned.

THIRTY-SEVENTH DAY.

WEDNESDAY, August 12th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Eppes.

The Journal of Tuesday was read and approved.

S. 43, a bill to incorporate the Enterprise Manufacturing Company, was read the third time and passed by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Brogden, Burns, Blythe, Colgrove, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Lindsay, Long, Love, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Richardson, Robbins, Shoffner, Smith, Welker, Wynne, Winstead and Wilson—33.

NAYS—None.

The following resolution introduced by Mr. Welker was adopted :

Resolved, That the Principal Enrolling Clerk is hereby authorized to employ addition clerical force not to exceed two in number at the price of four dollars per day.

The bill providing for the organization of the militia was read the third time.

Mr. Wilson offered the following amendment to section five :

All Division and Brigade Commanders shall be appointed by the Governor, Field officers of Regiments shall be elected by the Commissioned officers of the Companies composing each Regiment respectively, and the officers of each Company shall be elected by the rank and file of such Company.

After considerable discussion, Mr. Rich called the previous question on the amendment of Mr. Wilson.

Mr. Robbins called for the yeas and nays.

Agreed to.

The amendment was rejected by the following vote :

YEAS—Messrs. Barnes, Beeman, Love, Mason, Melchor, Osborne, Purdie, Robbins, Wynne and Wilson—10.

NAYS—Messrs. Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Moore of Yancey, Rich, Richardson, Shoffner, Smith, Sweet, Welker and Winstead—28.

Mr. Osborne moved to amend section nine by inserting the word "Sheriff" after the words "five Justices."

The amendment was rejected.

Mr. Osborne moved to amend section twelve by inserting the word "five" before the words "Justices of the Peace."

The amendment did not prevail.

Mr. Osborne offered the following as a new section :

SEC. 25. That the detailed militia, provided for in section five, is only designed to aid the Sheriffs in each County in the

preservation of order. That such detailed militia, while on service in each County, shall be under the control and direction of the Sheriff of such County, shall obey his orders, and be continued in service in said County only so long as he may require.

The section was lost by the following vote :

YEAS—Messrs. Barrow, Barnes, Beeman, Lindsay, Love, Mason, Melchor, Osborne, Purdie, Robbins, Shoffner, Wynne, Winstead and Wilson—14.

NAYS—Messrs. Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Moore of Yancey, Rich, Richardson, Smith, Sweet and Welker—25.

Mr. Osborne offered the following as a new section :

“ That the provisions of this bill contained in sections 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 22, shall continue six months and no longer, unless otherwise directed by the General Assembly by appropriate legislation.”

The amendment did not prevail.

On motion of Mr. Sweet, the subject matter was postponed five minutes.

On motion of Mr. Sweet, the rules were suspended, and the motion for the previous question was placed second in the order of motions.

On the bill Mr. Colgrove called the previous question.

The call was sustained.

The bill passed its third and final reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Martindale, Moore of Carteret, Moore of Yan-

cey, Richardson, Shoffner, Smith, Sweet, Welker, Wynne and Winstead—30.

NAYS—Messrs. Barnes, Beeman, Love, Mason, Melchor, McLaughlin, Osborne, Purdie, Rich, Robbins and Wilson—11.

Mr. Galloway moved a reconsideration of the vote.

The motion to reconsider was, on motion, laid on the table.

On motion, the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President in the Chair.

Mr. Rich was allowed to change his vote on the third reading of the bill to provide for the formation of a militia, from the negative to the affirmative.

The following messages were received from the House of Representatives :

A message transmitting the following bills, which were read first time.

Engrossed H. 117, a bill to amend an act to incorporate the Newbern Gas Light Company.

Engrossed H. 103, a bill to amend the Charter of the Western Rail Road Company.

Engrossed H. 77, a bill to incorporate the North Carolina Iron and Steel Company.

Engrossed H. 106, a bill to amend the Charter of the Williamston and Tarboro' Rail Road Company.

Engrossed H. 104, a Bill to amend the Charter of the Western North Carolina Rail Road Company.

Engrossed H. 103, a bill respecting the tax payers of Randolph County.

Engrossed H. 100, a bill to amend the Charter of the Chatham Rail Road Company.

A message concurring in the following resolutions :

A resolution instructing the Treasurer of the State.

A resolution in relation to the employment of temporary Clerks.

A message transmitting the concluding portion of the Code of Practice and Civil Procedure.

Read first time.

An act concerning the Government of Counties, amended.

The amendments were concurred in by the Senate.

A bill concerning the jurisdiction and powers of Clerks of the Superior Courts and proceedings before them as Judges of Probate.

Amended by Mr. Barrow. As amended, the bill passed its third and final reading by the following vote:

YEAS—Messrs. Barrow, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Forkner, Hayes, Harrington, Jones of Wake, Lassiter, Legg, Long, Love, Mason, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Rich, Richardson, Shoffner, Sweet, Welker, White, Winstead and Wilson—32.

NAYS—Messrs. Barnes and Purdie—2.

The Committee on Internal Improvements to whom was referred S. 23, a bill to authorize the Norfolk and Great Western Rail-Road Company to construct its Road through the Counties of Granville, Person, and Caswell in this State, report the bill back to the Senate with a recommendation that it do pass.

The report was concurred in.

The same Committee to whom was referred S. 101, a bill to repeal an act of 1795, chartering the Cape Fear Navigation Company, reported the bill back with a recommendation that it do not pass.

The Committee also reported a resolution appointing a Committee of Investigation.

The report was concurred in, and the resolution passed its first reading.

A bill concerning the Register of Deeds was read the third time and passed by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Mason, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Rich, Richardson, Shoffner, Welker, White, Winstead and Wilson—35.

NAYS—None.

S. 130, a bill to provide for the furnishing the Executive Mansion, passed its second reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Mason, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Rich, Richardson and White—28.

NAYS—Messrs. Beeman, Moore of Yancey, Shoffner, Welker, Winstead and Wilson—6.

S. 47, a bill to amend an act to incorporate the Greenville and French Broad Rail Road Company, ratified 13th February, 1855.

Passed its third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Forkner, Hayes, Harrington, Jones of Wake, Lassiter, Lindsay, Long, Mason, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Sweet, Welker, Winstead and Wilson—26.

NAYS—Messrs. Osborne, Purdie and Shoffner—3.

S. 97, a bill to amend the Charter of the Charlotte and South Carolina Rail Road Company.

Passed its several readings under a suspension of the rules.

The following is the vote on its third reading :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Forkner, Hayes, Harrington, Jones of Wake, Lassiter, Legg, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore of Carteret,

Osborne, Purdie, Rich, Richardson, Shoffner, Sweet, Welker, White, Winstead and Wilson—34.

NAYS—None.

On motion of Mr. Sweet, a Committee of Three were appointed to examine into the case of alleged alteration of an Engrossed Bill, said Committee to report Saturday next at 11 o'clock, A. M.

The President appointed the following as the Committee:

Messrs. Sweet, Osborne and Legg.

The following bills were taken up and passed their second reading:

S. 95, a bill to Charter the Union Immigrant and Transportation Company.

S. 128, a bill to prevent the carrying of deadly weapons.

Engrossed H. 102, a bill to amend the Charter of the Western Rail Road Company.

The yeas and nays were recorded on S. 77, a bill to provide for the funding of the matured interest on the public debt.

YEAS—Messrs. Barrow, Barnes, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Forkner, Hayes, Harrington, Jones of Wake, Lassiter, Legg, Long, Love, Melchor, Moore of Carteret, Moore of Yancey, Purdie, Rich, Richardson, Shoffner, Sweet, Welker, White and Wilson—28.

NAYS—Messrs. Lindsay and Winstead—2.

S. 117, a bill to incorporate the Ridgeway Land and Immigration Company.

As amended by the Committee on Corporations, passed its second reading.

On motion, the Senate adjourned.

THIRTY-EIGHTH DAY.

THURSDAY, August 13th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Long.

The Journal of Wednesday was read and approved.

Mr. Welker, on the part of the Committee on Public Charities, to whom was referred

S. 116. A bill to appropriate money for the Asylum for the Deaf, Dumb and Blind,

Recommend that the bill do pass.

The Committee on Penal Institutions reported back to the Senate a bill to provide for the employment of convicts and the building of a Penitentiary, and recommend a favorable consideration of the same.

A report was received from the Committee on Claims.

Mr. Sweet presented a majority report of the Committee on Salaries and Fees.

Ordered to be printed.

Bills with titles as follows were introduced and read first time :

By Mr. Davis, S. 131, a bill to change the County of Montgomery to another Congressional District.

By Mr. Lassiter, S. 132, a bill to provide for the support of the Insane Asylum.

By Mr. Rich, on the part of the Immigration Committee, S. 133, a bill to provide for the encouragement of Immigration.

A bill concerning the fees of Clerks of the Superior Courts, Sheriffs, Registers of Deeds, Solicitors, Coroners, Constables, Justices of the Peace and Jurors, was taken up and passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Forkner, Hayes, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Love, Mason, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Rich,

Richardson, Robbins, Shoffner, Smith, Sweet, Welker, White, Wynne, Winstead and Wilson—35.

NAY—Mr. Harrington—1.

Leave of absence was granted Mr. Robbins for the balance of the day.

The following acts and resolutions having been reported correctly enrolled, were duly ratified by the President :

A bill to amend sections second, sixth and eighth, chapter one hundred and twenty, Revised Code of North Carolina.

A bill to incorporate the North Carolina Life Assurance Annuity and Trust Company.

A resolution in regard to Clerks.

A resolution instructing the Treasurer of the State.

A resolution in favor of N. Paige & Co.

The hour of the special order having arrived,

Engrossed H. 108. A bill to provide for the registration of voters, was taken up and placed upon its third reading and passed by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Brogden, Burns, Blythe, Colgrove, Cook, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Lindsay, Love, Mason, Martindale, Moore of Yancey, Rich, Shoffner, Smith, Sweet, White and Wilson—25.

NAYS—Messrs. Bellamy, Legg, Long, Moore of Carteret, Osborne, Purdie, Richardson, Welker and Winstead—9.

A bill to provide for the employment of convicts and the building of a Penitentiary was taken up and read second time.

Mr. Osborne moved to amend so as to locate the Penitentiary and purchase a site for the same within three miles of the City of Raleigh.

Mr. Hayes moved to amend by adding, "if the site of such Penitentiary, suitable for that purpose and containing not less than one hundred acres, shall be donated for that purpose or can be purchased for a sum not exceeding three thousand dollars."

Mr. Osborne accepted the amendment.

Mr. Davis moved to strike out all after the word "donated."
The amendment was rejected.

The amendment of Mr. Osborne did not prevail.

The bill was rejected by the following vote:

YEAS—Messrs. Barrow, Burns, Blythe, Colgrove, Davis, Hayes, Harrington, Hyman, Jones of Wake, Lindsay, Long, Martindale, Rich, Richardson, Sweet and White—16.

NAYS—Mr. President, Messrs. Barnes, Bellamy, Brogden, Cook, Eppes, Lassiter, Mason, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Shoffner, Welker, Winstead and Wilson—17.

Mr. Welker gave notice of his intention to reconsider the vote.

The following messages were received from the House of Representatives:

A message transmitting a resolution rescinding the resolution to adjourn on the 17th instant and placing the day of adjournment on the 24th, at six A. M.

The resolution was laid on the table.

A message transmitting the following bills, which were read first time:

Engrossed II. 121. A bill for the more effectual suppression of the crime of stealing horses and mules.

Engrossed II. 105. A bill for the relief of Sheriffs and tax payers in certain cases.

Engrossed II. 120. A bill to punish bribery and coercion in election.

A message concurring in S. 92, a bill in relation to County Treasurers.

And rescinding in House amendment to S. 60, a bill to amend sections 2d, 6th and 8th, chapter 120, Revised Code of North Carolina.

S. 81. A bill to provide for funding the matured interest of the public debt, was taken up and passed third and final reading by the following vote:

YEAS—Messrs. Barrow, Barnes, Bellamy, Brogden, Burns,

Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Love, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Rich, Richardson, Shoffner, Sweet, Welker, White and Wilson—31.

NAYS—None.

The second report of the Code Commissioners was taken up and passed second reading.

Engrossed H. 100. A bill to amend the charter of the Chat-ham Rail Road Company, passed second reading by the following vote :

YEAS—Messrs. Barrow, Bellamy, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Love, Martindale, Moore of Carteret, Rich, Richardson, Sweet, Welker and White—22.

NAYS—Messrs. Barnes, Brogden, Lindsay, Long, Melchor, Osborne, Purdie, Shoffner, Winstead and Wilson—10.

On motion, the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President in the Chair.

Engrossed H. 104. A bill to amend the charter of the Western North Carolina Rail Road Company passed second reading by the following vote :

YEAS—Messrs. Barrow, Bellamy, Burns, Blythe, Colgrove, Cook, Davis, Forkner, Harrington, Hyman, Jones of Wake, Lassiter, Long, Love, Moore of Carteret, Moore of Yancey, Rich, Richardson, Shoffner, Sweet, Welker and White—22.

NAYS—Messrs. Barnes, Beeman, Brogden, Lindsay, Winstead and Wilson—6.

Engrossed H. 106. A bill to amend the charter of the Wil-

liamston and Tarboro' Rail Road Company, was taken up and passed second reading by the following vote :

YEAS—Messrs. Barrow, Beeman, Bellamy, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Love, Martindale, Moore of Carteret, Rich, Richardson, Sweet and White—21.

NAYS—Messrs. Barnes, Brogden, Lindsay, Long, Melchor, Moore of Yancey, Purdie, Shoffner, Winstead and Wilson—10.

On motion, the Senate adjourned.

