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ERRATA.

The last two lines on page 122, and the whole of page 123, should come after the vote on page 124.

On page 129 read "Superior" for 'Supreme," in line 18.

On page 165, for "James M. Young" read "B. F. Wiley," and for "B. F. Wiley" read "James M. Young."

On page 170. fourth line from bottom, read "Brunswick" for "Buncombe."

On page 183 after the vote, the next paragraph should be "The amendment of Mr. Cox, &c."

On page 194, line 2, for "rats" read "arts."

On page 219, line 12, strike out "was resumed."

On page 220, line 1, for "affirmative" read "negative."

On page 573, line 1, for "persons" read "her sons."

2-28-87

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA,

AT ITS

SESSION OF 1873-'74.

RALEIGH:
JOSIAH TURNER, JR., STATE PRINTER AND BINDER.
1874.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

SESSION 1873-'74.

FIRST DAY.

MONDAY, NOV. 17, 1873.

On the 17th of November, it being the third Monday, the day appointed by law, a session of the General Assembly of North Carolina was begun and held in the Capitol at Raleigh.

At 12 M., the House of Representatives was called to order by the Speaker, the Hon. J. L. Robinson, and the roll of members being called, the following gentlemen answered to their names:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Bean, Blackwell, Blythe, Bowe, Brown of Davidson, Bryson of Jackson, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Bullard, Bunn, Byrd, Carter, Cobb, Corson, Darden, Dudley, Ellison, Fletcher, Foster, Gilmer, Godfrey, Gorman, Gudger, Guyther, Hampton, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Jordan, Lindsay, Lloyd, Luckey, Marler, Maxwell, McLaurin, McNeill, Michael, Mizell, Outlaw, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Rhodes, Shaw, Sharp, Shinn of Iredell, Shackelford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Watson, Webb, Winslow, Wiley, Whitmire, Wheeler, Whisnant and Woodhouse.

A quorum being present, a message was ordered to be sent

to the Senate informing that honorable body that the House of Representatives was ready to proceed to the dispatch of business.

On motion of Mr. McLaurin, leave of absence was granted to Mr. Heaton on account of sickness.

It was announced that Mr. McGehee was detained at home on account of severe illness in his family, and that Mr. Davis, of Lenoir, was sick at home.

On motion of Mr. Houston, Mr. Costner, of Lincoln, and Mr. Gilbert, of Wake, the newly elected members from the respective counties presented their credentials, were qualified and seated.

A message was received from the Senate informing the House that there being a quorum in attendance, the Senate was now ready for the transaction of business.

On motion of Mr. Brown, of Davidson, it was ordered that a committee of five, three on the part of the House, and two on the part of the Senate, be appointed to wait on his Excellency, the Governor, and inform him that the two Houses of the General Assembly being in session, would be pleased to receive any communication he might desire to make.

The Speaker announced Messrs. Brown, of Davidson, Carter and Gudger as the House branch of the committee.

A message was received from the Senate concurring in the proposition to raise a joint select committee to wait on the Governor, announcing that Messrs. Welch and King constitute Senate branch of the committee.

Mr. Brown, of Davidson, from the joint select committee to wait upon the Governor announced that duty performed, and that his Excellency would communicate, by message, with the two Houses to-morrow, at 12 o'clock.

On motion of Mr. Dudley, the House adjourned till to-morrow, 11 o'clock, A. M.

SECOND DAY.

TUESDAY, Nov. 18, 1873.

The House was called to order by the Speaker at 11 o'clock.

The Journal of yesterday was read and approved.

Mr. Dudley announced that Mr. Bowe was detained at his room in this city by sickness.

Mr. Hanner announced that his colleague, Mr. Moring, was detained at home by sickness.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Bennett: From the citizens of Laurenburg, Richmond county, to prohibit the sale of spirituous liquors.

By Mr. McLaurin: From the Commissioners and other citizens of New Hanover, asking for extension of time to pay taxes.

The Speaker announced that Mr. Marler would take the place of Mr. Morrison as Chairman of the Committee on Enrolled Bills; that Mr. Costner is assigned to the Committee on Finance and Engrossed Bills, and that Mr. Gilbert is assigned to the Committees on Propositions and Grievances and to the Committee on Enrolled Bills.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. McNeill: A resolution concerning the bonds commonly called the "Special Tax Bonds" of North Carolina. H. R. No. 1.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Houston: A bill to be entitled an act to authorize the construction of a toll bridge across the Catawba river near the Western North Carolina Railroad bridge. H. B. No. 1.

TO THE COMMITTEE ON FINANCE.

By Mr. McLaurin: A bill for the relief of A. R. Black, sheriff of New Hanover. H. B. No. 2.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Brown, of Davidson: A bill to be entitled an act in relation to usury; not more than six per cent to be taken. H. B. No. 3.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Bennett: A bill to be entitled an act to extend the time allowed sheriffs and tax collectors to settle with the Auditor and Public Treasurer. H. B. No. 4.

On motion of Mr. Gudger the House took a recess for twenty minutes.

The Speaker called the House to order 5 minutes to 12 M.

A message was received from his Excellency, Governor Caldwell, by the hands of Private Secretary, John B. Neathery, Esq., which was read, and on motion of Mr. Johnston, transmitted with accompanying documents, to the Senate with proposition to print. The message was read as follows:

GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT,
RALEIGH, 17th November, 1873.

To the Honerable the General Assembly:

Twelve months have elapsed since your assemblage within these halls to legislate for the people of North Carolina, and now you meet again to consider and mature such measures as you may deem conducive to the best interests of our common constituents. It is *my* duty to give you information of the affairs of the State, and to make such suggestions as I may deem expedient and proper. It is *your* duty to consider of those affairs, and to apply yourselves diligently and faithfully to making such new laws as are necessary, and to revising and modifying such old ones, now in force, as have been found by experience inefficient for the purposes they were intended to accomplish; and wholly to repeal such as have proved to be unnecessary or deleterious. Our responsibilities are great, and it becomes us not to trust to, or rely upon ourselves for their performance, but to look to a higher source for wisdom and assistance to discharge them..

It is highly gratifying to me to be able to congratulate you upon the fact that North Carolina, during the year now approaching its end, has made rapid strides in the race of improvement. Unprecedented abundance has blest the labors of the thrifty husbandman; the horn of plenty has been emptied into the lap of the industrious farmer; his fields of grain are groaning with the fruits of his toil; his acres have whitened with cotton, the staple which brings wealth and independence to the producer, and gives employment to the million, from the time the seed is put into the earth till it is converted into commodities for the use and convenience of mankind. Tobacco, the grasses, and almost every product of the soil, have made remunerative returns to all engaged in their cultivation.

Every branch of industry has prospered. No pestilence or dreadful disease has invaded our territory; no terrible calamity, such as has fallen upon some of our sister States, has visited our people; and above and better than all, the bitter animosities which have heretofore estranged us from one another, are rapidly dying out and we are becoming more reconciled, and in a short time no resentments or ill-feeling will linger within the breast of any intelligent, christian being in our State. Then let us clap our hands and rejoice, and render thanks to Almighty God for the wonderful and happy change wrought in our midst, and for all his mercies and loving kindnesses vouchsafed to us as a State.

Having heretofore, gentlemen, addressed you at great length, and placed before you my views upon the subjects which I then believed, and still believe, should command your earnest attention, I do not deem it necessary or useful at this time to take the labor upon myself, or to consume your time, by reiterating, or more fully elaborating, the views expressed and urged upon you in my last annual message. After carefully reviewing what is therein written, I find nothing which I desire to change, and I would again adopt the same recommendations and earnestly present them for your consideration, were it not that they failed heretofore to secure your approbation; therefore it seems proper that I should make other suggestions tending towards the same end, which it is hoped will be more acceptable to you. I proceed to do so, as briefly as I can.

STATE DEBT AND FINANCES.

There is little or no change in the status of our State debt and finances since my message to you twelve months ago. The whole amount of the debt with interest, including every class of bonds, is something over *thirty-eight millions* of dollars. I respectfully refer you to the report of our worthy and efficient Public Treasurer for a detailed statement of the items

which compose our indebtedness. It is not believed by any one, not even by our creditors themselves, that North Carolina should pay the entire amount of her *apparent* liabilities. It is not necessary for me to dwell upon the character of the different classes of bonds, or the manner in which many of them were put into market—that subject has been sufficiently discussed heretofore, and nearly every member of this General Assembly is as familiar with it as I am. It has not only been the theme of messages to you, but it has been ably and thoroughly discussed upon the hustings in every county of the State. Our people are all interested in it, and are earnestly desirous that a fair and equitable adjustment of it shall be made without further delay. It grows larger and larger every day, and each successive year that it remains unadjusted, will make it a heavier burden upon the tax-payers of the State. I cannot believe, and I will not believe, that any considerable portion of the people of North Carolina will *ever* consent that any part of the *honest* debt shall be repudiated. Our people may become bankrupt in property, they may not be able to avoid it, but never will they consent to become bankrupt in reputation by repudiating any part of a debt which the State honestly owes, and which she has once plighted her faith to pay. While she exists as a State, her sons desire, and are determined, to hold their heads erect among their brethren of other States, and proudly claim to be citizens of *North Carolina*, who is too honest to repudiate her debt, although she may be too poor to pay it.

Then, gentlemen, I appeal to you to apply yourselves at once, and without delay, to the task of devising ways and providing means to free your State from her pecuniary embarrassments. First, go to work to ascertain how much she owes *that ought to be paid;* then seek an interview with her creditors and learn on what time and what terms their claims *can be* paid. You will find the large body of the creditors much more liberal and accommodating than you anticipate, when they feel assured that the State is in earnest, and means to do

what she can to free herself from this incubus which is pressing her to the earth. The debt being ascertained, and the time and manner of payment agreed upon, then the General Assembly will have an open and smooth sea in full view, and the sailing will be plain. The debt will have to be funded, new bonds issued bearing interest as may be stipulated, and a sufficient tax laid to pay the same when it falls due, and to discharge the principal at the maturity of the bonds. Every species of property belonging to the people of the State should be subject to an *ad-valorem* tax to pay the interest promptly, and to raise a sinking fund for the extinguishment of the principal when it becomes due. If enough to do this cannot be raised by *ad-valorem* taxation, then resort to other means until our debt shall have been paid. On a former occasion, when it was deemed necessary to save the honor of the State, efficient measures were adopted, and ways and means devised to sustain a cause which had no little instrumentality in reducing the State to her present impoverished condition. The people then submitted to the imposition of burdens, although grievous to be borne, and in my opinion will do so again, when they see the necessity of raising funds to enable the State to maintain her high character, and preserve her honest name untarnished and unpolluted by repudiation. I am fully aware of the extent and scope of the language I am using, and of the recommendation I am making, and I also know the various charges that will be rung upon it by demagogues throughout the State; but I have an abiding confidence in the honesty and integrity of the people of North Carolina, and am thoroughly satisfied that, to save the honor of the State, they would be content to eke out an existence upon barely enough to clothe their bodies and appease the cravings of hunger, rather than to live in affluence and splendor, with every fancy gratified, and then lie down in death with the bleeding honor of the State lying dead by their side. I hope, gentlemen, that I will be pardoned for speaking thus freely and frankly to you on a subject in which,

I confess to you, I feel the most profound interest, and about which I have the greatest anxiety. The honor and fair fame of my native State is near and dear unto me. North Carolina has been a true mother to me, and I cherish her reputation and hope ever to defend her character and uphold her spotless honor, with a determination and devotion that none but a loyal son, whose heart is overflowing with gratitude and filial love, can ever feel. Hence I urge you by all the ties that bind you to our good old State; by all the emotions of patriotism which spring up in your bosoms when the name of North Carolina is spoken; by the veneration you have for the memory of the noble men who once filled the places you now occupy; by the sacrifices made by our ancestors to build up an honest and honorable name for our State; and by the affection you have for your children, who are to come after you, to let no obstacle, of whatever magnitude, interpose and prevent you from transmitting to posterity the character and reputation of North Carolina as pure and as spotless as it was when you received it from the hands of your predecessors. This you cannot do if you give any countenance to the pernicious and polluting doctrine of repudiation. Repudiation will wither our present prosperity; it will blight our future prospects; it will subject us to the indignant scorn and contempt of all the great nations of the earth; it will expose us to the derision of our sister States and render us contemptible in their eyes; it will utterly destroy our manhood, and leave us without even our own self-respect. *Then nerve yourselves for the conflict, and save the State from this everlasting disgrace.*

EDUCATION.

One of the most important subjects that can possibly engage the attention of the General Assembly, at the present session, is that of *Education*. I have heretofore earnestly addressed you on this subject, but do not feel as if my duty will have been fully performed unless I again invoke your serious atten-

tion to it. No State can ever be prosperous, or take high rank among her sister States, while the incubus of ignorance is pressing with its deadly weight upon her citizens. She may have bright and shining lights within her borders, as exemplified by a few highly polished sons and daughters, who were fortunate in possessing means to enable them to acquire an education, qualifying them for any position to which they may be called, and preparing them for the performance of any duty, public or private, which may devolve upon them. But a few accomplished and highly educated persons do not make a State. The *mass of the people* constitute the State, and give tone and character to it. A few persons may give caste to society in a small neighborhood, or in a limited circle; but a State will be judged by the character and intelligence of the mass of human beings who constitute its entire population; who choose its law-makers; who control its destinies, and who shape its morals. Without education there is no enlightment. Ignorance blights the mind and dwarfs the intellect; it debases all the nobler instincts, and degrades man to the level of the brute; it demolishes churches and rears grog-shops upon their ruins; it destroys schools and seminaries, and erects gambling saloons and dens of infamy and pollution in their stead; it unfits man to fulfill the high destiny for which he was created, and makes him a drone, and often an out-cast, in society. *Unnumbered evils follow in its train.* It is your inperative duty to employ every means within your power to destroy this hydra-headed monster. It is your duty to afford means for educating the rising generation—to strike the scales of ignorance and error from the minds of the children of the State, and to afford to every one, of sufficient capacity to receive it, such an education as will qualify them, when they arrive at the age of maturity, to make useful members of society, and efficient co-laborers in building up the material interests of the State.

Your predecessors performed a noble work by providing for the education of the deaf, the dumb and the blind, and you

have persevered in continuing the good work. Thousands upon thousands of dollars are annually appropriated for the care and culture of these unfortunate classes, and that too to qualify them to take care of themselves in after life. No one believes that one in a hundred of these unfortunates can ever take upon himself any public responsibility; yet you properly deem it incumbent upon you to provide them with an education. How much more imperative, then, should it be upon you to train the minds of those upon whom hereafter will devolve the responsibility of filling the places you and I now occupy? Many of these children, whose parents are not able to educate them, will, in all probability, if properly instructed, be prominent in controlling and directing the destiny of the State and of the nation.

As has been suggested on two former occasions, your first care should be to provide a good system of common and graded schools, to which every child in the State may have free access. If there be not a sufficiency of means to keep up these schools throughout the entire year, then let them be operated only during a part of the year. From small beginnings great results will most assuredly flow. When the people once see the benefits which will accrue to their children from, as it were, the mere beginning of an education, they will soon become so enthused in the cause that they will demand of the lawmakers to impose heavier taxes and establish schools of higher grade, until North Carolina shall be second to no State in the Union in affording facilities for a thorough and complete education to every child within her limits. When this is done, you will no longer see deserted and desolate places in our territory; then there will be no migration from our midst; no demoralizing influences to entice the young or entrap the old; our penitentiary, jails and poor houses will be tenantless; no gallows will be erected; no wife heart-broken for a condemned and lost husband; no mother weeping over the sad fate of a once hopeful son; no father bewailing the infamy of a degraded daughter. All these evils will be banished, and

our State will bloom and blossom as a garden. Peace, prosperity and happiness will abide with us, and our children's children will rise up and bless the men who provided such a rich inheritance for them.

Proceed then, gentlemen, *and proceed at once*, to this great and grand work; delay no longer; be men, and fear not to tax your constituents for the purpose of nourishing the intellects of their offspring. Every sensible father will hold up your hands, and shower his blessings upon you for the interest you take in the welfare of his children, and will continue to confide in you till you go down to your graves with blushing honors clustering thick around you.

Educate *first* the masses by establishing separate schools for the different races, and grading them to suit the capacity and advancement of the pupils. When our finances are in a condition to do so, then resuscitate and build up the University so as to afford, to all such as may desire it, an education in polite literature and in the higher branches of the arts and sciences, without the necessity of their leaving our State to secure it. Do this, gentlemen, and you will have erected for yourselves a monument more enduring than marble or brass, and your names will be handed down to the latest posterity as wise legislators and benefactors to your race and to your country.

AN ORPHAN HOUSE.

The Constitution (Art. XI, Sec. 8) says: "There shall also, as soon as practicable, be measures devised by the State for the establishment of one or more Orphan Houses where destitute orphans may be cared for, educated and taught some business or trade." This is a wise and merciful provision. It is well known that very few bound orphans are ever sent to any school, and that most of them are growing up in ignorance of the laws of God and of the laws of their country. Having lost their natural guides and protectors, and feeling that society

has failed to afford them the means of improvement, they naturally sink into vice and degradation and become a plague and a burden to the State. But when destitute orphans learn their obligations to God and to their fellow-men, and are taught to support themselves by some honorable occupation, they rise above those temptations which usually ensnare the ignorant, and become useful and respectable citizens. The Constitution therefore sanctions sound political economy, and sympathises with unfortunate humanity by requiring some suitable provision for the protection and training of the multitude of fatherless, motherless, friendless and penniless orphans, whose sad and sorrowful silence should be their most eloquent advocate.

The Orphan House at Oxford, with sixty rooms and ample grounds, was opened in February last, and is now feeding, clothing and educating more than one hundred children. It has been supported, so far, by the contributions of the benevolent, and so rigid is the economy with which it is managed that its officers are convinced that ten thousand dollars a year will insure food, clothing and education for two hundred indigent orphans. The permanent establishment of at least one Orphan House is therefore certainly practicable, and the people, by their liberal contributions, have shown a tender interest in its success and permanency.

Your attention is therefore invited to this subject, and the hope expressed that you may find it practicable to do something for those of tender years who have neither father, nor mother, nor friends, nor money to provide for their temporal wants or to care for their eternal interests.

ADMINISTRATION OF JUSTICE.

Under our form of government, any male citizen of the State above a certain age, of ordinary intelligence and good moral character, has an equal right, under the law, with any other, to participate in the administration of justice in our Courts. There are certain public duties devolved upon *every*

free male citizen who possesses the foregoing qualifications, and no man, simply on account of his color or previous condition of servitude, should be denied the privilege of discharging those duties.

I am induced to call your attention to this subject, because of the frequent complaints made to me, that in certain counties, containing a large colored population, (many of whom are men of intelligence and worth) the County Commissioners, whose duty it is to make up the panels and draw jurors by lot, have studiously excluded from the jury-box all but white citizens. Such conduct on the part of those who have the matter in charge, is well calculated to dissatisfy and irritate the class whom *they* ostracize, and impress them with the conviction that they cannot obtain a redress of their grievances or have justice meted out to them, when engaged in litigation with the white race. I am fully aware, that as a general rule, the colored population are not as well qualified for jurors as are the whites. Very few of the present generation of the colored are able to read or write, or in truth have any education at all; but yet there are a few in almost every county, and a goodly number in some of them, who *are* qualified to act as jurors, and their rights should be recognized and respected.

It is a fact which cannot be successfully controverted, that before the late war it was no uncommon occurrence to see white men, who did not know a letter in a book, sitting in the jury-box to try causes of momentous importance. Not only was it so in olden times, but it is the case even at *this* day and time, and I am free to say that these unlettered jurors as often arrive at correct conclusions as do those who have had better education and enjoyed superior advantages. If it be the law that all, without distinction of color or previous condition, are entitled to the privileges of the jury-box, then let the law be promptly enforced, or heavy penalties imposed upon those whose duty it is to execute it, if they fail to perform that duty.

I desire also to call your attention to a crying evil of the

times. It is becoming almost an every day occurrence for persons to commit crime in broad daylight, and in the presence of spectators, and sometimes even in the presence of officers of the law, and are allowed to make their escape without an effort being made to arrest them. I am almost persuaded, from the circumstances attending some of these escapes, that they are permitted because of the hope and expectation, that a reward will be offered for the apprehension of the offenders and opportunity given to some bystander to make money by an arrest of the culprit, and share it with the officer who has failed to make the arrest himself.

It not unfrequently happens, after a reward has been offered, that the criminal is soon caught in the very neighborhood where the crime was committed, thus proving, beyond reasonable doubt, that the sworn officers of the law had been grossly derelict in the discharge of their duties. Even after arrest and commitment to jail, prisoners frequently make their escape through the carelessness or collusion of the jailor, and the State is put to a heavy expense for their recapture; yet it rarely happens that an indictment is preferred against the party whom the law holds responsible for the safe keeping of prisoners. To permit an escape from custody is as much a violation of the criminal law as murder, arson, perjury or any other offense named in the calendar; and judges, solicitors and grand-jurors should cause all escapes to be inquired into and promptly prosecuted, so as to punish the guilty parties and protect the treasury of the State—and you, Legislators, should see to it that the law is made so stringent as to compel these officials to discharge this duty if they will not voluntarily do so.

RAILROADS.

The Commissioners, appointed by an Act of this General Assembly at its last session, to arbitrate and adjust the troubles growing out of the mismanagement and litigation of the Wes-

tern North Carolina Railroad matters have given the subject their earnest consideration, and while they have not been able to adjust these difficulties, it has been their steady purpose to rescue from the present wreck all that can possibly be saved. As the best means for accomplishing this, I beg leave to suggest some legislation by which our railway system may yet be secured to our State, and for the benefit of our people.

The internal improvement policy of the State, as plainly indicated by legislation for the last quarter of a century, has been to establish a grand trunk or line of railway from Beaufort Harbor to the Tennessee and Georgia roads. First, we had the charter for the North Carolina Railroad Company; then followed the Atlantic and North Carolina and the Western North Carolina Railroad Companies, traversing the whole State from East to West. The line from Salisbury to Paint Rock was intended to form a connection, ultimately, with Memphis, and that from Asheville in the direction of Dalton to connect, ultimately, with the Georgia roads. These would form important tributaries to the North Carolina Railroad and was so designed, and it was believed would concentrate a business over said road which would insure, at its eastern terminus, a line of steamships for foreign as well as home markets. No statement of facts nor argument is now needed to sustain the wisdom of this policy, and with prudent and able management, I believe, it is within our power to make it successful.

This is no new scheme of mine, suggested by our present railroad complications, but it is one I have favored for a long series of years, and which in August, 1866, when the Western North Carolina Railroad Company was comparatively free from debt, and while I was President of the Company, was urged by me upon the stockholders in annual meeting assembled. I beg to be pardoned by your honorable body for quoting to you an extract taken from my report made at that time to the stockholders. It is in the following words, to-wit: "I feel constrained, before closing this report, to say, that owing to the impoverished condition of the country, the heavy losses

which the people of our State have sustained by the result of the late terrible conflict we have recently been engaged in with our brethren of the North, I cannot see any immediate prospect of penetrating our Western territory much beyond Morganton, unless the State shall assume a larger portion of the expense of construction than she is now liable for, and as there is but little probability of this for some time to come, it occurs to me that it would be highly advantageous to all parties concerned, individual stockholders as well as the State, either to put the road and all of its privileges and immunities in market for sale to the best purchaser, who will guarantee to complete it through to its Western terminus within a reasonable time, or to consolidate the Western North Carolina, the North Carolina, and the Atlantic and North Carolina Railroad Companies into one company, so as to have a continuous line from the sea-board to the extreme Western part of the State, get all our people enlisted in one grand enterprise, which will have no sectional prejudices to contend with, no party animosities to encounter, but which will bind us together as with hooks of steel, and make us, as we should be, children of an honored mother, whose every aspiration should be to promote the good of the whole, and the glory, happiness and well-being of our State and her people." These were my sentiments then; they are my sentiments to-day. Time and experience have confirmed me in them, and my conviction of their soundness grows stronger and stronger every day.

I therefore suggest to the General Assembly the passage of an act to amend the charter of the North Carolina Railroad Company, and confer upon it the necessary power and authority to purchase the Western North Carolina Railroad and all its branches or divisions; the Cincinnati, Cumberland Gap and Charleston Railroad, and the Atlantic and North Carolina Railroad, and to build and complete the same, and when so purchased the whole to be merged into one corporation, under one management, and under the name of the North Carolina Railroad Company. The Directory of the North Carolina

Railroad Company, who, I am pleased to state, sustain me in recommending this legislation, have an agreement in writing from the owners of the Cincinnati, Cumberland Gap and Charleston Railroad— (a portion of which, from Morristown, on the East Tennessee, Virginia and Georgia Railroad to Wolf Creek in the State of Tennessee, has been finished and is now in operation)—and from creditors and litigants of the Western North Carolina Railroad Company, in which it is proposed to sell and transfer to the North Carolina Railroad Company the whole line of road from Salisbury to Morristown, for about one million dollars. Of this line, from Salisbury to Old Fort, about 115 miles have been finished; and from Wolf Creek to Morristown, about 40 miles have been finished; leaving a gap of about 75 miles of unfinished road. Of this unfinished portion more than one-half the grading has been done. It is estimated that to fill up this gap, and have the whole line of railroad from Salisbury to Morristown completed and in good running order will cost about one and a half million dollars. Thus it will cost about two and a half million more to purchase and finish the road from Salisbury to Morristown, 230 miles in length, which will put us in communication by rail with Memphis.

A mortgage of three million dollars on the North Carolina Railroad will enable it to pay off the present mortgage and other indebtedness, and purchase and finish this whole line of railroad. The length of the North Carolina road is 223 miles, and when it has purchased and finished this line of railroad will have a line from Goldsboro' to Charlotte and from Salisbury to Morristown, a distance of 453 miles. A mortgage on the whole line of ($15,000) fifteen thousand dollars *per mile* would raise a little less than seven million dollars, which would enable the Company to construct the road from Asheville to the Georgia line, 123 miles. Three million dollars expended in paying off its present indebtedness, and purchasing and finishing the road from Salisbury to Morristown would leave about four million for constructing the road to the Georgia

line. A portion of this road has been graded, and it is estimated that less than four million dollars will finish it. And when the Atlantic and North Carolina Railroad is merged into this Company, which it is believed can be done on reasonable and satisfactory terms, the North Carolina Railroad Company will have a line of railroad from Beaufort Harbor to the Tennessee and Georgia railroads, 666 miles in length. We will then have a railway nearly 700 miles long with a mortgaged debt of less than seven million dollars—about $10,000 per mile. Will this policy be advantageous to the stockholders in the North Carolina Railroad Company? There is in my mind no doubt that it will. It is believed that the net earnings of the Company will be largely augmented. With a mortgage debt of little less than seven million dollars, the interest on which, at a rate as high as 8 *per cent.* per annum will be—say $500,000. The net earnings of the North Carolina Railroad, at present, is $250,000; the increased business over it from these tributaries will be—say $100,000—making $350,000 as net earnings from this line. The local business over the line from Salisbury to Morristown will more than pay its operating expenses, while the business from the connecting road at Morristown, as estimated by competent authority, will not be less than $600,000. It is estimated, also, that if the road is constructed in the direction of Dalton, and a connection made with the Georgia roads, the net earnings from this source will be as great as that from Asheville to Morristown, while the local business will be greater. So in round numbers, if this policy is carried out, and the connections made with the Tennessee and Georgia roads, it is very reasonable to say that the net earnings of the whole line will reach one million dollars. Deducting $500,000 to meet the interest on its mortgaged debt, there will be left half a million for division among stockholders.

WILMINGTON, CHARLOTTE AND RUTHERFORD RAILROAD.

This corporation, by authority of an Act of the General Assembly, ratified on the 20th day of December, 1866, entitled "An act to enable the Wilmington, Charlotte and Rutherford Railroad Company to complete its road, pay its debt to the State, and extend its road to the Tennessee line," did, in the year 1867, issue certain bonds with coupons attached, with interest at eight per cent. *per annum*, payable semi-annually, and falling due in 1887 and 1897, respectively.

For the purpose of securing the principal and interest on said bonds as they become due, the said company executed and delivered to certain trustees, living in New York, a mortgage deed, conveying in substance all the property of said company, including franchise, &c., &c. In said mortgage deed is contained, among other things, the following provision, to wit: "In case default shall be made in the payment of any half year's interest on any of the aforesaid bonds in the manner provided, &c., and in case such default shall continue for the period of three months after the coupons shall become due, then and thereupon the principal of said bonds shall become due and payable, anything in said bonds to the contrary notwithstanding." By an ordinance of the Convention of 1868, entitled "An ordinance reducing the amount of bonds to be issued to the Wilmington, Charlotte and Rutherford Railroad Company," the number of said bonds was reduced to the amount of two million five hundred thousand dollars worth, and the State became endorser of said mortgage bonds to the amount of one million dollars.

The State, having a substantial interest in the property of said railroad company as a second mortgagee, by virtue of an Act of Assembly ratified the 29th of January, 1869, made large appropriations to said company, amounting in the aggregate to some four million dollars. None of the bonds, issued under and by virtue of said Act of the General Assembly, have been returned to the State Treasury as required by law, and a por-

tion of their proceeds has gone into the hands of the officers of the company. The semi-annual interest upon some of the bonds, secured by the mortgage, became due, and, I am informed, was not paid according to the requirements of that instrument.

In consequence of the failure of the company to pay the interest, the whole debt, principal as well as interest, became due, and the trustees brought their action to foreclose said mortgage, making the Wilmington, Charlotte and Rutherford Railroad Company, the State of North Carolina, and others, defendants.

Application was made to me as Governor, by the trustees, through their agents and attorneys, to acknowledge service of process and enter an appearance for the State, so as to enable them to have their suit finally and speedly adjudicated. After consultation with Hon. W. M. Shipp, then Attorney General of North Carolina, I positively refused to comply with the request, unless the trustees would stipulate, in writing, to release the State from all liability by reason of her endorsement of the bonds, and to cancel the bonds endorsed by her. This proposition was eventually agreed to by the trustees, and in pursuance of it the State was released and the bonds cancelled, during the past summer, in the city of New York, under the supervision of E. J. Hale, Esq., whom I appointed to act as agent for North Carolina in that behalf. The mortgage was then foreclosed and the road sold to the Carolina Central Railway Company.

CAPE FEAR AND DEEP RIVER NAVIGATION WORKS.

At a meeting of the Board of Managers of the Cape Fear and Deep River Navigation Company, in the Executive office at Raleigh, on the 3d day of June, 1873, it was ordered, (all the managers being present,) that the State's interest in said works be sold at public auction to the highest bidder, on specified terms and conditions, at Lockville, in Chatham county, after due advertisement in certain newspapers. Advertisement

was made as ordered, and on the 8th of July, the day appointed for the sale, said works were offered at public auction at Lockville. No one present making a bid for the property, three of the managers (a majority of the board) being present, held a meeting on the spot, changed the terms of sale, and immediately, without further notice, put up the property a second time for sale, when it was knocked off to certain parties at the sum and price of twelve hundred dollars, cash in hand. This amount was forthwith paid to the Treasurer of the company, and a deed, conveying title, prepared and signed by the managers who were present. I was necessarily absent on important public business, and when the deed was afterwards presented for my signature, as President of the board, I declined to sign it, for the reason that the sale was not made on the terms advertised, but on terms much more favorable to purchasers, and which, if they had been generally known, might have induced other bidders to attend, and caused the property to bring a better price. I am informed, however, that the purchasers have accepted the deed without my signature, and have such title to the property as can be invested in them by the managers who did sign it. It may be that the sale is a good one for the State, and that if the new terms had been extensively known, that the property would not have commanded a higher price; upon those points I am not informed—still, I did not feel authorized to approve of it, and affix my name to the deed for the reasons above set forth. I have deemed it my duty to give you this information to enable you to take such action as you may think expedient in the primises. If, in your judgment, the price paid is satisfactory, and it be considered necessary that I shoud sign the conveyance in order to perfect and make the title good, it will be cheerfully and promptly done whenever your wishes are certified to me by a resolution, or an act passed by your honorable body.

SWAMP LANDS.

All the swamp lands belonging to the Literary Fund, except a very inconsiderable portion, (which were inadvertently overlooked,) after having been frequently and extensively advertised, were, on the 16th day of September last, contracted to be sold to Samuel T. Carrow, Esq., whose bid for *all* was considered by the Board of Education as being the most advantageous one offered. This sale, before it can be final, must have legislative sanction. At a subsequent period of your session, a special message will be addressed to you on the subject, and the particular swamps, with the terms and price offered and accepted, laid before you.

VACANT LANDS.

After mature consideration, I deem it proper to call attention to the vacant lands belonging to the State, and which are subject to entry. I am decidedly of the opinion that no one, not an actual and *bona fide* citizen of the State, should be authorized to take up any portion of said lands at the insignificant prices now fixed by law. These lands should be held in reserve for our own citizens, many of whom are without homes of their own, and unable to purchase them except at very low prices. It has come to my knowledge that speculators, living outside of the State, and who never expect to become citizens of it, have entered, and are still entering, large bodies of our vacant lands, particularly in the Western part of the State, and, I fear, not for the purpose of settling among us and improving the country, but with the purpose and intention of enriching themselves at the expense of the State and the impoverishment of our own people. In my opinion, it would be better for the State to donate this land in small quantities, without money and without price, to its poor and landless citizens, rather than *sell* it to strangers, whose only purpose seems to be to fill their own coffers. I therefore recommend that you enact a law re-

quiring every person, or party, entering our vacant lands, to make an affidavit in due form of law, and file the same with the Entry-taker in the county where the land is situated, that it is entered for his or their own use, and not for another, and that he or they are *bona fide* citizens of the State of North Carolina.

IMMIGRATION.

I cannot too earnestly recommend the adoption of suitable measures to encourage immigration to the State, and to stay, as far as practicable, the tide of emigration from the State.