THIRTY-NINTH DAY.

FRIDAY, August 14th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. G. W. Welker.

The Journal of Thursday was read and approved.

Mr. Sweet introduced, S. 134, a bill to incorporate the Newbern Ferry Company.

Read first time.

Engrossed, H. 100, a bill to amend the charter of the Chatham Rail Road Company was taken up and read third time.

Mr. Osborne moved to amend by adding the following :

“That before the issue of the bonds provided for in this bill shall be made, the question shall be submitted to the voters of this State, under the direction of the Governor, whether said bonds shall be issued or not.”

Mr. Sweet moved to postpone until November next.

This motion was not agreed to by the following vote :

YEAS—Messrs. Barnes, Brogden, Lindsay, Melchor, Os-

borne, Purdie, Robbins, Shoffner, Sweet, Wynne, Winstead and Wilson—12.

NAYS—Messrs. Barrow, Beasley, Beeman, Bellamy, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Rich, Richardson, Welker and White—24.

On the amendment of Mr. Osborne, Mr. Rich called the previous question.

The call was sustained.

The amendment was lost by the following vote :

YEAS—Messrs. Barrow, Barnes, Brogden, Lindsay, Mason, Melchor, Moore of Yancey, Osborne, Purdie, Robbins, Shoffner, Sweet, White, Wynne, Winstead and Wilson—16.

NAYS—Messrs. Beeman, Bellamy, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Martindale, Moore of Carteret, Rich, Richardson and Welker—20.

Mr. Welker moved to amend by striking out \$2,000,000 and inserting \$1,000,000.

The amendment was rejected by the following vote :

YEAS—Messrs. Barnes, Beeman, Brogden, Blythe, Forkner, Legg, Lindsay, Mason, Melchor, Moore of Yancey, Osborne, Purdie, Robbins, Shoffner, Sweet, Welker, Winstead and Wilson—18.

NAYS—Messrs. Barrow, Bellamy, Burns, Colgrove, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Martindale, Moore of Carteret, Rich, Richardson, White and Wynne—19.

Mr. Barrow moved to strike out in section first, line second, the following words : " To the South Carolina line."

The amendment was agreed to.

The bill as amended passed its third reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Bellamy, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway,

Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Rich, Richardson, White and Wynne—25.

YEAS—Messrs. Barnes, Brogden, Lindsay, Mason, Melchor, Moore of Yancey, Osborne, Purdie, Robbins, Shoffner, Sweet, Welker, Winstead and Wilson—14.

A message was received from the House of Representatives, transmitting the following bills, which were read the first time.

Engrossed, H. 131, a bill in regard to Standard Keepers.

Engrossed, H. 47, a bill to enable incoming Sheriffs to sell under the levies and advertisements of their predecessors.

Engrossed, H. 129, a bill in relation to the bonds of County Officers in the County of Cumberland.

A message concurring in, S. 54, a bill to extend the Charter of the High Shoals Manufacturing Company, and

Amending, S. 62, a bill to regulate capital executions, by striking out all after the enacting clause in first section.

The amendment was concurred in by the Senate.

On motion of Mr. Hayes, engrossed, H. 129, a bill in relation to the bonds of County Officers, in the County of Cumberland, was taken up and passed its several readings under a suspension of the rules.

The following is the vote on its third reading :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Rich, Shoffner, Sweet, Welker, White, Wynne, Winstead and Wilson—34.

NAYS—None.

The President ratified the enrolled bill in relation to the bonds of County Officers of the County of Cumberland.

Mr. Galloway introduced, S. R. 135, a resolution in favor of the Sheriff of Brunswick.

Referred to the Committee on Finance.

The following resolution was taken from the table and concurred in by the Senate:

Resolved, by the House of Representatives the Senate Concurring, That the vote by which the House concurred in the joint resolution to adjourn on the 17th instant, be rescinded, and that the General Assembly adjourn on the 24th instant, at 6 o'clock, A. M.

Mr. Love moved to take up the engrossed, H. 104, a bill to amend the charter of the Western North Carolina Rail Road Company.

The motion was adopted.

Mr. Galloway moved to adjourn.

Agreed to.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President in the Chair.

Engrossed, H. 104, a bill to amend the charter of the Western North Carolina Rail Road Company was read the third time.

Mr. Sweet moved to amend by adding the following as

SEC. 9. That a special tax of one-twentieth of one per cent. be imposed on the taxable property in the State, both real and personal, to be collected as other taxes are collected.

On the passage of this amendment the yeas and nays were called.

The amendment was rejected by the following vote:

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Long, Love, Moore of Carteret, Moore of Yancey, Rich, Sweet, Welker and Wilson—14.

NAYS—Messrs. Barnes, Beeman, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Melchor, Purdie, Richardson, Shoffner and Winstead—20.

The bill passed its third reading by the following vote:

YEAS—Messrs. Barrow, Beasley, Bellamy, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Love, Martindale, Moore of Carteret, Moore of Yancey, Rich, Richardson and Welker—25.

NAYS—Messrs. Barnes, Beeman, Brogden, Lindsay, Melchor, Purdie, Shoffner, Winstead and Wilson—9.

The second report of the Code Commissioners passed its third reading by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Love, Melchor, Moore of Carteret, Moore of Yancey, Purdie, Rich, Richardson, Welker, Winstead and Wilson—27.

NAY—Mr. Shoffner—1.

S. 43. Enrolled bill to incorporate the Enterprise Manufacturing Company, was ratified by the President.

The following bill, introduced by Mr. Sweet, passed its first reading:

S. 136. A bill to incorporate the Holden Hook and Ladder Company, No. 1, of Newbern, N. C.

S. 91. A bill to prevent the sacrifice of property under execution, was taken up and read third time.

Mr. Shoffner moved to amend by striking out "freehold" where it occurs in the bill.

Mr. Beeman moved to postpone until the third Monday in November next.

Lost by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Colgrove, Cook, Eppes, Forkner, Lindsay, Love, Moore of Carteret, Moore of Yancey and Wilson—13.

NAYS—Messrs. Bellamy, Brogden, Burns, Blythe, Davis, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Purdie, Richardson, Shoffner, Welker, White and Winstead—18.

Mr. Hayes moved to insert the word "elector" where "freeholder" was stricken out.

On motion of Mr. Moore, of Carteret, the whole matter was laid on the table.

A bill to incorporate the Ridgeway Land Association was taken up and passed its third and final reading by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy; Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Lindsay, Long, Martindale, Purdie, Richardson, Shoffner, Sweet, Welker, White and Winstead—28.

NAYS—None.

Engrossed, H. 106, bill to amend the charter of the Williams-ton and Tarboro' Rail Road Company passed its third reading by the following vote:

YEAS—Messrs. Barrow, Beasley, Bellamy, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Love, Martindale, Moore of Carteret, Rich, Richardson and White—23.

NAYS—Messrs. Barnes, Beeman, Brogden, Lindsay, Melchor, Purdie, Sheffner, Winstead and Wilson—9.

S. 66. A bill regulating the hours of labor passed its second reading.

Engrossed, H. 102, bill to amend the charter of the Western Rail Road Company, was taken up and read the third time.

Mr. Hayes moved to make the southern terminus of the Road at Lumberton, in the County of Robeson.

Mr. Welker moved to amend the amendment by making the northern terminus at Greensboro', in the County of Guilford.

On motion, the subject was made a Special Order for Saturday at 11 o'clock.

S. 132. A bill to provide for the support of the Insane Asylum was read second time, and referred to the Committee on the Insane Asylum.

S. 131. A bill to change the County of Montgomery to another Congressional District, passed its second reading by the following vote:

YEAS—Messrs. Bellamy, Colgrove, Davis, Forkner, Galloway, Hayes, Hyman, Legg, Long, Martindale, Moore of Yancey, Rich, Sweet, Welker, Winstead and Wilson—16.

NAYS—Messrs. Barrow, Barnes, Beasley, Beeman, Brogden, Burns, Blythe, Cook, Harrington, Lassiter, Melchor, Moore, of Carteret, Purdie and Richardson—14.

The majority report of the Committee on Salaries and Fees was placed on its third reading and passage.

A quorum not voting, it was decided no vote.

Leave of absence was granted Mr. Colgrove from to-morrow until Monday next.

Mr. Forkner introduced a resolution appointing an assistant Engrossing Clerk for the balance of the session, at a price not exceeding four dollars per day.

Adopted.

Mr. Love introduced a resolution affecting new bills.

On motion of Mr. Galloway, the Senate adjourned.

FORTIETH DAY.

SATURDAY, August 15th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Blythe.

The Journal of Friday was read and approved.

S. 131. A bill to change the County of Montgomery to another Congressional District, was read second time and made a Special Order for Monday next at eleven o'clock.

S. 128. A bill to prevent the carrying of deadly weapons, was read a third time and referred to a Special Committee of Three, consisting of Messrs. Cook, Osborne and Lassiter.

S. 66. A bill regulating the hours of labor, passed third reading by the following vote:

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Legg, Long, Love, Martindale, Moore of Carteret, Osborne, Purdie, Welker and White—23.

NAYS—Messrs. Barnes, Beeman, Forkner, Lindsay, Melchor, Moore of Yancey, Rich, Richardson, Shoffner, Winstead and Wilson—11.

S. 95. A bill to Charter the Union Immigrant and Transportation Company, passed the third reading by the following vote:

YEAS—Messrs. Barrow, Barnes, Beeman, Brogden, Burns, Blythe, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Osborne, Richardson, Robbins, Shoffner, White, Winstead and Wilson—26.

NAYS—Messrs. Bellamy, Lindsay, Melchor, Moore of Yancy and Rich—5.

S. 130. A bill to provide for furnishing the Executive Mansion, was read second time.

Mr. Barrow moved to strike out \$10,000.

On motion, the yeas and nays were agreed to.

The motion prevailed by the following vote :

YEAS—Messrs. Barrow, Barnes, Beeman, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Forkner, Harrington, Hyman, Lassiter, Legg, Lindsay, Long, Love, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Richardson, Shoffner, Welker, White, Winstead and Wilson—29.

NAY—Mr. Rich—1.

Mr. Barrow moved to insert \$6,000.

Not agreed to.

Mr. Winstead moved to insert \$5,000.

On this motion, Mr. Barnes called the yeas and nays.

Agreed to.

The motion prevailed by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Brogden, Blythe, Forkner, Harrington, Lassiter, Legg, Lindsay, Long, Love, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Richardson, Shoffner, Welker, White, Winstead and Wilson—24.

NAYS—Messrs. Bellamy, Burns, Colgrove, Cook, Davis, Eppes, Galloway, Hayes, Hyman, Jones of Wake, Martindale and Sweet—12.

Mr. Osborne moved to amend by adding the following :

“That this sum herein appropriated be expended under the direction of his Excellency, the Governor.”

The amendment was adopted.

The bill, as amended, passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Love, Martindale, Melchor, Moore of Carteret, Moore of Yancy, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Sweet, Welker, White, Winstead and Wilson—36.

NAY—Mr. Bellamy—1.

Mr. Osborne introduced; S. 138, a bill concerning Judgments in and proceedings issuing from the late Superior Court.

Read first time.

By Mr. Moore, of Carteret, S. R. 139, a resolution in favor of the Sheriff of Carteret County.

Read first time.

The Committee on the Insane Asylum reported, S. 132, a bill for the support of the Insane Asylum, as a substitute for S. 132, a bill for the same purpose referred to them.

The report of the Committee was adopted.

The bill passed second reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Blythe, Colgrove, Davis, Eppes, Forkner, Hayes, Harrington, Jones of Wake, Lassiter, Legg, Lindsay, Long, Love, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Sweet, Welker, White, Winstead and Wilson—35.

NAYS—None.

Mr. Shoffner introduced a resolution, S. R. 140, in relation to the act to amend the charter of the Chatham Rail Road Company.

The amendment was tabled by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Bellamy, Burns, Blythe, Colgrove, Cook, Davis, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Moore of Yancey, Rich, Richardson, Respass, Welker and White—26.

NAYS—Messrs. Barnes, Brogden, Eppes, Lindsay, Love, Melchor, Osborne, Purdie, Robbins, Shoffner, Winstead and Wilson—12.

Mr. Love asked and obtained leave to change his vote on the above bill.

Engrossed H. 102, a bill to amend the charter of the Western Rail Road Company was read third time.

Messrs. Welker and Hayes withdrew their amendments.

Mr. Robbins moved to amend section second after the word

road in third line, and insert the words, "at one or more points on said Road if they think proper."

Mr. Davis moved to amend by striking out all after "select" in fifth line, section second.

Mr. Robbins accepted the amendment.

The amendment of Mr. Robbins was adopted.

Mr. Sweet moved to strike out the entire section.

The motion prevailed.

The bill, as amended, passed third and final reading by the following vote :

YEAS—Messrs. Barrow, Bellamy, Burns, Blythe, Colgrove, Cook, Davis, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Moore of Carteret, Rich, Richardson, Respass, Sweet, Welker, White and Wilson—24.

NAYS—Messrs. Barnes, Beeman, Brogden, Lindsay, Melchor, Moore of Yancey, Osborne, Purdie, Robbins and Winstead—10.

On motion of Mr. Sweet, the vote on Engrossed, H. 108, a bill to provide for the Registration of voters was reconsidered.

Mr. Sweet offered the following amendments:

Section seventh, insert after the word section seventh the words, "except in cases provided for in section eleventh of this act."

Strike out in section seventh all after the word "subscribe" in line fourth and insert the words, "The following oath: I —— do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, that I have been a resident in the State of North Carolina for twelve months, and in the County of —— for thirty days, and that I have neither registered nor voted during this election in any other precinct." Such person, having taken this oath, shall thereupon be registered.

Section eighth, strike out in line fifth the word "constitutional."

The amendments were adopted.

The bill, as amended, passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Legg, Long, Love, Martindale, Melchor, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Sweet, Welker, White, Winstead and Wilson—34.

NAYS—None.

S. 116. A bill to appropriate money for the Deaf, Dumb and Blind Asylum, passed second reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Blythe, Colgrove, Eppes, Hayes, Harrington, Hyman, Legg, Lindsay, Long, Love, Martindale, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Sweet, Welker, White and Winstead—27.

NAYS—None.

A bill defining the duties of a Board of Public Charities, was read second time.

Mr. Love moved to postpone until November next.

The motion prevailed by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Brogden, Burns, Blythe, Colgrove, Eppes, Forkner, Galloway, Hyman, Lassiter, Lindsay, Long, Love, Melchor, Moore of Yancey, Osborne, Purdie, Richardson, Shoffner and White—23.

NAYS—Messrs. Bellamy, Davis, Hayes, Rich, Respass, Robbins, Welker and Winstead—8.

The following bills were taken up and passed second reading :

S. 134. A bill to incorporate the Newbern Ferry Company.

S. 136. A bill to incorporate the Holden Hook and Ladder Fire Company, No. 1, of Newbern, North Carolina.

Engrossed H. 12. A bill to prevent the sale of intoxicating liquors on the days of election.

Engrossed H. 121. A bill for the more effectual suppression of the crime of stealing horses and mules.

Engrossed H. 77. A bill to incorporate the North Carolina Iron and Steel Rail Company.

Read second time and referred to the Committee on Corporations.

S. 123. A bill to authorize the Norfolk and Great Western Rail Road Company to construct its road through the Counties of Granville, Person and Caswell in this State, passed its several readings under a suspension of the rules.

The bill passed its third reading by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Lassiter, Lindsay, Long, Love, Martindale, Melchor, Moore of Yancey, Osborne, Purdie, Richardson, Robbins, Shoffner, White, Winstead and Wilson—31.

NAYS—None.

The following messages were received from the House of Representatives:

A message transmitting the following engrossed bills, which were read first time:

H. 90. A bill to provide for the payment of the interest of the lawful debt of the State.

H. 126. A bill concerning Williamston Landing, in the County of Martin.

H. 114. A bill to amend section seventh, chapter twenty-fourth of the Revised Code, concerning the bonds of constables.

H. 100. A bill providing for the support of the Insane Asylum.

H. 99. A bill to amend an act entitled "an act to improve the law of evidence."

A message concurring in the Senate amendment to the Chatham Rail Road bill, striking out the words, "to the South Carolina line."

Also, concurring in a bill concerning the jurisdiction and

powers of Clerks of the Superior Courts and proceedings before them as Judges of Probate.

A message concurring in, S. 84, a bill to provide for the filling of vacancies that may occur in the General Assembly.

S. 68. A bill to incorporate the Salisbury Cemetery Association.

S. 108. A bill in relation to Sheriffs.

The following acts and resolutions, having been reported properly enrolled, were ratified by the President. :

An act regulating capital executions.

An act to extend the charter of the High Shoals Manufacturing Company.

An act to amend the charter of the Chatham Rail Road Company.

A resolution relative to adjournment.

A resolution providing for an Assistant Engrossing Clerk.

Mr. Davis moved that when the Senate do adjourn, it adjourns to meet at nine and a half o'clock Monday, A. M.

On this motion, Mr. Barrow called for the yeas and nays.

The call was sustained.

The motion was adopted by the following vote :

YEAS—Messrs. Barnes, Beasley, Burns, Davis, Eppes, Galloway, Hayes, Harrington, Lassiter, Lindsay, Long, Love, Martindale, Melcher, Osborne, Respass, Sweet and Wilson—18.

NAYS—Messrs. Barrow, Beeman, Bellamy, Brogden, Blythe, Cook, Forkner, Moore of Yancey, Purdie, Richardson, White and Winstead—12.

The following protest was ordered to be spread on the Journal :

The undersigned Senators would respectfully enter their protest against the bill passed by the Senate in aid of the Chatham Rail Road Company.

That Company has already received aid from the State, by an exchange of bonds to the amount of one million, two hundred thousand dollars. The present bill provides additional aid

to the extent of two millions more, so that the whole amount to which the State has become involved for the benefit of that corporation, is three millions, two hundred thousand dollars. When it is remembered that the Road is not more than one hundred and fifty miles in length, that it besects a country of easy grades, few water courses and no costly obstructions in the way of its construction, this sum must be more than sufficient for the completion and equipment of the Road. This extraordinary bounty to this Road, the undersigned do not believe to be justified by any prospective advantages, which it will confer upon any existing interest of the State. But without discussing the importance of the improvement as it tends to develop the resources of the State, or as it may effect other lines of communication in which the State is largely interested, the undersigned place their opposition to this measure on the ground that it is a violation of the Constitution of the State.

In article fifth, section fifth of the Constitution, it is provided, "until the bonds of the State shall be at par, the General Assembly shall have no power to contract any new debt or pecuniary obligation in behalf of the State, except to supply a casual defect or for suppressing invasion or insurrection, unless it shall in the same bill levy a special tax to pay the interest annually, and the General Assembly shall have no power to give or lend the credit of the State in aid of any person, association or corporation, except to aid in the completion of such Rail Roads as may be unfinished at the time of the adoption of this Constitution, in which the State has a direct pecuniary interest, unless the subject be submitted to a direct vote of the people of this State and be approved by a majority of those who shall vote thereon."

Unquestionably by this bill the State contracts a new debt or pecuniary obligation. It is equally true that the bonds of the State are not at par, and there is no provision in the bill for the payment of the annual interest.

The undersigned are equally clear in their opinion, that this is a new Road, and one in which the State has no direct inter-

est, within the meaning of the Constitution. The Chatham Rail Road existed in an unfinished State, it is true, at the adoption of the Constitution, but the Southern terminus of that Rail Road, as proved in its charter, was at the Coalfields, and all its powers are well defined and restricted to the construction of a Rail Road between its beginning at Raleigh and the point indicated.

But by an amendment of its charter made at the present session of the General Assembly, power is given to extend this road to Cheraw, or somewhere else Southward, indefinitely. If this extension had been created by a new charter, no one could doubt for a moment that it falls within the provisions of the Constitution set forth, but the undersigned do not believe that can be done by an amendment to an existing charter, which can not be done by a charter itself granted for that purpose. If this construction be admitted, it is difficult to conceive how the provision referred to can ever be enforced. Every Rail Road in the State may, by amendments to their charters, be indefinitely extended, and the salutary provisions of the Constitution designated, to restrain indecent and extravagant appropriations, and to protect the people against burdensome and oppressive taxation, may be rendered wholly null and worthless. The undersigned, therefore, believing that the bill is, for the reasons stated, palpably in violation of the Constitution, entertain the opinion that the bonds directed to be issued by it are wholly without authority of law, and without binding force on the people of this State. They have not adverted to the existing debt of North Carolina and the appalling prospects which lie immediately before the tax paying people of this State. At the close of the late war, the liabilities of the State amounted to the sum of \$15,238,000. So great was the amount of this debt, that the Legislature of 1866-'7 made no provision for the payment of the accruing interest, from the belief that the burden was beyond the resources of the State. But this Legislature will probably increase this debt \$9,000,000, so that at the end of the session the debt of

the State will not fall below \$25,000,000. When it is considered how many other sources of expenditure exists, in the present condition of the State, and which the public interests imperatively require, we believe that on these accounts and for these reasons, the bill to be inexpedient and unconstitutional.

JAMES W. OSBORNE,
 C. H. BROGDEN,
 J. W. PURDIE,
 T. M. SHOFFNER,
 JOSHUA BARNES,
 J. M. LINDSAY,
 C. MELCHOR,
 C. S. WINSTEAD,
 P. A. WILSON,
 WM. M. ROBBINS,
 W. H. S. SWEET,
 WM. M. MOORE.

On motion of Mr. Galloway, the Senate adjourned.

FORTY-FIRST DAY.

MONDAY, August 17th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. H. T. Hudson.

The Journal of Saturday was read and approved.

Mr. Barrow introduced, S. 140, a bill to repeal an act ratified February 14th, 1861, concerning tax collectors.

The bill passed its several readings, under a suspension of the rules, by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy,

Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Galloway, Harrington, Hyman, Lassiter, Legg, Lindsay, Long, Love, Martindale, Melchor, Moore of Carteret, Richardson, Robbins, Sweet Welker, White, Winstead and Wilson—30.

NAYS—None.

Mr. Brogden, on the part of the Committee on Finance, to whom was referred, S. 87, a bill to incorporate the North Carolina Mutual Home Insurance Company, reported the bill back with a recommendation that it do pass.

Mr. J. B. Respass reported on the late election in the County of Caswell.

The report was referred to the Committee on Privileges and Elections.

A bill in relation to the powers and duties of Superior Court Clerks was,

On motion of Mr. Barrow, referred to the Committee on Enrollment.

Mr. Lassiter introduced, S. 142, a bill to enable the Oxford Branch of the Raleigh and Gaston Rail Road to finish its Road.

Read first time.

Engrossed H. 24. A bill confirming a divorce made by the Superior Court of Buncombe County, at Fall Term, 1867.

Passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Harrington, Lassiter, Legg, Long, Love, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Richardson, Respass, Robbins, Sweet, Welker, White, Winstead and Wilson—30.

NAYS—None.

Engrossed H. 103. A bill respecting the tax payers of Randolph County, was read second time.

Amended by Mr. Richardson by including the Counties of Moore and Richmond, and referred to the Finance Committee.

S. 131. A bill to change the County of Montgomery to another Congressional District, was taken up.

Read third time and laid on the table.

S. 74. A bill to punish conspiracy, sedition and rebellion, was taken up and read third time.

Mr. Martindale amended by striking out the word "disaffection" in line fifth, section one; ninth line, "less than three years nor;" seventh line, second section, strike out the words "less than twelve months;" thirteenth and fourteenth lines, section three, strike out the words "less than three years nor;" section fourth, line eighth, strike out the words "less than five years nor."

Mr. Wilson moved to indefinitely postpone.

On this motion, the yeas and nays were agreed to.

The motion prevailed by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Brogden, Colgrove, Cook, Galloway, Hayes, Harrington, Lindsay, Love, Melchor, Osborne, Purdie, Richardson, Respass, Robbins, White, Winstead and Wilson—21.

NAYS—Messrs. Bellamy, Burns, Blythe, Eppes, Hyman, Lassiter, Legg, Long, Martindale, Moore of Carteret, Moore of Yancey, Shoffner and Welker—13.

Mr. Galloway moved to reconsider the vote.

Mr. Osborne moved to lay that motion on the table.

On this motion, the yeas and nays were agreed to.

The motion did not prevail by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Brogden, Harrington, Lindsay, Love, Melchor, Osborne, Purdie, Richardson, Robbins, Winstead and Wilson—15.

NAYS—Messrs. Bellamy, Burns, Blythe, Colgrove, Cook, Eppes, Galloway, Hayes, Hyman, Lassiter, Legg, Long, Martindale, Moore of Carteret, Moore of Yancey, Shoffner, Welker and White—18.

The motion to reconsider prevailed.

Mr. Barrow moved to strike out sections first and second after the first enacting clause.

The yeas and nays were agreed to.

The motion prevailed by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Colgrove, Cook, Eppes, Galloway, Harrington, Hyman, Lassiter, Legg, Lindsay, Long, Love, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Richardson, Robbins, Welker, White, Winstead and Wilson—29.

NAYS—Messrs. Blythe, Hayes, Moore of Yancey and Shoffner—4.

The bill, as amended, passed third and final reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Davis, Eppes, Galloway, Harrington, Hyman, Legg, Lindsay, Long, Martindale, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Richardson, Shoffner, Sweet, Welker, White, Winstead and Wilson—28.

NAYS—Messrs. Barnes, Cook, Hayes, Love, Melchor and Robbins—6.

S. 116. A bill to appropriate money for the Asylum for the Deaf, Dumb and Blind passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Lassiter, Long, Love, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Richardson, Respass, Robbins, Sweet, Welker, White, Winstead and Wilson—23.

NAYS—None.

A motion to reconsider the vote by which a bill to provide for the employment of convicts and the building of a Penitentiary was rejected on second reading, prevailed.

Mr. Osborne moved a call of the House.

A quorum not being present, further proceedings were stopped.

Mr. Welker offered an amendment to the bill.

Mr. Welker offered the following as a substitute for his amendment :

After the word "be" in section one, line six, insert the words "hear the claims of the several places and then."

The substitute was adopted.

Mr. Love moved to amend by striking out the words "Presiding officers of the respective Houses," line fifth, section one, and insert the word "Governor."

The amendment was lost.

Mr. Barnes moved to strike out after the word "act" in line eight, section seven, to and including the word "Assembly" in line nine, and insert "five dollars *per diem* and ten cents for every mile traveled."

The amendment was adopted.

The bill passed second reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Lindsay, Love, Martindale, Moore of Yancey, Osborne, Purdie, Richardson, Robbins, Welker, White, Winstead and Wilson—24.

NAYS—Messrs. Barnes, Beeman, Colgrove, Cook, Davis, Long, Melchor, Moore of Carteret, Shoffner and Sweet—10.

Mr. Love rose to a question of privilege, denying certain assertions contained in the *Standard* of this morning's issue, copied from the Asheville *Pioneer*.

Mr. White introduced, S. 141, a bill to amend the charter of the Southern Air Line Rail Road Company.

Read first time and referred to the Committee on Internal Improvements.