In 1790 North Carolina contained a total population of 393,751, ranking as the third State in the Union, Virginia being first and Pennsylvania second. With as large a territory as New York, she had at that time a population equal to that State, and the two States started in the race of progress with the same number (sixteen) of Representatives in Congress. In 1800 North Carolina had receded to the fourth rank among the States, with 478,103 inhabitants, an increase of only 84,352 in ten years. In 1810 she held her position as fourth in rank, with 555,500 inhabitants, and an increase of 77,487. In 1820 she still retained this rank, with 638,829 inhabitants, and an increase of 83,329. From this period she began to decline in population, in comparison with other States. In 1830 she had fallen to the fifth rank, with a population of 737,987, an increase of 99,158 inhabitants. In 1840 she had fallen to the seventh rank, with 753,419 inhabitants, an increase in ten years of only 15,432. In 1850 she had fallen to the tenth rank, with 869,039, an increase of 115,620. In 1860 she was the twelfth in rank, having a total population of 992,622, and an increase of 123,583. In 1870 she was the fourteenth in rank, numbering a population of 1,071,361, and an increase for the preceding ten years of 78,739.

In examining these figures we find great fluctuations in population from time to time, as given in the census. Why is this? The answer is, that at different periods of our history there

have been large depletions of our population by emigration to the West and South, while the loss thus sustained has not been made up by any accession in considerable numbers from other States, or from foreign countries. And thus it is, that being drained of her sons and daughters without inviting immigration to herself in return, the State has decreased in the scale of States, while other States, fed with her blood, and by steady currents of emigrants from Europe, have increased in population, wealth and power. The exodus of our people may be seen in the following statement, with a comparison as to the influx of immigrants to our borders: In 1870 there were 1,028,678 native North Carolinians, and only 42,683 natives of other States and foreigners within our borders; making a total of 1,071,361 inhabitants. Meanwhile, within the other States of the Union, the wandering children of our State, who had been going forth from us since 1790, answer to the roll-call to the number of two hundred and sixty-four thousand six hundred and seventy-nine. These are scattered principally in the South and South-west. Thus while we can count but 42,683 immigrants to our State, more than a quarter of a million of our people can be counted in other States, and of these 41,683 strangers who have been welcomed among us, only 3,029 are of foreign birth, principally from Germany, Great Britain and Ireland, while other States number such accessions by hundreds of thousands, and are still receiving them with open arms from all parts of the world.

It is not to be expected that the emigration of our people westward can be checked entirely, but much may be done *to check* it, and to induce emigrants from other regions to settle among us—by encouraging judicious and useful schemes of internal improvement—by the establishment of manufactories of various kinds, thus adding to capital, and at the same time giving employment to thousands who are now idle, or thriftless and aimless in their pursuits—by opening and maintaining liberally public schools for the education of the children and youth of the State—by encouraging and fostering in every practicable

way the great interests of agriculture and mechanic arts, producing as far as we can our own supplies of every kind, and fabricating the raw articles here at home, thus retaining the profits of manufacturing among ourselves; and by cultivating a just sentiment of State pride and self-respect, and a spirit of forbearance, generosity and kindness towards each other—remembering the past only in the light of charity and goodwill, and drawing from it only lessons which will teach us to think more of ourselves and of each other as NORTH CAROLINIANS. By doing these things, gentlemen, actively and perseveringly, and with a purpose to know no such word as "*failure*" when our common mother, whom we all love so well, is to be improved, and enriched, and elevated in all desirable respects among her sister States, I verily believe that our best wishes and efforts for her will be crowned with full success.

With a climate which is in itself a luxury enjoyed by few other people; in a region whose soil produces in greater or less perfection every staple and nearly every article grown on the North American continent, with mines of iron, coal, copper, gold, lead, mica, granite, marble and many other ores; with timber of all kinds, comparatively as yet untouched; with water power inexhaustible, from the midland country to the Tennessee line; with lime, and marl, and other fertilizers in the earth ready to be used to improve the soil, and with millions of acres of virgin land adapted to cotton, corn, tobacco, wheat, oats, rice, barley, rye, the grape and almost every other production; with the law faithfully executed and peace and good order prevailing every where within our borders, and exempted as we are by a kind Providence from the rigorous and protracted winters of the North, and the scorching suns of the far South, I think it can truthfully be said that no State offers more solid attractions to immigrants than does North Carolina.

There have been so many plans suggested, with the view of promoting immigration to the State, that I hesitate to recommend any particular one. The whole subject is, after all, in

your hands. I am satisfied that you do not properly estimate its importance. Let me, then, respectfully and earnestly urge you to address yourselves to the work with a purpose and a vigor which shall ensure good results. And allow me to add, in concluding this subject, that any plan that may be devised, and from which we may expect success, must be so conceived and operated as to put immigrants in full possession of information touching the advantages which our State presents to them, and this information must be laid, by us, before the immigrants themselves, before they will come to us. In doing this we shall have to compete not only with other States, but with all kinds of landed corporations, with railroad monopolies, with prejudices, ignorance and falsehood; but if we begin with an earnest determination, and persevere as we should, it will not be long before we shall witness gratifying results from our labors. In a matter so vital, we should not too closely count our dollars, for money judiciously expended in this business will in due season repay the State an hundred, yea, verily, a thousand fold.

STATE AGRICULTURAL SOCIETY.

In the North Carolina Agricultural Society we have a common rallying point for all the good people of the State, irrespective of their opinions on political subjects. The objects of its officers has been to foster not only agriculture, but also manufacturing and the mechanic arts, and the result has been highly encouraging and gratifying. By the annual exhibitions of the products of the State; by the coming together of our best and most enterprising citizens; by bringing to the attention of capitalists of other States and the Canadas our superior advantages, this organization has materially aided in infusing energy among our people, as well as inducing strangers to settle among us. Owing to the general poverty and depression, it was difficult work at first; but the Society has struggled on until it has succeeded in perfecting a Fair creditable to

the State and honorable to their own energy and spirit of perseverance. The annual exhibitions demonstrate that within the last four years blooded stock has been extensively introduced; improvements in the mechanic arts have been made; manufacturing has been fostered, and our mineral wealth is being unearthed—to say nothing of the great improvements which have been made in the science of farming. The Agricultural Society has convinced our people, not only of the importance of State fairs, but also of our own importance as a people and a State. It has demonstrated the vastness of resources which, if developed, will bring, not only wealth, but independence to the people. It has shown that we have within ourselves everything necessary to build up great manufacturing interests, and a soil to produce not only the staff of life but raw materials to supply manufactories.

The officers of the Society have appointed a committee to apply to your honorable body for amendments to their charter to enable them better to extend their efforts beyond the great centres of our population and trade into the remotest corners of the State. I most cheerfully recommend you to co-operate with them in every available way for the extension and usefulness of their valuable institution.

CONSTITUTIONAL AMENDMENTS.

An election was held on the first Thursday in August last for the purpose of submitting to the people certain amendments to the Constitution of the State, which had been passed, or attempted to be passed, by the legislatures of 1870–'71 and 1872–'73, and which, if properly adopted, could not go into force until ratified by a vote of the people. The result of the election has not yet been officially ascertained, nor will it be until on or after the first Monday in December insuing. Grave doubts exist in the minds of many prominent men, among them lawyers of great learning, as to whether these amendments were enacted and submitted in the way and manner

designated by the Constitution itself, in the second section of the 13th article of that instrument. I confess to you that I share in these doubts, and have serious misgivings that the requirements of the Constitution have not been complied with, either in its letter or in its spirit. I do not propose, however, to enter upon a discussion of the question, but simply to call your attention to it, so that, after calm and careful consideration, you may determine what is the best policy under the circumstances. Having no *settled* convictions on the subject, and not feeling an *absolute* certainty that the amendments have not been made in conformity to the provisions of the Constitution, I do not feel authorized to place any obstructions in the way of their becoming a finality. If it shall turn out that the legislation, which has been done on this subject, has been properly done; and if, upon comparing the vote, on the first Monday in December, it shall appear that the people have adopted the amendments, then a question of grave importance arises, whether this Legislature, elected under the provisions of the Constitution of 1868, providing for annual sessions, can continue in *annual* session after the repeal of the provision which authorized *annual* sessions? In other words, does not the abolition of the law authorizing and establishing *annual* sessions, also abolish the right to *continue* in annual session after the new Constitution creating *biennial* sessions is proclaimed to be in force?

You, gentlemen, are here in annual session by virtue of the second section of the second article of the Constitution of 1868. You have once before been in *annual* session under this article. How can you, then, after the first Monday in December, prolong your annual session, if the charter by which you were authorized to hold annual sessions shall have been repealed? It will not do to say that a law was passed authorizing you to meet, notwithstanding the amendment should be adopted. The Constitution is the *supreme* law, and no statute law can override it. It is not disputed that the General Assembly may adjourn to a future specified day, instead of *sine die;* but it is

not conceded that this enables it to silence the Constitution, and, by artifice, rendered nugatory its provisions. It is true that you did, at your last session, pass a resolution to meet again on the third Monday in November, 1873, thereby virtually conceding that, without the enabling aid of such a resolution, or enactment, you could not meet on that day if the amendment providing for biennial sessions should be adopted. There was no necessity for this resolution, because the Constitution, as it then stood and as it now stands, made it imperative upon you to convene at that time, *and you could not disregard it.* Why then pass a resolve to do what the Constitution enjoins, aye, *commands* you to do?

You are now here in regular annual session in obedience to the Constitution, or you are here on your own adjournment, and this is but a continuation of your last session. Which, gentlemen, is it? If it be a regular session as provided by the Constitution, then I am performing my duty in addressing this communication to you; but if it be only a continuation of your last sitting, then I am performing a work entirely gratuitous and not required of me either by the Constitution or by the law. Believing that the resolution to which I have adverted is of no binding force, I feel it to be my duty to inform you that out of abundance of caution it would be well to enter at once upon needful legislation, and consummate it before the day appointed for comparing and declaring the result of the vote on the Constitutional amendments, lest it may turn out after that time that your honorable body is *functus officio*, and all of your subsequent acts of legislation null and void.

THE PENITENTIARY.

The report of the directors and officers of this institution is herewith transmitted to the General Assembly. It is a matter of satisfaction and gratulation to find the work in such prosperous condition, notwithstanding the adverse circumstances by which it has been surrounded, and the difficulties always

attending the management of a penal institution. So rapid has been the increase of the number of inmates, that it is evident that the bulk of the convict population of the State is tending to the Penitentiary, and that the several counties are thus being relieved of the trouble and expense incident to keeping them in the county jails. This is as it should be, for in the Penitentiary all the ends designed for the punishment and reformation of persons convicted of crimes and felonies can be best realized, and at far less expense to the tax-payers. The great increase in the number of convicts creates a corresponding increase of expenditure so long as the labor of the convicts is employed on the public buildings of the State. The expenses, however, might be lessened by diverting the labor of a portion of the convicts to some employment that would bring a revenue to the State. If a portion of the prisoners were put to work in a shoe shop, and a part to manufacturing furniture or agricultural implements, it would diminish the cost of their imprisonment, while a considerable number could still be kept at work on the outer walls and buildings. This is evidently a matter of moment to the State, not only with regard to the saving of money, but because it would be the means of training the younger convicts to a valuable trade that will enable them, when discharged from confinement, to obtain remunerative employment, and relieve the communities wherein they reside of an idle and vicious population. Such good results have been seen in cases already discharged, where they had been kept at work in the small shoe shop established and operated at the Penitentiary. Would it not be well to require the Judges of our Courts to sentence all convicts under twenty or twenty-five years of age to learn some trade in the Penitentiary, and make the sentence long enough to perfect them in the mysteries of the trade."

I would respectfully call the attention of the General Assembly to chapter 144 of the laws of 1872–'73, it being the revenue law, and to section four of class one. This forbids any of the tax collected for the Penitentiary to be used for any

purpose but "the support of the convicts in the Penitentiary, and the erection of the outer wall around the same, and for no other purpose," thus peremptorily stopping all the work on the main building and the erection of cells for the safe keeping of the convicts. That this was not the intention of the General Assembly is evident from the provisions of chapter 157 of the same session, ratified on the same day with the revenue law, where, in section four, the board of directors "is directed to prosecute to as early a completion as possible, the construction of the Penitentiary," &c., and in section one to make as many of 8,000,000 of brick as possible; in section six to make the iron cell doors; and in section seven to hasten the erection of one wing of the prison building. All this to be done as provided in the act, will necessarily require skilled labor and material. How, I ask, gentlemen, can these be provided for, if all the tax levied for the Penitentiary must be applied to the support of the convicts and the erection of the outer wall, and *for no other purpose?*

In order to prosecute the work on the prison building, I recommend an appropriation for the wants of the building department from the general fund, so that the work may be pushed to a speedy completion.

The prison now has among its inmates, excellent stone-cutters and brick-makers, and with the aid of a few skilled workmen, under the supervision of the able architect, the work can be well and rapidly done. This also leads me to ask a reconsideration of the last clause of section four, chapter 157, laws 1872–'73, which provides that the original plan of the building shall be so changed that the wall of the main prison, above the basement shall be constructed of brick instead of stone. So expert have the convicts become in quarrying and cutting stone, and at so small a cost in the stone now laid, that there exists no necessity for mutilating the harmony of the plan, or destroying the beauty of the building. As a matter of architectural taste, and becoming State pride, the original plan should be adhered to, particularly as the report of

the architect, which accompanies that of the directors, shows that the difference in the cost is so small that it should scarcely be considered.

It seems to be hard that convicts, after serving out their term of punishment, or upon being pardoned, should be turned out upon the world without means to reach their places of residence, which are often at a long distance from Raleigh. To save them from the temptation (arising out of want and poverty,) to again violate the law, and as an act of humanity, I recommend that you make some provision, by law, to enable them to reach their distant homes. Most of the other States have made a provision of this kind. Its advantages are evident, and it will save the Capital of the State from an increased vicious and undesirable population.

INSANE ASYLUM.

The annual report of the President of the Board of Directors, accompanied by the reports of the officers of this institution, is herewith transmitted to you. It affords me pleasure to be officially informed of the highly prosperous condition of this noble charity, and to be assured of its able and successful management. Where *all* seem to have performed their duties so well, it might be deemed invidious to discriminate among them by awarding praise to one, when it is equally due to all. It is enough to say that the institution was never in a more prosperous condition, or its affairs more ably managed. The only drawback to its complete success, is a want of sufficient room to accommodate and take care of all the insane, who are entitled to its benefactions. I therefore reiterate the recommendations contained in my former messages urging the General Assembly to provide more ample accommedations by enlarging the present building, or erecting a branch asylum at some point in the Western part of the State.

INSTITUTION FOR THE DEAF AND DUMB AND THE BLIND.

The reports of the officers of this institution show that it has been highly prosperous during the past session, and that its usefulness increases every year. The importance of sustaining this charity cannot be over-estimated. It is far better to educate our deaf, mute, and blind population, and make them useful members of society than to leave them to grow up in ignorance and vice, and become burdens to their friends and the public. The management of the institution has been highly satisfactory, and I feel confident that it has been conducted with as much economy and good judgment as any similar establishment in the whole country. The recommendations made in the reports of its officers, to which your attention is invited, seem to be just and reasonable. The liberality which has heretofore characterized the different Legislatures, it is hoped and believed, will not be withheld or curtailed by your honorable body.

BATTLE'S REVISAL.

The revisal of the statute laws now in force in this State, has been completed by the Hon. W. H. Battle, to whom the work was assigned by your honorable body, and the printing and binding thereof done by workmen in our own State. I cannot too highly commend the diligence, faithfulness and ability of the learned compiler, and the superior workmanship of Messrs. Edwards & Broughton, the printers and binders. The work reflects the highest credit upon the State, and will be indispensable to the legal profession and all public officers. I take occasion to suggest the passage of a law making it incumbent on the county officers, to whom the book is gratuitously furnished, to turn over their copies to their successors, whenever their own terms expire. If this be not done, the State will incur a heavy expense in furnishing a copy to every new officer who may succeed those now in office in the various counties of the State.

PRIVATE CORPORATIONS.

A large portion of the time of the General Assembly is consumed in passing charters for private corporations, notwithstanding there is a law on our statute books, enabling any three or more persons, associating themselves together, to procure a charter from the Clerk of the Superior Court of the county wherein they propose to do business.

Private parties, who embark in schemes to enrich themselves, have no right to tax the people in order to put their machinery in motion. The Legislature has provided a way for them to accomplish what they desire at their own cost and expense, without the necessity of consuming the valuable time of the people's representatives, and at the public expense. In order to abate the nuisance, for it is nothing but a nuisance, I recommend that the 45th section of chapter 199 of the laws of 1871'–72, be so amended as to require every company, asking an act of incorporation, to exhibit a receipt from the Treasurer of the State for *at least* one hundred dollars, before a bill to incorporate the company shall be read the first time in either house of the General Assembly. Such a law will save thousands of dollars to the State. Even one hundred dollars in each case will not indemnify the State for the expense incurred in the passage of these incorporation acts.

MILITIA.

Having heretofore earnestly directed your attention to the necessity of re-organizing the militia, and enacting a law to render it effective, and having failed to convince you of its importance, I forbear, now, to make any further recommendation on the subject, although I am thoroughly satisfied that it is made incumbent on you, by the 2d section of the 12th article of the Constitution, as well as by a proper regard for the public safety, to act at once on this important matter.

REPORTS.

The reports of the State officers, and other officials, are herewith transmitted, and you are respectfully invited to bestow upon them that attention and consideration which their importance demands.

RESIGNATIONS AND APPOINTMENTS.

Virgil S. Lusk, Esq., Solicitor for the 11th Judicial District, tendered his resignation as such on the 14th day of November, 1872, which was accepted, and Marcus Erwin, Esq., appointed to fill the vacancy.

Hon. Thomas Settle was, on the 5th day of December, 1872, commissioned Associate Justice of the Supreme Court, vice Hon. Rob't. P. Dick, resigned.

Marcus Erwin, Esq., Solicitor of the 11th Judicial District, tendered his resignation on the 2d day of March, 1873, which was accepted, and William G. Candler, Esq., appointed on the 6th of the same month to fill the vacancy.

Alfred J. Morrison, Esq., a member of the House of Representatives from Lincoln county, resigned his place on the 6th of March, 1873, and an election to supply the vacancy, ordered to be held on the first Thursday in August, the day of the regular election.

Richard C. Badger, Esq., a member of the House of Representatives from the county of Wake, tendered his resignation on the 4th day of April, 1873, which was accepted, and an election to supply the vacancy ordered to be held on the first Thursday in August, the day of the regular election.

PARDONS, RESPITES AND COMMUTATIONS.

For a list of the convicts pardoned and respited, and of those whose punishments have been commuted since my last annual communication to you, I respectfully refer you to an appendix

which is hereto attached, and which contains the reasons that moved me to exercise clemency in each case. Your attention is particularly invited to the case of Alex. Thom and Thomas Lineberry, convicts from Guilford county, and next to the last included in the appendix.

CONCLUSION.

Having performed the duty required of me by the Constitution, I now commit my suggestions and recommendations to you for your sanction, with the assurance that you shall have my co-operation in whatsoever you may do for the good of the State.

TOD R. CALDWELL.

A message was received from the Senate proposing to raise a joint select committee on the State debt and liabilities, to consist of three on the part of the Senate and five on the part of the House, which was read, and, on motion of Mr. Brown, of Davidson, concurred in.

A message was received from the Senate proposing to raise a joint select committee to consider and report what action shall be taken in behalf of the State of North Carolina in relation to the suit of Self and others against the Public Treasurer of North Carolina, now pending in the Circuit Court of the United States for the Fourth Circuit and Eastern District of North Carolina, asking the concurrence of the House therein.

Pending the consideration of the message, on motion of Mr. Jones, of Caldwell, the House adjourned till to-morrow at 11 o'clock.

THIRD DAY.

WEDNESDAY, Nov. 19, 1873.

The House was called to order by the Speaker at 11 o'clock.

The journal of yesterday was read and approved.

It was announced that Mr. Sneed was detained at his home on account of injuries received.

Reports from standing committees were submitted with recommendations, as follows:

From the committee on the judiciary.

By Mr. Bennett, H. B. No. 4: A bill to be entitled an act to extend the time allowed sheriffs and tax collectors to settle with the Auditor and Public Treasurer, with recommendation that it do pass.

A communication was received from the Mayor of the city of Raleigh relative to opening a new street through the southern portion of the lot on which the Governor's Mansion is situated, which was read and placed on the calendar.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Marler: Resolution in reference to the increase of the salary of the President of the United States and the Senators and Representatives of the 42d Congress. H. R. No. 2.

By Mr. Trivett: Resolutions of disapproval of the Congressional back grab act. H. R. No. 3.

By Mr. Blythe: Resolution of instruction to our Senators and Representatives in Congress. H. R. No. 4.

By Mr. Hanner: Resolution in regard to the back salary grab. H. R. No. 6.

By Mr. McGehee: Resolution concerning the increase of

the salaries of members of Congress and other officers. H. R. No. 7.

TO THE COMMITTEE ON FINANCE.

By Mr. Bryson, of Jackson: Resolution in favor of the sheriff of Jackson county. H. R. No. 5.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Bennett: A bill to be entitled an act to amend the charter of the Carolina Central Railway Company. H. B. No. 5.

By Mr. Bennett: A bill to be entitled an act to amend an act to incorporate the Wilmington and Seaside Railroad Company, ratified the 12th day of April, 1869. H. B. No. 7.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Bennett: A bill to be entitled an act to prohibit the sale of spirituous or malt liquors within three miles of Laurinburg Presbyterian Church at Laurinburg, Richmond county. H. B. No. 6.

By Mr. Dickey: An act for the relief of the sureties of J. S. Hyde, late sheriff of Graham county. H. B. No. 8.

By Mr. Wiley: An act to prevent the felling of trees in Richland creek in the county of Guilford. H. B. No. 13.

By Mr. Bean: A bill to prevent the felling of trees and other obstructions in Deep river and its tributaries. H. B. No. 14.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Blythe: A bill to be entitled an act regulating entries of vacant lands. H. B. No. 9.

By Mr. Anderson, of Clay: A bill to be entitled an act to repeal chapter 68, laws of 1871–'72. H. B. No. 12.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Norment: A bill to be entitled an act to amend and consolidate the various acts heretofore passed, incorporating the town of Lumberton. H. B. No. 11.

PLACED ON THE CALENDAR.

By Mr. Norment: A bill to be entitled an act to repeal so much of chapter 171, laws of 1872–'73, as prohibits the sale of intoxicating liquors within the corporate limits of the town of Lumberton. H. B. No. 10.

A message was received from his Excellency the Governor, covering communication from the Treasurer in relation to the suit of Self and others, which was read and, on motion of Mr. Jones, of Caldwell, transmitted to the Senate for the information of that honorable body.

The unfinished business of yesterday, the proposition of the Senate to raise a joint select committee to consider and report what action shall be taken in behalf of the State of North Carolina in relation to the suit of Self and others against the Public Treasurer of North Carolina was resumed.

The proposition was concurred in, and Messrs. Brown, of Mecklenburg, Bennett, Bowman, Moss and Guyther, announced by the Speaker as the House branch of the said committee.

A message was sent to the Senate informing that honorable body of the action of the House.

Bills were acted on under a suspension of the rules, as follows:

H. B. No. 10: A bill to be entitled an act to repeal so much of chapter 171, laws of 1872–'73, as prohibits the sale of intoxicating liquors within the corporate limits of the town of Lumberton was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

A message was received from the Senate announcing that Messrs. Flemming, Cunningham and King, constitute Senate branch of the committee to examine and report what steps should be taken in relation to the suit of Self and others against the Public Treasurer of North Carolina.

The Speaker announced that Messrs. McGehee, Jones, of Orange, Rhodes, Johnston and Lutterloh, constitute the House branch of the Joint Select Committee on State Debt and Liabilities.

A message was received from the Senate proposing to raise a joint select committee to prepare Joint Rules of Order for the government of the General Assembly during the present session, and designating Messrs. Murphy, Cunningham and King, as the Senate branch of said committee.

On motion, the proposition of the Senate was concurred in, and Messrs. Jones, of Caldwell, Richardson, Gilbert, Anderson, of Clay and Wheeler, was appointed as the House branch of the said committee; and a message transmitted to the Senate informing that honorable body of the action of the House.

On motion of Mr. McNeill, H. R. No. 1: A resolution in relation to special tax bonds was taken from the calendar, and referred to the Joint Select Committee on State Debt and Liabilities.

On motion of Mr. Marler, the rules were suspended, and H. B No. 4: A bill to be entitled an act to extend the time allowed sheriffs and tax collectors to settle with the Auditor and Public Treasurer was read the second time.

Mr. Rhodes moved to commit to Finance Committee; which motion was lost.

Mr. Paschall moved to postpone till Monday next, and make special order for 12 M. that day.

Mr. Bean moved to amend by postponing till 12 M., the second of December.

Mr. Jones, of Caldwell, moved to lay on the table, and, on this motion called for the ayes and noes, the call was sustained, and the House refused to lay on the table. Ayes 41, noes 57.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Bean, Blythe, Brown of Mecklenburg, Bullard, Carson, Cobb, Copeland, Costner, Darden, Dudley, Foster, Freeman, Gant, Gilmer, Gudger, Guyther, Hampton, Jones of Caldwell, Jones of Orange, Jordan, Luckey, Michael, Mizell, Perry of Bladen, Perry of Wake, Reid of Mecklenburg, Reid of Randolph, Rhodes, Sharp, Shinn of Iredell, Shackelford, Stowe, Trivett, Turner, Watson, Winslow, Wheeler and Whisnant—41.

The following gentlemen voted in the negative:

Messrs. Ballard, Bennett, Blackwell, Brown of Davidson, Bryson of Jackson, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Carter, Corson, Cox, Ellison, Fletcher, Gidney, Gilbert, Godfrey, Hanner, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Joyner, Johns, King, Lindsay, Lloyd, Lutterloh, Marler, Maxwell, McLaurin, McGehee, McNeill, Mitchell, Moss, Norment, Outlaw, Patrick, Paschall, Presson, Richardson, Shaw, Todd, Warlick, Waddill, Waugh, Webb, Wiley, Williamson and Woodhouse—57.

Mr. Houston moved to postpone till to-morrow, 12 M., and make special order for that hour, and Mr. Paschall having accepted the amendment, the motion prevailed.

On motion of Mr. Reid, of Mecklenburg, the House adjourned till to-morrow 11½ o'clock.

FOURTH DAY.

THURSDAY, NOV. 20, 1873.

The House was called to order by the Speaker at 11½ o'clock.

The Journal of yesterday was read and approved.

It was announced that Mr. Bryant, of Halifax, was absent from his seat on account of sickness.

The following petition was introduced, read, and referred to the Committee on Corporations.

By Mr. Haynes: From citizens to incorporate Reno Camp Ground and Locust Old Field Church, in Pigeon valley, Haywood county.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Propositions and Grievances:

By Mr. Brown, of Mecklenburg, H. B. No. 8: A bill for the relief of the sureties of J. S. Hyde, late sheriff of Graham county; that it do pass.

H. B. No. 3: A bill to be entitled an act in relation to usury; that it do not pass.

H. B. No. 6: A bill to be entitled an act to prohibit the sale of spirituous or malt liquors within three miles of Laurinburg Presbyterian Church, at Laurinburg, Richmond county; that it do pass.

The following bill, reported from the Committee on Engrossed Bills, as correctly engrossed, was transmitted to the Senate for concurrence.

H. B. No. 10: A bill to be entitled an act to repeal so much of chapter 171, laws of 1872 and 1873, as prohibits the sale of intoxicating liquors within the corporate limits of the town of Lumberton.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON FINANCE.

By Mr. Copeland: A bill for the relief of N. C. Coor. H. B. No. 15.

TO THE COMMITTEE ON PRINTING.

By Mr. Bennett: A bill to be entitled an act in reference to the Public Printing. H. B. No. 16.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Ellison: An act authorizing and empowering the Commissioners of the city of Raleigh to appoint an Inspector of wood and coal. H. B. No. 17.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Dickey: A bill for the relief of citizens of Graham county. H. B. No. 18

By Mr. Byrd: A bill to prohibit the sale of intoxicating liquors within two miles of the town of Burnsville, Yancey county. H. B. No. 22.

TO THE COMMITTEE ON STATE DEDT AND LIABILITIES.

By Mr. Gudger: A bill to be entitled an act declaring what portion of the debt of North Carolina is valid, and to pay off the same. H. B. No. 19.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Haynes: A bill to be entitled an act to incorporate Reno's Camp Ground and Locust Old Field Baptist Church. H. B. No. 24.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Reid, of Randolph: A bill to be entitled an act to change the time for holding the Superior Courts of Randolph county, 7th Judicial Circuit. H. B. No. 20.

By Mr. Johnston: A bill to be entitled an act to amend title four Code of Civil Procedure. H. B. No. 21.

By Mr. Todd: A bill to be entitled an act to restore burnt records in the county of Watauga. H. B. No. 23.

On motion of McGehee the rules were suspended and H. R. No. 7: A resolution concerning the increase of the salaries of members of Congress; was taken from the calendar and made the special order for to-morrow 12 o'clock.

The calendar was taken up, and H. R. No. 2: Resolution in reference to the increase of the salary of the President of the United States, and the Senators and Representatives of 42d Congress, was read the second time.

Pending the consideration of the resolution, the hour (12 m.) for the special order having come,

H. B. No. 4: A bill to be entitled an act to extend the time allowed sheriffs and tax-collectors to settle with the Auditor and Public Treasurer, was read the second time.

Mr. Brown, of Mecklenburg, offered the following amendment to the first section of the bill:

"*Provided*, That said sheriffs and other accounting officers pay in and settle three-fourths of the said taxes as now required by law."

Mr. Waugh moved to amend the amendment by striking out three-fourths and inserting one-half, and, the motion being divided, the House refused to strike out.

The question recurring upon the amendment of Mr. Brown, of Mecklenburg, and a call for the ayes and noes having been sustained, the amendment was adopted. Ayes 84; noes 19.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Carter, Carson, Costner, Cox, Darden, Dickey, Ellison, Fletcher, Foster, Gant, Gidney, Gilmer, Godfrey, Gorman, Grady, Gudger, Guyther, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Mitchell, Mizell, Moring, Moss, Norment, Outlaw, Patrick, Paschall, Perry of Bladen, Perry of Wake, Presson, Reid of Mecklenburg, Richardson, Settle, Shinn of Iredell, Shackelford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Winslow, Wiley, Williamson, Whitmire, Whisnant and Woodhouse—84.

The following gentlemen voted in the negative:

Messrs. Abbott, Bunn, Cobb, Copeland, Carson, Dudley, Freeman, Gilbert, Hampton, Hughes, Jordan, King, Michael, Reid of Randolph, Rhodes, Shaw, Sharp, Webb and Wheeler—19.

Mr. Rhodes moved to indefinitely postpone the bill, and on that motion call for the ayes and noes, and the call being sustained, the House refused to postpone. Ayes 27, noes 71.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Clay, Bean, Bryan of Wilkes, Bunn, Carson, Cobb, Copeland, Corson, Darden, Dudley, Foster, Freeman, Gant, Gilbert, Godfrey, Hampton, Jordan, Michael, Mizell, Paschall, Reid of Randolph, Rhodes, Sharp, Trivett, Wheeler and Whisnant—27.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Ballard, Bennett, Blackwell, Blythe, Brown of Davidson, Bryson of Jackson, Bryan of Sampson, Bryan of Alleghany, Brooks, Byrd, Carter, Costner, Cox, Dickey, Ellison, Fletcher, Gilmer, Gorman, Grady, Gudger, Guyther, Hanner, Haynes, Hinnant, Hughes, John-

ston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Joyner, Johns, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Mitchell, Moring, Moss, Norment, Outlaw, Perry of Bladen, Perry of Wake, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shinn of Iredell, Shackelford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Williamson, Whitmire and Woodhouse—71.

The question recurring upon the passage of the bill, it passed.

On motion of Mr. Luckey the rules were suspended, and the bill was read the third time, passed and ordered to be engrossed and transmitted to the Senate for concurrence.

On motion of Mr. Marler, his motion to reconsider the vote by which the bill passed its third reading, was laid upon the table.

A message was received from the Senate transmitting report of the Joint Select Committee on Joint Rules of Order for the government of the General Assembly during its present session. The report was read and adopted.

A message was received from the Senate informing the House that Mr. Flemming, at his own request, had been excused from further service as a member of the Senate branch of the Joint Select Committee to consider and report what action shall be taken in behalf of North Carolina, in the suit of Self and others against the Public Treasurer of the State, now pending in the Federal Court in this circuit, and that Mr. Merrimon has been designated to fill the vacancy.

Mr. Bennett, from the Joint Select Committee relating to the suit of Self and others, submitted a report, which was read and adopted, and transmitted to the Senate for the action of that body.

On motion of Mr. Brown, of Davidson, the House adjourned till to-morrow 12 o'clock.

FOURTH DAY.

FRIDAY, Nov. 21, 1873.

The House was called to order by the Speaker at 12 o'clock.

The Journal of yesterday was read and approved.

The following petitions were introduced, read, referred or otherwise disposed of, as follows:

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Costner: Petition asking for the incorporation of Rock Spring Seminary, in the county of Lincoln.

PLACED ON THE CALENDAR.

By Mr. Lindsay: Petition from sundry citizens of Nash county to make a part of Tar river a lawful fence.

The following committees were announced by the Speaker:

On Banks and Currency—House branch, Messrs. Richardson, Stowe, Gorman, Wiley and Dula.

On Insurance—House branch, Messrs. Moss, Anderson of Davie, Darden, Copeland and Lindsay.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Counties, Cities, Towns and Townships:

By Mr. Waugh, H. B. No. 11: A bill to be entitled an act to amend and consolidate the various acts heretofore passed incorporating the town of Lumberton, in the county of Robeson; that it do pass.

From the Committee on Public Printing:

By Mr. Gudger, H. B. No. 16: A bill to be entitled an act in reference to the public printing; with recommendation that it do pass.

From the Committee on Corporations:

By Mr. Jones, of Caldwell, H. B. No. 7: A bill to be enti tled an act to amend an act to incorporate the Wilmington and Seaside Railroad Company, ratified 12th day of April, 1869, with amendments; that it do pass.

H. B. No. 5: A bill to be entitled an act to amend the charter of the Carolina Central Railway Company, with amendment; that it do pass.

From the Committee on Finance:

By Mr. Gidney, H. R. No. 5: Resolution in favor of the sheriff of Jackson county; that it do pass.

H. B. No. 2: An act for the relief of A. R. Black, sheriff of New Hanover county, with amendment; that it do pass.

From the Committee on Propositions and Grievances:

By Mr. Brown, of Mecklenburg, H. B. No. 14: A bill to prevent the felling of trees and other obstructions into Deep river and its tributaries, with a substitute; that it do pass.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

CALENDAR.

By Mr. Rhodes: Resolution in relation to rules of order for the House of Representatives. H. R. No. 8.

By Mr. Waugh: Resolution instructing joint select committee in relation to suit of Self and others to make a report. H. R. No. 9.

By Mr. Waugh: Resolution in relation to the taxes of Wayne county for the year 1870. H. R. No. 10.

By Mr. Brown, of Mecklenburg: Resolution authorizing the heating of the Hall of the House of Representatives. H. R. No. 11.

By Mr. Moring: Resolution of instruction to the Committee on Education. H. R. No. 12.

By Mr. Norment: Resolution in favor of Jas. H. Enniss, agent. H. R. No. 14.

By Mr. Watson: Resolution referring the Governor's Message. H. R. No. 15.

By Mr. Norment: Resolution in favor of W. H. Morris & Co. H. R. No. 16.

By Mr. Watson: Resolution in regard to the public printing. H. R. No. 18.

TO THE COMMITTEE ON FINANCE.

By Mr. Jones, of Camden: Resolution in favor of D. D. Ferebee, Jr., sheriff of Camden county. H. R. No. 17.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Perry, of Bladen: Resolution respecting the Island of Cuba. H. R. No. 13.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Michael: A bill to be entitled an act to repeal an act of the private laws of 1868–'69. H. B. No. 25.

By Mr. Gidney: A bill concerning Sharon Camp Ground, in Cleaveland county, and to incorporate a board of trustees therefor. H. B. No. 32.

By Mr. Costner: An act to be entitled an act to incorporate Rock Spring Seminary, in the county of Lincoln. H. B. No. 36.

By Mr. Wheeler: A bill to be entitled an act to incorporate the members of the congregation of the United Brethren of the town of Salem, and vicinity commonly called Moravians. H. B. No. 37.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Moss: A bill to be entitled an act to protect the agricultural interests of the State. H. B. No. 29.

By Mr. Dudley: A bill to be entitled an act to secure equal rights to colored citizens of North Carolina. H. B. No. 30.

By Mr Dickey: An act to amend chapter 77, laws of 1871–'72. H. B. No. 34.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Dickey: An act to require the Treasurer of Cherokee county to turn over to the Treasurer of Graham county certain bonds, and for other purposes. H. B. No. 33.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Lindsay: An act making Tar River a lawful fence in Nash county. H. B No. 26.

By Mr. Miller: A bill for the benefit of farmers in Cashie Neck, Bertie county. H. B. No. 27.

By Mr. Turner: A bill to be entitled an act to amend section 2, chapter 277, laws of 1870–'71, entitled an act to provide a cheap chattel mortgage. H. B. No. 28.

By Mr. McNeil: A bill to be entitled an act in relation to the sale of cotton. H. B. No. 35.

PLACED ON THE CALENDAR.

By Mr. Bennett: A bill in relation to foreign insurance companies. H. B. No. 31.

A message was received from the Senate transmitting engrossed copy of Senate resolution 14, (H. R. 19): Resolution concerning the report of the Superintendent of Public Instruction, which was read the first time and passed.

On motion of Mr. Johnston, the rules were suspended and

the resolution was read the second and third times, passed each reading, and was ordered to be enrolled for ratification.

The hour, 12 m., having come, the

SPECIAL ORDER,

H. R. No. 7: Resolution relating to increased salaries of members of Congress, was read the second time.

Mr. Trivett offered a substitute, and pending the consideration,

On motion of Mr. Jones, of Caldwell, the further consideration of the subject was postponed till to-morrow, 12 m., and made special order for that hour.

The unfinished business of yesterday, H. R. No. 2: Resolution in reference to the increase of the salary of the President of the United States and the Senators and Representatives of the 42d Congress, was resumed, and, on motion, the further consideration was passed over informally.

On motion of Mr. Brown, of Mecklenburg, the rules were suspended and H. R. No. 11, authorizing the heating of the Hall of the House of Representatives, was read the second time and passed; was read the third time, and on motion of Mr. Maxwell, referred to the Committee on Propositions and Grievances.

On motion of Mr. McLaurin, the rules were suspended, and H. B. No. 2: A bill for the relief of A. R. Black, sheriff of New Hanover, was read the second time, the amendment of the committee was adopted and the bill passed; was read the third time, passed and ordered to be engrossed and sent to the Senate.

On motion of Mr. McLaurin, his motion to reconsider the vote by which the bill passed its third reading, was laid on the table.

On motion of Mr. Rhodes, the rules were suspended, and H. R. No. 8: Resolution in relation to rules of order for the House of Representative was read and adopted.

On motion of Mr. Rhodes, it was ordered that the usual number of copies of the rules of order for the House, and the joint rules of the two Houses, be printed for the use of the members.

On motion of Mr. Gudger, the rules were suspended, and H. B. No. 16: A bill in reference to the public printing was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Gudger, his motion to reconsider the vote by which the bill passed its third reading was laid on the table.

On motion of Mr. Moring, the rules were suspended, and H. R. No. 12: Resolution of instruction to the Committee on Education, was read and adopted.

On motion of Mr. Jones, of Caldwell, the rules were suspended, and the following resolutions were read and unanimously adopted:

WHEREAS, This House has heard with profound regret of the death of the Hon. Nathaniel Boyden, one of the Judges of the Supreme Court of North Carolina, which occurred at his residence in Salisbury on the 20th instant; therefore,

The House of Representatives do resolve, That in the death of the Hon. Nathaniel Boyden, the State of North Carolina has lost one of her best citizens, an able jurist, an upright, incorruptible statesman, a genial cultivated gentleman, his loss will be felt and deplored by all the people of the Commonwealth.

Resolved further, That the Keeper of the Capital be directed to place the flag on the State House at half mast, and that the House do adjourn out of respect to his memory.

Resolved, That these resolutions be spread upon the Journals of the House.

The House adjourned till to-morrow 11½ o'clock.

SIXTH DAY.

SATURDAY, NOV. 22, 1873.

The House was called to order by the Speaker at 11½ o'clock.

The Journal of yesterday was read and approved.

On motion of Mr. Cox, indefinite leave of absence was granted to Mr. Patrick on account of sickness in his family.

On motion, leave of absence was granted to Mr. Reid, of Randolph, on account of sickness in his family.

The Speaker announced that Mr. Gorman would take the place of Mr. Badger, late member of the Committee on the Insane Asylum.

A communication was read from the Committee on Invitation, inviting the members of the House of Representatives to visit the Fair of the Carolinas at Charlotte, next Thursday, 29th of November.

The following petition was introduced, read and placed on the calendar:

By Mr. Brooks: Petition from the members and friends of the Methodist Church at Shallotte Camp Ground in the county of Brunswick to prohibit the sale of liquors within two miles of said Church.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Counties, Cities, Towns and Townships:

By Mr. Waugh, H. B. No. 17: A bill authorizing and empowering the Commissioners of the city of Raleigh to appoint an inspector of wood and coal, with amendment; that it do pass.

From the Committee on Propositions and Grievances:

By Mr. Brown, of Mecklenburg, H. B. No. 13: An act to prevent the felling of trees in Richland creek in the county of Guilford and for other purposes; that it do pass.

H. B. No. 18: A bill for the relief of citizens of Graham county; that it do pass.

H. B. No. 26: An act making Tar river a lawful fence; that it do not pass, a remedy having been already provided.

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 12: A bill to the entitled an act to repeal chapter 68, laws 1871–'72; that it do not pass.

H. B. No. 30: A bill to be entitled an act to ensure equal rights to colored citizens of North Carolina; that it do not pass.

H. B. No. 34: A bill to be entitled an act to amend chapter 77, laws 1871–'72; that it do pass.

From the Committee on Finance:

By Mr. Gidney, H. B. No. 15: An act for the relief of N. C. Coor; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by the Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 2: An act for the relief of A. R. Black, sheriff of New Hanover county.

H. B. No. 16: A bill to be entitled an act in reference to the public printing.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Waugh: Resolution requiring report of the State Geologist. H. R No. 21.

By Mr. Houston: Resolution of instruction to the Attorney General. H. R. No. 22.

By Mr. Reid, of Mecklenburg: Resolution of instruction to the Judiciary Committee in regard to Insurance Companies. H. R. No. 24.

By Mr. Paschall: Resolution in favor of members of the Legislature who are justices of the peace. H. R. No. 23.

By Mr. Jones, of Caldwell: A resolution in relation to repairs on the Hall of he House.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE JUDICIARY COMMITTEE.

By Mr. Hanner: A bill to be entitled an act to amend chapter 121, section 13, of Battle's Revisal. H. B. No. 38.

By Mr. Blythe: A bill to be entitled an act allowing widows to sell real estate. H. B. No. 40.

By Mr. Hughes: A bill to be entitled an act to create a laborers' and mechanics' lien law, and for other purposes. H. B. No. 46.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Gorman: A bill to amend the charter of the city of Raleigh. H. B. No. 39.

By Mr. Brown, of Mecklenburg: A bill to be entitled an act to amend an act to incorporate the trustees of Davidson College. H. B. No. 42.

By Mr. Dudley: A bill to be entitled an act to repeal chapter 119, private laws of 1870–'71. H. B. No. 43.

By Mr. Gidney: An act concerning Clover Hill Camp Ground, in Cleaveland county, and to incorporate a board of trustees thereof. H. B. No. 44.

By Mr. Bryan, of Pitt: A bill to incorporate Bethel, in the county of Pitt. H. B. No. 49.

TO THE COMMITTEE ON FINANCE.

By Mr. Cobb: A bill to be entitled an act to extend the

time allowed sheriffs and tax collectors in which to settle their accounts with the county treasurer. H. B. No. 41.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Carson: An act to prevent the adulteration and the sale of adulterated liquors. H. B. No. 48.

By Mr. Wiley: An act to prevent the selling of articles by the offer of gifts or prizes. H. B. No. 47.

PLACED ON THE CALENDAR.

By Mr. Gorman: A bill to organize, equip and discipline the militia of North Carolina. H. B. No. 45.

The hour, 12 M., for the special order having arrived,

H. R. No. 7: Resolution concerning the increase of the salaries of Members of Congress, was read, and, on motion of Mr. Houston, the further consideration was postponed for five minutes.

On motion of Mr. Houston, the rules were suspended, and H. R. No. 22: A resolution of instruction to the Attorney General was read and adopted.

The consideration of the special order was resumed.

On motion of Mr. Marler the original resolution was amended by inserting in line 3 after the word "law" "and the approval of the President."

On motion of Mr. Jones, of Caldwell, all the resolutions relating to this subject were referred to the Committee on the Judiciary.

On motion of Mr. Jones, of Caldwell, the rules were suspended, and H. R. 25: A resolution in regard to repairs on the Hall of the House of Representatives, was read the second time.

Mr. Lloyd moved to indefinitely postpone. The motion was rejected, and pending its further consideration,

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

A message was received from his Excellency, the Governor, covering the report of the commission on Western North Carolina Railroad, appointed at last session of the General Assembly, was read, and on motion of Mr. Waugh, the message and report were ordered to be transmitted to the Senate.

On motion of Mr. Waugh, the rules were suspended, and H. R. No. 16: Resolution in relation to the taxes of Wayne county, was read the second time and adopted.

On motion of Mr. Paschall, the rules were suspended, and H. R. No. 23: Resolution in favor of members of the Legislature who are justices of the peace, was read the second time. The motion of Mr. Houston to refer to Judiciary Committee was lost.

On motion of Mr. Hanner, H. B. 38: A bill to be entitled an act to amend chapter 121, section 13, of Battle's Revisal, was withdrawn from the Judiciary Committee, and offered as a substitute for the resolution under consideration. The substitute was amended on motion of Mr. Jones, of Caldwell, and the bill passed its second and third readings, and was ordered to be engrossed.

On motion of Mr. Hanner, his motion to re-consider the vote by which the bill passed its third reading, was laid on the table.

On motion of Mr. Jones, of Caldwell, the thanks of the members were tendered to the committee of the Fair of the Carolinas.

On motion of Mr. Reid, of Mecklenburg, the House adjourned till Monday morning, 11 o'clock.

SEVENTH DAY.

MONDAY, Nov. 24, 1873.

The House was called to order by the Speaker at 11 o'clock.

The Journal of Saturday was read and approved.

It was announced that Mr. Abbott was detained at his room on account of sickness.

Indefinite leave of absence was granted to Mr. Perry, of Bladen, on account of sickness in his family.

The following petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Brooks: Petition from Shallotte township, Brunswick county, praying for a law prohibiting the sale of spirituous liquors within three miles of any private or public school in said township.

By Mr. Blackwell: Petition from citizens of Leicester, asking for the prohibition of the sale of liquor within one mile of the College located at Leicester.

The following bills, resolutions and amendments, reported as correctly engrossed by the Committee on Engrossed bills, were transmitted to the Senate for concurrence:

H. B. No. 38: A bill to amend chapter 121, section 13, Battle's Revisal.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON FINANCE.

By Mr. Bryson, of Swain: A resolution in favor of Birch McHan. H. R. No. 26.

ON THE CALENDAR.

By Mr. Richardson: A resolution to raise a committee to investigate the affairs of H. J. Menninger, late Secretary of State. H. R. No. 27.

BILLS—TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Joyner: A bill to be entitled an act to amend section 11, chapter 53, of Battle's Revisal. H. B. No. 50.

By Mr. Bennett: A bill to be entitled an act to enable foreign guardians of infants and insane persons to remove the estates of their wards from the State. H. B. No. 51.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Brooks: A bill to incorporate the Bridge and Steamboat Ferry Company from Brunswick Ferry to Wilmington. H. B. No. 52.

TO THE COMMITTEE ON AGRICULTURE.

By Mr. Norment: A bill to be entitled an act to prevent enticing servants from fulfilling their contracts with their employers and harboring them. H. B. No. 53.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By. Mr. Bryson, of Swain: A bill to prohibit the sale of spirituous liquors within two miles of the town of Charleston in the county of Swain. H. B. No. 54.

By Mr. Gorman: A bill in regard to seats of the members of the House of Representatives of the General Assembly of North Carolina. H. B. No. 55.

By Mr. Blackwell: A bill to be entitled an act to prevent

persons from obstructing the passage of fish in Sandy Mush creek in Buncombe and Madison counties. H. B. No. 56.

TO THE COMMITTEE ON RAILROADS, POSTROADS AND TURNPIKES.

By Mr. Brooks: A bill to be entitled an act concerning the Ferries and Causeway from the city of Wilmington to Brunswick county. H. B. No. 57.

By Mr. Marler: A bill to be entitled an act to establish a turnpike road from the town of Winston in the county of Forsythe, *via* Yadkinville, in the county of Yadkin, to the town of Wilkesborough, in the county of Wilkes. H. B. No. 58.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Haynes: A bill to be entitled an act to establish a new county by the name of Bragg. H. B. No. 59.

TO THE COMMITTEE ON EDUCATION.

By. Mr. Houston: A bill to be entitled an act to amend chapter 68, section 50, Battle's Revisal. H. B. No. 60.

PLACED ON THE CALENDAR.

By Mr. Marler: A bill to be entitled an act to so amend Battle's Revisal, chapter 121, section 13, as to supply the sheriffs of the several counties with said Revisal. H. B. No. 61.

By Mr. Turner: A bill to be entitled an act in relation to the duties of the Public Treasurer. H. B. No. 62.

By Mr. Paschall: Act to amend chapter 68, Battle's Revisal in relation to the literary fund and common schools. H. B. No. 63.

THE CALENDAR WAS TAKEN UP.

H. R. No. 5: A resolution in favor of the sheriff of Jackson

county, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 7: A bill to be entitled an act to amend an act entitled an act to incorporate the Wilmington and Seaside Railroad Company, ratified the 12th day of April, 1869, was read the second time, amendments of the committee were adopted and the bill passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 5: A bill to be entitled an act to amend the charter of the Carolina Central Railway Company, was read the second time, and the amendment of the committee, adopted. The motion of Mr. Hughes, to print was rejected and the bill passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 11: A bill to be entitled an act to amend and consolidate the various act heretofore passed, incorporating the town of Lumberton, in the county of Robeson, was read the second time and passed; was read third time, and on motion of Mr. Bowman, was amended by striking out in section 6, the words "six months," and inserting "thirty days." On this amendment the call for the ayes and noes was sustained, and it was adopted. Ayes 51, noes 41.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Clay, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Swain, Bryan of Pitt, Bryan of Wilkes, Brooks, Bunn, Carson, Cobb, Corson, Costner, Cox, Darden, Dickey, Dudley, Ellison, Foster, Gilbert, Gorman, Gray, Gudger, Guyther, Hampton, Hughes, Jones of Camden, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, McGehee, Miller, Michael, Mizell, Paschall, Perry of Wake, Rhodes, Shaw, Sharp, Sneed, Trivett, Warlick, Winslow, Williamson, Whitmire and Whisnant—51.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Ballard, Blackwell, Bryan of Alleghany, Carter, Craige, Freeman, Gant, Gidney, Gilmer, Godfrey, Grady, Hanner, Haynes, Houston, Johnston, Jones

of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Luckey, Marler, Maxwell, McNeill, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Shinn of Iredell, Shackelford, Standford, Todd, Turner, Waddill, Watson, Waugh, Webb, Wiley and Woodhouse—41.

The bill passed its third reading.

On motion of Mr. Norment, the vote by which the bill passed its third reading, was reconsidered and the bill was made special order for to-morrow 12 m.

H. B. No. 30: A bill to be entitled an act to secure equal rights to colored citizens of North Carolina was read the second time, and the motion of Mr. Dudley to make special order for the third Monday in December, was rejected.

Mr. Williamson moved to lay on the table.

On this Mr. Dudley called for the ayes and noes, and the call was sustained, and the motion to table was adopted. Ayes 85; noes 9.

The following gentlemen voted in the affimative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowman, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Byrd, Carter, Carson, Costner, Cox, Craige, Darden, Dickey, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Godfrey, Gorman, Goodwyn, Gudger, Guyther, Hanner, Hampton, Haynes, Hinnant, Houston, Johnston, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, King, Lutterloh, Luckey, Marler, Maxwell, McGehee, McNeill, Miller, Michael, Mizell, Norment, Outlaw, Paschall, Perry of Wake, Presson, Reid of Mecklenburg, Richardson, Rhodes, Shaw, Sharp, Shinn of Iredell, Shackelford, Stanford, Sneed, Todd, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Williamson, Whitmire, Wheeler, Whisnant and Woodhouse—85.

The following gentlemen voted in the negative:

Messrs. Bowe, Bunn, Cobb, Carson, Dudley, Jones of Caldwell, Jones of Northampton, Lloyd and McLaurin—9.

H. B. No. 62 was taken up and referred to the Joint Select Committee on the suit of Self and others.

H. B. No. 12: A bill to be entitled an act to repeal chapter 68, laws of 1871 and 1872, was read the second time. The motion of Mr. Waugh to postpone indefinitely was rejected, and the motion of Mr. Bean to exempt the county of Randolph from the provisions of the bill having been adopted, the bill passed its second and third readings, and was ordered to be engrossed and sent to the Senate.

On the motion of Mr. Anderson, of Clay, his motion to reconsider the vote by which the bill passed its third reading, was laid upon the table.

H. B. No. 14: A bill to prevent the felling of trees and other obstructions into Deep river and its tributaries was read the second time, and the substitute of the committee was adopted and the bill passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 15: A bill for the relief of N. C. Coor was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 18: A bill for the relief of citizens of Graham county was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 13: An act to prevent the felling of trees in Richland creek, in the county of Guilford, and for other purposes, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 6: A bill to be entitled an act to prohibit the sale of spirituous or malt liquors within three miles of Laurenburg Presbyterian Church in Laurenburg, Richmond county, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 8: An act for the relief of the sureties of J. S. Hyde, late sheriff of Graham county, was read the second and

third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 17: An act authorizing and empowering the commissioners of Raleigh to appoint an Inspector of Wood and Coal, was read the second time, and the amendment recommended by the committee was adopted and the bill passed; was read the third time, and the amendment of Mr. Guyther to strike out ten cents and insert five cents for wood was rejected. The amendment of Mr. Bennett, that "nothing herein contained shall in any manner apply to wood or coal purchased by or for the State of North Carolina, or any department or agency thereof," to follow section second was adopted, and the bill passed, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Stanford, the House adjourned till to-morrow 11½ o'clock.

EIGHTH DAY.

THURSDAY, Nov. 25th, 1873.

The House was called to order by the Speaker at 11½ o'clock.

The Journal of yesterday was read, amended and approved.

Permission was granted to Messrs. Moring, Lindsay, Moss and Settle to record their votes in the affirmative on the motion to table H. B. No. 30: A bill to secure equal rights to the colored citizens of North Carolina.

On motion indefinite leave of absence was granted Mr. Hughes on account of sickness.

The following petitions were introduced, read, and referred or otherwise disposed of as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Norment: Petition from citizens of Harrellsville township, Robeson county, asking that the law passed at the last session of this General Assembly prohibiting the sale of liquors within three miles of Zion's Tabernacle Baptist Church be so modified as only to prevent the sale within one mile of said church.

PLACED ON THE CALENDAR.

By Mr. Gorman: Petition from the "Mexican War Veterans" concerning a flag now in possession of the Adjutant General.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 40: A bill to be entitled an act allowing widows to sell real estate; that it do pass.

From the Committee on Corporations:

By Mr. Jones, of Caldwell, H. B. No. 32: An act concerning Sharon Camp Ground in Cleaveland county, and to incorporate a Board of Trustees therefor; that it do pass.

H. B. No. 42: A bill to be entitled an act to amend an act to incorporate the Trustees of Davidson College; that it do pass.

H. B. No. 24: A bill to be entitled an act to incorporate Reno's Camp Ground and Locust Oldfield Baptist Church; amend and that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 14: A bill to prevent the felling of trees and other obstructions into Deep river and its tributaries.

H. B. No. 15: An act for the relief of N. C. Coor.

H. R. No. 5: Resolution in favor of the sheriff of Jackson county.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

Resolution concerning the Superintendent of Public Instruction.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Costner: Resolution in relation to the sessions of this House. H. R. No. 28.

By Mr. Bryan, of Wilkes: Resolution of instruction to our Senators and Representatives in Congress. H. R. No. 29.

By Mr. Bennett: Resolution providing for the appointment of a Joint Select Committee to report what effect the adoption of the proposed amendment to the Constitution of this State in regard to the sessions of the General Assembly will have on the session. H. R. No. 30.

By Mr. Jones, of Caldwell: Resolution in favor of James H. Enniss. H. R. No. 31.

By Mr. Rhodes: Resolution in relation to adjournment. H. R. No. 32.

By Mr. Gorman: Resolution in regard to a flag presented by the ladies of Raleigh to the regiment of volunteers from North Carolina in the Mexican war. H. R. No. 33.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Settle: A bill to be entitled an act declaring it a

misdemeanor for any person who has executed a chattel mortgage deed in trust or lien to dispose of the property with intent to defeat the mortgage. H. B. No. 64.

By Mr. Blythe: A bill requiring county officers to deliver to their successors Battle's Revisal. H. B. No. 65.

By Mr. Bowe: A bill to be entitled an act to exempt the county of Caswell from the provisions of section 13, chapter 27, of Battle's Revisal. H. B. No. 66.

By Mr. McGehee: A bill to be entitled an act to enable indigent persons to appeal to the Supreme Court. H. B. No. 67.

By Mr. Richardson: A bill to be entitled an act to amend section 3, chapter 206, Public Laws of 1769 and 1870. H. B. No. 68.

By Mr. Marler: A bill to be entitled an act to amend chapter 60, sections 27 and 28 of Battle's Revisal so as to allow insolvents who may be imprisoned as futative fathers of bastards or for the fine and costs of any criminal prosecution after remaining in prison ten days to be discharged. H. B. No. 69.

TO THE COMMITTEE ON RAILROADS, POSTROADS AND TURNPIKES.

By Mr. Bean: A bill to prevent persons from carrying torch lights through covered bridges in the county of Randolph. H. B. No. 70.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Carson: An act to open the Catawba river for the free passage of fish. H. B. No. 71.

By Mr. Houston: A bill to be entitled an act to secure the free passage of fish in the Catawba river. H. B. No. 72.

The hour (12 m.) for the special order having arrived, H. B. No 11: A bill to be entitled an act to amend and consolidate the various acts, heretofore passed, incorporating the town of Lumberton, in the county of Robeson, was announced.

On motion of Mr. McGehee, the consideration of the special

order was postponed five minutes, and the rules were suspended and H. R. No. 30: A resolution providing for the appointment of a Joint Select Committee to report what effect the adoption of the proposed amendment to the Constitution of this State in regard to the sessions of the General Assembly will have upon this session, was read and adopted.

The consideration of the special order was resumed.

The following amendment of Mr. Norment was adopted:

Be it further enacted, That every male citizen of said town of the age of 21 years and over, residing in the corporate limits shall be entitled to vote at said election, under such rules and regulations as are now prescribed by law.

The bill passed and was ordered to be engrossed and sent to the Senate.

The calendar was taken up.

H. R. No. 4: Resolution of instruction to our Senators and Representatives in Congress was read the second time, and the amendment of Mr. Gudger to strike out the words "Secretary of State," and all thereafter except the ratifying clause being rejected, the resolution was adopted. Ayes 101, noes 2.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Bunn, Byrd, Carter, Carson, Cobb, Copeland, Costner, Cox, Craige, Darden, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Goodwyn, Gray, Grady, Guyther, Hanner, Hampton, Haynes, Heaton, Hinnant, Houston, Hughes, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Johns, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mizell, Moring, Moss, Norment, Outlaw, Paschall, Perry of Wake, Presson, Reid of

Mecklenburg, Richardson, Rhodes, Scott, Settle, Shaw, Sharp, Shinn of Iredell, Shackelford, Stanford, Stowe, Sneed, Todd, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whitmire, Wheeler, Whisnant and Woodhouse—101.

The following gentlemen voted in the negative:

Messrs. Freeman and Gudger—2.

H. B. No. 34: An act to amend chapter 77, laws of 1871 and 1872, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 26: An act making Tar river a lawful fence in Nash county, was read the second time, and, on motion, laid upon the table.

H. R. No. 9: Resolution instructing joint select committee in relation to suit of Self and others to make a report, was read, and, on motion of Mr. Waugh, laid upon the table.

H. R. No. 14: Resolution in favor of James H. Ennis, agent, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. R. No. 16: Resolution in favor of W. H. Morris & Co., was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. R. No. 15: Resolution referring to the Governor's Message was read and adopted.

H. R. No. 24: Resolution of instruction to the Judiciary Committee in regard to Insurance Companies was read and adopted.

H. R. No. 27: A resolution to raise a committee to investigate the affairs of H. J. Menninger, late Secretary of State, was read and adopted.

H. R. No. 18: Resolution in regard to the Public Printing, was read the second time.

Mr. Watson moved to lay upon the table.

On this motion Mr. Gorman called for the ayes and noes, and the call being sustained, the motion was rejected. Ayes 44, noes 57.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Bullard, Carter, Costner, Craige, Dickey, Gant, Gilmer, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Marler, Maxwell, McGehee, Moring, Moss, Norment, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shinn of Iredell, Shackelford, Standford, Turner, Waddill, Watson and Wiley. —44.

The following gentlemen voted in the negative:

Messrs. Bean, Blythe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Carson, Cobb, Copeland, Cox, Darden, Dudley, Dula, Ellison, Fletcher, Foster, Freeman, Gidney, Gilbert, Godfrey, Gorman, Goodwyn, Gray, Grady, Gudger, Guyther, Hampton, Heaton, Hughes, Jones of Camden, Jones Northampton, Lloyd, Lutterloh, Luckey, Miller, Michael, Mizell, Outlaw, Paschall, Perry of Wake, Rhodes, Scott, Sharp, Stowe, Sneed, Todd, Trivett, Warlick, Waugh, Welch, Winslow, Whitmire, Wheeler, Whisnant and Woodhouse– 57.

The question recurring upon the adoption of the resolution, Mr. Bean called for the ayes and noes, and the call being sustained, the resolution was adopted. Ayes 77, noes 21.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowman, Brown of Davidson, Bryson of Jackson, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Byrd, Carson, Cobb, Copeland, Costner, Cox, Darden, Dudley, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Gray, Grady, Gudger, Guyther, Hanner, Hampton, Haynes, Heaton, Hughes, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Lindsay, Lloyd, Lutterloh, Luckey, McNeill, Miller, Michael, Mizell, Moring, Norment, Outlaw, Paschall, Perry of Wake, Presson, Rhodes, Scott, Settle, Shaw, Sharp,

Shackelford, Stowe, Sneed, Todd, Trivett, Waddill, Waugh, Webb, Winslow, Whitmire, Wheeler, Whisnant and Woodhouse—71.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Bryson of Swain, Craige, Dickey, Hinnant, Houston, Johnston, Jones of Orange, Joyner, Johns, Marler, Maxwell, McGehee, Moss, Reid of Mecklenburg, Richardson, Shinn of Iredell, Standford, Turner, Watson and Wiley—21.

The resolution was read the third time, passed, and ordered to be engrossed.

H. B. No. 63: An act to amend chapter 68, Battle's Revisal, was read the second time, and on motion of Mr. Paschall, referred to the Committee on Education.

H. B. No. 61: A bill to be entitled an act so to amend Battle's Revisal, chapter 121, section 13, as to supply the sheriffs of the several counties with said Revisal, was read the second time, and, with an amendment offered by Mr. Johnston, was referred to the Committee on the Judiciary.

A message was received from the Senate with engrossed amendments to H. B. No. 4, S. B. No. 46; a bill to be entitled an act to extend the time allowed sheriffs and tax collectors to settle with the Auditor and Public Treasurer.

The amendment to strike out "first Monday in January," and insert "first day of February," was read and non-concurred in.

2nd amendment: "Add to section 1, the words "and further amount of taxes actually collected," was concurred in.

3rd amendment: Add the following revision to section one: "Provided, that no sheriff taking benefit under the provisions of this act, shall be entitled to mileage for settlement of the deferred taxes."

The motion of Mr. Dudley to non-concur in this amendment was rejected.

On motion of Mr. Gorman, the rules were suspended, and H. B. No. 45, was taken from the calendar and referred to a

Joint Select Committee of Five, three on the part of the House and two on the part of the Senate.

The Speaker announced as the House branch of the said committee Messrs. Gorman, Bennett and Bryson of Swain.

On motion of Mr. Dudley, the House adjourned till to-morrow at 11 o'clock.

NINTH DAY.

WEDNESDAY, NOV. 26th, 1873.

The House was called to order by the Speaker at 11 o'clock.

The Journal of yesterday was read and approved.

Leave of absence was granted to Mr. Dula from Monday, 17th, to Monday, 24th inst.

The following petitions were introduced, read, and placed on the Calendar.

By Mr. Ballard: A memorial from portions of the citizens of Bladen county to change the line.

By Mr. King: A petition of the citizens of North Carolina asking the removal of certain grievances that now exist.

By Mr. Gorman: Petition from the citizens of Wake Forest Township, Wake County, in regard to the sale of spirituous liquors at the Paper Mills, at the Falls of Neuse river.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on Propositions and Grievances.

By Mr. Carter, H. B. No. 54: A bill to prohibit the sale of spirituous liquors within two miles of the town of Charleston, in the county of Swain: that it do pass.

H. B. No. 48: A bill to prevent the adulteration and the sale of adulterated alcoholic liquors: that it do pass.

H. B. No. 28: A bill to be entitled, an act to amend sec. 2, chap.

277, laws of 1870-'71, entitled an act to provide a cheap chattel mortgage, asking reference to the Judiciary Committee: reference made.

H. B. No. 71: An act to open Catawba river for the free passage of fish: that it do not pass.

H. B. No. 72: A bill to be entitled an act to secure the free passage of fish in the Catawba river; that it do pass.

H. B. No. 22: A bill to be entitled an act to prohibit the sale of intoxicating liquors within two miles of the town of Burnesville, Yancey county; that it do pass.

H. B. No. 56: A bill to be entitled an act to prevent persons from obstructing the passage of fish in Sandy Mush creek in Buncombe and Madison counties; that it do pass.

From the Committee on Finance.

By Mr. Standford, H. R. No. 17: Resolution in favor of D. D. Ferrebee, Jr., sheriff, of Camden county; that it do pass.

H. B. No. 41: A bill to be entitled an act to extend the time allowed sheriffs and tax collectors in which to settle their accounts with the county treasurer; that it do not pass.

By Mr. Gidney, H. R. No. 26: A resolution in favor of Birch McHan, with amendment; that it do pass.

From the Committee on Corporations.

By Mr. Jones, of Caldwell, H. B. No. 44: An act concerning Clover Hill Camp Ground, Cleaveland county, and to incorporate a Board of Trustees therefor; that it do pass.

From the Committee on Counties, Cities, Towns and Townships.

By Mr. Waugh, H. B. No. 33: An act to require the treasurer of Cherokee county to turn over to the treasurer of Graham county certain bonds and for other purposes; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 17: An act authorizing and empowering the Com-

missioners of the city of Raleigh to appoint an inspector of wood and coal.

H. B. No. 13: An act to prevent the felling of trees in Richland creek, in the county of Guilford, and for other purposes.

H. B. No. 6: A bill to be entitled an act to prohibit the sale of spirituous or malt liquors within three miles of Laurenburg Presbyterian Church, at Laurenburg, in Richmond county.

H. B. No. 12: A bill to be entitled an act to repeal chapter 68, laws of 1871–'72.

H. B. No. 18: A bill for the relief of citizens of Graham county.

H. B. No. 8: A bill for the relief of the sureties of J. S. Hyde, late Sheriff of Graham county.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act for the relief of A. R. Black, Sheriff of New Hanover county.

An act in reference to the public printing.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Bean: Resolution in relation to Insane Asylum, Deaf and Dumb and the Blind, and the Penitentiary. H. B. No. 34.

By Mr. Robinson: Resolution instructing the Secretary of State to issue a grant to A. N. Bon, of Macon county. H. R. No. 35.