Leave of absence was granted Messrs. Colgrove, Beeman and Moore of Yancey, from and after Wednesday next.

Also, Messrs. Barrow, Robbins and Purdie, from and after Saturday next.

The report of the Committee on Claims was made a Special Order for eight o'clock this evening.

The following messages were received from the House of Representatives :

A message transmitting the following engrossed bills, which were read first time :

A bill to provide for the employment of convicts in building a Penitentiary.

H. 126. A bill to establish a Turnpike Road from the town of Morganton to the Tennessee line.

H. 130. A bill to incorporate the Dismal Swamp Steam Transportation Company.

H. 129. A bill to relieve the late Sheriffs and their sureties.

A message transmitting a bill concerning the Register of Deeds, amended by inserting in section fifth the words, " unless the County Commissioners shall deem it practicable."

Referred to the Judiciary Committee.

A message transmitting, S. 43, a bill to incorporate the Enterprise Manufacturing Company.

Amended by striking out all after the word " Pennsylvania," in section third.

The amendment was concurred in.

A message notifying the Senate of the tabling of Senate bill to prevent the disinterring and sale of dead bodies.

A message concurring in, S. 47, a bill to amend an act to incorporate the Greenville and French Broad Rail Road Company, ratified February 13th, 1855.

The following bills, having been reported as properly enrolled, were ratified by the President :

An act to amend the charter of the Williamston and Tarboro' Rail Road Company.

An act to organize a Militia.

On motion of Mr. Galloway, the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President in the Chair.

The Special Order was, on motion of Mr. Sweet, postponed twenty minutes.

The report of the Committee on Salaries and Fees was taken up and passed second reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Eppes, Forkner, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Martindale, Melchor, Moore of Carteret, Rich, Shoffner, Sweet, Welker and White—24.

NAYS—Messrs. Osborne, Purdie, Robbins, Winstead and Wilson—5.

S. 34. A bill to incorporate the Newbern Ferry Company, passed third reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Eppes, Forkner, Galloway, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Love, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Sweet, Welker, White, Winstead and Wilson—33.

NAYS—None.

S. 136. A bill to incorporate the Holden Hook and Ladder Fire Company, No. 1, of Newbern, North Carolina, was read third time.

Mr. Robbins moved to strike out all after the word "duty" in fourth line, section third.

The amendment was adopted.

As amended, the bill passed third reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay,

Long, Love, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Richardson, Robbins, Shoffner, Sweet, Welker, White, Winstead and Wilson—33.

NAYS—None.

S. 132. A bill providing for the support of the Insane Asylum, was read third time.

The following amendments, introduced by Mr. Osborne, were adopted :

Strike out in line third, "to the close of the fiscal year, 1869;" in line seventh, strike out "years," and insert "for the period;" in line seventeenth, strike out "years 1868 and 1869," and insert "period."

On motion of Mr. Moore, of Carteret, the enacting clauses in sections second and third were stricken out.

The bill, as amended, passed third and final reading by the following vote :

YEAS—Messrs. Barrow, Beeman, Bellamy, Brogden, Burns, Blythe, Eppes, Forkner, Galloway, Harrington, Hyman, Jones of Wake, Lassiter, Lindsay, Long, Love, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Sweet, Welker, White, Winstead and Wilson—30.

NAYS—None.

Engrossed H. 129. A bill to relieve the late Sheriffs and their sureties, passed its several readings under a suspension of the rules by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Eppes, Forkner, Galloway, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Love, Melchor, Moore of Carteret, Osborne, Purdie, Richardson, Robbins, Shoffner, Sweet, Welker, White and Winstead—30.

NAYS—Messrs. Hayes and Wilson—2.

Resolution, No. 20, of the Committee on Claims, as reported by J. M. Lindsay, Chairman, passed second reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Brogden, Burns, Eppes, Forkner, Galloway, Hyman, Jones of Wake, Lindsay, Love, Melchor, Osborne, Purdie, Robbins, Sweet, Winstead and Wilson—19.

NAYS—Messrs. Bellamy, Blythe, Colgrove, Hayes, Harrington, Lassiter, Legg, Long, Moore of Carteret, Richardson, Shoffner and Welker—12.

The resolution, No. 3, reported by Mr. J. M. Lindsay, Chairman of the Committee on Claims, passed second reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Brogden, Eppes, Forkner, Hyman, Jones of Wake, Legg, Lindsay, Love, Melchor, Osborne, Purdie, Robbins, Shoffner, Sweet, White, Winstead and Wilson—20.

NAYS—Messrs. Bellamy, Burns, Blythe, Hayes, Harrington, Lassiter, Moore of Carteret, Richardson and Welker—9.

Mr. Sweet introduced the following resolution :

Resolved, That from and after the 17th instant, this House shall meet at nine o'clock, A. M., and adjourn at two o'clock, P. M., and meet again at eight o'clock, P. M., and adjourn at such time as may be agreed upon.

Mr. Robbins moved to strike out two o'clock.

The motion was lost.

The resolution was adopted.

Mr. Jones introduced a resolution in favor of W. H. & R. S. Tucker.

Read first time.

Engrossed H. 12. A bill to prevent the sale of intoxicating liquors on the days of election, was read third time and passed by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Love, Melchor, Moore of Carteret, Osborne, Rich-

ardson, Robbins, Shoffner, Welker, White, Winstead and Wilson—29.

NAY—Mr. Purdie—1.

On motion, the Senate adjourned.

FORTY-SECOND DAY.

TUESDAY, August 18th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Long, of the House of Representatives.

The Journal of Monday was read and approved.

The following resolution, introduced by Mr. Lassiter, was adopted:

Resolved, That the Committee on Privileges and Elections be instructed to report a bill, fixing the time for holding election for members of Congress, and also a bill in relation to the arranging of the Electoral Districts.

Resolution, No. 3, reported by the Committee on Claims, passed third reading by the following vote:

YEAS—Messrs. Barnes, Beasley, Beeman, Brogden, Burns, Forkner, Galloway, Hyman, Jones of Wake, Legg, Long, Mason, Martindale, Melchor, Osborne, Purdie, Robbins, Shoffner, Sweet, White, Winstead and Wilson—22.

NAYS—Messrs. Bellamy, Blythe, Colgrove, Hayes, Harrington, Moore of Carteret and Welker—7.

Bills and resolutions with titles as follows, having been reported as properly enrolled, were duly ratified by the President:

The Code of Civil Procedure.

An act to amend an act to incorporate the Greenville and French Broad Rail Road Company.

An act to incorporate the Enterprise Manufacturing Company.

An act in relation to Sheriffs.

An act to incorporate the Salisbury Cemetery Association.

An act to provide for the filling of vacancies in the General Assembly.

A resolution in relation to daily sessions.

The report of the Committee on Salaries and Fees was taken up and read third time.

Mr. Sweet moved to strike out in section third, line fourteenth, after the word "dollars," down to the word "the" in line sixteenth.

Mr. Love moved to amend by striking out all after the word "dollars" in line sixteenth, down to and including the word "dollars" in line eighteenth.

The amendment of Mr. Love was rejected.

The amendment of Mr. Sweet prevailed.

Mr. Osborne moved to amend so as to allow the Secretary of State one Clerk with a salary of \$1,250.

Mr. Love moved to amend so as to make the salary of that Clerk \$1,000.

The amendment was adopted.

Mr. Cook called for the yeas and nays on the adoption of the amendment as amended.

Agreed to.

The amendment as amended was adopted by the following vote:

YEAS—Messrs. Barnes, Beasley, Beeman, Brogden, Burns, Eppes, Harrington, Lassiter, Lindsay, Love, Melchor, Moore of Yancey, Osborne, Purdie, Richardson, Robbins, Winstead and Wilson—18.

NAYS—Messrs. Barrow, Bellamy, Cook, Davis, Galloway, Hayes, Hyman, Jones of Wake, Legg, Martindale, Moore of Carteret, Rich, Shoffner, Sweet and Welker—15.

The motion by which the Senate refused to strike out that portion of section second, as allowed the Superintendent of Public Instruction a Clerk at \$750, was reconsidered.

Mr. Love moved to strike out in section third all in relation to the Superintendent of Public Instruction.

Mr. Sweet moved to strike out \$750 and insert \$1,000.

On the amendment of Mr. Sweet, Mr. Love called for the yeas and nays.

Agreed to.

The amendment prevailed by the following vote:

YEAS—Messrs. Bellamy, Blythe, Colgrove, Cook, Eppes, Forkner, Galloway, Hayes, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Rich, Robbins, Shoffner, Sweet, Welker, White and Wilson—25.

NAYS—Messrs. Barrow, Barnes, Beeman, Brogden, Burns, Davis, Harrington, Lindsay, Love, Melchor, Richardson and Winstead—12.

The amendment of Mr. Love was rejected.

Mr. Love moved to strike out in section third all that part in relation to the Auditor.

The amendment did not prevail.

Mr. Love moved to strike out Disbursing Clerk in the Treasurer's Department.

The motion was lost.

Mr. Barrow moved to strike out in section fourth, \$3,250 and insert \$2,500.

Mr. Love moved to strike \$2,500 and insert \$2,000.

On the motion to strike out, Mr. Love asked for the yeas and nays.

Agreed to.

The motion prevailed by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Eppes, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Lindsay, Long, Love, Martindale, Melchor,

Moore of Carteret, Osborne, Purdie, Richardson, Robbins, Welker, White, Winstead and Wilson—27.

NAYS—Messrs. Cook, Davis, Galloway, Legg, Rich, Shoffner and Sweet—7.

The motion of Mr. Barrow to insert \$2,500 prevailed.

Mr. Love amended section fifth by inserting in line eighth, between the words "actually" and "expended" the words "and necessarily."

Mr. Barrow moved to amend section sixth by striking out \$3,000 and inserting \$2,500.

Mr. Lindsay moved to amend by inserting \$2,000.

On the amendment of Mr. Lindsay, the yeas and nays were granted.

The amendment was lost by the following vote:

YEAS—Messrs. Barnes, Beeman, Brogden, Lindsay, Love, Melchor, Moore of Yancey, Purdie, Richardson, Winstead and Wilson—11.

NAYS—Messrs. Barrow, Beasley, Bellamy, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Osborne, Rich, Robbins, Shoffner, Sweet, Welker and White—26.

The amendment of Mr. Barrow to insert \$2,500 prevailed.

Mr. Robbins moved to strike out sections ninth, tenth and eleventh.

The sections were stricken out.

A motion by Mr. Robbins to strike out "three" in third line, twelfth section, and insert "two and a half," was rejected.

Mr. Love moved to strike out "three" in line seventh, section thirteenth, and insert "two."

The amendment did not prevail.

Mr. Lassiter moved to strike out "three" in line second, section fourteenth, and insert "five."

After some discussion, Mr. Moore, of Yancey, called for the previous question.

The call was sustained.

Mr. Harrington called for the yeas and nays.

Agreed to.

The amendment was lost by the following vote :

YEAS—Messrs. Barrow, Bellamy, Eppes, Hayes, Hyman, Lassiter and Rich—7.

NAYS—Messrs. Barnes, Beasley, Beeman, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Harrington, Jones of Wake, Legg, Lindsay, Long, Love, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Richardson, Robbins, Shoffner, Sweet, Welker, White, Winstead and Wilson—29.

Mr. Love moved to strike out all of section fourteenth, after the word "officers" in line fifth.

The motion was lost.

Mr. Barrow called the previous question.

The call was sustained.

The bill, as amended, passed third reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Hyman, Lassiter, Legg, Long, Martindale, Moore of Carteret, Moore of Yancey, Osborne, Rich, Sweet, Welker and White—25.

NAYS—Messrs. Barnes, Beeman, Harrington, Lindsay, Love, Melchor, Purdie, Richardson, Robbins, Winstead and Wilson—11.

A message was received from the Governor appointing Augustus S. Seymour, of the City of Newbern, County of Craven, as Judge of the Special Court at that place.

The Senate concurred in the appointment.

Mr. Lindsay introduced a resolution in favor of Messrs. Tod R. Caldwell, H. B. Hardy and Bridges Arundell.

Read first time.

The following messages were received from the House of Representatives :

A message transmitting, Engrossed H. 146, a bill to amend

an act to establish Special Courts in the Cities of Wilmington and Newbern.

Engrossed H. 118. A bill protecting persons distilling spirituous liquors under United States license.

Read first time.

A resolution concerning the Public Treasurer.

Read first time.

A message concurring in Senate bill providing for funding the matured interest of the public debt, and transposing two lines.

Concurred in.

Also, concurring in Senate amendments to House bill in relation to the registration of voters.

A message refusing to concur in Senate amendment to House bill to amend the charter of the Western Rail Company, and appointing the following Committee on conference: Messrs. Laffin, Estes, Leary, Downing and Gatling, and asking the appointment of a Committee of three on the part of the Senate.

The Senate concurred in the message, and the President announced the following as that Committee: Messrs. Hayes, Davis and Richardson.

A message concurring in, S. 140, a bill to repeal an act ratified February 14th, 1861, concerning tax collectors.

And amending, S. 123, a bill to authorize the Norfolk and Great Western Rail Road Company to construct its Road through the Counties of Granville, Person and Caswell, in this State, by adding a new section.

The Senate concurred in the House amendment.

Mr. Rich called up, Engrossed H. 90, a bill to provide for the payment of the interest of the lawful debt of the State.

Pending which the hour of two having arrived, the President declared the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President in the Chair.

Engrossed H. 90. A bill to provide for the payment of the interest of the lawful debt of the State, passed second reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Lassiter, Legg, Love, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Rich, Richardson, Shoffner, Sweet, Welker, White and Wilson—32.