By Mr. Jones, of Caldwell: Resolution in reference to Thanksgiving Day. H. R. No. 36.

By Mr. Paschall: Resolution of instruction to the Attorney General of the State. H. R. No. 37.

By Mr. Bunn: Resolution in favor of Civil Rights. H. R. No. 38.

By Mr. Moss: Resolution relating to Battle's Revisal. H. R. No. 39.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE JUDICIARY COMMITTEE.

By Mr. Dudley: A bill to be entitled an act to exempt persons from taxation who shall establish within the limits of this State any factory for the purpose of manufacturing articles raised within the limits of the State. H. B. No. 73.

By Mr. Foster: An act to amend sections 13, 19 and 20, chapter 27, Battle's Revisal. H. B. No. 74.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Jones, of Caldwell: A bill to be entitled an act for the relief of such counties as have not received the compensation allowed by law for the support of lunatics. H. B. No. 75.

By Mr. Gorman: An act to amend an act entitled an act to prevent the sale of spirituous liquors in certain localities. H. B. No. 76.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Bullard: A bill to be entitled an act to change the line between the counties of Cumberland and Bladen. H. B. No. 77.

By Mr. Waugh: A bill to enable the commissioners of Surry county to consolidate and pay the debt of said county. H. B. No. 78.

The Calendar was taken up.

H. B. No. 42: A bill to be entitled an act to amend an act

to incorporate the Trustees of Davidson College, was the read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 40: A bill to be entitled an act allowing widows to sell real estate, was read the second time, and on motion of Mr. Bowman, laid upon the table.

H. B. No. 24: A bill to be entitled an act to incorporate Reno's Camp Ground, and Locust Oldfield Baptist Church, was read the second time, and the amendment of the committee having been adopted, passed; was read third time, passed and ordered to be engrossed and sent to the Senate.

H. B. No. 32: An act concerning Sharon Camp Ground in Cleaveland county, and to incorporate a Board of Trustees therefor, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. R. No. 28: A resolution in regard to the sessions of this House after Friday next, was read and adopted. On motion the vote by which the resolution was passed was reconsidered, and on motion of Mr Joyner, the resolution was laid upon the table.

H. R. No. 29: Resolution of instruction to our Senators and Representatives in Congress, was read the second time, and, on motion of Mr. Perry, of Wake, was laid upon the table.

H. R. No. 31: Resolution in favor of James H. Enniss, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. R. No. 32: Resolution in relation to adjournment, was read the second time.

Mr. Paschall moved to lay upon the table.

On this motion, Mr. Copeland called for the ayes and noes, but the call was not sustained, and the motion to table prevailed.

On motion of Mr. Jones, of Caldwell, the rules were suspended, and H. R. No. 36: Resolution in reference to Thanksgiving Day, was read and adopted.

On motion of Mr. Paschall, the rules were suspended, and H. R. No. 37: A resolution of instruction to the Attorney

General, was read and adopted. On motion of Mr. Bowman, the vote by which the resolution was adopted was reconsidered; the resolution was amended and adopted.

Mr Jones, of Orange, from the Joint Committee on State Debt and Liabilities, returned to the House H. R. No. 1: A resolution concerning the bonds commonly called the "Special Tax Bonds" of North Carolina, asking that it be printed. The motion to print was adopted.

A message was received from the Senate concurring in H. R. No. 30: A resolution providing for the appointment of a Joint Select Committee to report what effect the adoption of the proposed amendment to the Constitution of the State in regard to the sessions of the General Assembly will have on the present session, and designating Messrs. Allen, Morehead, of Guilford, and Seymour as the Senate branch of the committee.

The Speaker announced as the House branch of the committee Messrs. Bennett, McGehee, Bowman, Norment and Dula.

A message was received from the Senate concurring in the resolution of the House of Representatives to observe Thanksgiving Day by adjourning when it does adjourn to meet on Tuesday, the 28th inst.

A message was received from the Senate transmitting a message from his Excellency, the Governor, and the accompanying documents, with a proposition to print Prof. Kerr's report, also proposing to raise a Joint Select Committee of two on the part of the Senate and three on the part of the House of Representatives to which the whole matter shall be referred.

On motion of Mr. Dudley, the proposition of the Senate was concurred in, and Messrs. Stowe, Craige and Wheeler were announced by the Speaker as the House branch of the committee.

A message was received from the Senate with engrossed copies of the following bills which were read the first time, passed and referred to the Committee on the Judiciary:

S. B. No. 35, H. B. No. 79: A bill to be entitled an act to amend chaper 171, laws 1872–'73.

S. B. No. 9, H. B. No. 80: A bill to be entitled an act to establish an additional term of the Superior Court of Guilford county.

S. B. No. 7, H. B. No. 81: A bill to be entitled an act to provide for and cure certain irregularities in executors.

On motion of Mr. Stanford, the House adjourned till Friday at 11 o'clock.

TENTH DAY.

FRIDAY, Nov. 28, 1873.

The House was called to order by the Speaker at 11 o'clock.

The Journal of Wednesday was read and approved.

On motion, indefinite leave of absence was granted to Mr. Darden on account of sickness, to Mr. Shinn, of Cabarrus, from the beginning of the session on account of domestic afflictions; leave till Tuesday next, was granted to Mr. Bowe on account of sickness in his family; to Messrs. Moss, Lindsay and Williamson till Tuesday; to Messrs. Corson and Whisnant till Wednesday next; to Mr. Mizell on account of dangerous illness of his brother; and to Mr. Norment on account of important business; to Mr. Costner till Monday next.

The following petitions were introduced, read and referred, or otherwise disposed of, as follows:

By Mr. Johnston: Petition from citizens of Hominy Creek, Buncombe county, asking for an act incorporating the Baptist Church of Hominy Creek. Calendar.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Blythe: Petition from citizens of Henderson, asking for an amendment of the law prohibiting the sale of liquor

within three miles of Judson Female College, so as to say within three miles of Henderson.

By Mr. Bennett: A petition from citizens of Lilesville township, Anson county, asking the prohibition of the sale of liquor within two miles of Cedar Creek Church.

The following named resolution and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

RESOLUTION—TO THE COMMITTEE ON FINANCE.

By Mr. Moss: Resolution in favor of G. W. Gail and A. X., accompanied with petition. H. R. No. 49.

BILLS—TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Stanford: A bill to be entitled an act to require the registration of deeds. H. B. No. 82.

By Mr. Marler: A bill to be entitled an act to amend chapter 205, section 2, Public Laws, 1870–'71. H. B. No. 83.

By Mr. Ellison: A bill to be entitled an act requiring the County Commissioners to make no distinction on account of race, color or previous condition in drawing and selecting jurors. H. B. No. 84.

By Mr. Carson: A bill to be entitled an act to amend section 31, chapter 102, Battle's Revisal. H. B. No. 85.

By Mr. Gilbert: A bill to be entitled an act to amend section 13, chapter 52, Battle's Revisal. H. B. No. 86.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Blythe: A bill to be entitled an act to amend chapter 171, laws of 1872–'73. H. B. No. 87.

By Mr. Brooks: A bill to be entitled an act to prevent the sale of spirituous liquors within two miles of the Methodist

Church, at Shallotte Camp Ground, in Brunswick county. H. B. No. 88.

By Mr. Bennett: A bill to be entitled an act to prevent the sale of liquors within two miles of Cedar Creek Church, in Anson county. H. B. No. 89.

The calender was taken up.

H. R. N. 39: A resolution in relation to Battle's Revisal, was read and rejected. On motion the vote was reconsidered and the resolution was referred to the Committee on the Judiciary.

H. R. No. 35: A resolution instructing the Secretary of State to issue a grant to A. N. Bell, of Macon county, was referred to the Committee on Railroads, Postroads and Turnpikes.

H. R. No. 34: Resolution in relation to the Insane Asylum, Deaf and Dumb and the Blind and Penitentiary, was read the second time and adopted.

H. B. No. 41: A bill to be entitled an act to extend the time allowed sheriffs and tax collectors, in which to settle their accounts with the County Treasurer, was read the second time, and on motion of Mr. Maxwell, laid on the table.

H. B. No. 33: A bill to require the Treasurer of Cherokee county, to turn over to the Treasurer of Graham county certain bonds, and for other purposes, was read the second and third times, passed each reading, and was ordered to be engrossed and and sent to the Senate.

H. B. No. 22: A bill to be entitled an act to prohibit the sale of intoxicating liquors within two miles of the town of Barnesville, Yancey county, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 44: An act concerning Clover Hill Camp Ground, in Cleaveland county, and to incorporate a Board of Trustees therefor, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. R. No. 17: Resolution in favor of D. D. Ferrebee, Jr., sheriff of Camden county, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. R. No. 26: Resolution in favor of Birch McHan, was read the second time, amendment of the committee adopted, and passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 48: An act to prevent the adulteration and the sale of adulterated alcoholic liquors, was read the second time, and on motion of Mr. Trivett, amended and passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 54: A bill to prohibit the sale of spirituous liquors within two miles of the town of Charleston, in the county of Swain, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 56: A bill to be entitled an act to prevent persons from obstructing the passage of fish in Sandy Mush Creek, in Buncombe and Madison counties, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 72: A bill to be entitled an act to secure the free passage of fish in the Catawba river, was read the second time, and on motion of Mr. Bennett, referred to the Committee on the Judiciary.

H. B. No. 71: A bill to open the Catawba for the free passage of fish, was read the second time, and on motion referred to the Committee on the Judiciary.

A message was received from the Senate transmitting engrossed copy of S. R. No. 75, H. R. No. 41: Resolution to add T. A. Nicholson to the Committee on Printing, which was read and adopted.

A message was received from the Governor covering the report of the President and Directors of the Albemarle and

Chesapeake Canal Company. On motion of Mr. Stanford the message and accompanying document were transmitted to the Senate, with proposition to print the report.

On motion, the House adjourned till to-morrow at 11 o'clock.

ELEVENTH DAY.

SATURDAY, Nov. 29, 1873.

The House was called to order by the Speaker at 11 o'clock.

The journal of yesterday was read and approved.

Leave of absence for four days was granted Mr. Craige from Friday, and to Mr. Maxwell from Monday next.

It was announced that Mr. Foster was detained at his room by sickness.

The following named memorials were introduced, read, and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Brown, of Davidson, (by request): Petition of citizens of North Carolina asking that the qualified voters of the several counties be permitted to decide by townships, whether license to sell intoxicating liquors shall be granted in their townships.

By Mr. Gorman: Memorial from students of Wake Forest College relative to the sale of liquors.

By Mr. Fletcher: Memorial from citizens of Richmond county relative to the sale of liquors.

PLACED ON THE CALENDAR.

By Mr. Carter: Petition from citizens of Lake Landing

township, Hyde county, asking for a law prohibiting the sale of liquor within two miles of Rush Academy.

By Mr. Carter: A counter petition of citizens on the same subject.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 85: A bill to be entitled an act to amend section 31, chapter 102, Battle's Revisal, with substitute, and that it do pass.

H. B. No. 66: A bill to be entitled an act to exempt the county of Craven from the provisions of section 13, chapter 27, of Battle's Revisal.

H. B. No. 74: An act to amend sections 13, 19 and 20, chapter 27, Battle's Revisal, with substitute for both bills, and that it do pass.

H. B. No. 73: A bill to be entitled an act to exempt persons from taxation who shall establish, within the limits of this State, any factory for the purpose of manufacturing articles raised within the limits of the same; that it do not pass.

H. B. No. 51: A bill to be entitled an act to enable foreign guardians of infants and insane persons to remove the estates of their wards from the State; that it do pass.

S. B. No. 7, H. B. No. 81: An act to provide for a cure of certain irregularities in executors; that it do pass.

H. B. No. 64: A bill to be entitled an act declaring it a misdemeanor for any person who has executed a chattel mortgage deed in trust, or lien, to dispose of the property with intent to defeat the mortgage; that it do pass.

H. B. No. 28: A bill to be entitled an act to amend section 2, chapter 277, laws of 1870–'71, entitled an act to provide a cheap chattel mortgage; that it do not pass.

From the Committee on Counties, Cities, Towns and Townships.

By Mr. Waugh, H. B. No. 77: A bill to be entitled an act to

change the line between the counties of Cumberland and Bladen; that it do pass.

From the Committee on Corporations:

By Mr. Jones, of Caldwell, H. B. No. 43: A bill to be entitled an act to repeal chapter 119, private laws of 1870–'71; that it not pass.

From the Committee on Propositions and Grievances.

By Mr. Carter, H. B. No. 89: A bill to be entitled an act to prevent the sale of spirituous liquors within two miles of Cedar Creek Church, in Anson county, with an amendment; that it do pass.

H. B. No. 88: A bill to be entitled an act to prevent the sale of liquor within two miles of the Methodist Church at Shallotte Camp Ground, in Brunswick county; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by the Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 5: A bill to be entitled an act to amend the charter of the Carolina Railway Company.

H. B. No. 32: A bill concerning Sharon Camp Ground, in Cleaveland county, and to incorporate a board of trustees therefor.

H. B. No. 34: An act to amend chapter 77 of the laws of 1871–'72.

H. B. No. 42: A bill to be entitled an act to amend an act to incorporate the trustees of Davidson College.

H. B. No. 24: A bill to be entitled an act to incorporate Reno's Camp Ground and Locust Old Field Baptist Church.

H. B. No. 7: A bill to be entitled an act to incorporate the Wilmington and Seaside Railroad Company, ratified the 12th day of April, 1869.

H. R. No. 18: Resolution in relation to the Public Printing.

H. R. No. 16: Resolution in favor of W. H. Morris & Co.

H. R. No. 31: Resolution in favor of James H. Enniss, Agent.

H. R. No. 4: Resolution in favor of the sheriff of Jackson county.

H. R. No. 14: Resolution in favor of James H. Enniss, Agent.

The following named resolutions and bills were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr Brown, of Davidson: A resolution to pay twenty-five cents in the dollar on the old State debt, and to repudiate the bonds issued by the State since the close of the war. H. R. No. 42.

By Mr. Gudger: A resolution in favor of placing two additional members of the House upon the Committee on Public Printing. H. R. No. 43.

The following named resolutions and bills were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. McGehee: An act giving the consent of the General Assembly of North Carolina to the purchase, by the United States, of a tract of land in Currituck county for erecting thereon a light house, and the buildings connected therewith. H. B. No. 91.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Dula: A bill to be entitled an act to amend chapter 154, laws of 1872–'73, entitled an act to authorize the commissioners of Wilkes county to issue bonds. H. B. No. 92.

By Mr. Ellison: A bill providing for the transportation of

released convicts from the Penitentiary to their former homes. H. B. No. 93.

By Mr. Bean: A bill in relation to amending the laws of North Carolina. H. B. No. 94.

By Mr. Wiley: An act for the relief of sheriffs and tax collectors. H. B. No. 95.

By Mr. Sneed: A bill to repeal chapter 165 of the laws of 1872–'73. H. B. No. 96.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Bowman: A bill entitled an act to amend section 1, chapter 171, laws of 1872–'73. H. B. No. 97.

By Mr. Dula: A bill to be entitled an act to authorize the Secretary of State to purchase a fire proof safe. H. B. No. 98.

S. B. No. 17, H. B. No. 99: A bill to cede to the United States a part of lot 99, in the city of Raleigh.

By Mr. Johnston: A bill to be entitled an act to establish two toll bridges on the French Broad river, in Buncombe county. H. B. No. 100.

By Mr. Winslow: A bill to be entitled an act for the relief of the sheriff of Chowan county. H. B. No. 101.

By Mr. Blackwell: A bill to be entitled an act concerning the sale of spirituous liquors in the town of Leicester, Bun cbome county. H. B. No. 102.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Johnston: A bill to be entitled an act to incorporate Montgomery Church, in Buncombe county. H. B. No. 103.

By Mr. Johnston: A bill to be entitled an act to incorporate the Baptist Church of Hominy, in Buncombe county. H. B. No. 104.

By Mr. Blackwell: A bill to be entitled an act to incorpo-

rate the Weaversville College, in Buncombe county H. B. No. 105.

On motion of Mr. McGehee, the rules were suspended, and H. B. No. 91: A bill giving the consent of the General Assembly of North Carolina to the purchase, by the United States, of a tract of land in Currituck county, for the purpose of erecting thereon a light house and the buildings connected therewith, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. McGehee, his motion to reconsider the vote by which the bill passed its third reading, was laid on the table.

A message was received from the Senate transmitting engrossed copies of

S. B. No. 17, H. B. No. 99: A bill to cede to the United States a part of lot 99, in the city of Raleigh; which was read the first time, passed, and referred to the Committee on the Judiciary.

S. B. No. 26, H. B. No. 90: A bill to be entitled an act to amend an act supplemental to an act to lay off and establish the new county of Pamlico was read the second time, passed, and referred to the Committee on Cities, Counties, Towns and Townships.

On motion of Mr. Johnston, the rules were suspended, and S. B. No. 35, H. B. No. 79: A bill to be entitled an act to amend chapter 171, laws of 1872–'73, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. R. No. 33: Resolution in regard to a flag presented by the ladies of Raleigh to the regiment of volunteers from North Carolina in the Mexican war, was read and adopted.

On motion of Mr. Gudger, the rules were suspended and H. R. No. 43: A resolution in favor of placing two additional members of the House upon the Committee on Public Printing, was read the second time.

On motion of Mr. Watson, the names of Messrs. Gorman

and Freeman were stricken from the resolution and appointment left to the Speaker.

Mr. Bowman moved to reconsider the vote by which the names were stricken out, and, on motion of Mr. Johnston, the motion to reconsider was laid on the table.

On the motion to table, the call for the ayes and noes was sustained, and the motion was adopted. Ayes 45, noes 41.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Bryson of Jackson, Bryan of Sampson, Bryan of Alleghany, Byrd, Carter, Dickey, Gant, Gilmer, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Luckey, Marler, Maxwell, McGehee, McNeill, Moring, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shackelford, Stanford, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley and Woodhouse—45.

The following gentlemen voted in the negative:

Messrs. Bean, Blythe, Bowman, Brown of Davidson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Carson, Copeland, Cox, Dudley, Dula, Ellison, Fletcher, Gilbert, Godfrey, Gray, Grady, Guyther, Hampton, Hughes, Jones of Camden, Jones of Northampton, Jordan, King, Lloyd, McLaurin, Miller, Michael, Outlaw, Paschall, Perry of Wake, Reid of Randolph, Rhodes, Scott, Sharp, Sneed, Trivett and Winslow—41.

The resolution was then adopted.

On motion of Mr. Reid, of Mecklenburg, the House adjourned till Monday, December 1st, at 11 o'clock.

TWELFTH DAY.

MONDAY, Dec. 1, 1873.

The House was called to order by the Speaker at 11 o'clock

The Journal of Saturday was read and approved.

Indefinite leave of absence was granted Mr. Shinn, of Iredell, on account of serious illness in his family.

It was announced that Mr. Jones, of Northampton, was sick at his room in this city.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Craige: From citizens of Rowan county, asking that existing laws be so modified as to give to the qualified voters of every township to determine annually, by ballot, whether license to retail spirituous liquors shall be granted in said townships respectively.

By Mr. Jordan: From citizens of Troy, Montgomery county, asking for a prohibition of the sale of liquor.

PLACED ON THE CALENDAR.

By Mr. Warlick: From citizens of Burke county.

By Mr. Richardson: From citizens of Columbus county.

By Mr. Johnston: From citizens of Buncombe county.

By Mr. Paschall: From citizens of Warren county.

By Mr. Joyner: From citizens of Johnston county.

By Mr. Carter: From citizens of Hyde county praying the same action as recited in the petition from Rowan.

By Mr. Bennett: A petition from citizens of a part of Anson county in regard to the sale of liquors near Concord Church.

By Mr. Lutterloh: From citizens of a part of Cumberland

asking that a part of section 1, chapter 171, of the last General Assembly be repealed.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Counties, Cities, Towns and Townships.

By Mr. Waugh, H. B. No. 59: A bill to be entitled an act to establish a new county by the name of Bragg; that it do not pass.

By Mr. Reid, of Mecklenburg, H. B. No. 78: A bill to enable the commissioners of Surry county to consolidate and pay the debt of said county; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 33: A bill to require of the treasurer of Cherokee county to turn over to the treasurer of Graham county certain bonds, and for other purposes.

H. B. No. 48: An act to prevent the adulteration and the sale of adulterated alcoholic liquors.

H. B. No. 22: A bill to be entitled an act to prohibit the sale of intoxicating liquors within two miles of the town of Burnsville, Yancey county.

H. B. No. 54: A bill to prohibit the sale of spirituous liquors within two miles of the town of Charleston, in the county of Swain.

H. B. No. 56: A bill to be entitled an act to prevent persons from obstructing the passage of fish in Sandy Mush creek, in Buncombe and Madison counties.

H. R. No. 17: Resolution in favor of D. D. Ferebee, jr., sheriff of Camden county.

H. R. No. 37: Resolution of instruction to the Attorney General.

H. R. No. 26: Resolution in favor of Birch McHan.

H. R. No. 43: Resolution in favor of placing two additional members of the House on the committee on Public Printing.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to amend the charter of the Carolina Central Railway Company.

An act to extend the time allowed sheriffs and tax collectors to settle with the Auditor and Public Treasurer.

An act to amend chapter 171, laws of 1872–'73.

Mr. Bennett, from the Joint Select Committee to inquire and report what effect the proposed amendment to the Constitution in reference to the meeting of the General Assembly will have on the present session, submitted the following, which was read, adopted, and transmitted to the Senate for concurrence:

"After careful consideration, your committee are of opinion that the amendment, when ratified, will operate prospectively only, and will not, in any manner, affect this session. In this conclusion your committee have the concurrence and support of the Attorney General."

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Craige: A bill to be entitled an act to change the time of holding the courts in the Eighth Judicial District. H. B. No. 109.

By Mr. Waugh: A bill to be entitled an act to amend title 11, chapter 17 of the Code of Civil Procedure of Battle's Revisal, on page 143. H. B. No. 110.

By Mr. McGehee: An act to provide for the relinquishment to the United States, in certain cases, of title to and jurisdiction over lands for sites of light houses, beacons or other aids to navigation in the waters of this State. H. B. No. 111.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Gudger: A bill to prohibit the sale of spirituous liquors in townships where the people so determine. H. B. No. 112.

By Mr. Jordan: A bill to be entitled an act to prohibit the sale of spirituous or intoxicating liquors in the town of Troy, in the county of Montgomery. H. B. No. 113.

By Mr. Lutterloh: A bill to repeal an act prohibiting the sale of spirituous liquors within three miles of Cumberland Union Church, Cumberland county. H. B. No. 114.

TO THE COMMITTEE ON FINANCE.

By Mr. Anderson, of Clay: An act for the relief of sheriffs and tax collectors. H. B. No. 115.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Webb: A bill to amend the charter of the town of Beaufort. H. B. No. 116.

TO THE COMMITTEE ON IMMIGRATION.

By Mr. McGehee: An act to incorporate the North Carolina Immigration Society. H. B. No. 117.

TO THE COMMITTEE ON AGRICULTURE.

By Mr. Richardson: A bill to repeal section 5 of chapter 2 of the Revised Code. H. B. No. 118.

A message was received from the Senate transmitting a message from his Excellency the Governor, with documents relating to the Centennial Celebration at Philadelphia, with proposition to print the same.

On motion, the proposition of the Senate was concurred in.

On motion of Mr. Jones, of Orange, H. R. No. 1, was referred to the Joint Select Committee on State Debt and Liabilities.

The Speaker announced as the committee on the affairs of H. J. Menninger, late Secretary of State, Messrs. Richardson, Wheeler and Blackwell.

A message was received from the Senate concurring in the proposition to raise a joint select committee on the military bill, and announcing Messrs. Morehead, of Guilford, Johnston and Cowles, as the Senate branch of the committee.

The Speaker announced Messrs. Gorman, Bennett, Bryson, of Swain, Dula and Warlick, as the House branch of the committee.

A message was received from the Senate receding from Senate amendment, No. 1, to the bill for the relief of sheriffs and tax collectors.

The calendar was taken up.

H. B. No. 51: A bill to be entitled an act to enable foreign guardians of infants and insane persons to remove the estate of their wards from this State, which was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 66: A bill to be entitled an act to exempt the county of Caswell from the provisions of section 13, chapter 27, of Battle's Revisal.

H. B. No. 74: An act to amend sections 13, 19 and 20, chapter 27, of Battle's Revisal, were read the second time, and the substitute proposed by the Judiciary Committee was adopted, and the bill passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 85: A bill to be entitled an act to amend section 13, chapter 102, Battle's Revisal, was read the second time, the substitute of the committee was adopted, and the bill passed; was read the third time, passed and ordered to be engrossed.

H. B. No. 73: A bill to be entitled an act to exempt persons

from taxation who shall establish within the limits of the State any factory for the purpose of manufacturing articles raised within the limits of the same, was read the second time, and, on motion of Mr. Bean, was laid on the table.

H. B. No. 64: A bill to be entitled an act declaring it a misdemeanor for any person who has executed a chattel mortgage deed in trust or lien to dispose of the property with intent to defeat the mortgagee, was read the second time.

Mr. Turner offered H. B. No. 28, as a substitute, which was rejected.

Mr. Paschall offered the following amendment:

Provided, That the mortgage shall not be taken for a greater amount than the true cash value of the property so mortgaged.

Mr. Settle demanded the previous question, and the House ordered the main question to be put.

The amendment of Mr. Paschall was adopted, and the bill passed the second reading.

Mr. Rhodes called for the ayes and noes, and the call being sustained the bill passed. Ayes 54, noes 43.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Brown of Mecklenburg, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Bullard, Carter, Carson, Costner, Cox, Dickey, Dula, Fletcher, Foster, Freeman, Gant, Gidney, Hanner, Haynes, Houston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Luckey, Marler, McGehee, McNeill, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Settle, Shaw, Shackelford, Standford, Stowe, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Wiley, Whitmire, Wheeler and Woodhouse—54.

The following gentlemen voted in the negative:

Messrs. Bean, Blackwell, Blythe, Bowe, Bowman, Brown of

Davidson, Bryson of Jackson, Bryson of Swain, Bryant of Halifax, Bryan of Wilkes, Bunn, Byrd, Cobb, Copeland, Dudley, Ellison, Gilbert, Gilmer, Godfrey, Gray, Grady, Gudger, Guyther, Hampton, Heaton, Hughes, Johnston, Jordan, King, Lloyd, McLaurin, Miller, Michael, Moring, Outlaw, Patrick, Paschall, Rhodes, Sharp, Sneed, Todd, Webb and Winslow—43.

On motion of Mr. Settle, the rules were suspended, and the bill was read the third time.

Mr. Settle demanded the previous question, and the House ordered that the main question should be put, and the bill passed.

On motion of Mr. Jones, of Caldwell, the vote by which the bill passed was reconsidered.

On motion of Mr. Jones, of Caldwell, the vote by which Mr. Paschall's amendment was adopted was reconsidered, and the amendment was rejected.

The motion of Mr. Bowman to postpone till Thursday next, and make special order for 12 m. was rejected.

Mr. Paschall offered the following proviso:

"*Provided*, That the mortgage shall not be for a less amount than the true cash value of the property so mortgaged."

Mr. Settle demanded the previous question, and the main question was ordered to be put by the House.

The amendment of Mr. Paschall was rejected.

The question recurring on the passage of the bill, Mr. Brown, of Davidson, called for the ayes and noes. The call was sustained, and the bill passed. Ayes 54, noes 43.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Brown of Mecklenburg, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Bullard, Carter, Carson, Costner, Cox, Craige, Dickey, Dula, Freeman, Gant, Gidney, Gilmer, Hanner, Haynes, Houston, Jones of Caldwell, Jones of

Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Luckey, Marler, McGehee, McNeill, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Settle, Shaw, Shackelford, Standford, Stowe, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Wiley, Whitmire, Wheeler and Woodhouse—54.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blackwell, Blythe, Bowe, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryant of Halifax, Bryan of Wilkes, Bunn, Byrd, Cobb, Copeland, Dudley, Ellison, Fletcher, Foster, Gilbert, Godfrey, Gray, Gudger, Guyther, Hampton, Heaton, Hughes, Johnston, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Moring, Outlaw, Paschall, Rhodes, Sharp, Sneed, Todd, Webb and Winslow—43.

A message was received from the Senate, transmitting an engrossed copy of S. B. No. 100, H. B. No. 106: A bill to be entitled an act relating to the city of Wilmington. The bill was read the first time and passed.

On motion of Mr. Heaton, the rules were suspended, and the bill was read the second and third times, passed each reading, and was ordered to be enrolled for ratification.

A message was received from the Senate transmitting engrossed copy of S. R. No. 34, H. R. No. 44: Resolution in favor of the sheriff of Bladen county; which was read the first time and passed.

On motion the rules were suspended, and the resolution was read the second and third times, passed each reading, and was ordered to be enrolled for ratification.

On motion of Mr. Brown, of Davidson, the House adjourned till to-morrow, 11 o'clock.

THIRTEENTH DAY.

TUESDAY, Dec. 2d, 1873.

The House was called to order by the Speaker at 11 o'clock.

The reading of the Journal of yesterday was dispensed with.

Indefinite leave of absence was granted to Mr. Jones, of Caldwell, on account of sickness in his family.

The following petitions were introduced, read, and placed on the calendar, all being in relation to the traffic in and sale of spirituous liquors in the several townships of the State:

By Mr. Norment: From citizens of Robeson county.

By Mr. Jones, of Orange: From citizens of Orange county.

By Mr. Reid, of Mecklenburg: From Davidson College,

By Mr. Reid, of Mecklenburg: From citizens of Lenoir county.

By Mr. Jones, of Camden: From citizens of Camden county.

By Mr. Brown, of Mecklenburg: From citizens of Mecklenburg county.

By Mr. Shaw: From citizens of Moore county.

By Mr. Bryan, of Sampson: In relation to the sale of liquors within two miles of Shady Grove Church, from citizens of Sampson.

By Mr. Sneed: From members of Mountain Creek Church and citizens of the neighborhood, asking for a law prohibiting the sale of all ardent spirits within three miles of said church.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 9: A bill to be entitled an act regulating entries of vacant lands; that it do not pass.

H. B. No. 93: A bill providing for the transportation of released convicts from the Penitentiary to their former homes: that it do not pass.

H. B. No. 95: An act for the relief of sheriffs and tax collectors; that it do pass.

H. B. No. 96: A bill to repeal chapter 165, laws of 1872–'73; that it do pass.

H. B. No. 92: A bill to be entitled an act to amend chapter 154, laws of 1872–'73, entitled an act to authorize the commissioners of Wilkes county to issue bonds; that it do pass.

H. B. No. 84: An act entitled an act requiring county commissioners to make no distinction on account of race, color, or previous condition, in drawing and selecting jurors; that it do not pass.

H. B. No. 86: A bill to be entitled an act to amend section 13, chapter 52, Battle's Revisal; that it do not pass.

H. B. No. 61: A bill to amend section 13, chapter 74, laws of 1872–'73, concerning the distribution of Battle's Revisal, with substitute; that it do pass.

H. B. No. 21: A bill to be entitled an act to amend title 4, Code of Civil Procedure, with substitute; that it do pass.

H. R. No.'s 2, 3, 6 and 7, relating to the increase of the salaries of members of Congress, and other officers, recommending the passage of the substitute prepared by the committee.

From the Committee on Propositions and Grievances:

By Mr. Brown, of Mecklenburg, S. B. 17, H. B. 89: A bill to cede to the United States a part of lot 99, in the city of Raleigh; that it do pass.

From the Committee on Immigration:

H. B. No. 117: An act to incorporate the North Carolina Immigration Society; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 44: An act concerning Clover Hill Camp Ground, in Cleaveland county, and to incorporate a board of trustees therefor.

H. R. No. 34: Resolution in relation to Insane Asylum, Deaf and Dumb and the Blind, and the Penitentiary.

The following bills and resolutions, reported as correctly en-

rolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

Resolution of instruction to our Senators and Representatives in Congress.

An act to incorporate Reno's Camp Ground of the M. E. Church South, and Locust Oldfield Baptist Church, in the county of Haywood.

An act giving the consent of the General Assembly of North Carolina to the purchase, by the United States, of a tract of land in Currituck county for erecting thereon a light house, and the buildings connected therewith.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Rhodes: Resolution in relation to the public printing. H. R. No. 45.

By Mr. McNeill: Resolution of instruction to the Committee on the Judiciary in regard to contracts for labor. H. R. No. 46.

By Mr. Waugh: Resolution requiring the Treasurer to make a report. H. R. No. 47.

By Mr. Trivett, of Ashe: Resolution of instruction to the Joint Committee on Public Printing. H. R. No. 48.

By Mr. Brown, of Davidson: A resolution concerning the Secretary of State. H. R. No. 49.

TO THE COMMITTEE ON STATE DEBT AND LIABILITIES.

By Mr. Houston: A resolution in relation to the State debt. H. R. No. 50.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Dula: A bill to be entitled an act to amend chapter 167, laws of 1869–'70. H. B. No. 119.

By Mr. Bennett. A bill to amend section 55, title 5, of the Code of Civil Procedure. H. B. No. 120.

By Mr. Bennett: A bill to be entitled an act to allow the sale of the reversion on homesteads when the owner consents in writing. H. B. No. 121.

By Mr. Webb: An act to repeal parts of chapter 250, laws of 1868–'69. H. B. No. 122.

By Mr. Norment: A bill to be entitled an act to amend chapter 197, laws of 1871–'72, entitled an act to empower the Superior Court Judge to appoint a commission, in certain cases, for the settlement of estates. H. B. No. 123.

By Mr. Bryan, of Wilkes: A bill to be entitled an act to amend chapter 193, laws of 1871–'72. H. B. No. 124.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Sneed: A bill to be entitled an act to prohibit the sale of intoxicating liquors within two miles of Mountain Creek Church, in the county of Granville. H. B. No. 125.

By Mr. Carter: A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of Rush Academy, in Hyde county. H. B. No. 126.

By Mr. Bennett: A bill to be entitled an act to prohibit the sale of liquor within two miles of Concord Church, in Anson county. H. B. No. 127.

By Mr. Webb: An act to change the time for the meeting of the Board of Commissioners and County Board of Education of Carteret county. H. B. No. 128.

By Mr. Copeland: An act to amend chapter 61, section 53, of Battle's Revisal, creating a standard weight for fish. H. B. No. 129.

By Mr. Bryan, of Sampson: A bill to be entitled an act to

prohibit the sale of intoxicating liquors within two miles of Shady Grove Church, in Sampson county. H. B. No. 130.

By Mr. Trivett, of Ashe: An act concerning the purchase of public stationery. H. B. No. 131.

By Mr. Goodwyn: A bill to be entitled an act to prohibit the sale of intoxicating liquors within one mile of Ebenezer Church, in Halifax county. H. B. No. 132.

By Mr. Ellison: A bill authorizing the commissioners of the city of Raleigh to open a street across State property. H. B. No. 133.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Costner: A bill to amend the act of incorporation of the town of Lincolnton. H. B. No. 107.

TO THE COMMITTEE ON RAILROADS, POSTROADS AND TURNPIKES.

By Mr. Bryson, of Swain: A bill to repeal chapter 69, laws of 1870–'71. H. B. No. 134.

PLACED ON THE CALENDAR.

By Mr. Godfrey: A bill to be entitled an act for the relief of the sheriff of Pasquotank county. H. B. No. 135.

TO THE COMMITTEE ON AGRICULTURE.

By Mr. Jones, of Orange: An act in relation to mischievous animals. H. B. No. 108.

TO THE COMMITTEE ON EDUCATION.

By Mr. Abbott: A bill to be entitled an act to amend an act entitled an act to incorporate the Young Men's Intelligent and Enterprising Association. H. B. No. 109.

The calendar was taken up.

S. B. No. 7, H. B. No. 81: An act to provide for and cure certain irregularities in executions, was read the second and third times, passed each reading, and was ordered to be enrolled for ratification.

H. B. No. 59: A bill to establish a new county by the name of Bragg, was read the second time, and on motion, laid on the table

H. B. No. 78: A bill to enable the commissioners of Surry to consolidate and pay off the debt of said county, was read the second and third times and passed, and the amendment of the committee was adopted, and the bill passed, and was ordered to be engrossed and sent to the Senate.

H. B. No. 43: A bill to be entitled an act to repeal chapter 119, Private Laws of 1870–'71, was read the second time, and on motion, laid on the table.

H. B. No. 89: A bill to be entitled an act to prevent the sale of liquors within two miles of Cedar Creek Church, in Anson county, was read the second time, amended and passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

H. R. No. 21: Resolution requiring report of the State Geologist, was read the second and third times, passed each reading, and was ordered to be engrossed.

H. B. No. 96: A bill to repeal chapter 165, laws of 1872–'73, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 92: A bill to be entitled an act to amend chapter 154, laws of 1872–'73, entitled an act to authorize the commissioners of Wilkes county to issue bonds, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Godfrey, the rules were suspended, and H. B. No. 135: A bill for the relief of the sheriff of Pasquotank county, was read the second and third times, passed each

reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Shackelford, the use of the Hall was granted to Dr. Barco, Thursday, Friday and Saturday nights, for lectures on Mental Science.

H. R. No. 49: A resolution concerning the Secretary of State, was read and adopted.

H. R. No. 48: Resolution of instruction to the Committee on Public Printing, was read the second time, and on motion of Mr. Trivett, was made special order for Thursday next, at 12 m.

H. R. No. 46: Resolution of instruction to the Committee on the Judiciary in regard to contracts for labor, was read the second time and adopted.

H. R. No. 38: A resolution in favor of Civil Rights, was read the second time, and on motion of Mr. Houston, was indefinitely postponed.

On the motion to table, Mr. Bunn called for the ayes and noes, the call was sustained and the motion prevailed. Ayes 75, noes 13.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Byrd, Carter, Carson, Costner, Craige, Dickey, Dula, Foster, Freeman, Gant, Gidney, Gilbert. Gilmer, Godfrey, Gray, Grady, Gudger, Guyther, Hanner, Hinnant, Houston, Johnston, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeil, Miller, Michael, Moring, Moss, Norment, Outlaw, Patrick, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Scott, Settle, Shaw, Sharp, Shackelford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Waugh, Webb, Winslow, Wiley, Whitmire, Whisnant and Woodhouse—75.

The following gentlemen voted in the negative:

Messrs. Abbott, Bowe, Bryant of Halifax, Bunn, Dudley, Ellison, Gorman, Hughes, Jordan, King, Lloyd, McLaurin and Paschall—13.

On motion of Mr. Rhodes, the House adjourned till to-morrow 11 o'clock.

FOURTEENTH DAY.

WEDNESDAY, Dec. 3d, 1873.

The House was called to order by the Speaker at 11 o'clock.

The Journal of yesterday was read and approved.

Leave of absence from and after to-morrow, till Monday next, was granted to Mr. Bryan, of Sampson.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows, on the subject of the liquor traffic, and asking for prohibatory laws:

By Mr. Bryan, of Sampson: From citizens of Sampson county.

By Mr. Copeland: From citizens of Fremont, Wayne county.

By Mr. Johnston: From citizens of Leicester township, Buncombe county. To the Committee on Propositions and Grievances.

By Mr. Shaw: From citizens of Moore county, to prohibit the sale, within two and a half miles of St. Andrew's and Morris' Chapels, and Cameron's Grove. To the Committee on Propositions and Grievances.

By Mr. Dickey: From citizens of Graham county, to prohibit the sale within three miles of Robinsville.

By Mr. Bennett: From citizens of Anson county in relation to the sale of cotton at night.

By Mr. Warlick: From county commissioners of Burke county, in regard to county debt. To Committee on Judiciary.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Marler: From citizens of the town of Jonesville, Yadkin county, for an act incorporating said town for the protection of its schools.

By Mr. Bennett: From citizens of Newbern, in regard to the charter of the city, &c.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Bean: From citizens of Randolph, to incorporate Gray's Chapel Methodist Protestant Church, in the county of Randolph.

By Mr. Lindsay: From citizens of Nash County, to levy a special tax.

ON THE CALENDAR.

By Mr. Rhodes: From the county commissioners of Wayne county, for authority to keep up the public roads in that county by taxation.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 128: An act to change the time for the meeting of the board of commissioners, and county board of education of Carteret county; that it do pass.

H. R. No. 13: Resolution respecting the Island of Cuba; that it do not pass.

H. B. No. 55: A bill in regard to seats of members of the House of Representatives of the General Assembly of North Carolina; that it do not pass.

H. B. No. 101: A bill to be entitled an act for the relief of the sheriff of Chowan county: that it do pass.

H. B. No. 100: A bill to be entitled an act to establish two toll bridges on the French Broad river, in Buncombe county; amend and do pass.

H. B. No. 75: A bill to be entitled an act for the relief of such counties as have not received the compensation allowed by law for the support of lunatics; amend and do pass.

H. B. No. 133: A bill authorizing the commissioners of the city of Raleigh to open a street across State property; that it be referred to the Committee on Public Buildings and Grounds; Reference was made.

From the Committee on Railroads, Postroads, and Turnpikes:

By Mr. Bryson, of Swain, H. B. No. 70: A bill to prevent persons from carrying torch lights through covered bridges in the county of Randolph; that it do pass.

H. R. No. 35: Resolution instructing the Secretary of State to issue a warrant to A. N. Bell, of Macon county; that it do pass.

By Mr. Anderson, of Clay county, for same committee, H. B. No. 134: A bill to repeal chapter 69, laws of 1870–'71; that it do pass.

H. B. No. 57: A bill to be entitled an act concerning the ferries and causeway from the city of Wilmington to Brunswick county, ask its reference to Judiciary Committee; reference made.

From the Committee on Corporations:

By Mr. Wiley, H. B. No. 103: A bill to be entitled an act to incorporate Mount Morency Church in Buncombe county; that it do pass.

H. B. No. 104: A bill to be entitled an act to incoporate the Baptist Church of Hominy, Buncombe county; that it do pass.

H. B. No. 116: A bill to amend the charter of the town of Beaufort; that it do pass.

H. B. No. 105: A bill to be entitled an act to incorporate

the Weaversville College, in Buncombe county; that it do pass.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act relating to the city of Wilmington.

Resolution in favor of the sheriff of Bladen county.

The following bill reported by the Committee on Engrossed Bills as correctly engrossed, was transmitted to the Senate for concurrence.

H. B. No. 11: A bill to be entitled an act to amend and consolidate the various acts heretofore passed, incorporating the town of Lumberton.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

RESOLUTIONS.

By Mr. Gudger: A resolution instructing the Governor to withdraw the appeal taken to the Supreme Court of the United States on the Western North Carolina Railroad, authorized by a resolution of 1873. H. R. No. 51.

By Mr. Brown, of Davidson: Resolution of instruction to the Finance Committee to tax the bonds of the State as other property is taxed. H. B. No. 52:

BILLS—TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Reid, of Randolph: A bill to be entitled an act to change the time of holding the Superior Courts in Randolph and Rockingham counties, Seventh Judicial District. H. B. No. 136.

By Mr. Warlick: A bill to be entitled an act to give to the county of Burke all vacant lands in said county. H. B. No. 137.

By Mr. Costner: A bill for the relief of landlords. H. B. No. 138.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Godfrey: A bill to be entitled an act to increase the salary of the Judge of the First Judicial District of North Carolina. H. B. No. 139.

By Mr. Dickey: A bill to be entitled an act to prohibit the sale of liquor within three miles of Robinsville. H. B. No. 140.

By Mr. Waddill: A bill for the benefit of Stanly county and others. H. B. No. 141.

By Mr. Shackelford: A bill to prohibit the sale of spirituous liquors within two miles of Tabernacle Church, White Oak Township, in the county of Onslow. H. B. No. 142.

By Mr. Lindsay: A bill to authorize the commissioners of Nash county to levy a special tax. H. B. No. 143.

By Mr. Bean: A bill to incorporate Gray's Chapel Methodist Protestant Church in the county of Raldolph. H. B. No. 144.

TO THE COMMITTEE ON FINANCE.

By Mr. Bennett: A bill to allow the commissioners of Anson county to levy a special tax. H. B. No. 145.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Marler: A bill to be entitled an act to incorporate the town of Jonesville, Yadkin county. H. B. No. 146.

By Mr. Moss: A bill to incorporate the town of Toisnot, in Wilson county. H. B. No. 147.

By Mr. Richardson: A bill to incorporate the town of Whiteville, in Columbus county. H. B. No. 148.

By Mr. Bennett: A bill to amend the charter of Newbern. H. B. No. 149.

PLACED ON THE CALENDAR.

By Mr. Paschall: An act to provide for the keeping up of the public highways. H. B. No. 150.

By Mr. Bunn: A bill to be entitled an act making it a misdemeanor for sheriffs or county commissioners to make any discrimination in drawing or summoning jurors. H. B. No. 151.

By Mr. Wheeler: An act to extend the time for the collection of railroad taxes in the county of Forsythe. H. B. No. 152.

On motion of Mr. Reid, of Mecklenburg, the rules were suspended, and H. R. No. 53: Resolution inviting Ex. Gov. W. A. Graham to address the General Assembly on the subject of the Mecklenburg Declaration was read the second time. The amendment of Mr. Gilbert to add the name of D. R. Goodloe was rejected. Mr. Bunn's amendment to add the name of W. W. Holden was rejected, and the resolution passed, under the operation of the previous question demanded by Mr. Reid, of Mecklenburg. The resolution was read the third time and passed.

On motion of Mr. Reid, of Mecklenburg, his motion to reconsider the vote by which the resolution passed its third reading was laid upon the table.

A message was received from the Senate concurring in H. R. No. 37: Resolution of instruction to the Attorney General, indicating Mr. Morehead, of Guilford, as the Senate branch of the committee.

The Speaker announced Messrs. Paschall and Moring as the House branch of the committee.

A message was received from the Senate enclosing S. R. No. —, H. R. No. 54: Resolution on adjournment, fixing the 22d inst., at 6 o'clock A. M., for adjournment *sine die*. On motion to concur in the Senate's proposition, Mr. Bryan, of Pitt, moved

to amend by striking out 22d and inserting 15th; on this motion his call for the ayes and noes was sustained and the amendment prevailed. Ayes 66, nays 36.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Ballard, Bean, Bennett, Blackwell, Blythe, Brown of Davidson, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Bullard, Bunn, Carter, Cobb, Copeland, Costner, Cox, Craige, Dickey, Dudley, Dula, Foster, Freeman, Gidney, Goodwyn, Gray, Grady, Gudger, Hanner, Hampton, Hinnant, Houston, Hughes, Johnston, Jones of Camden, Jones of Tyrrell, Joyner, Johns, Lindsay, Lutterloh, Marler, McGehee, McNeill, Michael, Moring, Moss, Norment, Outlaw, Patrick, Reid of Mecklenburg, Reid of Randolph, Richardson, Scott, Sharp, Shackelford, Sneed, Trivett, Turner, Warlick, Waddill, Waugh, Wiley, Wheeler, Whisnant and Woodhouse—66.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Bowe, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Brooks, Byrd, Carson, Corson, Ellison, Gant, Gilbert, Gilmer, Godfrey, Gorman, Guyther, Haynes, Jones of Northampton, Jones of Orange, Jordan, King, Lloyd, Luckey, McLaurin, Miller, Paschall, Perry of Wake, Presson, Rhodes, Shaw, Stowe, Watson, Webb, Winslow and Williamson—36.

The question recurring upon the adoption of the resolution, a call for the ayes and noes was sustained by the House, and the resolution passed. Ayes 86, noes 12.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowe, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Bullard, Bunn, Byrd, Carter, Carson, Copeland, Costner, Cox, Craige, Dickey, Dudley, Fletcher, Foster, Freeman, Gant, Gidney, Gilmer, Gorman, Goodwyn, Gray, Grady, Gudger, Guyther, Hanner, Hampton, Haynes, Hinnant,

Houston, Hughes, Johnston, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Lutterloh, Marler, McGehee, McNeill, Miller, Michael, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Rhodes, Scott, Sharp, Shackelford, Stowe, Sneed, Todd, Turner, Warlick, Waddill, Waugh, Winslow, Wiley, Williamson, Whitmire, Whisnant and Woodhouse—86.

The following gentlemen voted in the negative:

Messrs. Ellison, Gilbert, Jones of Northampton, Jordan, King, Lloyd, McLaurin, Paschall, Perry of Wake, Shaw, Watson and Webb—12.

A message was received from the Senate indicating Messrs. Welch, Norwood and Ransom, as the Senate branch of the Joint Standing Committee on Insurance; and Messrs. Humphrey, Troy and Harris, as the Senate branch of the Joint Standing Committee on Banks and Currency.

The Speaker announced as the House branch of the Joint Standing Committee on Insurance, Messrs. Richardson, Stowe, Gorman, Wiley and Dula.

On Banks and Currency.—Messrs. Moss, Anderson, of Davie, Darden, Copeland and Lindsay.

The hour, 12 M., having arrived, the special order, H. B. No. 3, relating to usury, was announced.

On motion of Mr. Bennett, the further consideration of the special order was postponed for five minutes.

On motion of Mr. Bennett, the rules were suspended, and S. B. No. 17, H. B. No. 99, cedes part of lot No. 99, in the city of Raleigh, to the United States, was read the second time,

The amendment of Mr. Bennett was adopted, and the bill passed; was read the third time, passed, and ordered to be returned to the Senate for concurrence in amendments.

The consideration of the special order was resumed.

Mr. Waugh offered a substitute for the bill, which was read, and, on motion of Mr. Moring, the bill was indefinitely postponed.

H. B. No. 117: A bill to incorporate the Immigration Society of North Carolina, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Houston, H. B. No. 1: A bill to be entitled an act to authorize the construction of a toll bridge across the Catawba river near the Western North Carolina Railroad Bridge, was read the second time; the amendment of the committee was adopted and passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 93: A bill providing for the transportion of released convicts from the penitentiary to their former homes, was read the second time, and, on motion of Mr. Moring, was laid on the table.

H. No. B. 86: A bill to be entitled an act to amend section 13, chapter 52, Battle's Revisal, was read the second time, and, on motion of Mr. Gilbert, was laid on the table.

On motion of Mr. Wiley, the rules were suspended, and H. B. No. 95: An act for the relief of sheriffs and tax collectors, was read the second time, the amendment of the committee was adopted, and bill passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

On motion of Mr. Wheeler, the rules were suspended, and H. B. No. 37: An act to incorporate the members of the congregation of United Brethren of the town of Salem, was read the second and third times, passed each reading and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Trivett, his motion to reconsider the vote by which the bill passed its third reading, was laid on the table.

H. B. No. 61: A bill to amend section 13, chapter 74, laws 1872–'73, concerning the distribution of Battle's Revisal was read the second time, the substitute of the committee was adopted, and the amendment of Mr. Gilbert was adopted, and the bill, as passed, was read the third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 21: A bill to be entitled an act to amend title 4, Code of Civil Procedure, was read second time, the substitute of the committee was adopted and the bill passed was read the third time, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 9: A bill to be entitled an act regulating entries of vacant lands, was read the second time, and, on motion of Mr. Joyner, was laid on the table.

On motion of Mr. Paschall, the House adjourned till to-morrow, at 11 o'clock.

FIFTEENTH DAY.

THURSDAY, Dec. 4th, 1873.

The House was called to order by the Speaker at 11 o'clock.

The Journal of yesterday was read and approved.

Indefinite leave of absence was granted to Mr. McGehee on account of sickness in his family.

Leave of absence from to-morrow till Monday next, was granted to Mr. Cobb and King, on account of sickness in their families.

The following petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Mitchell: From the citizens of Stokes county, asking for prohibition of the sale of spirituous liquors within two miles of places of public worship upon days of worship.

By Mr. Patrick: From the citizens of Greene, asking that the sale of spirituous liquors be prohibited within two miles of Clarella Institute.

By Mr. Brown, of Mecklenburg: From the citizens of Mecklenburg county to prohibit the sale of spirituous liquors within five miles of Gilead Church, in said county.

By Mr. Bowman: From sundry citizens of Burke, Caldwell, Mitchell and McDowell, asking the establishment of a new county.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. —: A bill to be entitled an act to so amend Battle's Revisal, chapter 121, section 13, as to supply the sheriffs of the several counties with said Revisal; that it do not pass.

H. B. No. 69: A bill to be entitled an act to amend chapter 60, sections 27 and 28 of Battle's Revisal, so as to allow insolvents who may be imprisoned as putative fathers of bastards, or for the fine and costs of any criminal prosecution, after remaining in prison ten days to be discharged; that it do not pass.

H. B. No. 50: A bill to be entitled an act to amend section 11, chapter 53, of Battle's Revisal; that it do not pass.

H. B. No. 82: A bill to be entitled an act to require the registration of deeds; that it do not pass.

H. B. No. 71: An act to open the Catawba river for the free passage of fish; that it do not pass.

H. B. No. 72: A bill to be entitled an act to secure the free passage of fish in Catawba river; that it do not pass.

H. B. No. 121: A bill to be entitled an act to allow the sale of the reversion on homesteads where the owner consents in writing; that it do not pass.

H. B. No. 68: A bill to be entitled an act to amend section 3, chapter 206, Public Laws of 1869–'70; that it do not pass.

S. B. No. 9, H. B. No. 80: A bill to be entitled an act to establish an additional term of the Superior Court for Guilford county; that it do pass.

H. B. No. 120: A bill to amend section 55, title 5, of the Code of Civil Procedure; that it do pass.

From the Committee on Finance:

By Mr. Gidney, H. B. No. 145: A bill to allow the commissioners of Anson county to levy a special tax; that it do pass.

H. B. No. 115: An act for the relief of sheriffs and tax collectors; that it do not pass.

From the Committee on Corporations:

H. B. No. 36: An act to be entitled an act to incorporate Rock Spring Seminary, in the county of Lincoln, with substitute; that it do pass.

H. B. No. 148: A bill to incorporate the town of Whiteville, in Columbus county; that it do pass.

H. B. No. 107: A bill to amend the act of incorporation of the town of Lincolnton; that it do pass.

From the Committee on Counties, Cities, Towns and Townships:

By Mr. Waugh, S. B. No. 26, H. B. No. 90: A bill to be entitled an act to amend an act supplemental to an act to lay off and establish the new county of Pamlico; that it do not pass.

From the Committee on Insurance:

By Mr. Moss, H. B. No. 31: A bill in relation to foreign Insurance Companies; that it do pass.

From the Committee on Agriculture:

By Mr. Jones, of Orange, H. B. No. 53: A bill to be entitled an act to prevent enticing servants from fulfilling their contracts with their employers and harboring them; that it do not pass.

From the Committee on Education:

By Mr. Johnston, H. B. No. 60: A bill to be entitled an act to amend chapter 68, section 50, Battle's Revisal; that it do not pass.

H. B. No. 63: An act to amend chapter 68, Battle's Revisal, in relation to Literary Fund and Common Schools; that it do not pass.

From the Committee on Propositions and Grievances:

By Mr. Brown, of Mecklenburg, H. B. No. 27: An act for the benefit of the farmers in Cashie Neck, Bertie county, with amendments; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 66: A bill to repeal such parts of sections 13 and 19, chapter 20, acts of special session of 1868, as require the statement provided in said section to be published in newspapers.

H. B. No. 95: A bill to repeal chapter 165, of the laws of 1872–'73.

H. B. No. 92: A bill to amend chapter 154, laws 1872–'73, an act to authorize the commissioners of Wilkes county to issue bonds.

H. B. No. 85: A bill to amend section 31, chapter 115, public laws of 1872–'73.

H. B. No. 89: A bill to prevent the sale of spirituous liquors within two miles of Cedar Creek Church in Anson county.

H. B. No. 51: A bill to enable foreign guardians of infants and insane persons to remove the estates of their wards from this State.

H. R. No. 21: Resolution requiring report of the State Geologist.

H. B. No. 135: A bill for the relief of the sheriff of Pasquotank county.

H. B. No. 78: A bill to enable the commissioners of Surry county to consolidate and pay the debt of said county.

H. R. No. 53: Resolution in regard to the Mecklenburg Declaration of Independence.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

S. B. No. 7, H. B. No. 81: An act to provide for and cure certain irregularities and executions.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Bennett: A bill to repeal chapter 68, public laws of 1868–'69, and chapter 262, act of 1870–'71. H. B. No. 153.

By Mr. Jones, of Orange: An act to amend an act entitled "An act for Amnesty and Pardon," chapter 181, public laws of 1372–'73. H. B. No. 154.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Outlaw: A bill to be entitled an act to prevent the sale of intoxicating liquors in certain localities in Duplin county. H. B. No. 155.

By Mr. Copeland: An act to forbid the sale of spirituous liquors in the town of Fremont. H. B. No. 156.

By Mr. Trivett: An act to improve the State road on Buffalo creek, in Ashe county. H. B. No. 157.

By Mr. Patrick: An act to prohibit the sale of spirituous liquors within two miles of Clarilla Institute, in Greene county. H. B. No. 185.

By Mr. Gilmer: A bill to be entitled an act to prohibit the sale of ardent spirits to minors. H. B. No. 159.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Shaw: A bill to incorporate Blue Lodge, No. 287, Free and Accepted Masons. H. B. No. 160.

By Mr. Shaw: A bill to incorporate the town of Jonesboro', in the county of Moore. H. B. No. 161.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Richardson: A bill in reference to the line between Columbus and New Hanover counties. H. B. No. 162.

TO THE COMMITTEE ON EDUCATION.

By Mr. Johnston: A bill to be entitled an act to amend chapter 90, laws of 1872–'73. H. B. No. 163.

TO THE COMMITTEE ON MILITARY AFFAIRS.

By Mr. Brown, of Mecklenburg: A bill to be entitled an act to provide arms for military schools. H. B. No. 164.

PLACED ON THE CALENDAR.

By Mr, Trivett: An act to repeal laws of 1872–'73, section 1, chapter 97, Battle's Revisal. H. B. No. 165.

By Mr. Carson: A bill to be entitled an act to amend section 1, chapter 70, of the acts of 1870–'71. H. B. No. 166.

A communication was received from the Hon. D. A. Jenkins, Treasurer of the State, in response to a resolution of the House, relative to the tax of Wayne county, for the year 1870; which was read, and on motion of Mr. Waugh, referred to the Committee on the Judiciary.

A message was received from the Senate, transmitting engrossed copy of S. R. No. 18, H. R. No. 55: A resolution in favor of J. L. Henry; which was read the first time, passed, and on motion of Mr. Waugh, referred to the Committee on the Judiciary.

The calendar was taken up.

H. B. No. 88: A bill to be entitled an act to prevent the sale of spirituous liquors within two miles of the Methodist Church at Shallotte Camp Ground, in Brunswick county, was read the second time, amended and passed; was read the third

time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 105: A bill to be entitled an act to incoporate the Weaversville College, in Buncombe county, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 116: A bill to amend the charter of the town of Beaufort, was read the second time and passed.

H. R. No. 48: Resolution of instructions to the Joint Committee on Public Printing, was read the second time, and on motion of Mr. Turner, was laid upon the table. Mr. Cox called for the ayes and noes, and the call being sustained by the House, the motion to table prevailed. Ayes 55, noes 51.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Alleghany, Bullard, Byrd, Carter, Costner, Craige, Dickey, Gant, Gidney, Gilmer, Godfrey, Gorman, Grady, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Shaw, Sharp, Shackelford, Stowe, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley, Whitmire and Woodhouse—55.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Carson, Cobb, Copeland, Corson, Cox, Dudley, Dula, Ellison, Fletcher, Foster, Freeman, Gilbert, Goodwyn, Gray, Gudger, Guyther, Hampton, Hughes, Jones of Camden, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, Marler, McLaurin, Miller, Michael, Patrick, Paschall, Reid of Randolph, Rhodes, Scott, Sneed, Todd, Trivett, Winslow, Williamson, Wheeler and Whisnant—51.

The amendment of Mr. Trivett censuring those members of the 43rd Congress who have drawn their pay under the law

was rejected. The question recurring on the adoption of the substitute, a call for the ayes and noes was sustained, and the substitute was adopted. Ayes 81, noes 17.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Byrd, Carter, Carson, Copeland, Costner, Cox, Craige, Dickey, Dula, Foster, Freeman, Gant, Gidney, Gilmer, Grady, Gudger, Guyther, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, Lindsay, Lutterloh, Luckey, Marler, McGehee, McNeill, Miller, Michael, Mitchell, Moring, Moss, Norment, Patrick, Paschall, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Rhodes, Scott, Shaw, Shackelford, Stowe, Todd, Trivett, Warlick, Waddill, Watson, Waugh, Webb, Wiley, Whitmire, Wheeler, Whisnant and Woodhouse—81.

The following gentlemen voted in the negative:

Messrs. Abbott, Bowe, Bunn, Cobb, Corson, Dudley, Ellison, Gilbert, Gorman, Goodwyn, Hampton, Hughes, Jones of Northampton, King, Lloyd, McLaurin and Williamson—17.

The resolution was adopted and ordered to be engrossed and sent to the Senate.

H. R. No. 7: Resolution concerning the increase of the salaries of members of Congress, was read the second time; the substitute proposed by the Judiciary Committee being under consideration.

Mr. Guyther moved to strike out the second resolution, censuring the President of the United States. On the motion to strike out, a call for the ayes and noes was sustained, and the motion was rejected. Ayes 23, noes 74.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bowe, Bryant of Halifax, Bunn, Cobb, Corson, Dudley, Dula, Ellison, Foster, Gilbert, Gorman, Good-

wyn, Guyther, Hampton, Hughes, Jones of Northampton, King, Lloyd, McLaurin, Miller, Rhodes and Williamson—23.

The following gentlemen voted in the negative :

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Byrd, Carter, Carson, Copeland, Costner, Cox, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Grady, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, Lindsay, Lutterloh, Luckey, Marler, McGehee, McNeill, Michael, Mitchell, Moring, Moss, Norment, Patrick, Paschall, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Scott, Shaw, Shackelford, Stowe, Todd, Trivett, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whitmire, Wheeler, Whisnant and Woodhouse—74.

By consent, Mr. Brown, of Mecklenburg, from the Committee on Propositions and Grievances, returned H. B. No. 47 : An act to prevent the selling of articles by the offer of gifts or prizes, asking its reference to the Committee on the Judiciary.

On motion of Mr. Gorman, the House adjourned till 11 o'clock to-morrow.

SIXTEENTH DAY.

FRIDAY, Dec. 5th, 1873.

The House was called to order by the Speaker at 11 o'clock.

The journal of yesterday was read and approved.

Indefinite leave of absence, on the account of sickness in their families, was granted to Messrs. Carson, McLaurin and Grady.

Leave of absence, on account of sickness in their families, till Tuesday next, was granted to Messrs. Dula, Dudley and Jones, of Northampton; to Mr. Hanner for three days on account of sickness; to Mr. Settle and Mr. Richardson till Monday next; and to Messrs. Sharp and Cox till Tuesday next.

Permission was granted to Mr. Heaton, to record his vote in the negative upon the passage of H. R. No. 7: Resolution in regard to the increase pay of members of Congress and others.

The following petitions were introduced, read and referred or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Fletcher: From citizens of Richmond and Montgomery counties, in relation to the sale of spirituous liquors.

By Mr. Bennett: From citizens of Richmond county, asking the prohibition of the sale of liquor within three miles of Caledonia Church.

By Mr. Mizell: From citizens of Martin county, asking that certain creeks in Martin county be lawful fences.

PLACED ON THE CALENDAR.

By Mr. Joyner: From citizens of Johnston county, asking that the voters in townships shall control the liquor traffic therein.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 23: A bill to be entitled an act to restore burnt records in the county of Watauga; that it do pass.

H. B. No. 46: A bill to be entitled an act to create a laborers' and mechanics' lien law, and for other purposes; that it do pass.

From the Committee on Military Affairs.

By Mr. Gorman, H. B. 164: A bill to be entitled an act to provide arms for military schools, asking that it be referred to the Committee on the Judiciary. Reference made.

From the Committee on Agriculture:

By Mr. Jones, of Orange, H. B. No. 108: An act in relation to mischievous animals; that it do pass.

From the Committee on Propositions and Grievances:

By Mr. Brown, of Mecklenburg, H. B. No. 141: A bill for the benefit of Stanly county and others; that it do pass.

H. B. 143: A bill to authorize the commissioners of Nash county to levy a special tax; that it do pass.

H. B. 144: A bill to incorporate Gray's Chapel Methodist Protestant Church, in the county of Randolph; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by the Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 64: A bill to be entitled an act declaring it a misdemeanor for any person who has executed a chattel mortgage deed in trust or lien to dispose of the property with intent to defeat the mortgage.

H. B. No. 1: A bill to be entitled an act to authorize the construction of a toll bridge across the Catawba river, near the Western North Carolina Railroad bridge.

H. B. No. 61: A bill to amend section 13, chapter 74, laws of 1872–'73, concerning the distribution of Battle's Revisal.

H. B. No. 21: A bill to be entitled an act to amend title 4 of the Code of Civil Procedure.

H. B. No. 152: An act to extend the time for the collection of railroad taxes in the county of Forsythe.

The following named resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

TO THE COMMITTEE ON CLAIMS.

By Mr. Bennett: Resolution in favor of P. McGowan. H. R. No. 56.

TO THE COMMITTEE ON FINANCE.

By Mr. Moring: Resolution in favor of G. J. Williams, sheriff of Chatham county. H. R. No. 57.

PLACED ON THE CALENDAR.

By Mr. Moss: Resolution in favor of the Oxford Orphan Asylum. H. R. No. 58.

By Mr. Guyther: Resolution in regard to the back pay salary. H. R. No. 59.

By Mr. Waugh: Resolution of instruction to the Judiciary Committee. H. R. No. 60.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Bennett: A bill declaratory of the meaning of section 41, chapter 45, of Battle's Revisal, in regard to executors and administrators. H. B. No. 167.

By Mr. Moss: An act to appoint a public guardian. H. B. No. 168.

By Mr. Moring: A bill to amend section 11, chapter 201, laws of 1868–'69, in relation to the penalty of guardian's bonds. H. B. No. 169.

By Mr. Watson: An act requiring Justices of the Peace to give bond. H. B. No. 170.

By Mr. Reid, of Mecklenburg: A bill to be entitled an act to make the jurisdiction of justices of the peace final in certain criminal matters. H. B. No. 171.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Mitchell: A bill to be entitled an act to prevent the

sale of spirituous liquors within two miles of any place of public worship in Stokes county upon the days of such worship. H. B. No. 172.

By Mr. Bryson, of Jackson: A bill to be entitled an act in relation to the Western Turnpike Road. H. B. No. 173.

By Mr. Mizell: A bill to declare Welch's creek and Warren Neck creek a lawful fence. H. B. No. 174.

By Mr. Fletcher: A bill to prohibit the sale of liquor within three miles of Philadelphia, Pee Dee, Hebron and Concord churches in Richmond county. H. B. No. 175.

By Mr. Ranner: A bill to submit to the qualified voters of cities, towns and townships, the question of the prohibition of the sale of intoxicating liquors. H. B. No. 176.

By Mr. Freeman: A bill to extend the time for the tax collector of McDowell county to settle with the Public Treasurer. H. B. No. 177.

By Mr. Scott: An act to prevent the obstruction of navigation of White Oak and Trent rivers in Jones county. H. B. No. 178.

By Mr. Bean: A bill to limit a day's work of employees in cotton mills, &c., to ten hours. H. B. No 179.

By Mr. Bennett: A bill to prohibit the sale of spirituous liquors within three miles of Caledonia church, in Richmond county. H. B. No. 180.

By Mr. Bryson, of Jackson: A bill to establish a new county by the name of Chattooga. H. B. No. 181.

By Mr. Shaw: A bill to prohibit the sale of intoxicating liquors near certain churches in Moore county. H. B. No. 182.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Jones, of Orange: An act to amend the charter of Hillsboro'. H. B. No. 183.

By Mr. Joyner: A bill to be entitled an act to incorporate Clayton Lodge, I. O. O. F. in the county of Johnston. H. B. No. 184.

By Mr. Shackelford: A bill to be entitled an act to incorporate Richlands Farmer's Association in the county of Onslow. H. B. No. 185.

TO THE COMMITTEE ON INTERNAL IMPROVEMENTS.