NAYS—None.

On motion of Mr. Brogden, the bill was made a Special Order for Wednesday at twelve o'clock.

S. 102. A bill for the preservation of the public health by establishing suitable quarantine regulations for the port of Wilmington, North Carolina, passed second reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Blythe, Colgrove, Cook, Eppes, Galloway, Hayes, Harrington, Jones of Wake, Legg, Long, Martindale, Moore of Carteret, Moore of Yancey, Rich, Richardson, Welker and White—21.

NAYS—Messrs. Beeman, Burns, Melchor, Purdie, Robbins and Wilson—6.

On motion of Mr. Legg, the bill was referred to the Committee on Finance.

Engrossed H. 121. A bill for the more effectual suppression of the crime of stealing horses and mules, was taken up and read third time.

On motion of Mr. Barrow, the preamble was stricken out.

Mr. Robbins moved to amend as follows :

Add at the end of line fourteenth, after the word "imprisonment," the words "at hard labor;" line fifth, section first.

after the word "for," strike out the words "his or for not less" and insert "not less than five nor more."

Section second, line fourth, strike out after the word "imprisonment," "life or for not less," and insert "at hard labor for not less than five nor more."

The amendments were adopted.

The bill, as amended, passed third reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Jones of Wake, Lassiter, Legg, Lindsay, Long, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Sweet, Welker, White, Winstead and Wilson—35.

NAYS—None.

Mr. Lindsay, on the part of the Committee on Claims, presented a resolution, No. 4.

Read first time.

On motion, the Senate adjourned.

FORTY-THIRD DAY.

WEDNESDAY, August 19th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Long, of the House of Representatives.

The Journal of Tuesday was read and approved.

A message was received from the House of Representatives transmitting, H. 147, a bill to provide for the election of electors for President and Vice-President.

Read first time.

The resolution, reported by the Committee on Claims, passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Brogden, Burns, Davis, Eppes, Forkner, Hyman, Legg, Lindsay, Melchor, Osborne, Purdie, Robbins, Sweet, Wynne and Winstead—19.

NAYS—Messrs. Bellamy, Colgrove, Cook, Hayes, Harrington, Long, Martindale, Moore of Carteret, Moore of Yancey, Richardson, Shoffner and Welker—12.

A bill to incorporate the Deep River Manufacturing Company, passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Richardson, Robbins, Shoffner, Sweet, Welker and Winstead—31.

NAY—Mr. Hayes—1.

S. 56. A bill to amend an act, chapter forty-second, section eighth, entitled entries and grants, passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Beeman, Bellamy, Brogden, Burns, Blythe, Colgrove, Davis, Galloway, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Richardson, Robbins, Shoffner and Sweet—25.

NAY—Mr. Hayes—1.

Mr. Rich introduced a resolution in favor of Hon. J. W. Osborne.

Adopted.

Mr. Shoffner, a resolution defining a line of policy between the white and colored races.

Mr. Robbins moved to strike out the preamble.

Mr. Shoffner moved the previous question.

The motion of Mr. Robbins was rejected.

The resolution was laid over.

Mr. Sweet, on the part of the Committee on Privileges and Elections, reported.

Mr. Welker introduced a resolution admitting J. W. Stevens to his seat.

Mr. Winstead introduced a resolution sending the election back to Caswell County, as a substitute for the whole matter.

Mr. Moore, of Carteret, moved the previous question.

The motion was sustained.

The substitute was adopted by the following vote:

YEAS—Messrs. Barrow, Barnes, Beeman, Bregden, Burns, Hyman, Lassiter, Legg, Lindsay, Love, Martindale, Melchor, Moore of Yancey, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, White, Wynne, Winstead and Wilson—23.

NAYS—Messrs. Bellamy, Blythe, Colgrove, Cook, Davis, Hayes, Harrington, Long, Moore of Carteret, Sweet and Welker—11.

Bills with titles as follows, having been reported as properly enrolled, were ratified by the President:

An act to relieve the late Sheriffs and their sureties.

An act to legalize and confirm a decree made by the Court of Equity at the Fall Term, A. D. 1857, in the County of Buncombe, in favor of the heirs at law of G. W. Candler, deceased.

An act repealing an act ratified February 14th, 1861, concerning tax collectors.

An act preventing the sale of intoxicating liquors on the days of election.

An act to amend the charter of the Western North Carolina Rail Road Company.

An act concerning the jurisdiction and powers of Clerks of the Superior Courts, and proceedings before them as Judges of Probate.

Mr. Barrow asked leave of absence for Mr. Forkner.

The vote was taken, fifteen in the affirmative and fifteen in the negative.

The President voted in the affirmative.

Mr. Galloway introduced a bill to prevent the felling of timber in Rock Fish Creek.

Read first time and referred to the Committee on Internal Improvements.

A message was received from the House of Representatives, amending the Code of Civil Procedure.

Read first time.

H. 90. A bill providing for the payment of the lawful interest on the public debt, was taken up.

After some discussion, Mr. Barrow called the previous question.

The call was sustained.

The bill passed by the following vote:

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Rich, Richardson, Shoffner, Sweet, Welker, White and Winstead—30.

NAYS—Messrs. Barnes, Purdie, Robbins and Wilson—4.

A message was received from the House of Representatives, transmitting a preamble and set of resolutions.

The resolutions were read.

Mr. Moore, of Carteret, moved the previous question.

The motion was sustained.

The yeas and nays were called.

The resolutions passed by the following vote:

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Martindale, Moore of Carteret, Moore of Yancey, Rich, Richardson, Shoffner, Sweet, Welker and Winstead—29.

NAYS—Messrs. Barnes, Melchor, Osborne, Purdie, Robbins and Wilson—6.

The following messages were received from the House of Representatives :

A message concurring in Senate bill to amend the charter of the Atlantic, Tennessee and Ohio Rail Road Company.

A message concurring in Senate amendments to House bill preventing the stealing of horses and mules.

A message concurring in Senate bill to incorporate the North State Swamp Land Naval Store and Lumber Company.

A message concurring in Senate bill to incorporate the Respass Guano Company.

A message concurring in the appropriation for the Asylum of the Deaf, Dumb and Blind.

A message allowing the expenses of H. E. Stilley and Jno. B. Respass, as Commissioners to Caswell County.

Also, a resolution in relation to contingent expenses.

A message transmitting a bill authorizing persons to practice law.

Mr. Rich, on the part of the Committee on Internal Improvements, reported favorably on a bill to amend the charter of the Southern Air Line Rail Road Company.

Also, favorably on a bill concerning the Oxford Branch of the Raleigh and Gaston Rail Road, adding a new section.

A message was received from the House of Representatives, transmitting the bill in relation to the Executive Mansion, amended by striking out "\$5,000" and inserting "\$10,000."

The amendment was concurred in.

Mr. Robbins, on the part of the Committee on Corporations, reported favorably on the bill to incorporate the North Carolina Iron and Steel Rail Company.

Mr. Robbins introduced a bill in relation to punishments.

Mr. Sweet introduced a resolution providing for the payment of the Principal Clerks of both Houses, one hundred dollars for various services rendered.

Bills with titles as follows were taken up and passed second reading :

A bill in relation to the Sheriff of Carteret County.

A bill regulating the selling of land under execution.

A bill concerning refunding bonds.

A bill in relation to the charter of the Mecklenburg Female College.

A bill in relation to the records of the Supreme Court.

A bill amending the act for the qualification of certain officers.

A bill to facilitate the settlement of the estates of deceased persons, and for other purposes.

Mr. Hyman introduced a resolution paying C. F. Martin, one of the Pages of the Senate, the same mileage as allowed members of the General Assembly.

Mr. Lassiter introduced a resolution instructing the Committee on Public Buildings.

Mr. Beasley gave notice of his intention to introduce a bill to incorporate the Beaver Dam Lodge of Masons.

Mr. Osborne gave notice of a bill to pay additional compensation to the Doorkeepers.

A bill to establish a Turnpike Road from Morganton to the Tennessee line, was taken up, pending its reading.

The hour of two having arrived, the President declared the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President in the Chair.

H. 121. A bill to establish a Turnpike Road from the town of Morganton to the Tennessee line.

Passed second reading.

On motion of Mr. Barrow, the rules were suspended and the bill put on its third reading.

Mr. Barrow amended by inserting the name of E. A. Perkins.

As amended, the bill passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Welker, White, Winstead and Wilson—34.

NAYS—None.

Mr. Wilson was allowed to change his vote on the joint resolutions relative to the peace and quiet of the country, from the negative to the affirmative.

Engrossed H. 117. A bill to amend an act to incorporate the Newbern Gas Light Company, passed second reading.

S. 124. A bill to incorporate the Roanoke Batteau Company, passed second reading.

On motion of Mr. Winstead, the rules were suspended, and the bill passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Jones of Wake, Lassiter, Legg, Lindsay, Long, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Welker, White, Winstead and Wilson—32.

NAYS—None.

S. 120. A bill providing for the rates of Bar and River Pilotage, was taken up and passed second reading.

On motion of Mr. Legg, the rules were suspended, and the bill passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Welker, White and Winstead—32.

NAYS—None.

Engrossed H. 103. A bill to amend an act incorporating the Atlantic Fire Company, No. 1, of the City of Newbern, North Carolina, was read and laid on the table.

S. 119. A bill to amend section fifth, chapter eighty-fifth, Revised Code, passed second reading.

S. 118. A bill in relation to Court Houses was, on motion, laid on the table.

H. 98. A bill in relation to weighing Rosin in the City of Wilmington, North Carolina, passed second reading.

Senate bill in relation to punishments was read.

Mr. Barrow moved to amend by striking out in section third the following words:

“ Or any barn having grain or corn in the same, or store or warehouse, grist or saw mill house, or any building erected for the purpose of manufacturing any article whatsoever.”

The amendment was adopted.

Mr. Robbins moved the previous question.

The motion was sustained.

The bill passed second reading.

On motion of Mr. Barrow, the bill was ordered to be printed and made a Special Order for eleven o'clock to-morrow.

Mr. Brogden, from the Committee on Finance, reported favorably upon the bill in relation to the quarantine of the the post of Wilmington.

On motion of Mr. Brogden, the bill was put upon its third reading.

The bill passed third reading by the following vote:

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Martindale, Melchor, Osborne, Rich, Richardson, Robbins, Shoffner, Welker, White, Winstead and Wilson—29.

NAYS—Messrs. Barnes, Beasley and Purdie—3.

A bill amending the charter of the Southern Air Line Rail Road Company, passed second reading, was ordered to be

printed and made a Special Order for to-morrow at eleven o'clock.

A bill to provide for the employment of convicts and the building of a Penitentiary, passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Lindsay, Long, Martindale, Melchor, Osborne, Purdie, Rich, Richardson, Robbins, Welker, White, Winstead and Wilson—29.

NAYS—Messrs. Cook and Shoffner—2.

Mr. Osborne introduced a resolution in relation to the Enrolling and Engrossing Clerks.

Mr. Robbins amended by adding “during the time for which they are employed.”

As amended, the resolution was adopted by the following vote :

YEAS—Messrs. Barrow, Barnes, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Melchor, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Welker, Winstead and Wilson—30.

NAYS—None.

A bill in relation to the Sheriff of Carteret County, passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Colgrove, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Melchor, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Welker, White, Winstead and Wilson—31.

NAYS—None.

A message was received from the House of Representatives, transmitting the following bills, which passed first reading :

A bill establishing a lien in favor of builders, mechanics and material men.

A bill to amend an ordinance admitting members of the

bar of other States to practice in this State, ratified February 4th, 1868.

A bill to amend an ordinance of the Convention incorporating the North Western North Carolina Rail Road Company.

A bill to levy taxes on Rail Road receipts, to provide for the payment of the public debt.

Bills and resolutions with titles as follows, having been reported as properly enrolled, were ratified by the President:

An act incorporating the Respass Guano Company.

An act for the more effectual suppression of the crime of stealing horses and mules.

An act providing for the furnishing of the Executive Mansion,

An act authorizing the Norfolk and Great Western Rail Road Company to construct its Road through the Counties of Granville, Person and Caswell in this State.

An act to amend the charter of the Atlantic, Tennessee and Ohio Rail Road Company.

An act making an appropriation for the Asylum for the Deaf, Dumb and Blind.

An act to provide for the payment of the interest of the lawful debt of the State.

An act to incorporate the North State Swamp Land Naval Store and Lumber Company.

On motion, the Senate adjourned.

FORTY-FOURTH DAY.

WEDNESDAY, August 20th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. G. W. Welker.

Mr. Moore, of Carteret, presented a petition from B. Chadwick and others.

Referred to the Committee on Propositions and Grievances.

Engrossed H. 120. A bill to punish bribery and coercion in elections, was taken up and read second time.

Mr. Robbins moved to refer to the Judiciary Committee, with instructions.

On this motion, the yeas and nays were granted.

The motion did not prevail by the following vote:

YEAS—Messrs. Barnes, Lindsay, Melchor, Osborne, Purdie, Robbins, Welker and Wilson—8.

NAYS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Rich, Richardson, Shoffner, White, Wynne and Winstead—25.

After considerable discussion, Mr. Moore, of Carteret, called the previous question.

The call was sustained.

The bill passed second reading.

Mr. Osborne moved to make the bill a Special Order for to-morrow at ten o'clock.

Mr. Shoffner moved to make it a Special Order for the evening session.

The motion of Mr. Osborne prevailed.

The following bills and resolutions, having been reported as being properly enrolled, were ratified by the President:

A bill to provide for funding the matured interest on the public debt.

A resolution in relation to the validity of the State government, &c.