By Mr. Johns: A bill to be entitled an act to authorize the Dan River Coalfields Railroad to buy the Atlantic, Tennessee and Ohio Railroad. H. B. No. 186.

PLACED ON THE CALENDAR.

By Mr. Scott: An act to prohibit the sale of liquors in the town of Trenton, in Jones county. H. B. No. 187.

A message was received from the Senate concurring in House amendments to S. B. No. 17, H. B. No. 99: A bill to cede to the United States a part of lot 99, in the city of Raleigh, and announcing that the bill had been ordered to be enrolled for ratification.

A message was received from the Senate, transmitting an engrossed copy of S. B. No. 54, H. B. No. 188: A bill to repeal an act in regard to the terms of the Supreme Court, in Craven county, asking the concurrence of the House therein.

On motion of Mr. Brown, of Mecklenburg, the rules were suspended, and the bill passed three several readings, and was ordered to be enrolled for ratification.

On motion of Mr. Brown, of Mecklenburg, his motion to reconsider the vote by which the bill passed its third reading, was laid upon the table

The calendar was taken up.

H. B. No. 36, was read the second time, the substitute proposed by the committee was adopted, and the bill passed; was read the third time, passed and ordered to be engrossed and sent to the Senate.

H. B. No. 116: A bill to amend the charter of the town of Beaufort, was read the third time.

On the passage of the bill, Mr. Gorman called for the ayes and noes, and the call was sustained, and the bill passed. Ayes 52, noes 50.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Alleghany, Bullard, Byrd, Carter, Carson, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Gudger, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, McNeill, Mitchell, Moring, Moss, Norment, Presson, Reid of Mecklenburg, Richardson, Shaw, Shackelford, Stowe, Todd, Warlick, Waddill, Watson, Waugh, Webb, Wiley, Whitmire and Woodhouse—52.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Cobb, Copeland, Corson, Cox, Dudley, Dula, Ellison, Fletcher, Foster, Gilbert, Godfrey, Gorman, Goodwyn, Gray, Guyther, Hampton, Heaton, Hughes, Jones of Camden, Jones of Northampton, Jordan, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Patrick, Paschall, Perry of Wake, Reid of Randolph, Rhodes, Scott, Sneed, Trivett, Winslow, Williamson, Wheeler and Whisnant—50.

Mr. Moring moved to reconsider the vote by which the bill passed its third reading, and to lay the motion to reconsider upon the table. On this motion Mr. Gorman called for the ayes and noes, and the call being sustained, the motion prevailed. Ayes 54, noes 46.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Alleghany, Bullard, Byrd, Carter, Carson, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Godfrey, Gudger, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay,

Luckey, Marler, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Shaw, Shackelford, Stowe, Todd, Warlick, Waddill, Watson, Waugh, Webb, Wiley, Whitmire and Woodhouse—54.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Copeland, Corson, Cox, Dudley, Dula, Ellison, Fletcher, Foster, Gilbert, Gorman, Goodwyn, Gray, Guyther, Hampton, Hughes, Jones of Camden, Jones of Northampton, Jordan, Lloyd, Lutterloh, McLaurin, Miller, Michael, Patrick, Paschall, Perry of Wake, Reid of Randolph, Rhodes, Scott, Sneed, Trivett, Winslow, Williamson, Wheeler and Whisnant—46.

H. B. No. 152: An act to extend the time for the collection of railroad taxes in the county of Forsythe, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Wheeler, his motion to reconsider the vote by which the bill passed its third reading, was laid on the table.

The following named bills and resolutions were read the second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate.

H. B. No. 104: A bill to be entitled an act to incorporate the Baptist Church of Hominy, in Buncombe county.

H. B. No. 148: A bill to incorporate the town of Whiteville, in Columbus county.

H. B. No. 103: A bill to be entitled an act to incorporate Montmorency Church, in Buncombe county.

H. B. No. 31: A bill in relation to Foreign Insurance Companies.

H. R. No. 35: A resolution instructing the Secretary of State to issue a warrant to A. W. Bell, of Macon county.

The following named bills were read the second time, and, on motion, laid on the table.

H. B. No. 50: A bill to be entitled an act to amend section 11, chapter 53, of Battle's Revisal.

H. B. No. 53: A bill to be entitled an act to prevent enticing servants from fulfilling their contracts with their employers, and harboring them.

H. B. No. 55: A bill in regard to seats of the members of the House of Representatives of the General Assembly.

S. B. N. 26, H. B. No. 90: A bill to be entitled an act to amend an act entitled an act supplemental to an act to lay off and establish the new county of Pamlico.

The following named bills were read the second time, amended and passed; were read the third time, passed and ordered to be engrossed and sent to the Senate.

H. B. No. 27: An act for the benefit of the farmers of Cashie Neck, Bertie county. On motion of Mr. Guyther, the motion to reconsider the vote by which the bill passed its third reading was laid on the table.

H. B. No. 46: A bill to be entitled an act to create a Mechanics' and Laborers' Lien Law and for other purposes, amended, on motion of Mr. Luckey.

On motion of Mr. Hughes, his motion to reconsider the vote by which the bill passed its third reading was laid on the table.

S. B. No. 9, H. B. No. 80: A bill to be entitled an act to establish an additional term of the Superior Court for Guilford county, was read the second and third times, passed each reading, and was ordered to be enrolled for ratification.

On motion, the House adjourned till to-morrow at 11 o'clock.

SEVENTEENTH DAY.

SATURDAY, Dec. 6th, 1873.

The House was called to order by the Speaker at 11 o'clock.

The Journal of yesterday was read and approved.

Leave of absence was granted to Mr. Shaw till Monday next; to Mr. Goodwyn for five days; to Mr. Paschall till Tuesday on account of sickness in his family; to Mr. Waugh till Monday the 15th inst., on account of sickness.

The use of the Hall was granted Monday and Tuesday nights to Dr. Barker, for the purpose of lecturing.

The following petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Rhodes: From citizens of Fremont, Wayne county, asking that no law be passed prohibiting the sale of liquor in said town.

By Mr. McNeill: From members of Smyrna Church, Richmond county, for a prohibitory law within three miles thereof.

By Mr. Bryson, of Jackson: From citizens of the county, asking that the sale of liquor be prohibited within two miles of certain churches.

By Mr. Ballard: From citizens of Gates county, to incorporate Sandy Cross Colored Farmer's Mutual Aid Society.

By Mr. Norment: From citizens of Robeson county, relative to the sale of liquor within four miles of Ten Mile Swamp Baptist Church.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Gidney: Asking for a new county, to be called Center.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on Propositions and Grievances:

By Mr. Brown, of Mecklenburg, H. B. No. 177: An act to extend the time for the tax-collector of McDowell county to settle with the county treasurer; that it do pass.

H. B. No. 174: A bill to declare Welch's creek and Warren Neck creek a lawful fence; that it do not pass.

H. B. No. 179: A bill to limit a day's work of employees in cotton mills, &c., to ten hours; that it do not pass.

H. B. No. 129: An act to amend chapter 126, of the Public Laws of 1866–'67, in relation to weights and measures; that it do pass.

H. B. No. 181: A bill to establish a new county by the name of Chattooga; asks its reference to the Committee on Counties, Cities, Towns and Townships; reference made.

From the Committee on Internal Improvements:

By Mr. Bryson, of Swain, H. B. No. 186: A bill to be entitled an act to authorize the Dan River Coalfield Road to buy the Atlantic, Tennessee and Ohio Railroad; that it do pass.

From the Committee on Education:

By Mr. Johnston, H. B. No. 163: A bill to be entitled an act to amend chapter 90, laws of 1872–'73, with substitute; that it do pass.

From the Committee on Corporations:

By Mr. Wiley, H. B. No. 160: A bill to incorporate Blue Lodge, No. 287, Free and Accepted Masons; that it do pass.

H. B. No. 183: An act to amend the charter of Hillsboro'; that it do pass.

H. B. No. 161: A bill to incorporate the town of Jonesboro', in the county of Moore; that it do pass.

H. B. No. 49: A bill to incorporate Bethel, in the county of Pitt; that it do pass.

H. B. No. 147: A bill to incorporate the town of Toisnot, in Wilson county, with amendment; that it do pass.

The following bills, resolutions and amendments reported as

correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 95: An act for the relief of sheriffs and tax collectors.

H. B. No. 117: An act to incorporate the North Carolina Immigration Society.

H. R. No. 33: Resolution in regard to a Flag presented by the Ladies of Raleigh to the Regiment of Volunteers from North Carolina to the Mexican War.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

S. B. No. 17, H. B. No. 99: An act to cede to the United States a certain portion of the lot of land comprised in number 99, of the lots designated in the plan of the city of Raleigh,

S. B. No. 54, H. B. No. 188: An act to repeal an act entitled an act in regard to the terms of the courts in the county of Craven.

H. B. No. 135, S. B. No. 155: An act for the relief of the sheriff of Pasquotank.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THF COMMITTEE ON CLAIMS.

By Mr. Waddill: Resolution in favor of James R. Melton. H. R. No. 61.

TO THE COMMITTEE ON FINANCE.

By Mr. Woodhouse: Resolution for the relief of T. F. Baxter, sheriff of Currituck county. H. R. No. 62.

PLACED ON THE CALENDAR.

By Mr. Moring: Resolution in relation to the United States Court House and Post Office, to be built at Raleigh, N. C. H. R. No. 63.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE JUDICIARY COMMITTEE.

By Mr. Hampton: A bill to repeal chapter 71, laws of North Carolina for 1871–'72. H. B. No. 190.

By Mr. Lloyd: An act entitled an act concerning the inspectors in the city of Wilmington. H. B. No. 191.

By Mr. Craige: A bill to be entitled an act to amend chapter 110, acts of 1870–'71, being an act to cure certain irregular proceedings in the jurisdiction of the courts. H. B. No. 192.

By Mr. Craige: A bill to be entitled an act concerning elections in this State. H. B. No. 193.

By Mr. Hampton: A bill to be entitled an act to amend section 3, line 5, chapter 169, Public Laws of 1869–'70. H. B. No. 194.

By Mr. McNeill: A bill to be entitled an act in relation to the bonds of sheriffs. H. B. No. 195.

By Mr. Bennett: A bill to save harmless honest representatives of the estates of deceased persons. H. B. No. 196.

By Mr. Bennett: A bill to amend sub-division 2, section 31, chapter 3, title 4, of the Code of Civil Procedure. H. B. No. 197.

By Mr. Bennet: A bill to increase the homestead and personal property exemption. H. B. No. 198.

PLACED ON THE CALENDAR.

By Mr. Trivett: An act requiring a *pro rata* share of station-

ery delivered to each branch of the General Assembly. H. B. No. 199.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Craige: A bill to be entitled an act touching the sale of spirituous liquors within the town of Salisbury, subject to a vote of the qualified electors residing therein. H. B. No. 200.

By Mr. Bryson, of Jackson: A bill to be entitled an act to prevent the sale of spirituous liquors in certain localities in Jackson county. H. B. No. 201.

By Mr. Williamson: An act to prevent the felling of timber in Tar river. H. B. No. 202.

By Mr. Mitchell: A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of Danbury, Stokes county, during the term of any Superior Court for said county. H. B. No. 203.

By Mr. McNeill: A bill to be entitled an act to prohibit the sale of spirituous liquors within three miles of Smyrna Church, in the county of Richmond. H. B. No. 204.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Bowman: An act to incorporate the Industrial Association of Western North Carolina. H. B. No. 105.

By Mr. Joyner: A bill to be entitled an act to incorporate the town of Pine Level, in the county of Johnston. H. B. No. 206.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Mizell: An act to authorize the commissioners of Martin county, to sell or lease a certain public landing. H. B. No. 207.

By Mr. Mizell: An act to authorize the commissioners of

Martin county, to sell or lease lands in said county. H. B. No. 208.

By Mr. Ellison: An act to amend an act entitled an act to amend the charter of the city of Raleigh, ratified the 23d day of February, 1871. H. B. No. 209.

TO THE COMMITTEE ON FINANCE.

By Mr. Trivett: An act to exempt three hundred dollars worth of personal property from taxation. H. B. No. 210.

By Mr. Blythe: A bill exempting from taxation three hundred dollars worth of personal property for each tax payer in this State. H. B. No. 211.

A message was received from the Senate, transmitting an engrossed copy of S. B. No. 177, H. B. No. 189: An act to authorize the Auditor to settle with the sureties of John Foley, late sheriff of Pitt county, asking the concurrence of the House therein. The bill was read the first time and passed.

On motion of Mr. Brown, of Mecklenburg, the rules were suspended, and the bill was read the second and third times, passed each reading, and was ordered to be enrolled for ratification.

On motion of Mr. Johnston, the rules were suspended, and H. B. No. 163: A bill to be entitled an act to amend chapter 90, laws of 1872–'73, was read the second time.

On motion of Mr. Brown, of Davidson, the further consideration of the bill was postponed till 12 o'clock Tuesday, December 9th, and made special order for that hour, and ordered to be printed.

H. B. No. 143: A bill to authorize the Commissioners of Nash county to levy a special tax, was read the second time and passed. Ayes 55, noes 17.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Brown of Mecklenburg, Bryan of

Pitt, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Carter, Craige, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gray, Haynes, Heaton, Houston, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, Lindsay, Luckey, Marler, McNeill, Michael, Mitchell, Moring, Moss, Norment, Patrick, Presson, Reid of Mecklenburg, Reid of Randolph, Rhodes, Scott, Shinn of Iredell, Stowe, Todd, Trivett, Waddill, Waugh, Winslow, Wiley, Whisnant and Woodhouse—55.

The following gentlemen voted in the negative:

Messrs. Blythe, Bowe, Brown of Davidson, Bryant of Halifax, Bunn, Ellison, Gorman, Goodwyn, Guyther, Hampton, Hinnant, Lloyd, Sneed, Turner, Warlick, Watson and Williamson—17.

H. B. No. 145: A bill to allow the commissioners of Anson county to levy a special tax, was read the second time and passed. Ayes 64, noes 9.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Bowman, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Costner, Craige, Dickey, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Goodwyn, Gray, Guyther, Haynes, Houston, Johnston, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, Lindsay, Luckey, Marler, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Outlaw, Patrick, Presson, Reid of Mecklenburg, Reid of Randolph, Rhodes, Shinn of Iredell, Stowe, Todd, Trivett, Turner, Waddill, Watson, Waugh, Webb, Winslow, Whisnant and Woodhouse—64.

The following gentlemen voted in the negative:

Messrs. Blythe, Brown of Davidson, Ellison, Gorman, Heaton, Hinnant, Lloyd, Sneed and Williamson—9.

H. B. No. 84: An act entitled an act requiring county commissioners to make no distinction on account of race, color,

or previous condition, in drawing and selecting jurors, was read the second time.

The amendment of Mr. Guyther, "except such as are excluded by law," was adopted.

Mr. Freeman moved to lay the bill on the table.

On this motion Mr. Ellison called for the ayes and noes. The call was sustained, and the motion to table prevailed. Ayes 52, noes 31.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Wilkes, Bryan of Alleghany, Byrd, Carter, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Gudger, Haynes, Heaton, Hinnant, Houston, Johnston, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Shinn of Iredell, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley Whitmire and Woodhouse—52.

The following gentlemen voted in the negative:

Messrs. Abbott, Beau, Blythe, Bowe, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bunn, Corson, Ellison, Fletcher, Foster, Gilbert, Gorman, Goodwyn, Guyther, Hampton, Hughes, Jordan, Lloyd, Michael, Mizell, Patrick, Rhodes, Scott, Sneed, Winslow, Williamson, Wheeler and Whisnant—31.

On motion of Mr. Johns, the rules were suspended, and H. B. No. 186: A bill to be entitled an act to authorize the Dan River Coalfields Railroad to buy the Atlantic, Tennessee and Ohio Railroad, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Houston, his motion to reconsider the vote by which the bill passed its third reading, was laid upon the table.

On motion of Mr. Moring, H. R. No. 63: A resolution in

relation to the United State Court House and Post Office, to be built in Raleigh, was read and adopted.

H. B. No. 60: A bill to be entitled an act to amend chapter 68, section 50, was read the second time, and on motion of Mr. Anderson, of Clay, was laid on the table.

H. B. No. 68: A bill to be entitled an act to amend section 3, chapter 206, Public Laws of 1869–'70, was read the second time, and on motion of Mr. Luckey, laid on the table.

H. B. No. 63: An act to amend chapter 68, Battle's Revisal, in relation to the literary fund and common schools, was read the second time, and on motion of Mr. Anderson, of Clay, laid on the table.

H. B. No. 61: A bill to be entitled an act to so amend Battle's Revisal, chapter 121, section 13, as to supply the sheriffs of the several counties with said Revisal, was read the second time, and on motion of Mr. Marler, indefinitely postponed.

H. B. No. 199: An act requiring a *pro rata* share of stationery delivered to each branch of the General Assembly, was read the second time, and on motion of Mr. Bowman, was laid on the table.

H. B. No. 69: A bill to be entitled an act to amend chapter 60, sections 27 and 28, of Battle's Revisal, so as to allow insolvents who may be putative fathers of bastards, or for the fine and costs of any criminal prosecution, after remaining in prison ten (10) days, to be discharged, was read the second time.

Mr. Marler, moved to postpone the further consideration of the bill till Monday the 8th of December, and make it special order for 12 m. that day.

The motion of Mr. Brown, of Davidson, to table the motion to postpone was lost, and the further consideration of the bill was postponed and made special order for Monday 12 m.

The motion of Mr. Gorman, to adjourn till Monday next was lost.

On motion of Mr. Godfrey, the rules were suspended and H. B. No. 101: A bill to be entitled an act for the relief of the sheriff of Chowan county, was read the second and third times,

passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Gorman, the House adjourned till 11 o'clock Monday.

EIGHTEENTH DAY.

MONDAY, Dec. 8th, 1873.

The House was called to order by the Speaker at 11 o'clock.

The Journal of Saturday was read and approved.

Indifinite leave of absence was granted to Messrs. Brown, of Mecklenburg, and Moring, on account of sickness in their families.

Leave of absence till Friday next, was granted to Mr. Ellison.

The following petitions were introduced, read and referred:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Carson: Petition of the citizens and lumber men of Beaufort county, asking a law to be passed to protect them from being swindled.

By Mr. Norment: Petition of citizens of Shoe Heel, in Robeson county, asking that chapter 172, laws of 1872–'73, be amended so as not to compel them to hold an election annually relative to the sale of liquor at Shoe Heel.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 39: Resolution relating to Battle's Revisal, with a bill as substitute; that it do pass.

H. B. No. 111: An act to provide for the relinquishment to the United States, in certain cases, of title to and jurisdiction

over bonds for sites of light houses, beacons, or other aids to navigation in the waters of this State with amendment; that it do pass.

H. B. No. 122: An act to repeal parts of chapter 50, laws of 1868–'69; that it do pass.

From the Committee on Corporations:

By Mr. Wiley, H. B. No. 184: A bill to be entitled an act to incorporate Clayton Lodge, of I. O. O. F., in the county of Johnston; that it do pass.

H. B. No. 185: A bill to be entitled an act to incorporate Richlands Farmers' Association, in the county of Onslow; that it do pass.

H. B. No. 146: A bill to be entitled an act to incorporate the town of Jonesville, in Yadkin county; that it do pass.

H. B. No. 149: A bill to amend the charter of the city of Newbern; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 103: A bill to incorporate Montmorency Church, in Buncombe county.

H. B. No. 37: A bill to incorporate the members of the United Brethren of the town of Salem.

H. B. No. 104: A bill to incorporate the Baptist Church of Hominy, in Buncombe county.

H. B. No. 148: A bill to incorporate the town of Whiteville, in Columbus county.

H. R. No. 7: Resolution in regard to the increase of the salaries of members of Congress and other officers.

H. B. No. 105: A bill to incorporate the Weaversville College, in Buncombe county.

H. R. No. 35: Resolution instructing the Secretary of State to issue a grant to A. W. Bell, of Macon county.

H. B. No. 116: A bill to amend the charter of the town of Beaufort.

H. B. No. 31: A bill in relation to foreign insurance companies.

H. B. No. 46: A bill to create a Laborers' and Mechanics' Lien Law, and for other purposes.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

S. B. No. 9, H. B. No. 80: An act to establish an additional term of the Superior Court of Guilford county.

H. R. No. 35, S. R. No. 182: Resolution concerning the flag presented by the ladies of Raleigh to the Mexican volunteers to the Mexican war from North Carolina.

S. B. No. 177, H. B. No. 189: An act to authorize the Auditor to settle with the sureties of John Foley, late sheriff of Pitt county.

The following named resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Blythe: A resolution of instruction to the Committee on the Judiciary. H. R. No. 65.

By Mr. Trivett: Resolution requesting the Governor to send papers. H. R. No. 66.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON CITIES, COUNTIES, TOWNS AND TOWNSHIPS.

By Mr. Mizell: An act to change the county line between Bertie and Martin counties. H. B. No. 212.

By Mr. Carson: An act in relation to public roads in Beaufort county. H. B. No. 213

TO THE COMMITTEE ON FINANCE.

By Mr. Hampton: An act to authorize the commissioners of Polk county to levy a special tax. H. B. No. 214.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Trivett: An act to authorize the entry of swamp lands on the same terms as other vacant lands. H. B. No. 215.

By Mr. Trivett: An act to appropriate the proceeds of vacant lands in the counties of Ashe, Alleghany and others to said counties. H. B. No. 216.

By Mr. Gidney: An act to be entitled an act to repeal section 7, chapter 9, laws of special session, 1868, section 228, chapter 3, title 10, of chapter 17, Battle's Revisal. H. B. No. 217.

By Mr. Norment: A bill to be entitled an act declaring certain larcenies misdemeanors, and giving to justices of the peace jurisdiction of the same. H. B. No. 218.

By Mr. Bennett: A bill to amend section 4 and 5, chapter 35, public acts special session of 1868, in regard to register of deeds. H. B. No. 219.

By Mr. Craige: A bill to be entitled an act to amend an act amendatory of an act in relation to the fees of county officers and the Supreme Court Clerk, ratified the 10th day of February, 1872. H. B. No. 220.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Houston: A bill to authorize the town of Newton to take stock in railroads and for other purposes. H. B. No. 221.

By Mr. Carter: A bill to be entitled an act to incorporate the Trustees of the Fairfield Academy, in the county of Hyde. H. B. No. 222

TO THE COMMITTEE ON EDUCATION.

By Mr. Gilbert: A bill to be entitled an act to make attendance upon the public schools of the State obligatory. H. B. No. 223.

TO THE COMMITTEE ON SALARIES AND FEES.

By Mr. Hampton: A bill to be entitled an act to amend chapter 139, laws of 1870–'71, in relation to the salaries and fees of county officers. H. B. No. 224.

Communications were read from the Principal of the Institute for the Deaf and Dumb and the Blind, from the President of the Board of Directors of the Penitentiary and of the Insane Asylum, in response to a joint resolution giving a detailed list of employees and their salaries; which, on motion of Mr. Blythe, were transmitted to the Senate with proposition to print.

A message was received from the Senate, transmitting engrossed copy of S. B. No. 31, H. B. No. 225: An act to amend the charter of the North Carolina Railroad Company. The bill was read the first time, passed, and refered to the Committee on Internal Improvements.

A message was received from the Senate, refusing to concur in the amendment proposed by the House to the Senate resolution to adjourn *sine die* on the 22d inst., and asking that a committee of conference be appointed in relation to the matter of difference between the two Houses.

The proposition of the Senate was concurred in, and the Speaker announced as the House branch of the committee, Messrs. Jones, of Orange, Craige, Bowman, Bryson, of Jackson and Lutterloh.

A message was received from the Senate, concurring in H. R. No. 43: Resolution to add two members of the House to the Joint Standing Committee on Printing.

The Speaker announced Messrs. Bryson, of Swain, and Gorman, as members of the committee.

A message was received from the Senate, transmiting engrossed copies of S. R. No. 78, H. R. No. 67: Joint resolution concerning the Federal tax on cotton, in the years 1865, 1866, 1867 and 1868.

Also, S. B. No. 5, H. B. No. 226: A bill to be entitled an act in relation to the special term of Wayne Superior Court, to be held the 1st Monday in January, 1874, asking the concurrence of the House therein.

S. R. No. 78, H. R. No. 67, was read the first time, passed, and placed on the calendar.

S. B. No. 5, H. B. No. 226, was read the first time, passed, and placed on the calendar.

The calendar was taken up.

H. B. No. 70: A bill to prevent persons from carrying torch lights through covered bridges, in Randolph county, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 71: An act to open the Catawba river for the free passage of fish, was read the second time, and on motion of Mr. Reid, of Mecklenburg, laid on the table.

SPECIAL ORDER.

The hour 12 m. having arrived, the special order, H. B. No. 69: A bill to be entitled an act to amend chapter 60, sections 27 and 28, of Battle's Revisal, so as to allow insolvents who may be imprisoned as putative fathers of bastards, or for the fine and costs of any criminal prosecution, after remaining in prison ten days to be discharged was read.

Mr. Marler offered a substitute for the bill which was adopted, and the bill passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

On motion of Mr. Marler, his motion to reconsider the vote

by which the bill passed its third reading, was laid on the table.

On motion of Mr. Bennett, the vote by which S. B. No. 177, H. B. No. 189: An act to authorize the Auditor to settle with sureties of John Foley, late sheriff of Pitt county, passed its third reading, was reconsidered, and the following amendment to come in at the close of the second section was adopted:

"*And provided further*, That the settlement herein provided for shall be made on or before the 1st day of February, 1874."

Thus amended, the bill passed, and was returned to the Senate for concurrence.

H. R. No. 39: Resolution relating to Battle's Revisal, was read the second time, and H. B. No. 227, reported by the Committee on the Judiciary as a substitute, and the bill passed, was read the third time, passed, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Blythe, the rules were suspended, and H. R. No. 65: A resolution of instruction to the Judiciary Committee relating to the Cherokee Indians was read and adopted.

H. B. No. 72: A bill to secure the free passage of fish in the Catawba river, was read the second time, and on motion of Mr. Houston, the further consideration of the bill was postponed till Monday, 15th instant.

On motion of Mr. Trivett, the rules were suspended, and H. B. No. 165: An act to repeal laws of 1872–'73, section 1, chapter 97, Battle's Revisal, was read the second time.

Mr. Trivett offered a substitute for the bill.

On motion of Mr. Bryan, of Alleghany, the bill and substitute were referred to the Committee on the Judiciary.

On motion of Mr. Joyner, the rules were suspended, and H. B. No. 184: A bill to be entitled an act to incorporate Clayton Lodge, No. 68, I. O. O. F., was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 100: A bill to be entitled an act to establish two toll bridges on the French Broad river in Buncombe county, was read the second time, amendments proposed by committee were adopted and bill passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 143: A bill to authorize the commissioners of Nash county to levy a special tax, was read the third time and passed. Ayes 80, noes none.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Bowe, Bowman, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bunn, Byrd, Carter, Copeland, Costner, Craige, Dickey, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Gray, Gudger, Guyther, Hampton, Houston, Hughes, Johnston, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Mizell, Moring, Moss, Norment, Outlaw, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Shaw, Shinn of Iredell, Shackelford, Stowe, Todd, Trivett, Turner, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whitmire, Wheeler, Whisnant and Woodhouse—80.

Noes—None.

H. B. No. 141: A bill for the relief of Stanly county and others, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Waddill, his motion to reconsider the vote by which the bill passed its third reading, was laid on the table.

H. B. No. 45: A bill to allow the commissioners of Anson county to levy a special tax, was read the third time and passed. Ayes 75, noes 1.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Bal-

lard, Bean, Bennett, Blackwell, Bowe, Bowman, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Copeland, Corson, Costner, Craige, Dickey, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Godfrey, Gorman, Gray, Gudger, Guyther, Hampton, Haynes, Hughes, Johnston, Jones of Camden, Jones of Tyrrell, Joyner, Johns, Jordan, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McNeill, Michael, Mitchell, Mizell, Moring, Moss, Norment, Outlaw, Patrick, Presson, Reid of Mecklenburg, Reid of Randolph, Shaw, Shinn of Iredell, Shackelford, Stowe, Todd, Trivett, Turner, Waddill, Waugh, Webb, Winslow, Wiley, Whitmire, Whisnant and Woodhouse—75.

The following gentleman voted in the negative:

Mr. Bunn—1.

The following named bills were read the second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate:

H. B. No. 107: A bill to amend the act of incorporation of the town of Lincolnton.

H. B. No. 120: A bill to amend section 55, title 5, of the Code of Civil Procedure.

H. B. No. 28: A bill to change the time for the meetings of the board of commissioners and county board of education of Carteret county.

H. B. No. 134: A bill to repeal chapter 69, laws of 1870–'71.

H. B. No. 23: A bill to be entitled an act to restore burnt records in the county of Watauga.

H. B. No. 144: A bill to incorporate Gray's Chapel Methodist and Protestant Church, in the county of Randolph.

The following named bills were read the second time, and, on motion, laid on the table.

H. B. No. 551: A bill to be entitled an act making it a misdemeanor for sheriffs or county commissioners to make any discrimination in drawing or summoning jurors.

H. B. No. 115: An act for the relief of sheriffs and tax collectors.

H. B. No. 121: A bill to be entitled an act to allow the sale of the reversion of homesteads where the owner consents in writing.

On motion of Mr. Norment, the House adjourned till tomorrow at 10½ o'clock.

NINETEENTH DAY.

TUESDAY, Dec. 9th, 1873.

The House was called to order by the Speaker at 10½ o'clock.

The Journal of yesterday was read and approved.

Indefinite leave of absence was granted to Mr. Davis, on account of severe illness, and to Mr. Paschall on account of sickness in his family.

The following named petition was introduced, read and referred:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Blythe: From citizens of Henderson county, asking a change in the county line between Henderson and Transylvania counties.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 65: A bill requiring county officers to deliver to their successors Battle's Revisal, with substitute; that it do pass.

H. B. No. 123: A bill to be entitled an act to amend chapter 197, laws of 1871–'72, entitled an act to empower the Su-

perior Court Judge to appoint a commissioner in certain cases for the settlement of estates; that it do pass.

H. B. No. 154: An act to amend an act entitled an act for amnesty and pardon, chapter 181, Public Laws 1872–'73; that it do pass.

H. B. No. 35: A bill to be entitled an act in relation to the sale of cotton; that it do pass.

H. B. No. 57: A bill to be entitled an act concerning the ferries and causeway from the city of Wilmington to Brunswick county; that it do pass.

H. B. No. 137: A bill to be entitled an act to give to the county of Burke all vacant lands in said county, with substitute; that it do pass.

From the Committee on Counties, Cities, Towns and Townships:

By Mr. Waugh, H. B. No. 181: A bill to establish a new county by the name of Chattooga; that it do not pass.

H. B. No. 207: An act to authorize the commissioners of Martin county to sell or lease a certain public landing; that it do pass.

From the Committee on Propositions and Grievances:

By Mr. Carter, H. B. No. 202: An act to prevent the felling of timber in Tar river; that it do not pass.

H. B. No. 178: An act to prevent the obstruction of navigation of White Oak and Trent rivers, in Jones county; that it do not pass.

H. B. No. 173: A bill to be entitled an act in relation to the Western Turnpike Road; that it do not pass.

H. B. No. 139: A bill to be entitled an act to increase the salary of the Judge of the First Judicial District of North Carolina; that it do not pass.

From the Committee on Finance:

By Mr. Gidney, H. R. No. 62: Resolution for the relief of T. F. Baxter, sheriff of Currituck; that it do pass.

H. B. No. 211: A bill exempting from taxation three hun-

dred dollars worth of personal property for each tax-payer in this State; that it be laid on the table.

H. B. No. 214: An act to authorize the commissioners of Polk county, to levy a special tax; that it do pass.

H. B. No. 210: An act to exempt three hundred dollars worth of personal property from taxation; that it lay on the table.

From the Committee on Internal Improvements.

By Mr. McGehee, H. B. No. 225, S. B. No. 31: An act to amend the charter of the North Carolina Railroad Company; that it do pass.

From the Committee on Corporations:

By Mr. Wiley, H. B. No. 25: A bill to be entitled an act to repeal an act of the Private Laws of 1868–'69, with amendment; that it do pass.

H. B. No. 52: A bill to be entitled an act to incorporate the Brunswick Bridge and Ferry Company, asking its reference to the Committee on the Judiciary. Reference made.

From the Committee on Claims:

By Mr. McNeill, H. B. No. 56: Resolution in favor of P. McGowan, amended; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 36: An act concerning Rock Springs Seminary, and to incorporate a board of trustees.

H. B. No. 186: A bill to authorize the Dan River Coal-fields Railroad to buy the Atlantic, Tennessee and Ohio Railroad.

H. B. No. 101: A bill for the relief of the sheriff of Chowan county.

H. B. No. 88: A bill to prevent the sale of spirituous liquors within two miles of the Methodist Church at Shallotte, Brunswick county.

H. B. No. 27: An act for the benefit of the farmers in Cashie Neck, Bertie county.

H. R. No. 63: Resolution in regard to building a United States Court House and Post Office in the city of Raleigh.

H. R. No. 69: Resolution in favor of the sheriff of Buncombe county.

H. R. No. 70: Resolution in favor of B. F. Wiley, sheriff of Gates county.

The following named bills were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Shackelford: An act to amend an act to incorporate New River Canal Company. H. B. No. 230.

By Mr. Wheeler: An act to amend the charter of the town of Winston, in the county of Forsythe. H. B. No. 231.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Gidney: A bill to be entitled an act to lay off and establish a new county by the name of Carter.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Byrd: A bill to allow commissioners of the several counties to exempt certain property of certain persons from taxation. H. B. No. 233.

By Mr. Hinnant: A bill to be entitled an act to amend chapter 19, laws of 1872–'73, entitled an act to change the name of the town of Boon Hill, in Johnston county, and prohibiting the sale of spirituous liquors therein. H. B. No. 234.

By Mr. Ballard: A bill to incorporate Sandy Cross Colored Farmers' Mutual Aid Society of Gates county.

TO THE COMMITTEE ON EDUCATION.

By Mr. Gorman: A bill to be entitled an act to authorize the city of Raleigh to establish and maintain free public schools. H. B. No. 236.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Godfrey: A bill to be entitled an act to transfer the county of Dare from the first to the second judicial district of North Carolina. H. B. No. 237.

By Mr. Gidney: An act to be entitled an act to amend section 76, title 7, Code of Civil Procedure, (section 76, chapter 17, Battle's Revisal.) H. B. No. 238.

By Mr. Blythe: A bill defining the duties of State officers in making annual reports. H. B. No. 239.

PLACED ON THE CALENDAR.

By Mr. Bryan: A bill giving the proceeds of the vacant lands in the counties of Buncombe, Madison, Alleghany, Ashe, &c., to the several counties, for the purpose of building the Marion and Asheville Turnpike. H. B. No. 243.

A message was received from the Senate, announcing Messrs. Waring, McCabe and Murphy as the Senate branch of the Committee of Conference on the matter of difference between the two Houses on the subject of adjournment.

A message was received from the Senate, transmitting engrossed copies of S. B. No. 111, H. B. No. 241: A bill to be entitled an act to give to the county of Cumberland three terms of the Superior Court each year, and to regulate the time for holding the same: also S. B. No. 124, H. B. No. 242: An act to change the time of holding the Superior Courts in the counties of Pitt and Hyde, and to provide for three regular terms of said court in Pitt county, asking the concurrence of the House therein.

S. B. No. 111, H. B. No. 241, was read the first time, passed, and refered to the Committee on the Judiciary.

S. B. No. 124, H. B. No. 242, was read the first time, passed, and referred to the Committee on the Judiciary.

S. R. No. 78, H. R. No. 67, joint resolution concerning the Federal tax on cotton in the years 1865, 1866, 1867 and 1868, was read the second time and adopted.

S. B No. 5, H. B. No. 226 : A bill to be entitled an act in relation to the special term of Wayne Superior Court, to be held on the first Monday in January, 1874, was read the second and third times, passed each reading, and ordered to be enrolled for ratification.

The following named bills were read the second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate:

H. B. No. 160: A bill to incorporate Blue Lodge, No. 287, Free and Accepted Masons.

H. B. No. 187: An act to prohibit the sale of liquors in the town of Trenton.

H. B. No. 166: A bill to be entitled an act to amend section 1, chapter 70, of the acts of 1870–'71.

H. B. No. 177: An act to extend the time of the tax collector of McDowell county to settle with the county treasurer.

H. B. No. 49: A bill to incorporate Bethel, in the county of Pitt.

H. B. No. 161: A bill to incorporate the town of Jonesboro', in the county of Moore; amended, on motion of Mr. Bennett, by striking out oath.

H. B. No. 147: A bill to incorporate the town of Toisnot, in the county of Wilson, was read the second time, the amendment of the committee adopted and passed; was read the third time and passed.

H. B. No. 150: An act for the keeping of the public highways was read the second time, and, on motion of Mr. Anderson, of Clay, was indefinitely postponed.

H. B. No. 179: A bill to limit a day's work of employees

in cotton mills, &c., was read the second time, and, on motion of Mr. Maxwell, was laid on the table.

H. B. No. 174: A bill to declare Welch's creek and Warren Neck creek a lawful fence, was read the second time, and on motion, laid on the table.

H. B. No. 149: A bill to amend the charter of Newbern was read the second time.

Mr. Abbott moved to indefinitely postpone, and on that motion called for the ayes and noes. The call was sustained, and the motion to postpone was rejected. Ayes 34, noes 51.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Bunn, Carson, Copeland, Dula, Foster, Gilbert, Guyther, Hampton, Heaton, Hughes, Jordan, Lloyd, Lutterloh, Miller, Michael, Patrick, Paschall, Perry of Wake, Reid of Randolph, Rhodes, Scott, Sneed, Trivett, Winslow and Whisnant—34.

The following gentlemen voted in the negative:

Messrs. Anderson, of Davie, Anderson, of Clay, Ballard, Bennett, Blackwell, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Bullard, Byrd, Carter, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Gudger, Haynes, Hinnant, Johnston, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moss, Norment, Outlaw, Presson, Shaw, Shinn of Iredell, Shackelford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley, Whitmire and Woodhouse—47.

The amendment of Mr. Abbott to strike out the office of constable was rejected and the bill passed, was read third time.

The call for the ayes and noes made by Mr. Abbott was sustained, and the bill passed. Ayes 52, noes 36.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Bryson of Jackson, Bryson of Swain, Bryan of Alleghany, Bullard, Byrd, Carter, Carson, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Gudger, Haynes,

Hinnant, Houston, Johnston, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moss, Norment, Outlaw, Presson, Shaw, Shinn of Iredell, Shackelford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley, Whitmire and Woodhouse—52.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Copeland, Dula, Fletcher, Foster, Gilbert, Godfrey, Gray, Guyther, Hampton, Heaton, Hughes, Jordan, Lloyd, Lutterloh, Miller, Michael, Patrick, Paschall, Perry of Wake, Reid of Randolph, Rhodes, Sneed, Trivett, Winslow and Whisnant—36.

On motion of Mr. Johnston, the rules were suspended, and H. R. No. 69: Resolution in favor of James M. Young, sheriff of Buncombe county, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Ballard, the rules were suspended and H. R. No. 70: Resolution in favor of B. F. Wiley, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 108: An act in relation to mischievous animals, was read the second time, and, on motion, referred to the Judiciary Committee.

A communication was received from a committee of the Cape Fear Agricultural Association inviting the members to attend a meeting of the Association at Wilmington, which was read, and on motion of Mr. McNeill, the Chief Clerk was unanimously directed to return the thanks of the Speaker and members to the committee

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

H. R. No. 69, S. R. No. 203: Resolution in favor of J. M. Young, sheriff of Buncombe county.

H. R. No. 70, S. R. No. 204: Resolution in favor of B. F. Wiley, sheriff of Gates.

SPECIAL ORDER.

The hour 12 m. for the special order having arrived, H. B. No. 163: A bill to be entitled an act to amend chapter 90, laws of 1872–'73, was read the second time by sections.

Section 1, was read and adopted.

Section 2, was read.

Mr. Mizell's amendment to strike out "one" in line 2, and insert "two" was rejected.

Mr. Bowman's amendment to strike out the word "ten" in line 11, and insert "fifty" was rejected.

The amendment of Mr. Bryson, of Jackson, to add after the word "office" in line 14, the words "unless he can give a satisfactory excuse for such repeal" was adopted.

The amendment of Mr. Norment, to insert after the word "fail" in line 9, the words "wilfully to take and report the census required by law, he shall for any such failure be deemed guilty of a misdemeanor, and on conviction before any justice of the peace shall be fined $25, said fine to go to the public schools" was adopted.

Mr. Gidney's amendment to strike out all to the word "which" in fifth line, and insert, "the clerk of the school committee of each township shall receive ten cents for each child reported by him in the school census" was rejected, and section 46, as amended, was adopted.

Section 47, was read, and on motion of Mr. Waugh, was striken out.

Section 48, was read.

Mr. Brown, of Davidson, moved to strike out and insert the following as a substitute:

"That the board of education of any county shall appoint the board of examiners for their respective counties, or any other suitable person, to conduct a teacher's institute for

twenty school days, instead of the regular examination prescribed in section 14 of the said act to which this is an amendment, at the Court House of each county. The said board of examiners, or persons thus appointed, shall instruct and thoroughly examine all persons free of charge who expects to engage in teaching school in each county for the next ensuing twelve months. At the close of the said institution, the said board of examiners shall give a teacher's certificate to every applicant of sufficient moral and mental qualifications: *Provided*, That such applicant shall have attended at least ten days of said term, unless said absence is caused by sickness, which shall have the same effect, in all respects, as certificates heretofore issued by the said board. The said board of examiners, for their said services, or other persons appointed as aforesaid, shall receive from the general school fund of the county one hundred dollars, or the sum of thirty-three and one-third dollars each, which shall be paid by the county treasurer on the order of the chairman and secretary of the county board of education," which was rejected.

Mr. Bean's amendment to strike out all after the word "amendatory," in section 48, in line 7, down to and including the word "county," in line 8, and insert "at or near the county seat," was rejected.

The amendment of Mr. Brown, of Davidson, to strike out the word "two," in line 5, and insert the word "four," was rejected.

The question then recurring upon the adoption of section 48, it was rejected.

On motion of Mr. Brown, of Davidson, the House adjourned till 10½ o'clock to-morrow.

TWENTIETH DAY.

MONDAY, Dec. 10th, 1873.

The House was called to order by the Speaker at 10½ o'clock.

The journal of yesterday was read and approved.

Indefinite leave of absence, on account of sickness in their families, was granted to Messrs. Mizell, Sneed and Shinn of Iredell.

Leave of absence for to-day was granted to Mr. Gray.

The following memorials were introduced, read and referred.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Brown, of Mecklenburg: From the President and students of Biddle Institute, to prohibit the sale of liquor within one mile of said Institute.

By Mr. Outlaw: From citizens of Duplin county, in relation to the liquor traffic.

By Mr. Hanner: From citizens of Chatham, to prohibit the sale of liquor at Egypt Depot, in Chatham county.

By Mr. Hughes: From Citizens in and around Sassafras fork, Granville county, to prohibit the sale of liquor.

By Mr. Shaw: From citizens of Moore county, asking for legislation upon liquor traffic.

By Mr. Waddill: From citizens of Stanley county, asking that the sale of liquor be prohibited within one mile of the Methodist church at Centre in said county.

By Mr. Houston: From citizens of Catawba county, asking that certain streams be declared public highways.

By Mr. Houston: From citizens of Catawba county, asking that commissioners be allowed to appoint certain overseers, &c.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Carson: Petition from citizens of Taylorsville, in Alexander county, asking for the incorporation of said town.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. R. No. 55, S. R. No. 18: Resolution in favor of Hon. J. L. Henry, with amendment; that it do pass.

From the Committee on Public Buildings and Grounds:

By Mr. Anderson, of Clay, H. R. No. 11: Resolution authorizing the heating of the Hall of the House of Representatives, asking to be discharged from its further consideration.

From the Committee on Propositions and Grievances:

By Mr. Mitchell, H. B. No. 235: A bill to incorporate Sandy Cross Colored Farmer's Mutual Aid Society of Gates county; that it do pass.

H. B. No. 233: A bill to allow the commissioners of the several counties to exempt certain property from taxation; that it do pass.

H. B. No. 157: An act to improve the State road on Buffalo creek, in Ashe county; that it do not pass.

By Mr. Brown, of Mecklenburg, from same committee, H. B. No. 98: A bill to be entitled an act to authorize the Secretary of State to purchase a fire-proof safe; that it be referred to the Committee on Public Buildings and Grounds.

From the Committee on Corporations:

By Mr. Wiley, H. B. 231: An act to amend the charter of the town of Winston, in the county of Forsythe; that it do pass.

H. B. No. 206: A bill to be entitled an act to incorporate the town of Pine Level, in Johnston county, with amendment; that it do pass.

H. B. No. 222: A bill to be entitled an act to incorporate the Trustees of the Fairfield Academy, in the county of Hyde; that it do pass.

H. B. No. 205: An act to incorporate the Industrial Association of Western North Carolina; that it do pass.

From the Committee on Counties, Cities, Towns and Townships:

By Mr. Waugh, H. B. No. 208: An act to authorize the commissioners of Martin county to sell or lease certain lands in said county; that it do pass.

H. B. No. 212: An act to change the county line between Bertie and Martin; that it do not pass.

H. B. No. 232: A bill to be entitled an act to lay off and establish a new county by the name of Center; that it do not pass.

Report from Select Committee:

Mr. Paschall, Chairman of the Select Committee to get the opinion of the Attorney General, reported that duty performed, and submit the following opinion of that officer, that the said amendment is "prospective in its effects only, and does *not* effect the present Legislature in *any* particular."

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 145: A bill to allow the commissioners of Anson county to levy a special tax.

H. B. No. 128: An act to change the time for the meeting of the Board of Commissioners and County Board of Education of Carteret county.

H. B. No. 141: A bill for the benefit of Stanly county and others.

H. B. No. 100: A bill to be entitled an act to establish a toll bridge on the French Broad river, Buncombe county.

H. B. No. 184: A bill to be entitled an act to incorporate Clayton Lodge, No. 68, of Odd Fellows, in the county of Johnston.

H. B. No. 23: A bill to be entitled an act to restore burnt records, in the county of Watauga.

The following bills, resolutions and amendments, reported as

correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 69: A bill to be entitled an act to amend chapter 102, section 27, of the laws of 1868–'69.

H. B. No. 70: A bill to prevent persons from carrying torch lights through covered bridges, in the county of Randolph.

H. B. No. 227: A bill to regulate the price of Battle's Revisal.

H. B. No. 120: A bill to amend section 55, title 5, of the Code of Civil Procedure.

H. B. No. 144: A bill to incorporate Gray's Chapel Methodist Protestant Church, in the county of Randolph.

The following bills, resolutions and amendments, reported as correctly engrossed by the Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 107: To amend the act of incorporation of Lincolnton.

H. B. No. 134: A bill to repeal chapter 69, laws of 1870–'71.

H. B. No. 143: A bill to authorize the commissioners of Nash county to levy a special tax.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

H. B. No. 95, S. B. No. 163: An act to repeal chapter 165 of the laws of 1872–'73.

H. B. No. 8, S. B. No. 67: An act for the relief of the sureties of J. S. Hyde, late sheriff of Graham county.

H. R. No. 7, S. R. No. 191: Resolution on the subject of the increase of pay of Senators and Representatives.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Johnston: Resolution in favor of James M. Young, sheriff of Gates county. H. R. No. 70.

By Mr. Ballard: Resolution in favor of B. F. Wiley, sheriff of Buncombe county. H. R. No. 69.

By Mr. Paschall: Resolution of instruction to the Committee on the Judiciary. H. R. No. 71.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Cobb: A bill to be entitled an act to create an additional term of the Superior Court for the county of Edgecombe. H. B. No. 243.

By Mr. Blackwell: A bill to be entitled an act to prevent indictments in certain cases. H. B. No. 244.

By. Mr. Williamson: A bill to be entitled an act to amend section 15, chapter 105, Battle's Revisal. H. B. No. 245.

By Mr. Gilbert: A bill to be entitled an act to amend section 1, chapter 120, Revised Code and for other purposes. H. B. No. 246.

By Mr. Fletcher: A bill in relation to fees of witnesses in justices' courts. H. B. No. 347.

By Mr. Whitmire: A bill to amend section 3 and 4, chapter 87, Revised Code. H. B. No. 248.

By Mr. Brown, of Mecklenburg: A bill to be entitled an act to protect farmers and others from damages by railroad corporations. H. B. No. 249.

By Mr. Bennett: A bill to add certain sections to Battle's Revisal, to go into effect Jan. 1st, 1874. H. B. No. 250.

By Mr. McGehee: A bill to be entitled an act to provide for the election of Trustees of the University of North Carolina. H. B. No. 251.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Waddill: A bill to prohibit the sale of liquor within two miles of the Centre Methodist Church, at Centre, in Stanley county. H. B. No. 252.

By Mr. Todd: An act to legalize the acts of the commissioners of Watauga county. H. B. No. 253.

By Mr. Hughes: An act to prohibit the sale of spirituous liquors within one mile of the Protestant Episcopal Church at Sassafras Fork in Granville county. H. B. No. 254.

By Mr. Houston: A bill to be entitled an act concerning clarke's and Marden's creeks. H. B. No. 255.

By Mr. Robinson: A bill to be entitled an act to make the entry takers of certain counties *ex officio* county agents. H. B. No. 256.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Outlaw: A bill to be entitled an act to incorporate the town of Teacheys' in, Duplin county. H. B. No. 257.

By Mr. Carson: A bill to be entitled an act to incorporate the town of Taylorsville, in Alexander county. H. B. No. 258.

By Mr. Fletcher: A bill to change the corporate limits of the town of Rockingham, in Richmond county. H. B. No. 259.

By Mr. Bennett: A bill to amend an act entitled an act for the better government of the town of Wadesborough, in Anson county, being chapter 75, of the acts of 1825. H. B. No. 260.

TO THE COMMITTEE ON FINANCE.

By Mr. Turner: A bill to be entitled an act to authorize the collection of arrearages of taxes in the town of Statesville. H. B. No. 261.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Corson: An act to amend an act for the incorporation of the town of Washington, ratified the 18th day of January, 1874, and amendments thereto. H. B. No. 262.

PLACED ON THE CALENDAR.

By Mr. Bowman: A bill to be entitled an act to amend chapter 102, Battle's Revisal, in relation to revenue. H. B. No. 263.

A message was received from the Senate transmitting engrossed copies of S. B. No. 11, H. B. No. 264: A bill to be entitled an act to fix the weight of packages containing salted fish, &c.

S. B. No. 41, H. B. No. 265: A bill to be entitled an act to incorporate Berne Lodge, No. 71, I. O. O. F.

S. B. No. 93, H. B. No. 266: A bill to amend chapter 60, section 16, laws of 1869–'70.

S. B. No. 128, H. B. No. 267: A bill to be entitled an act to incorporate Athenia Lodge, No. 8, asking the concurrence of the House therein.

S. B. No. 11, H. B. No. 264, read the first time, passed, and referred to the Committee on Propositions and Grievances.

S. B. No. 93, H. B. No. 266, read the first time, passed, and referred to the Committee on Judiciary.

S. B. No. 128, H. B. No. 267, read the first time, passed, and referred to the Committee on Corporations.

S. B. No. 41, H. B. No. 265, read the first time, passed, and referred to the Committee on Corporations.

The unfinished business of yesterday was resumed, section 49 of H. B. No. 163, being under consideration. The section was read and adopted. The remaining sections of the bill were adopted, and the question recurring upon the passage of the bill, Mr. Turner moved to strike out all in section 1 down to "and" in line 9, which was adopted.

Messrs. Gudger, Gidney and Craige at their own request, were excused from further service on the Joint Committee on Public Printing.

Mr. Bennett offered a substitute for the bill.

The question being upon the adoption of the substitute, Mr. Waugh called for the ayes and noes, and the call being sustained, the substitute was adopted. Ayes 87, noes 13.

The following gentlemen voted in the affirmative:

Messas. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Blythe, Bowe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bunn, Byrd, Carter, Carson, Cobb, Copeland, Costner, Cox, Craige, Dickey, Dudley, Dula, Fletcher, Foster, Gant, Gilbert, Gilmer, Godfrey, Grady, Guyther, Hanner, Heaton, Hinnant, Houston, Hughes, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Lloyd, Lucky, Marler, Maxwell, McGehee, Miller, Michael, Mitchell, Mizell, Moss, Norment, Outlaw, Paschall, Perry of Wake, Presson, Reid of Mecklenburg, Richardson, Rhodes, Scott, Shaw, Sharpe, Shinn of Iredell, Shackelford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Williamson, Whitmire, Wheeler, Whisnant and Woodhouse—67.

The following gentlemen voted in the negative:

Messrs. Bean, Bowman, Freeman, Gidney, Gudger, Hampton, Haynes, Johnston, Johns, Jordan, Lindsay, McNeill and Reid of Randolph—12.

Mr. Bowman offered the following amendment to the bill as amended:

Sec. 2. The Superintendent of Public Instruction is hereby authorized and instructed to subscribe for one copy of the "State Agricultural Journal of Education," which is to be published under the auspices of the State Educational Association, for each board of examiners, county board of educa-

tion and school committee in the State, who shall preserve said copies, and turn the same over to their respective successors in office, and the subscription price therefor shall be paid quarterly by the State Treasurer, out of the literary fund, on the order of the State Board of Education: *Provided, however*, That the aggregate amount of said subscription shall not exceed one thousand dollars per annum: *And provided, further*, That such parts of the school law and information relating thereto as may be useful to school officers, teachers and others, which shall be furnished by the Superintendent of Public Instruction, shall be published in said "Journal" free of charge.

On the passage of the amendment, Mr. Brown, of Davidson, called for the ayes and noes, and the call being sustained, it was adopted. Ayes 52, noes 41.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Clay, Bean, Blackwell, Blythe, Bowe, Bowman Brown of Davidson, Brown of Mecklenburg, Bryant of Halifax, Brooks, Bunn, Cobb, Costner, Dudley, Dula, Foster, Gant, Gidney, Gilmer, Godfrey, Hampton, Haynes, Heaton, Hughes, Johnston, Jones of Camden, Jones of Orange, Johns, Jordan, Lindsay, Lloyd, Lutterloh, McNeill, Mizell, Moss, Norment, Paschall, Perry of Wake, Reid of Mecklenburg, Reid of Randolph, Rhodes, Scott, Shaw, Shackelford, Turner, Warlick, Watson, Webb, Winslow, Wiley, Wheeler and Whisnant—52.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Bennett, Bryson of Swain, Bryan of Pitt, Bryan of Wilkes, Bryan of Alleghany, Bullard, Byrd, Carson, Copeland, Cox, Craige, Fletcher, Gilbert, Grady, Gudger, Guyther, Hanner, Hinnant, Houston, Jones of Northampton, Jones of Tyrrell, Joyner, Luckey, Marler, Maxwell, McGehee, Miller, Michael, Mitchell, Outlaw, Presson, Richardson, Sharp, Stowe, Todd, Trivett, Waugh, Williamson, Whitmire and Woodhouse—41.

Messrs. Johnston and Rhodes gave notice of amendments.

Mr. Johnston demanded the previous question, and the main question was ordered.

Mr. Johnston's amendment that the word "July," in section 38, chapter 90, Public Laws of 1872–'73, be stricken out and "October" inserted therefor, was adopted.

The amendment of Mr. Rhodes that section 30, chapter 90, of the laws of 1872–'73, be amended by adding after the words "of each county," in line 16, the words "and furnish the county treasurer with the amounts thus apportioned among the several school districts, and the amount that each district is entitled to," was adopted, and the bill passed its second reading.

SPECIAL ORDER.

The hour for the special order, H. B. No. 77: A bill to be entitled an act to change the line between the counties of Cumberland and Bladen, was read the second time; the motion of Mr. Brown, of Davidson, to postpone till Monday next was rejected, and the bill passed.

On motion of Mr. McGehee, the rules were suspended, and S. B. No. 31, H. B. No. 225, an act to amend the charter of the N. C. Railroad Company was taken up, and made special order for Friday next, at 12 o'clock.

Mr. Brown, of Davidson, moved to adjourn till to-morrow at 11 o'clock.

Mr. Costner moved to amend by inserting 10½ o'clock.

The amendment was rejected, and the House refused to adjourn.

On motion of Mr. Norment, the rules were suspended, and H. B. No. 57: A bill to be entitled an act concerning the ferries and causeway from the city of Wilmington to Brunswick county, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Williamson, the House adjourned till 10½ o'clock to-morrow.

TWENTY-FIRST DAY.

THURSDAY, Dec. 11th, 1873.

The House was called to order by the Speaker at 10½ o'clock.

The Journal of yesterday was read and approved.

The following petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THF COMMITTEE ON CORPORATIONS.

By Mr. Mitchell: Petition for the incorporation of the town of Germanton, in Stokes county.

By Mr. Shaw: Petition of the citizens of Sanford and vicinity, in Moore county, asking for a prohibitory law.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Gudger: From citizens of Madison county, asking for the appointment of a Corps of Engineers to supervise public roads in the counties west of the Blue Ridge.

By Mr. Blackwell: From citizens of Buncombe, in regard to the Old Fort and Black Creek Turnpike Road.

By Mr. Reid, of Randolph: From the citizens of Randolph county, in relation to the traffic of spirituous liquors.

By Mr. Todd: From citizens asking for the prohibition of the sale of intoxicating drink within two miles of Boone, Watauga county.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 108: An act in relation to mischievous animals; that it do not pass.

H. B. No. 165: An act to repeal laws of 1872–'73, section 1, chapter 97, of Battle's Revisal; that it do not pass.

H. B. No. 170: An act requiring Justices of the Peace to give bond; that it do not pass.

H. B. No. 197: A bill to amend subdivision 2, section 31, chapter 3, title 4, of the Code of Civil Procedure; that it do not pass.

H. B. No. 196: A bill to save harmless honest representatives of the estates of deceased persons; that it do pass.

S. B. No. 124, H. B. No. 242: An act to change the time of holding the Superior Court in the counties of Pitt and Hyde, and to provide for three regular terms of said court in Pitt county; that it do pass.

H. B. No. 243: A bill to be entitled an act to create an additional term of the Superior Court for the county of Edgecombe; that it do pass.

From the Committee on Corporations:

H. B. No. 221: A bill to authorize the town of Newton to take stock in railroads and for other purposes; that it do pass.

H. B. No. 230: A bill to amend an act to incorporate the New River Canal Company; that it do pass.

From the Committee on Propositions and Grievances:

By Mr. Brown, of Mecklenburg, H. B. No. 234: A bill to be entitled an act to amend chapter 19, laws of 1872–'73, entitled an act to change the name of the town of Boon Hill, in Johnston county, and prohibiting the sale of spirituous liquors therein; that it do pass.

H. B. No. 176: A bill to submit to the qualified voters of cities, towns and townships, the question of the prohibition of the sale of intoxicating liquors; that it do not pass.

H. B. No. 112: A bill to prohibit the sale of spirituous liquors in townships where the people so determine; that it do pass.

H. B's. Nos. 76, 87, 97, 113, 114, 125, 126, 127, 132, 140, 142, 155, 156, 158, 180, 201, 204, 252, 254: with a substitute, recommending its passage.

From the Committee on Public Buildings and Grounds:

By Mr. Anderson, of Clay: A communication from the

mayor and commissioners of Raleigh, with H. B. No. 278: An act to authorize the commissioners of the city of Raleigh, to open a street across the property upon which the Governor's Mansion is situated; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 160: A bill to incorporate Blue Lodge, No. 287, Free and Accepted Masons.

H. B. No. 161: A bill to incorporate the town of Jonesboro', in Moore county.

H. B. No. 149: A bill to amend the charter of Newbern.

H. B. No. 147: A bill to incorporate the town of Toisnot in Wilson county.

H. B. No. 166: A bill to amend section 1, chapter 70, of the acts of 1870-'71.

H. B. No. 177: An act to extend the time of tax collector of McDowell county.

H. B. No. 187: An act to prohibit the sale of spirituous liquors in the town of Trenton, Jones county.

H. B. No. 49: A bill to incorporate Bethel, in Pitt county.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

H. B. No. 42, S. B. No. 91: An act to amend an act entitled "an act to incorporate the Trustees of Davidson College."

H. B. No. 32, S. B. No. 90: An act concerning Sharon Camp Ground, in Cleaveland county, and to incorporate a Board of Trustees therefor.

H. B. No. 44, S. B. No. 140: An act concerning Clover Hill Camp Ground, in Cleaveland county, and to incorporate a Board of Trustees thereof.

H. B. No. 117, S. B. No. 219: An act to incorporate the North Carolina Immigration Society.

H. R. No. 63, S. R. No. 215: Resolution in relation to the

United States Court House and Post Office to be built in Raleigh, N. C.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE LIBRARY.

By Mr. Bennett: Resolution in regard to certain important manuscripts belonging to the State. H. R. No. 72.

TO THE COMMITTEE ON FINANCE.

By Mr. Brown, of Mecklenburg: Resolution to refund taxes illegally collected from the Atlantic, Tennessee and Ohio Railroad Company. H. B. No. 73.

PLACED ON THE CALENDAR.

By. Mr. Abbott: A resolution requesting the Committee on the Judiciary to draft and report a bill. H. R. No. 74.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Craige: A bill to be entitled an act for the relief of executors and administrators, being chapter 59, laws of 1866–'67. H. B. No. 268.

By Mr. Brown, of Mecklenburg: A bill to be entitled an act to make valid certain divorce cases. H. B. No. 269.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Carson (with petition:) A bill to be entitled an act

to prohibit the sale of spirituous liquors within one mile of Stoney Point Methodist Episcopal Church. H. B. No. 270.

By Mr. Hughes: A bill to be entitled an act to strike out section 3, chapter 67, of the Public Laws ot 1872–'73. H. B. No. 271.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Dudley: A bill to be entitled an act to incorporate the United Brotherhood of Newbern, North Carolina. H. B. No. 272.

By Mr. Shaw: An act to incorporate the town of Santord, in the county of Moore. H. B. No. 273.

By Mr. Mitchell: A bill to be entitled an act to incorporate the town of Germanton, in Stokes county. H. B. No. 274.

TO THE COMMITTEE ON FINANCE.

By Mr. Heaton: An act to authorize the re-issue of certain lost special tax bonds. H. B. No. 275.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Robeson: A bill to be entitled an act to change the line between the counties of Swain, Graham and Macon, near the residence of Jeff. George. H. B. No. 276.

PLACED ON THE CALENDAR.

By Mr. Marler: A bill to be entitled an act to enable the sureties on the several official bonds of Isaac Long, deceased, late sheriff of Yadkin county, to collect arrearages of State and county taxes. H. B. No. 277.

By the Committee on Public Building and Grounds: An act to authorize the commissioners of the city Raleigh, to open

a street across the property upon which the Governor's Mansion is situated. H. B. No. 278.

TO THE COMMITTEE ON INTERNAL IMPROVEMENTS.

By Mr. Guyther: A bill to incorporate the Seaboard and Raleigh Railroad. H. B. No. 279.

The Speaker announced that Mr. Outlaw, will take the place of Mr. Gudger, Mr. Richardson of Mr. Craige, and Mr. Moring of Mr. Gidney, on the Committee on the Public Printing.

A message was received from the Senate, transmitting engrossed copies of S. B. No. 21, H. B. No. 228: A bill to prevent fraud in the sale of commercial manures.

S. B. No. 115, H. B. No. 229: A bill to authorize the appointment of commissioners to provide ways and means to aid the Carolina Central Railway Company, or any other company, in extending a railroad from or near Lincolnton, N. C., to Hickory, in Catawba county.

S. B. No. 21, H. R. No. 228, was read the first time, passed, and referred to the Committee on Agriculture.

S. B. No. 115, H. B. No. 229, was read the first time, passed, and referred to Committee on Internal Improvement.

A message was received from the Senate, transmitting engrossed copies of the following bills, which were read the first time, passed, and referred as follows:

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 112, H. B. No. 281: A bill to be entitled an act to incorporate the Cross Creek Cemetery Company.

S. B. No. 37, H. B. No. 282: A bill to amend the charter of Raburn Gap Short Line Railroad.

S. B. No. 79, H. B. 283: A bill to incorporate the town of Hickory, in the county of Catawba.

TO THE COMMITTEE ON RAILROADS, POSTROADS AND TOWNSHIPS.

S. B. No. 28, H. B. No. 284: A bill to be entitled an act to establish a turnpike road from the town of Statesvile, in Iredell county, to the Virginia line; also, engrossed amendments to S. B. No. 71, H. B. No. 18: A bill for the relief of the citizens of Graham county, which were read and non-concurred in.

On motion of Mr. Bowman, the rules were suspended, and H. B. No. 76: A substitute for sundry bills on the subject of prohibition, was made special order for Saturday next, at 12 o'clock.

On motion of Mr. Johnston, the rules were suspended, and H. B. No. 163, (the school bill,) was resumed.

Mr. Bennett moved to strke out section 2 of the bill.

On this motion, Mr. Brown, of Davidson, called for the ayes and noes, the call was sustained, and the bill passed by the following vote. Ayes 67, noes 26.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Ballard, Bennett, Blackwell, Blythe, Bowe, Brown of Mecklenburg, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Byrd, Carter, Carson, Cobb, Copeland, Costner, Cox, Craige, Dickey, Dudley, Dula, Fletcher, Gidney, Gilbert, Godfrey, Gray, Grady, Gudger, Guyther, Hanner, Haynes, Hinnant, Houston, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Joyner, Lutterloh, Luckey, Marler, Maxwell, Miller, Michael, Mitchell, Moring, Moss, Outlaw, Presson, Richardson, Rhodes, Scott, Sharp, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Williamson, Whisnant and Woodhouse—67.

The following gentlemen voted in the negative:

Messrs. Bean, Bowman, Brown of Davidson, Bryson of Jackson, Bunn, Foster, Freeman, Gilmer, Gorman, Hampton, Heaton, Hughes, Johnston, Jones of Orange, Jordan, Lloyd, McNeill, Norment, Paschall, Reid of Randolph, Shaw, Shackelford, Watson, Webb, Winslow and Wiley—26.

The question recurring upon the passage of the bill on its third reading, it passed.

Mr. Marler moved to reconsider the vote by which the bill passed its third reading, and to lay the motion on the table; adopted.

On motion of Mr. Joyner, the rules were suspended, and H. B. No. 206: A bill to be entitled an act to incorporate the town of Pine Level, in the county of Johnston, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Bryan, of Alleghany, the rules were suspended, and H. B. No. 240: A bill giving the proceeds of the vacant lands in the counties of Buncombe, Madison, Alleghany, Ashe, &c., to the several counties, for the purpose of building the Marion and Asheville Turnpike, was read the second time and passed was read; the third time, and, on motion, referred to the Committee on the Judiciary.

On motion of Mr. Maxwell, the calendar was placed at the disposal of the Speaker for the balance of this week.

The following bills were read the second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate.

H. B. No. 111: An act to provide for the relinquishment to the United States in certain cases of title to and jurisdiction over lands for sites of light houses, beacons and other aids to navigation in the waters of this State.

H. B. No. 222: A bill to be entitled an act to incorporate the Trustees of the Fairfield Academy, in the county of Hyde.

H. B. No. 185: A bill to be entitled an act to incorporate the Richland Farmers' Association, in the county of Onslow.

H. B. No. 122: An act to repeal parts of chapter 250, laws of 1868-'69.

H. B. No. 146: A bill to be entitled an act to incorporate the town of Jonesville, in Yadkin county.

H. B. No. 35: A bill to be entitled an act in relation to the sale of cotton, was read the second time.

Mr. Bennett demanded the previous question, and the main question was ordered by the House and the bill passed; was read he third time, passed, and ordered to be engrossed.

H. B. No. 129, was read the second time, and on motion of Mr. Copeland, laid on the table.

On motion of Mr. Godfrey, the House adjourned till 10½ o'clock to-morrow.

TWENTY-SECOND DAY.

FRIDAY, Dec. 12th, 1873.

The House was called to order by the Speaker at 10½ o'clock.