Engrossed H. 131. A bill to amend an ordinance of the Convention to incorporate the North Western North Carolina Rail Road Company, passed second reading by the following vote:

YEAS—Messrs. Barrow, Beasley, Bellamy, Burns, Blythe, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Rich, Richardson, Welker, White, Wynne and Wilson—25.

NAYS—Messrs. Barnes, Brogden, Osborne, Purdie and Shoffner—5.

Mr. Osborne introduced a bill allowing the Doorkeepers of both Houses additional compensation of one dollar per day.

The bill passed its several readings under a suspension of the rules—third and final reading by the following vote:

YEAS—Messrs. Barrow, Brogden, Blythe, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Martindale, Osborne, Purdie, Rich, Richardson, Shoffner, Welker, White, Winstead and Wilson—26.

NAY—Mr. Robbins—1.

S. 141. A bill to amend the charter of the Southern Air Line Rail Road Company, passed third reading by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Blythe, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Martindale, Moore of Carteret, Osborne, Rich, Richardson, Robbins, Shoffner, Welker, White, Wynne, Winstead and Wilson—29.

NAYS—Messrs. Brogden, Galloway and Purdie—3.

Engrossed H. —. A bill in relation to punishments, was taken up and read third time.

Mr. Welker offered a substitute for the bill, said substitute having been prepared by the Code Commissioners.

The substitute was rejected by the following vote:

YEAS—Messrs. Bellamy, Blythe, Cook, Davis, Galloway, Hayes, Moore of Carteret, Welker and White—9.

NAYS—Messrs. Barrow, Barnes, Beasley, Brogden, Forkner, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Melchor, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Wynne, Winstead and Wilson—21.

Mr. Barrow moved to strike out the words “any felonious burglary,” in line third, section first.

The motion prevailed.

Mr. Barrow amended as follows: Insert before the word “dwelling,” line third, the word “inhabited,” and after the word “thereof,” in the same line, the words “in the night time;” strike out the balance of the section.

Mr. Welker amended section fifth by striking out in line thirteenth, the words “shall suffer death,” and insert “shall be imprisoned during his natural life.”

Mr. Barrow moved to strike out in section fourth, line sixth, the following words: “During the term of his natural life,” and insert “not less than five years, nor more than twenty-five years.”

Mr. Jones moved to amend by inserting “not less than twenty, nor more than sixty years.”

The amendment, as amended, was adopted.

The bill, as amended, passed third and final reading by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Brogden, Burns, Blythe, Eppes, Forkner, Galloway, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Lindsay, Long, Melchor, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Winstead and Wilson—26.

NAYS—Messrs. Bellamy, Cook, Eaves, Martindale, Welker and White—6.

Engrossed II. 98. A bill in relation to the weighing of rosin in the port of Wilmington, passed third reading by the following vote:

YEAS—Messrs. Barnes, Beasley, Brogden, Burns, Blythe,

Cook, Eppes, Forkner, Galloway, Harrington, Hyman, Jones of Wake, Lassiter, Long, Martindale, Melchor, Osborne, Purdie, Rich, Richardson, Shoffner, Welker, White and Winstead—24.

NAYS—Messrs. Robbins and Wilson—2.

Engrossed H. 140. A bill to levy taxes on Rail Road receipts to provide for the payment of the interest on the public debt, was read second time, and after considerable discussion, was referred to the Committee on Finance by the following vote :

YEAS—Messrs. Barnes, Brogden, Davis, Galloway, Hayes, Hyman, Lassiter, Legg, Martindale, Melchor, Osborne, Purdie, Shoffner, White, Wynne and Wilson—16.

NAYS—Messrs. Barrow, Beasley, Bellamy, Burns, Blythe, Cook, Harrington, Lindsay, Moore of Carteret, Rich, Richardson, Welker and Winstead—13.

Engrossed H. 156. A bill in relation to Sheriffs, passed its several readings under a suspension of the rules—third and final reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Brogden, Burns, Blythe, Cook, Davis, Eppes, Forkner, Galloway, Harrington, Hyman, Jones of Wake, Lassiter, Long, Martindale, Melchor, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Welker, White, Winstead and Wilson—28.

NAYS—Messrs. Bellamy, Hayes and Moore of Carteret—3.

Mr. Hyman introduced a resolution in favor of Senate Pages, which passed its several readings under a suspension of the rules, the third reading by the following vote :

YEAS—Messrs. Barnes, Beasley, Bellamy, Brogden, Burns, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Long, Martindale, Melchor, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Welker, White, Winstead and Wilson—26.

NAYS—None.

A resolution in favor of the Enrolling and Engrossing Clerks, passed its several readings under a suspension of the rules—third and final reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Cook, Davis, Eppes, Forkner, Galloway, Harrington, Hyman, Jones of Wake, Long, Melchor, Osborne, Rich, Richardson, Robbins, Shoffner, Welker, White and Winstead—24.

NAYS—Messrs. Moore of Carteret and Purdie—2.

The resolutions in relation to the races, offered by Mr. Shoffner, were taken up, read second time and referred to a Special Committee of Five, by the following vote :

YEAS—Messrs. Bellamy, Burns, Blythe, Cook, Forkner, Harrington, Hyman, Jones of Wake, Melchor, Moore of Carteret, Osborne, Purdie, Rich and Welker—14.

NAYS—Messrs. Barrow, Barnes, Beasley, Brogden, Davis, Long, Richardson, Robbins, Shoffner, White, Winstead and Wilson—12.

Engrossed II. 150. A bill to amend an ordinance admitting members of the bar of other States to practice law in this State, ratified February 4th, 1868, passed several readings under a suspension of the rules—third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Forkner, Hayes, Harrington, Hyman, Lassiter, Long, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Richardson, Robbins, Welker, White, Winstead and Wilson—26.

NAYS—None.

The following bills, having been reported as being properly enrolled, were ratified by the President :

A bill in relation to the Sheriff of Carteret County.

A bill to provide for the registration of voters.

The President announced the following Special Committee of Five, on resolutions of Mr. Shoffner :

Messrs. Shoffner, Winstead, Robbins, Osborne and Blythe.

A message was received from the House of Representatives, transmitting, engrossed II. 154, a bill to incorporate the McLean Hook and Ladder Company, No. 1, of the town of Fayetteville.

Read first time.

Also, Engrossed II. 97, a bill to seize resident debtors the

homestead and personal property exemption as provided by the Constitution.

Read first time.

The hour of two having arrived, the President declared the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President in the Chair.

On motion of Mr. Richardson, the vote by which, engrossed H. 98, a bill in relation to the weighing of rosin in the port of Wilmington was passed, was reconsidered.

On motion of Mr. Osborne, the bill was postponed indefinitely.

Mr. Respass introduced a resolution in favor of the Sheriff of Beaufort County.

On motion of Mr. Osborne, the rules were suspended and the resolution passed its several readings—third reading by the following vote:

YEAS—Messrs. Barrow, Brogden, Burns, Blythe, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Welker, White, Winstead and Wilson—29.

NAYS—None.

Mr. Shoffner, from the Special Committee on the resolutions defining a line of policy between the races, reported favorably upon the resolutions.

Mr. Robbins moved to strike out the preamble.

After some debate, the previous question was ordered—a quorum not voting—a call of the House was ordered—twenty-nine members answering to their names.

The preamble was then amended so as not to make it refer to any party.

The resolutions were then put separately.

The first resolution was then adopted by the following vote :

YEAS—Messrs. Barrow, Brogden, Burns, Blythe, Cook, Davis, Eppes, Forkner, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Welker, White, Winstead and Wilson—27.

NAYS—Messrs. Galloway and Hayes—2.

The second resolution was adopted by the following vote :

YEAS—Messrs. Barrow, Brogden, Burns, Blythe, Cook, Davis, Forkner, Galloway, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, White, Winstead and Wilson—26.

NAY—Mr. Eppes—1.

The third resolution was adopted by the following vote :

YEAS—Messrs. Barrow, Brogden, Burns, Blythe, Cook, Davis, Eppes, Forkner, Galloway, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, White, Winstead and Wilson—27.

NAYS—None.

The fourth resolution was adopted by the following vote :

YEAS—Messrs. Barrow, Brogden, Burns, Blythe, Davis, Forkner, Harrington, Jones of Wake, Lassiter, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, White, Winstead and Wilson—20.

NAYS—Messrs. Eppes, Galloway, Hyman, Legg, Long, Martindale and Welker—7.

The fifth resolution was adopted by the following vote :

YEAS—Messrs. Barrow, Brogden, Burns, Blythe, Davis, Eppes, Forkner, Harrington, Jones of Wake, Lassiter, Martindale, Moore of Carteret, Osborne, Purdie, Rich, Richard-

son, Respass, Robbins, Shoffner, White, Winstead and Wilson—22.

NAVS—Messrs. Cook, Galloway, Hyman and Long—4.

On motion, the Senate adjourned.

FORTY-FIFTH DAY.

FRIDAY, August 21st, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Long, of the House of Representatives.

The Journal of Thursday was read and approved.

Messrs. Barnes, Wynne, Beasley and Sweet were allowed to record their names in the affirmative on the several resolutions of Mr. Shoffner in relation to the races.

A message was received from the House of Representatives, transmitting a report of the Committee on Conference on bill in relation to the Western Rail Road, inserting a new section, as follows:

SEC. 2. The said Western Rail Road Company shall have power, from any point on their Road, to extend the same to and across the North Carolina Rail Road at any point at, or between Salisbury and Greensboro', and to the Wilmington, Charlotte and Rutherford Rail Road at such points thereon as they may select: *Provided*, That the sums of money heretofore appropriated by the State shall only be used in completing said Road from Egypt to the North Carolina Rail Road.

The amendment was concurred in.

Mr. Beasley introduced a bill to incorporate the Beaver Dam

Lodge, No. 276, Ancient Free and Accepted Masons, in the County of Union, North Carolina.

Read first time.

The Senate concurred in House amendment to the bill concerning the Register of Deeds, by inserting in section sixth, after the words "Court House," the words "unless the County Commissioners shall deem it practicable."

The following messages were received from the House of Representatives:

A message transmitting the following bills and Resolutions, which were disposed of as stated:

A bill for the relief of Sarah Mann.

Read first time.

A bill to cede the National Cemetery, near Raleigh, to the United States of America.

Read first time.

A bill to amend the charter of the Greenville and Goldsboro' Rail Road Company.

Read first time.

A bill to incorporate the North Carolina Land, Mining and Lumber Company.

Read first time.

A resolution authorizing the Secretary of State to furnish members with copies of laws.

Adopted.

A resolution in favor of A. J. Summerlin, late tax collector of Wayne County.

Read first time.

A message notifying the Senate of the adoption of the report of the Committee on Conference on bill to amend the charter of the Western Rail Road Company.

A message concurring in the following bills and resolutions:

S. — A bill supplemental to the bill on Salaries and Fees.

A resolution in favor of the Principal Clerks, and of the Assistant Engrossing Clerks.

In Senate amendment to a bill in relation to the Morganton Turnpike Road.

Transmitting a resolution in favor of the Principal Clerk of the House, which resolution was, on motion, laid on the table.

Concurring in the following Senate bills and resolutions :

Report of the Committee on Salaries and Fees.

An act concerning Courts of Justices of the Peace.

A resolution in favor of N. Paige & Co.

Resolution of the Committee on Claims.

A bill in relation to punishments.

A bill regulating the hours of labor.

A bill to make bank bills a set off.

A bill repealing an ordinance touching the Albemarle and Chesapeake Canal Company.

A bill panishing conspiracy.

A bill for the relief of the people of Anson County.

A bill regulating the sale of land under execution.

A message concurring in Senate amendments to a bill concerning the fees of Clerks of the Superior Courts, Sheriffs, Register of Deeds, &c., and transmitting additional amendments for concurrence.

The Senate concurred in the amendments.

Also, amending Senate bill to incorporate the Ridgeway Land and Immigration Company, by striking out the words after "of" to "State" in lines first and second, and inserting "developing the resources of this," and striking out "immigration" in line fifteenth, and striking out "land and immigration" in title.

The Senate concurred in the amendments.

A message concurring in, S. 132, a bill providing for the support of the Insane Asylum.

S. 136. A bill to incorporate the Holden Hook and Ladder Fire Company of Newbern, North Carolina.

Senate Resolutions concerning the Confederate securities now in the State Treasury.

A message amending, S. 141, a bill amending the charter of

the Southern Air Line Rail Road Company by inserting the name of General Byron Laffin after the word "Pasquotank," in section one.

The Senate concurred in the amendment.

A message concurring in the joint resolution in relation to Clerks.

Engrossed, H. 131, a bill to amend an ordinance of the Convention entitled, "An ordinance to incorporate the North Western North Carolina Rail Road Company," passed third reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Blythe, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Melchor, Moore of Carteret, Rich, Richardson, Respass, Robbins, Shoffner, Welker, White, Wynne and Wilson—26.

NAYS—Messrs. Barnes, Brogden, Osborne, Purdie and Winstead—5.

Engrossed, H. 67, bill to amend an act to provide for the qualification of officers recently elected.

Passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Blythe, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Martindale, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Welker, White, Wynne, Winstead and Wilson—30.

NAY—Mr. Melchor—1.

Engrossed, H. 117, a bill to amend an act to incorporate the Newbern Gas Light Company, passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Blythe, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Lassiter, Long, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Welker, White, Wynne, Winstead and Wilson—29.

NAY—Mr. Galloway—1.

S. 110. A bill for the relief of the people of Anson County, passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Blythe, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Lassiter, Long, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Welker, White, Wynne, Winstead and Wilson—30.

NAYS—None.

S. 85. A bill regulating the sale of land under execution, passed its third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Brogden, Burns, Blythe, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Martindale, Melchor, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Sweet, Welker, White, Wynne, Winstead and Wilson—31.

NAYS—None.

Engrossed, H. 120, a bill to punish bribery and coercion in elections, being made a Special Order, was taken up and read the third time.

Section first was adopted by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Brogden, Burns, Blythe, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Martindale, Moore of Carteret, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Sweet, Welker, White, Wynne, Winstead and Wilson—31.

NAY—Mr. Melchor—1.

Mr. Osborne amended section two by striking out all after the word "family" in sixth line.

The section as amended was adopted.

Section three was adopted.

Mr. Osborne moved to amend section four by striking out all after the word "from" in line two, down to and including the word "intimidate" in line four.

The amendment was rejected.

Section four was adopted by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Martindale, Moore of Carteret, Rich, Richardson, Shoffner, Sweet, Welker, White, Wynne, and Winstead—25.

NAYS—Messrs. Barnes, Melchor, Osborne, Purdie, Robbins and Wilson—6.

Mr. Osborne moved to amend section five by striking out "and" in line ten, and insert "or."

After considerable discussion on this amendment, Mr. Rich called the previous question.

The call was sustained.

Section five and six were adopted.

Mr. Banner amended section seven by striking out the word "fail" in line two and insert "refuse."

Mr. Robbins moved the following as a new section :

"All other acts in relation to this subject are hereby repealed."

On the passage of this section, the previous question was called.

The call was sustained.

The yeas and nays were agreed to.

The section was rejected by the following vote :

YEAS—Messrs. Barnes, Melchor, Osborne, Purdie, Respass, Robbins, White and Wilson—8.

NAYS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Rich, Richardson, Shoffner, Sweet, Welker, Wynne and Winstead—26.

The bill, as amended, passed third reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Lassiter, Long, Martindale, Moore of Carteret, Rich, Richardson, Respass, Shoffner, Sweet, Welker, White, Wynne, and Winstead—26.

NAYS—Messrs. Barnes, Melchor, Osborné, Purdie, Robbins and Wilson—6.

The resolution in relation to the Secretary of State passed second reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Lassiter, Long, Martindale, Melchor, Moore of Carteret, Purdie, Rich, Richardson, Robbins, Shoffner, Sweet, Welker, White, Wynne, Winstead, Wilson—31.

NAYS—None.

House resolution in relation to the Secretary of State passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Forkner, Galloway, Hayes, Harrington, Lassiter, Long, Martindale, Melchor, Moore of Carteret, Osborné, Purdie, Rich, Richardson, Robbins, Shoffner, Sweet, Welker, White, Wynne, Winstead and Wilson—30.

NAYS—None.

S. 94. A bill concerning refunding bonds passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Brogden, Burns, Blythe, Cook, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Rich, Robbins, Shoffner, Sweet, Welker, White, Wynne, Winstead and Wilson—31.

NAY—Mr. Bellamy—1.

S. 119. A bill to amend section five, chapter eighty-five of the Revised Code in reference to commissioners and pilots passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Cook, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Richardson, Shoffner, Sweet, Welker, White, Winstead and Wilson—30.

NAYS—None.

S. 103. A bill to amend the charter of the Mecklenburg Female College passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Rich, Richardson, Robbins, Shoffner, Sweet, Welker, White, Winstead and Wilson—30.

NAYS—None.

S. 109. A bill to facilitate the settlement of the estates of deceased persons, and for other purposes, passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Rich, Richardson, Robbins, Sweet, Welker, White, Wynne, Winstead and Wilson—33.

NAYS—None.

S. 138. A bill concerning judgments in and process issuing from the late Supreme Court passed third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Brogden, Blythe, Cook, Davis, Eppes, Forkner, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Melchor, Moore of Carteret, Moore of Yancey, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Sweet, Welker, White, Wynne, Winstead and Wilson—32.

NAYS—None.

Mr. Winstead introduced a set of resolutions concerning the Confederate securities now in the State Treasury.

The resolutions were adopted.

Mr. Winstead took the Chair.

Mr. Osborne offered the following resolution :

Resolved, That the thanks of this Senate are hereby unani-
mously tendered to the Hon. Tod R. Caldwell for the impar-
tial and able manner in which he has discharged his duties as
its presiding officer.

The resolution was adopted by the following unanimous
vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Brogden, Burns,
Blythe, Cook, Davis, Eppes, Forkner, Galloway, Hayes, Har-
rington, Hyman, Jones of Wake, Lassiter, Legg, Long, Mar-
tindale, Melchor, Moore of Carteret, Moore of Yancey, Os-
borne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner,
Sweet, Welker, White, Wynne, Winstead and Wilson—35.

NAYS—None.

The President, Tod R. Caldwell, resumed the Chair, and
responded as follows :

SENATORS :—I am grateful to you for the courteous and com-
plimentary resolution you have adopted, expressive of your ap-
probation of the manner in which I have discharged the duties
of this Chair. I most cordially return you my thanks for the
ready support you have invariably given me. You have made
my duties light and my task an easy and pleasant one indeed.
I claim no exemption from human infirmity, and I well know
that I have committed many errors which you have generously
overlooked and magnanimously forgiven. I, however, do claim
to have striven, sedulously, to do my duty impartially, and
with a proper regard to the rights, and due respect for the feel-
ings of every Senator on this floor. If I have allowed party
influences to govern me in any particular, I can most consci-

entiously say that I am not aware of it. How far I have succeeded in my efforts to do right is sufficiently attested by your kind resolve. Our friendly relations, I am most happy to say, have not been marred by a single unpleasant occurrence. Your deportment towards each other and towards your presiding officer, has been such as was to be expected from honorable Senators and from North Carolinians. My recollections of our intercourse will be forever cherished among the most pleasant reminiscences of my life. I part with you, my friends, with great reluctance, and am only cheered up in this hour of gloom by the pleasant reflection, that in separating from each other, we are soon to enjoy the bright smiles, and be greeted by the happy faces and warm welcome of our loved ones at home, and that we shall, in a short time, grasp our confiding constituents by the hand and hear from them the cheering plaudit of "Well done, good and faithful servants." To the various officers and employees of this body, I tender my acknowledgments for the fidelity and promptness with which they have discharged their several duties.

Thanking you again, Senators, for your kindness and marked courtesy, and wishing each one of you a safe arrival at your home, where, under the propitious smiles of a good Providence and in the bosom of your families, you may enjoy a respite from your labors and nerve yourselves afresh for future service to your country, I bid you an affectionate adieu.

I now declare that this body will adjourn on Monday next at six o'clock, A. M., in conformity with the resolution heretofore adopted.

Engrossed, H. 153, a bill in relation to the registration of voters was taken up and read second time.

Mr. Robbins offered the following amendment:

Provided, That the requirements of the first four sections of this act shall only apply to precincts where there are at least three hundred voters registered."

The amendment was rejected by the following vote:

YEAS—Messrs. Barnes, Brogden, Eppes, Galloway, Harrington, Melchor, Osborne, Purdie, Respass, Robbins, Sweet, Wynne and Winstead—13.

NAYS—Messrs. Barrow, Beasley, Bellamy, Blythe, Cook, Davis, Hayes, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Rich, Richardson, Shoffner, Welker and White—19.

The bill passed second and third readings under a suspension of the rules—its third reading by the following vote:

YEAS—Messrs. Barrow, Beasley, Bellamy, Brogden, Blythe, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Shoffner, Sweet, White and Winstead—22.

NAYS—Messrs. Barnes, Melchor, Osborne, Purdie, Respass, Robbins and Welker—7.

A bill to encourage the drainage of swamp lands was reported back to the Senate by Mr. Welker, Chairman of the Committee on Education, with several amendments.

Mr. Barrow moved to postpone until the first Tuesday of December.

On this motion, the previous question was called and sustained.

The motion prevailed.

Mr. Welker introduced a resolution in favor of John W. Stephens.

Passed first reading.

Mr. Barrow introduced a resolution in relation to the removal of the library of the Supreme Court.

The resolution was adopted.

A bill to incorporate the North Carolina Land, Mining and Lumber Company passed its several readings—its third reading by the following vote:

YEAS—Messrs. Barrow, Barnes, Beasley, Brogden, Burns, Blythe, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Martindale, Melchor,

Moore of Yancey, Osborne, Purdie, Rich, Respass, Robbins, Sweet, Welker, White, Wynne and Winstead—29.

NAY—Mr. Bellamy—1.

Engrossed, H. 97, a bill to secure resident debtors the homestead and personal property exemption as provided by the Constitution, passed its several readings under a suspension of the rules—its third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Brogden, Burns, Blythe, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Melchor, Osborne, Purdie, Richardson, Respass, Robbins, Shoffner, Sweet, Welker, White, Wynne and Winstead—28.

NAYS—None.

Mr. Osborne introduced a resolution in relation to the providing of a suitable room for the Superintendent of Public Instruction.

The resolution was put upon its passage. A quorum not voting, it was declared no vote.

Mr. Galloway moved a call of the House—a quorum being present, further proceedings were stopped.

Present—Messrs. Barrow, Barnes, Beasley, Brogden, Burns, Blythe, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Martindale, Melchor, Osborne, Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Welker, White and Winstead—28.

A joint resolution printing 10,000 copies of an act to punish bribery and coercion in elections, passed first reading by the following vote :

YEAS—Messrs. Barrow, Beasley, Brogden, Burns, Blythe, Cook, Davis, Eppes, Hayes, Harrington, Jones of Wake, Lassiter, Long, Martindale, Rich, Richardson, Respass, Shoffner, Sweet, Welker, White and Winstead—22.

NAYS—Messrs. Barnes, Galloway, Hyman, Melchor, Osborne and Purdie—6.

Engrossed House bill, for the relief of Messrs. Dnrham & Moore, passed its several readings under a suspension of the rules—its third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Brogden, Blythe, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Martindale, Melchor, Osborne, Purdie, Rich, Respass, Robbins, Shoffner, Sweet, Welker, White and Winstead—27.

NAYS—None.

Engrossed, II. 147, a bill authorizing certain persons to practice law, passed its several readings under a suspension of the rules—its third reading by the following vote :

YEAS—Messrs. Barrow, Barnes, Beasley, Brogden, Blythe, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Martindale, Melchor, Osborne, Purdie, Rich, Respass, Robbins, Shoffner, Sweet, Welker, White and Winstead—27.

NAY—Mr. Bellamy—1.

The hour of two having arrived, the President declared the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President in the Chair.

Mr. White called up engrossed House bill, establishing a lien in favor of builders, mechanics and material men.

The bill passed second reading.

The rules were suspended, and the bill passed third and final reading by the following vote :

YEAS—Messrs. Barrow, Bellamy, Brogden, Blythe, Cook, Davis, Galloway, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Melchor, Moore of Carteret, Moore of Yaucey,

Purdie, Rich, Respass, Shoffner, Sweet, Welker and White—23.

NAYS—Messrs. Burns, Hayes, Harrington and Winstead—4.

Mr. Rich introduced a bill to incorporate the State Loan and Trust Company.

The bill passed several readings under a suspension of the rules—the third reading by the following vote:

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Jones of Wake, Lassiter, Legg, Long, Martindale, Melchor, Moore of Carteret, Purdie, Rich, Respass, Robbins, Shoffner, Sweet, White and Winstead—26.

NAY—Mr. Welker—1.

Engrossed, H. 147, a bill to provide for the election of electors for President and Vice-President passed second and third readings under a suspension of the rules—the third reading by the following vote:

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Jones of Wake, Lassiter, Legg, Long, Martindale, Melchor, Moore of Carteret, Purdie, Richardson, Respass, Robbins, Shoffner, Sweet, Welker, White and Winstead—27.

NAYS—None.

Resolution, No. 4, reported by the Committee on Claims, passed second reading by the following vote:

YEAS—Messrs. Barrow, Brogden, Burns, Cook, Davis, Eppes, Galloway, Hyman, Lassiter, Legg, Martindale, Melchor, Purdie, Rich, Respass, Robbins, Shoffner, Sweet, White and Winstead—20.

NAYS—Messrs. Bellamy, Blythe, Harrington, Long, Moore of Carteret, Richardson and Welker—7.

Resolution, No. 4, reported by the Committee on Claims, passed third reading, under a suspension of the rules, by the following vote:

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Galloway, Harrington, Jones of Wake, Lassiter, Legg, Long, Martindale, Melchor, Moore of Carteret,

Purdie, Rich, Richardson, Respass, Robbins, Shoffner, Sweet, White and Winstead—26.

NAYS.—Messrs. Hayes, Hyman and Welker—3.

Engrossed, H. 125, resolution in relation to contingent expenses passed second and third readings, under a suspension of the rules—the last reading by the following vote:

YEAS—Messrs. Barrow, Brogden, Burns, Cook, Davis, Eppes, Galloway, Hyman, Lassiter, Legg, Martindale, Melchor, Purdie, Rich, Respass, Robbins, Shoffner, Sweet, White and Winstead—20.

NAYS—Messrs. Bellamy, Blythe, Hayes, Harrington, Long, Moore of Carteret, Richardson and Welker—8.

Bill for the relief of Sarah Mann passed second and third readings, under a suspension of the rules—the third reading by the following vote:

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Galloway, Hyman, Jones of Wake, Lassiter, Long, Martindale, Melchor, Moore of Carteret, Purdie, Rich, Respass, Robbins, Shoffner, Sweet, Welker, White and Winstead—25.

NAYS—Messrs. Hayes and Harrington—2.

Engrossed, H. 77, a bill to incorporate the North Carolina Iron and Steel Rail Company, passed second and third readings under a suspension of the rules—the third reading by the following vote:

YEAS—Messrs. Barrow, Brogden, Burns, Blythe, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Martindale, Melchor, Moore of Carteret, Purdie, Rich, Respass, Robbins, Sweet, Welker, White and Winstead—25.

NAY—Mr. Bellamy—1.

H. 150. Resolution in favor of A. J. Summerlin, late tax collector of Wayne County, passed second and third readings under a suspension of the rules—the third reading by the following vote:

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Martindale, Melchor, Moore of Carteret, Purdie, Rich, Respass, Robbins, Shoffner, Sweet, Welker, White and Winstead—25.

NAYS—Messrs. Galloway and Hayes—2.

Engrossed, H. 131, a bill in regard to standard keepers, passed second and third readings under a suspension of the rules—the third reading by the following vote:

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Melchor, Moore of Carteret, Purdie, Rich, Respass, Shoffner, Sweet, Welker, White and Winstead—26.

NAYS—None.

Engrossed, H. 130, a bill to incorporate the Dismal Swamp Steam Transportation Company, passed second and third readings under a suspension of the rules—the third reading by the following vote:

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Long, Melchor, Moore of Carteret, Purdie, Rich, Richardson, Robbins, Shoffner, Sweet, Welker, White and Winstead—26.

NAYS—None.

A resolution in favor of W. H. & R. S. Tucker passed second reading by the following vote:

YEAS—Messrs. Barrow, Bellamy, Brogden, Burns, Blythe, Cook, Davis, Eppes, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Purdie, Rich, Robbins, Sweet, Welker, White and Winstead—25.

NAY—Mr. Melchor—1.

The resolution passed third reading, under a suspension of the rules, by the following vote:

YEAS—Messrs. Barrow, Bellamy, Burns, Blythe, Davis, Eppes, Forkner, Galloway, Hayes, Harrington, Hyman, Jones of Wake, Lassiter, Legg, Long, Martindale, Moore of Carteret, Purdie, Rich, Richardson, Robbins, Shoffner, Sweet, Welker, White and Winstead—26.

NAYS—None.

The President announced the following Committee on the location of a Penitentiary: Messrs. Lassiter, Robbins and Hyman.

The following bills and resolution, having been reported as properly enrolled, were ratified by the President:

A bill to amend the charter of the Southern Air Line Rail Road Company.

A bill to amend an act to incorporate the Newbern Gas Light Company.

A bill concerning the Register of Deeds.

A bill to amend the charter of the Western Rail Road Company.

A bill to amend an act to provide for the qualification of certain officers recently elected under the provisions of the Constitution of the State of North Carolina.

A bill to amend an ordinance of the Convention to incorporate the North Western North Carolina Rail Road Company.

A bill to amend an ordinance admitting members of the bar of other States to practice in this State, ratified February 4th, 1868.

A bill for the preservation of the public health by establishing suitable quarantine regulations for the port of Wilmington.

A resolution concerning H. E. Stillely and J. B. Respass.

On motion, the Senate adjourned.

FORTY-SIXTH DAY.

SATURDAY, August 22d, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. S. S. Ashley.

The Journal of Friday was read and approved.

Mr. Wynne called up, H. 154, a bill to incorporate the McLean Hook and Ladder Company, No. 1, of the town of Fayetteville.

On motion of Mr. Harrington, the bill was postponed until November next.

Engrossed, H. 145, a bill to amend an act to establish Special Courts in the Cities of Wilmington and Newbern, was taken up and postponed until November next.

Mr. Sweet offered the following resolution as a substitute for the one previously introduced:

Resolved, That the President of the Senate be, and he is hereby authorized to give to John W. Stephens, contestant of the seat of Bedford Brown, of the twenty-fourth district, a warrant for per diem and mileage from the commencement of the session to and including August 18th, 1868, also, to the following persons who presented certificates of election, but were declared ineligible, the latter warrants to extend to the time at which they were respectively declared ineligible, to-wit: E. W. Jones, W. A. Allen, Bedford Brown and Josiah Turner, Jr. *Provided*, That no warrant issued by authority of this resolution shall embrace time during which any one of the above named persons were absent from the seat of government.

On motion, the resolution was divided.

The portion relating to Mr. Jno. W. Stephens was adopted by the following vote:

YEAS—Messrs. Barnes, Beasley, Bellamy, Burns, Cook, Davis, Eppes, Hayes, Harrington, Hyman, Lassiter, Legg, Long, Martindale, Osborne, Rich, Robbins, Shoffner, Sweet, Welker, Wynne and Winstead—22.

NAYS—Messrs. Brogden, Blythe, Melchor and Moore of Carteret—4.

Second part of the resolution was adopted by the following vote :

YEAS—Messrs. Barnes, Beasley, Cook, Davis, Eppes, Harrington, Hyman, Lassiter, Legg, Long, Osborne, Rich, Respass, Robbins, Shoffner, Sweet, White, Wynne and Winstead—19.

NAYS—Messrs. Bellamy, Brogden, Burns, Blythe, Hayes, Melchor, Moore of Carteret, Moore of Yancey and Welker—9.

The substitute was adopted.

The resolution, as amended, was adopted.

Mr. Brogden was called to the Chair.

On motion of Mr. Rich, the Senate took a recess.

The President, Tod R. Caldwell, was then seated before the desk, and the Executive Officers of the State having been invited to seats on the floor of the Senate,

Mr. Robbins, Senator from Rowan, arose and said :

MR. PRESIDENT:—Men of earnest souls and stern convictions may expect to find each other opponents on the world's wide field of battle, contending sometimes with burning words, sometimes perhaps with flashing blades. In that great arena, true heroes ask only for foemen worthy of their steel.

But there is also a neutral ground where the white flag always waves, and where those who have been valiant in conflict may meet in peace and for a while lay down their weapons. Upon that ground and under that white flag, the members of the Senate are now met to dedicate this hour to the offices of friendship. That we are able to meet for such purposes and on such terms, is largely due to the example of uniform courtesy which you, sir, have set us as our presiding officer.

Feeling this, as we all do, without respect to party, the

members of this body have deemed it proper, in addition to the resolution of thanks heretofore unanimously adopted, to present to you a substantial token of their kindly sentiments and sincere regard. And they have selected me to communicate to you their message of friendship and good will, and to accompany it with the presentation, in their name, of the handsome gold watch and chain which I hold in my hand. This chain is emblematical of the golden links of friendship. The watch, in the constant and regular movement of its machinery, symbolizes the pulsations of a true heart, and it is also a type of perfect honesty, for it always shows on its face what it feels within.

In the name of the Senators I present it, sir, to you with the wish, that each hour of time which it shall mark may bring an increase of happiness and good fortune to its owner.

The President, Tod R. Caldwell, accepting the watch and chain, said in reply :

GENTLEMEN:—Your kindness overpowers me. In vain I search for words to express my gratitude to you. This is a compliment beyond any which I had a right to expect. I accept the generous and valuable present with my most profound acknowledgements, and shall always esteem it as the proudest trophy of my life. I shall preserve it while I live, and transmit it as one of my most valuable treasures to my family. May God bless you, my friends, and protect and defend you during this life, and eventually save you in the life which is to come, is my most earnest prayer.

The Senate proceeded to business.

A resolution was adopted in favor of Jos. T. Backalan, Coroner of Wake County.

A bill to prevent injury to the Cape Fear and Deep River Navigation Works, passed its several readings under a suspension of the rules.

Engrossed, H. 118, a bill protecting persons distilling spirituous liquors under the United States Revenue, passed its several readings under a suspension of the rules.

S. 129. A bill in relation to the Mayor and Commissioners of the town of Newport, passed its several readings under a suspension of the rules.

Mr. Winstead introduced a resolution in relation to the rooms occupied by the Supreme Court.

The yeas and nays were called on its adoption.

The resolution was adopted by the following vote:

YEAS—Messrs. Beasley, Burns, Blythe, Davis, Eppes, Galloway, Harrington, Lassiter, Martindale, Melchor, Moore of Carteret, Osborne, Rich, Respass, Robbins, Sweet, White, Wynne and Winstead—19.

NAYS—Messrs. Bellamy, Brogden, Cook, Hayes, Hyman, Legg, Long and Welker—8.

A message was received from the House of Representatives, concurring in the following bills:

Senate bill concerning judgments in, and proceedings issuing from the late Supreme Court.

Senate bill to amend the charter of the Mecklenburg Female College.

Senate bill concerning refunding bonds.

Resolutions, Nos. 3 and 4, from the Committee on Claims.

Senate bill to amend section fifth, chapter eighty-fifth, of the Revised Code, in reference to Commissioners and Pilots.

Senate bill to facilitate the settlement of the estates of deceased persons, and for other purposes.

Senate bill in relation to the Mayor and Commissioners of the town of Newport.

A resolution in favor of W. H. & R. S. Tucker & Co.

A resolution instructing the Attorney General to inquire into the validity of an act of a Joint Committee of the General Assembly.

Senate bill to incorporate the State Loan and Trust Company of North Carolina.

Senate bill to incorporate the Deep River Manufacturing Company.

Senate bill to incorporate the Rcanoke Batteau Transportation Company.

And tabling resolution offered by Mr. Osborne in relation to the rooms in the Capitol.

The following bills and resolutions, having been reported correctly enrolled, were ratified by the President:

A bill to incorporate the North Carolina Land, Mining and Lumber Company.

Resolution in relation to Clerks.

A bill in relation to salaries and fees.

A bill to make bank bills a set off.

A bill to incorporate the Ridgway Land Company.

A resolution in favor of Jno. W. Stephens.

A bill to amend an act to provide for the registration of voters.

Resolution to investigate the claims in the twenty-fourth Senatorial District.

Resolution concerning the confederate securities now in the State Treasury.

A bill providing for the support of the Insane Asylum.

A bill for the relief of Sarah Mann.

A bill in relation to Sheriffs.

Resolution in relation to the Attorney General.

Resolution in favor of Jos. T. Backalan.

A bill establishing a lien in favor of builders, mechanics and material men.

Resolution in favor of A. J. Summerlin, late tax collector of Wayne County.

A bill in relation to punishments.

A bill protecting persons distilling spirituous liquors under United States license.

A bill to incorporate the Dismal Swamp Steam Transportation Company.

A bill to provide for the election of electors for President and Vice-President.

A bill to provide for the laying off a homestead and personal property exempted in favor of residents of this State by Article tenth of the State Constitution.

A bill to incorporate the State Loan and Trust Company of North Carolina.

A bill authorizing the County Commissioners to appoint standard keepers.

A bill to establish a Turnpike Road from the town of Morganton, in Burke County, to the Tennessee line.

Mr. Osborne introduced resolutions instructing the Representatives in the Congress of the United States from this State.

The resolutions were adopted.

The Senate, on motion, adjourned to meet Monday at five o'clock, A. M.

FORTY-SEVENTH DAY.

MONDAY, August 24th, 1868.

The Senate met pursuant to adjournment.

The President in the Chair.

Prayer by the Rev. Mr. Blythe.

Bills and resolutions, with titles as follows, having been reported as being properly enrolled, were ratified by the President:

Senate resolution in relation to mileage of Pages.

A bill in relation to the Mayor and Commissioners of the Town of Newport.

A bill to punish conspiracy, sedition and rebellion.

A bill to amend the charter of the Mecklenburg Female College.

A bill to amend section five, chapter eighty-five of the Revised Code.

A bill to provide for the employment of convicts and the erection of a Penitentiary.

A resolution instructing the Public Treasurer.

A resolution in favor of the principal Clerks of both Houses.

A bill authorizing certain persons to practice law.

A bill concerning refunding bonds.

A resolution authorizing the Secretary of State to furnish members with copies of laws.

A bill to incorporate the Holden Hook and Ladder Company, No. 1, of Newbern, N. C.

A resolution from the Committee on Claims.

A bill in relation to suits pending in the late Supreme Court of this State.

A bill to provide for the registration of voters.

A bill to incorporate the Deep River Manufacturing Company.

A resolution in relation to currency of National Banks.

A resolution in relation to contingent expenses.

A bill to incorporate the North Carolina Iron and Steel Rail Company.

A bill regulating the sale of lands under execution.

A bill supplemental to an act on salaries and fees.

A bill to incorporate the Roanoke Batteau Transportation Company.

A resolution in favor of N. Paige & Co.

A bill to facilitate the settlement of the estates of deceased persons, and for other purposes.

A bill repealing an ordinance appointing Commissioners to investigate the accounts and the affairs of the Albemarle and Chesapeake Canal Company.

A bill to relieve Messrs Durham and Moore, of the County of Johnston, from the payment of State and County taxes for the year 1868, on a stock of goods burned.

The concluding portion of the Code of Civil Procedure.

A bill for the relief of such persons as may have suffered from the destruction by fire of the records of the Superior and County Courts in the County of Anson.

A bill concerning the Fees of Clerks of the Superior Courts, Sheriffs, Register of Deeds, Solicitors, Coroners, Constables, Justices of the Peace and Jurors.

A bill to prevent injuries to the navigation works in the Cape Fear and Deep Rivers.

A bill concerning the Courts of Justices of the Peace and civil proceedings therein.

A message was received from the House of Representatives notifying the Senate of the reconsideration of the vote by which Senate bill regulating the hours of labor was passed, and of the tabling of the same.

A message was received from the House of Representatives concurring in Senate bill to prevent injury to the Cape Fear and Deep River navigation works.

The following resolution was adopted:

Resolved, That a message be sent to the House of Representatives informing that body, that the Senate had finished its business and is now ready to adjourn to the day heretofore fixed upon by joint resolution of the two Houses.

A message was received from the House of Representatives concurring in the above message, when

On motion, the Senate adjourned.

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