The Journal of yesterday was read and approved.

Leave of absence for Saturday was granted to Mr. Gilmer.

Mr. Outlaw, at his own request, was excused from service on the Committee on the Public Printing.

The following petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Bowman: From citizens of Mitchell county, asking for a law prohibiting the sale of liquor within three miles of Yellow Mountain Church, in said county.

By Mr. Fletcher: From citizens of Richmond county, asking for a law prohibiting the sale of liquor within three miles of Beaver Dam Church, in said county.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Freeman: From citizens of McDowell county, ask-

ing for an act incorporating Union Camp Ground on Crooked creek, in said county.

From the Committee on Corporations:

By Mr. Wiley, H. B. No. 258: A bill to be entitled an act to incorporate the town of Taylorsville, in Alexander county, with amendment; that it do pass.

S. B. No. 79, H. B. No. 283: A bill to incorporate the town of Hickory, in the county of Catawba, with amendment; that it do pass.

H. B. No. 272: A bill to be entitled an act to incorporate the United Brotherhood of Newbern, North Carolina; that it do pass.

H. B. No. 274: A bill to be entitled an act to incorporate the town of Germanton, in Stokes county, with amendment; that it do pass.

H. B. No. 273: An act to incorporate the town of Sanford, in Moore county; that it do pass.

S. B. No. 41, H. B. No. 265: A bill to be entitled an act to incorporate Berne Lodge, No. 71, Independent Order of Odd Fellows; that it do pass.

H. B. No. 260: A bill to be entitled an act for the better government of the town of Wadesboro', in Anson county, being chapter 75 of the acts of 1825; that it do pass.

H. B. No. 257: A bill to be entitled an act to incorporate the town of Teachy's, in Duplin county; that it do pass.

S. B. No. 128, H. B. No. 267: A bill to be entitled an act to incorporate Athenia Lodge, No. 8, Knights of Pythias, in the county of Craven; that it do pass.

H. B. No. 259: A bill to change the corporate limits of the town of Rockingham, in Richmond county; that it do pass.

S. B. No. 37, H. B. No. 282: A bill to amend the charter of the Rabun Gap Short Line Railway; that it do pass.

S. B. No. 112, H. B. No. 281: A bill to be entitled an act to incorporate the Cross Creek Cemetery Company; that it do pass.

A minority report from the Committee on the Judiciary on

H. B. No. 165: A bill relating to the public printing, was submitted by Mr. Trivett, which was read and filed with the bill.

Mr. Jones, of Orange, from the Committee of Conference, in relation to adjournment, submitted a report, accompanied by a resolution; and a minority report from the same committee.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. McGehee: Resolution upon the subject of the special tax bonds. H. R. No. 76.

By Mr. Bryson, of Jackson: Resolution in favor of night sessions. H. R. No. 77.

By the Committee on Adjournment: Resolution in relation to adjournment. H. R. No. 77.

The following named resolutions and bills were introduced, read, and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Ballard: A bill to enable the board of commissioners of Gates county to sell land. H. B. No. 285.

By Mr. Wheeler: A bill to amend chapter 110, laws of 1857–'57, in regard to the town of Salem. H. B. No. 286.

THE COMMITTEE ON INTERNAL IMPROVEMENTS.

By Mr. Johnston: A bill to be entitled an act to amend an act entitled an act to incorporate the Greenville and French Broad Railroad Company, ratified the 13th day of February, 1855. H. B. No. 287.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Fletcher: A bill to be entitled an act prohibiting the sale of intoxicating liquors within three miles of Beaver Dam Church, in the county of Richmond. H. B. No. 288.

TO THE CCOMMITTEE ON CORPORATIONS.

By Mr. Jones, of Caldwell: A bill to be entitled an act to amend the charter of the Carolina Narrow Gauge Railroad Company. H. B. No. 289.

By Mr. Freeman: An act to incorporate Union Camp Ground, in McDowell county. H. B. No. 290.

By Mr. Lutterloh: An act to incorporate the Frizzell Citizens' Fire Company of Fayetteville. H. B. No. 291.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 57: A bill to be entitled an act concerning the ferries and causeway from the city of Wilmington to Brunswick county.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

H. B. No. 7, S. B. No. 86: An act to amend an act entitled "an act to incorporate the Wilmington and Seaside Railroad Company," ratified the 12th of April, 1869.

On motion of Mr. Bowman, the rules were suspended, and the report of the Conference Committee was read and adopted.

The question recurring upon the resolution proposed by the minority as an amendment, it was rejected.

Mr. Trivett offered a substitute, which provides for a recess; which was read. The question being upon the adoption of the substitute, Mr. Brown, of Mecklenburg, called for the ayes and noes, and the call being sustained, the substitute was rejected. Ayes 15, noes 90.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bowe, Dudley, Foster, Freeman, Gorman, Hampton, Heaton, Hughes, Jones of Caldwell, Jones of Northampton, Jordan, Lloyd, Trivett and Williamson—15.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Bunn, Byrd, Carter, Carson, Cobb, Copeland, Corson, Costner, Cox, Craige, Dickey, Dula, Ellison, Fletcher, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gray, Grady, Gudger, Guyther, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, King, Lindsay, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Moring, Moss, Norment, Outlaw, Paschall, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Rhodes, Scott, Shaw, Sharp, Shackelford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb, Winslow, Wiley, Whitmire, Whisnant and Woodhouse—90.

S. R. No. 18, H. R. No. 55: A resolution for the relief of Hon. J. L. Henry, was read the second time, amendment of the the committee adopted, and passed; was read the third time, passed, and ordered to be returned to the Senate for concurrence in House amendment.

On motion of Mr. Bowman, his motion to reconsider the vote by which the resolution passed its third reading was laid on the table.

The amendment of Mr. Cox, to strike out the 24th and insert the 22d, was rejected.

The motion of Mr. Williamson to table, was rejected, and the resolution was adopted. Ayes 62, noes 14.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard,

Bennett, Blackwell, Blythe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Bunn, Byrd, Carter, Carson, Copeland, Corson, Costner, Cox, Craige, Dickey, Dula, Ellison, Fletcher, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Gray, Grady, Gudger, Guyther, Hanner, Hampton, Haynes, Hinnant, Houston, Johnston, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Moring, Moss, Norment, Outlaw, Paschall, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Rhodes, Scott, Shaw, Sharp, Shackelford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Watson, Webb, Winslow, Wiley, Whitmire, Whisnant and Woodhouse—92.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Bowe, Cobb, Dudley, Foster, Heaton, Hughes, Jones of Caldwell, Jones of Northampton, Jordan, King, Lloyd and Williamson—14.

H. B. No. 77, was read the third time, the amendment of Mr. Lutterloh was adopted, and bill passed, and was ordered to be engrossed and sent to the Senate.

A message was received from the Senate, informing the House that the Senate had receded from its amendments to H. B. No. 18, S. B. No. 71: A bill for the relief of citizens of Graham county. The bill was ordered to be enrolled for ratification.

Engrossed amendments to S. B. 145, H. B. 11, were read and concurred in.

A message was received from the Senate, transmitting engrossed copies of the following bills, which were read the first time, passed, and referred to the Committee on Corporations.

S. B. No. 36, H. B. No. 292: A bill concerning incorporated towns.

S. B. No. 125, H. B. No. 293: A bill to amend an act rati-

fied Dec. 1865, amending the charter for building a bridge across Pasquotank river, and for other purposes.

S. B. No. 72, H. B. No. 294: A bill to be entitled an act to incorporate the Oriental Fish and Oyster Company.

TO THE COMMITTEE ON CITIES, COUNTIES, TOWNS AND TOWNSHIPS.

S. B. No. 172, H. B. No. 295: A bill to be entitled an act to amend an act to change the dividing line between the counties of Granville and Franklin.

The Calendar was taken up.

H. B. No. 25: A bill entitled an act to repeal an act of the Private Laws of 1868–'69, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Jones, of Caldwell, the rules were suspended and H. B. No. 75: A bill to be entitled an act for the relief of such counties as have not received the compensation allowed by law for the support of lunatics, was read the second time; the amendments proposed by the committee were adopted.

The special order for 12 m., S. B. No. 31, H. B. No. 225: A bill to amend the charter of the North Carolina Railroad was announced, and on motion of Mr. Jones, of Caldwell, its further consideration was postponed till the bill before the House was disposed of.

The consideration of H. B. No. 75, was resumed.

The amendment of Mr. Heaton. "*Provided*, That so far as this act relates or applies to the county of New Hanover, that the account of said county be settled direct between the proper authorities of the same, and the Auditor of the State, and not by agency," was adopted, and the bill passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

The consideration of the special order, S. B. No. 31, H. B. No. 225: A bill to amend the charter of the North Carolina

Railroad was resumed, and the bill was read, and acted upon by sections.

Section 1, was read and adopted.

Section 2, was read and adopted.

Section 3, was read, and the following amendment of Mr. Bennett, was adopted:

"*Provided*, That the bonds so issued by said company shall in no case be sold for a less sum than seventy-five cents on the dollar."

The section, thus amended, was adopted.

Section 4, was read.

The following proviso offered by Mr. Bennett was adopted:

"*Provided*, That the said mortgage shall not contain any provision for the maturity of the principal of said bonds, in case of the failure to pay any instalment of interest."

The section, thus amended, was adopted.

Section 5, was read.

The amendment of Mr. Wiley, to insert the word "private" before the word "stock" in line —, was rejected, and the section adopted.

Section 6, was read and adopted.

Section 7, was read.

The following amendment offered by Mr. Bennett, to come in at the close of the section, was adopted:

"And shall further be guilty of embezzlement."

The section, thus amended, was adopted.

Section 8, was read.

The following amendment offered by Mr. Bennett, to come in after the word "made" in line 3, was adopted:

"Under the mortgage provided for in section 4 of this act."

The section, thus amended, was adopted.

Section 9, was read.

The amendment of Mr. Brown, of Mecklenburg, to insert the words "not exceeding" before the word "fifty," in line 8, was adopted.

The amendment of Mr. Jones, of Orange, to strike out all after the word "provided," in line 10, and insert, "that no further proceeding whatever, under this act, shall be taken until the sum of fifty dollars *in cash* shall be paid on each share of stock to any stockholder who shall enter his protest against the acceptance of this act," was rejected.

The amendment of Mr. Bennett, to insert after the word "stock," in line 18, the words, "on the 1st day of December, 1873," was adopted.

The following proviso offerred by Mr. McGehee, to come in at the close of the section, was adopted:

"*Provided further*, That the sale of any share or shares to the company, under the provisions of this section by any executor, administrator, guardian, trustee, or persons acting in a fiduciary capacity, shall be void."

The section, thus amended, was adopted.

Section 10, was read.

The following proviso, offered by Mr. Bennett, was adopted:

"*Provided*, If the stock of private holders in this road is purchased, the price shall not exceed the market value of said stock on the first day of December, 1873."

The following proviso, offered by Mr. Lutterloh, was rejected:

"*Provided*, Twenty-five dollars per share shall be paid to all stockholders who enter their protest to this act."

The following proviso, offered by Mr. Lutterloh, was also rejected:

"*Provided*, The price to be paid the State of North Carolina shall not be less than twenty-five dollars a share for each and every share of stock held in said railroad."

The section, as amended, was adopted.

Section 11, was read and adopted.

Section 12, was read.

The amendment of Mr. Waddill, "That the said company is authorized and required to build a branch road from Salisbury to Wadesboro', and may operate and maintain the same," was rejected, and the section was adopted.

Section 13, was read and adopted.

Section 14, was read.

The amendment of Mr. Moring, to come in at the close of the section: "and shall not charge more than twenty-five per cent. additional for carrying local freight above the rates charged for through freights," was rejected, and the section adopted.

Section 15, was read.

The amendment of Mr. Richardson to strike out all after the word "made", in line 13, and insert "except by the consent of the General Assembly," was rejected.

The amendment of Mr. Houston was adopted:

Provided further, That the line of railroad, in Catawba county, running from its main line to Newton, shall not be changed till the main trunk line shall have been constructed to run within one mile and a quarter from the court house, in said town of Newton.

The section, thus amended, was adopted.

Section 16 was read.

The following amendment, offered by Mr. Gorman to come in after the word "same," in line 11, was adopted:

"*Provided*, That the said North Carolina Railroad Com-

pany and Statesville and Mt. Airy Turnpike Company shall give good and sufficient bonds for the proper clothing and provisioning of said convicts, said bonds to be given to the directors of the State Penitentiary: *And provided further*, That whenever any convicts are assigned and detailed to work on said railroad or turnpike, the directors of the Penitentiary shall detail a sufficient number of guds to take care of said convicts, and superintend their safe keeping during their absence from the Penitentiary: *And provided further*, That a steward shall be appointed by the directors of the Penitentiary to issue rations furnished to said convicts by said railroad and turnpike companies, and the pay or salary of said steward shall be fixed by the board of the Penitentiary, and shall be paid by the said railroad and turnpike companies: *And provided further*, That a monthly report of the number and general condition of the detailed convicts shall be furnished by said railroad and turnpike companies to the officers of the State Penitentiary. Proper medicines and medical attention shall also be supplied to the said convicts by said railroad and turnpike companies, whenever the convicts shall require the same."

The section thus amended, was, on motion of Mr. Bennett, stricken from the bill.

Section 17 was read, and, on motion of Mr. Bowman, stricken out.

The remaining sections of the bill were read and adopted.

The question recurring upon the passage of the bill, Mr. Jones, of Caldwell, moved to strike out the 13th section and insert the following:

"In case the consolidation provided for in this act shall be effected, then such consolidated line shall be operated as one line. But the company shall have full power to extend the right to any other railroad company to run trains over any

part of their line, under such terms as may be agreed upon by the respective companies interested."

Pending the consideration of this amendment, on motion the House adjourned till to-morrow 10½ o'clock.

TWENTY-THIRD DAY.

SATURDAY, Dec. 13th, 1873.

The House was called to order by the Speaker at 10½ o'clock.

The Journal of yesterday was read and approved.

On motion of Mr. Watson, the use of the Hall, next Wednesday evening, was granted to Dr. Edwards.

The following named petitions were introduced, read, and referred:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Brown, of Mecklenburg: From citizens of Princeton, Johnston county, asking that the law prohibiting the sale of liquor in that locality, be repealed.

By Mr. Johnston: From citizens of Buncombe and McDowell counties, asking for an extension of the charter of the Turnpike Road from Old Fort, in Buncombe, to Flat Creek, in McDowell county.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 245: A bill to be entitled an act to amend section 15, chapter 105, Battle's Revisal; that it do not pass.

H. B. No. 246: A bill to be entitled an act to amend section

1, chapter 120, Revised Code, and for other purposes; that it do not pass.

H. B. No. 247: A bill in relation to fees of witnesses in justice's courts; that it do not pass.

H. B. No. 194: A bill to be entitled an act to amend section 3, line 5, chapter 169, Public Laws of 1869–'70; that it do not pass.

H. B. No. 190: A bill to repeal chapter 71, laws of North Carolina, 1871–'72; that it do not pass.

H. B. No. 110: A bill to be entitled an act to amend title 2, chapter 17, of the Code of Civil Procedure, of Battle's Revisal, page 143; that it do not pass.

H. B. No. 47: An act to prevent the selling of articles by the offer of gifts or prizes; that it do not pass.

H. B. No. 138: A bill for the relief of landlords; that it do not pass.

H. B. No. 94: A bill in relation to amending the laws of North Carolina; that it do not pass.

H. B. No. 29: A bill to be entitled an act to protect the agricultural interests of the State; that it do not pass.

H. R. No. 46: Resolution of instruction to the Judiciary Committee in regard to contracts for labor; think such inforcement unpracticable.

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 219: A bill to amend sections 4 and 5, chapter 35, Public Acts of Special Session of 1868, in regard to Registers of Deeds; that it do pass, with the amendment proposed by the committee.

From the Committee on Propositions and Grievances:

By Mr. Brown, of Mecklenburg, H. B. No. 159: A bill to be entitled an act to prohibit the sale of ardent spirits to minors; amended and passed.

S. B. No. 11, H. B. No. 264: A bill to be entitled an act fixing the weight of packages containing salted fish, and to require packers to stamp or mark their names on each package shipped for sale; that it do pass.

From the Committee on Internal Improvements:

By Mr. McGehee, S. B. No. 115, H. B. No. 229: A bill authorizing the appointment of commissioners to provide ways and means to aid the Carolina Central Railway Company or any other company in extending a railroad from or near Lincolnton, North Carolina, to Hickory, in Catawba county; that it do pass.

H. B. No. 287: A bill to be entitled an act to amend an act entitled an act to incorporate the Greenville and French Broad Railroad Company, ratified the 13th day of February, 1855; amended and passed.

From the Committee on Counties, Cities, Towns and Townships:

By Mr. Bryan, of Wilkes, S. B. No. 172, H. B. No. 295: A bill to be entitled an act to amend an act to change the dividing line between the counties of Granville and Franklin; that it do pass.

From the Committee on Finance:

By Mr. Richardson, H. B. No. 275: An act to authorize the re-issue of certain lost special tax bonds; that it do not pass.

H. B. No. 261: A bill to be entitled an act to authorize the collection of arrearages of taxes in the town of Statesville; amended and passed.

From the Committee on Railroads, Postroads and Turnpikes:

By Mr. Bryson, of Swain, S. B. No. 28, H. B. No. 284: A bill to be entitled an act to establish a turnpike road from the town of Statesville, in Iredell county, to the Virginia line; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by the Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 222: A bill to be entitled an act to incorporate the trustees of the Fairfield Academy, in the county of Hyde.

H. B. No. 111: An act to provide for the relinquishment to the United States in certain cases of title to and jurisdiction

over lands for sites of light houses, beacons or other aids to navigation in the waters of this State.

H. B. No. 122: An act to repeal parts of chapter 250, laws of 1868–'69.

H. B. No. 206: A bill to be entitled an act to incorporate the town of Pine Level, in the county of Johnston.

H. B. No. 163: A bill to be entitled an act to amend chapter 90, laws of 1872–'73.

H. B. No. 146: A bill to be entitled an act to incorporate the town of Jonesville, in Yadkin county.

H. B. No. 35: A bill in relation to the sale of cotton.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

H. B. No. 11, S. B. No. 226: An act to amend and consolidate the various acts heretofore passed, to incorporate the town of Lumberton, in the county of Robeson.

S. B. No. 5, H. B. No. 226: An act in relation to the special term of Wayne Superior Court, to be held on the first Monday in January, 1874.

H. B. No. 38, S. B. No. 43: An act to amend chapter 121, section 13, of Battle's Revisal.

H. B. No. 18, S. B. 71: An act for the relief of citizens of Graham county.

S. R. 78, H. R. 67: Joint resolution concerning the Federal tax on cotton in years 1865, 1866, 1867 and 1868.

H. R. No. 26, S. R. No. 136: Resolution authorizing the Auditor to issue a duplicate warrant for $184 to the county treasurer of Swain county.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Johnston: Resolution to provide for the one hun-

dredth Anniversary of the Mecklenburg Declaration of Independence, by holding an exhibition of rats, and of the products and manufactures of the State in the city of Charlotte, on the 20th day of May, 1875. H. R. No. 78.

PLACED ON THE CALENDAR.

By. Mr. Dula: Resolution of instruction to the Committee on Public Buildings and Grounds. H. R. No. 79.

By Mr. Rhodes: Resolution in relation to the Public Printing. H. R. No. 80.

By Mr. Gilbert: Resolution concerning the United States Centennial Exhibition. H. R. No. 81.

By Mr. Mitchell: Resolution respecting reforms in the General Government. H. R. No. 82.

By Mr. McNeill: Resolution of instruction to Joint Select Committee on State debt and liabilities. H. R. No. 83.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Webb: A bill concerning the duties of the county commissioners, and for other purposes. H. B. No. 299.

By Mr. Hampton: A bill to be entitled an act to amend chapter 12, section 1, of the Revised Code. H. B. No. 300.

By Mr. Jordan: An act to provide for the pay of witnesses in certain cases. H. B. No. 301.

TO THE COMMITTEE ON SALARIES AND FEES.

By Mr. Presson: A bill to be entitled an act concerning the fees of justices of the peace. H. B. No. 296.

By Mr. Michael: An act regulating the commissions of sheriffs. H. B. No. 297.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Freeman: An act to incorporate Nebo Camp Ground in the county of McDowell. H. B. No. 298.

On motion of Mr. McNeill, the rules were suspended, and H. R. No. 83: Resolution of instruction to the Joint Select Committee on State debt and liabilities, was read the second time and adopted.

The unfinished business of yesterday, the bill to amend the charter of the North Carolina Railroad, was resumed, the question being upon the motion of Mr. Jones, of Caldwell, to strike out the 13th section of the bill, and insert the substitute offered by him.

On motion of Mr. Jones, of Caldwell, the substitute offered yesterday was withdrawn and the following substituted:

"That the said company, as soon as it shall secure the control of the North Carolina Railroad, shall operate the entire consolidated line as one road; and the said company shall never have the power to divide the road into, or operate it in seperate divisions."

The motion to strike out the 13th section of the bill prevailed, and the substitute was adopted.

The following amendment of Mr. Marler, to come in after section 10, as a new section to the bill, was rejected:

"That the said company may, in like manner, purchase the North Western Railroad, and may thenceforth have, hold and possess the said railroad, extending from the town of Greensboro' to the Tennessee line, and by branch road by the way of the town of Mount Airy to the Virginia line, now completed to the town of Winston, in Forsythe county, and all its contracts franchises, rights, privileges and immunities, and all the property and estate of every description, real and personal, belonging to the said North Western Railroad, and by such purchase,

the said North Carolina Railroad Company shall acquire and succeed to and exercise all the rights, privileges and immunities conferred on said North Western Railroad Company by its charter, and amendments made thereto. And the said North Carolina Railroad Company, out of all moneys received from the sale of mortgage bonds provided for in this act, shall expend one-fourth of the aggregate amount in the completion of said North Western Railroad to the Tennessee line, and in the direction of the town of Mount Airy to the Virginia line."

The following amendment of Mr. Gidney, was read and rejected:

"Amend section 15, as follows, viz: Strike out all to 'in,' in line 4, and insert, 'that the directors of the said company shall have the power to change the guage of any of the lines their said company may purchase.'"

The following amendment of Mr. Bowman, was adopted:

"Insert after the words 'shall be made,' in line 12, section 15, the following: 'except in that portion of the road from Point Rock to Asheville.'"

Mr. Gudger's amendment to strike out "Paint Rock," in section 11, and insert "Warm Springs," was adopted, and the bill, as amended, passed its second reading.

On motion of Mr. McGehee, the rules were suspended, and the bill was taken up, and its further consideration was postponed till Monday 12 m., made special order for that hour, and ordered to be printed.

On motion of Mr. Moring, the rules were suspended, and H. B. No. 230: An act to amend an act to incorporate New River Canal Company, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Scott, his motion to reconsider the vote by which the bill passed its third reading, was laid on the table.

On motion of Mr. Guyther, the rules were suspended, and H. B. No. 279: A bill to incorporate the Seaboard and Raleigh Railroad, was read the second time.

The motion of Mr. Brown, of Davidson, to postpone was rejected.

Mr. Moring offered the following amendment to section 12:

"*Provided*, That no greater discrimination than twenty-five per cent. shall be made between local and through freights."

Which was adopted, and the bill passed its second reading.

The hour for the special order having arrived, H. B. No. 76: An act to amend an act entitled an act to prevent the sale of liquor in certain localities, was announced.

On motion of Mr. Guyther, the consideration of the special order was postponed till H. B. No. 279 was disposed of.

The rules were suspended, and the bill was read the third time, passed, and ordered to be engrossed.

On motion of Mr. Guyther, his motion to reconsider the vote by which the bill passed its third reading, was laid on the table.

The consideration of the special order was resumed.

The substitute proposed by the committee was adopted.

Mr. Carson's amendment "add the name of Stony Point Church, Alexander county," was adopted.

The amendment of Mr. Hanner to strike out "Egypt Depot," was adopted.

The amendment within two miles of Caldwell Presbyterian Church, Mecklenburg county, offered by Mr. Reid, of Mecklenburg; "Bethel Church, Halifax county," by Mr. Goodwyn; within two miles of St. John's Church, Holly Grove Church, Silver Grove Church, Richmond county, Boone in Watauga county, Yellow Mountain Church, and Creek Church, in Mitchell county, by Mr. Brown, of Mecklenburg, were adopted.

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

On motion of Mr. Gudger, the rules were suspended, and H. B. No. 112: A bill to prohibit the sale of spirituous liquors in townships where the people so determine, was read the second time.

The question being upon the amendments proposed by the committee, sundry amendments were offered.

Mr. Jones, of Caldwell, moved to lay the bill on the table, and on this motion, Mr. Dudley called for the ayes and noes. The call was sustained, and the motion to table was rejected. Ayes 18, noes 76.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Ballard, Bryant of Halifax, Bunn, Corson, Freeman, Hinnant, Jones of Caldwell, Jones of Camden, Jordan, Lloyd, Marler, Outlaw, Presson, Trivett, Waddill, Winslow and Woodhouse—18.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Clay, Bennett, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Byrd, Carter, Carson, Copeland, Costner, Cox, Craige, Dickey, Dudley, Dula, Ellison, Foster, Gant, Gidney, Gilbert, Godfrey, Gorman, Gray, Grady, Gudger, Guyther, Hanner, Hampton, Haynes, Heaton, Houston, Hughes, Johnston, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Johns, King, Lindsay, Luckey, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Moring, Paschall, Reid of Mecklenburg, Richardson, Rhodes, Scott, Shaw, Sharp, Stowe, Todd, Turner, Warlick, Watson, Webb, Wiley, Williamson, Whitmire, Wheeler and Whisnant—76.

The amendment of Mr. Bennett to strike out "in the Superior Court shall be fined and imprisoned in the discretion of the Court," and substitute, "before a justice of the peace shall

be fined not exceeding fifty dollars and imprisoned not exceeding one month," was adopted.

The amendment of Mr. Rhodes was ruled not in order.

The following amendments, proposed to the substitute, were read for the information of the House:

By Mr. Bryson, of Jackson: Strike out the words "by measure, less than one quart," wherever they occur in the bill, and insert "by any measure which the qualified voters may determine."

By Mr. Williamson: Strike out "one quart" and insert "three gallons."

By Mr. Dudley: Strike out "one quart" wherever it occurs in the bill.

A motion to recommit the bill was rejected, and the substitute offered by the committee was rejected.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 164: A bill to be entitled an act to provide arms for military schools, with substitute; that it do pass.

H. B. No. 52: A bill to be entitled an act to incorporate the Brunswick Bridge company; that it do pass.

From the Committee on propositions and Grievances:

By Mr. Brown, of Mecklenburg, H. B. No. 172: A bill to be entitled an act to prevent the sale of spirituous liquors within two miles of any place of public worship, in Stokes county, upon the days of such worship; that it do pass.

H. B. No. 203: A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of Danbury, Stokes county, during the term of any Superior Court for said county; that it do pass.

H. B. No. 253: An act to legalize the acts of the commissioners of Watauga county; that it do pass.

On motion of Mr. Hinnant, the House adjourned till Monday 10 o'clock.

TWENTY-FOURTH DAY.

MONDAY, Dec. 15th, 1873.

The House was called to order by the Speaker at 10 o'clock.

Prayer by Rev. Dr. Atkinsion, of the city.

The Journal of Saturday was read and approved.

It was announced that Mr Ballard was detained in his room on account of sickness.

Leave of absence for one day was granted to Mr. Luckey, for two days to Mr. Perry of Wake, and indefinite leave granted to Mr. Gilmer on account of important business.

The following petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Watson: From Hickman Lodge, Good Templars of Raleigh North Carolina, for a general prohibition liquor law.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Carter: From citizens of Hyde county, to incorporate the town of Engelhard, in Hyde county.

By Mr. McNeill: From citizens of Robeson county, to incorporate the town of Shoe Heel, in Robeson county.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Whitmire: From citizens of Transylvania, to prohibit the sale of spirituous liquor in the town of Brevard.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 192: A bill to be entitled an act to amend chapter 110, acts 1870–'71, being an act to cure

certain irregular proceedings in the jurisdiction of the courts; that it do pass.

H. B. No. 167: A bill declaratory of the meaning of section 41, chapter 45, of Battle's Revisal, in regard to executors and administrators; that it do pass.

H. B. No. 285: A bill to enable the board of commissioners of Gates county to sell land; that it do pass.

H. B. No. 269: A bill to be entitled an act to make valid certain divorce cases; that it do pass.

H. B. No. 286: A bill to amend chapter 110, laws of 1856–'57, in regard to the town of Salem; that it do pass.

From the Committee on Education:

By Mr. Johnston: A bill to be entitled an act to amend an act entitled an act to incorporate the Young Men's Intelligent and Enterprising Association; that it do not pass.

H. B. No. 223: A bill to be entitled an act to make attendance upon the public schools of the State obligatory; that it do not pass.

H. B. No. 236: A bill to be entitled an act to authorize the city of Raleigh to establish and maintain Free Public Schools, ask to be discharged from its further consideration.

From the Committee on Agriculture:

By Mr. Jones, of Orange, S. B. No. 21, H. B. No. 228: A bill to be entitled an act to prevent fraud in the sale of commercial manures, with amendment; that it do pass.

H. B. No. 118: A bill to repeal section 5, of chapter 2, Revised Code; that it do not pass.

From the Committee on Public Buildings and Grounds:

By Mr. Anderson, of Clay, H. B. No. 98: A bill to be entitled an act to authorize the Secretary of State to purchase a fire proof safe, with amendment; that it do pass.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

H. B. No. 104, S. B. No. 194: An act to incorporate the Baptist Church of Hominy, Buncombe county.

H. B. No. 1, S. B. No. 156: An act to authorize the construction of a toll bridge across the Catawba river, near the Western North Carolina Railroad bridge.

H. B. No. 105, S. B. No. 193: An act to incorporate the Weaverville College, in Buncombe county.

H. B. No. 116, S. B. No. 195: An act to amend the charter of the town of Beaufort.

H. B. No. 33, S. B. No. 143: An act to authorize and require the treasurer of Cherokee county to turn over to the treasurer of Graham county certain bonds, and for other purposes.

H. B. No. 101, S. B. No. —: An act for the relief of the sheriff of Chowan county.

H. R. No. 31, S. R. No. 89: Resolution in favor of J. H. Enniss.

H. R. No. 14, S. R. No. 87: Resolution in favor of Jas. H. Enniss.

H. R. No. 16, S. R. No. 88: Resolution in favor of W. H. Morriss & Co.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE JUDICIARY COMMITTEE.

By Mr. Shaw: An act declaratory of the meaning of section 50, and amendatory of section 52, of chapter 63, of Battle's Revisal. H. B. No. 302.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Warlick: An act to extend the time for taking out grants in Burke county. H. B. No. 303.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Turner: An act to incorporate Centre Presbyterian Church, in the county of Iredell. H. B. No. 304.

By Mr. Dudley: A bill to be entitled an act to incorporate the Rough and Ready Fire Company, No. 1, of Newbern, N. C. H. B. No. 305.

PLACED ON THE CALENDAR.

By Mr. Blythe: A bill to be entitled an act to amend section 5, chapter 88, Battle's Revisal. H. B. No. 306.

By Mr. Waddill: A bill to be entitled an act to allow the commissioners of Stanly county to levy a special tax. H. B. No. 307.

A message was received from the Senate, transmitting engrossed copies of the following named bills, which were read the first time, passed and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 120, H. B. No. 308: A bill to amend chapter 130, Private Laws of 1848–'49, and for other pnrposes.

S. B. No. 209, H. B. No. 309: A bill to be entitled an act to make valid the proceedings heretofore had in the courts of this State in cases of divorces and alimony.

S. B. No. 131, H. B. No. 310: A bill to be entitled an act regulating the time of holding the terms of the Superior Courts of the Fourth Judicial District, and for other purposes.

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 179, H. B. No. 311: A bill to be entitled an act to amend the charter of the Fair of the Carolinas, at Charlotte.

S. B. No. 119, H. B. No. 312: A bill to be entitled an act

to incorporate the Yadkin New and Watauga Timber and Lumber and Raft Company.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

S. B. No. 171, H. B. No. 313: A bill to be entitled an act to authorize the commissioners of the county of Washington to remove the county seat.

TO THE COMMITTEE ON CLAIMS.

S. R. No. 63, H. R. No. 84: Resolution in favor of James H. Enniss.

On motion of Mr. Abbott, the rules were suspended, and S. B. No. 26, H. B. No. 90: A bill to be entitled an act to amend an act entitled an act supplemental to an act to lay off and establish the new county of Pamlico, was taken from the table and placed on the calendar.

On motion of Mr. Dula, the rules were suspended, and H. B. No. 98: A bill to be entitled an act to authorize the Secretary of State to purchase a fire-proof safe, was read the second time, the amendment of the committee was adopted, and the bill passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

On motion of Mr. Dula, his motion to reconsider the vote by which the bill passed its third reading, was laid on the table.

The motion of Mr. Abbott to suspend the rules to take up S. B. No. 26, H. B. No. 90: A bill relating to the new county of Pamlico, was rejected.

The unfinished business of yesterday, H. B. No. 112: A bill to prohibit the sale of spirituous liquors in townships where the people desire it, was resumed.

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

Mr. Gudger moved to reconsider the vote by which the bill was referred to the Committee on the Judiciary.

Mr. Moring moved to lay the motion to reconsider on the table.

On this motion, the call for the ayes and noes was sustained, and the motion to table prevailed. Ayes 54, noes 47.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Bennett, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryant of Halifax, Bryan of Sampson, Bryan of Alleghany, Bunn, Byrd, Carter, Carson, Cobb, Corson, Costner, Craige, Freeman, Gant, Gorman, Goodwyn, Guyther, Hanner, Haynes, Houston, Hughes, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Marler, Maxwell, McLaurin, McGehee, Miller, Mitchell, Moring, Outlaw, Presson, Richardson, Rhodes, Settle, Sharp, Shackelford, Stowe, Todd, Trivett, Waddill, Winslow, Whitmire, Whisnant and Woodhouse—54.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Clay, Bean, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryan of Wilkes, Copeland, Cox, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Gidney, Gilbert, Godfrey, Gray, Gudger, Hampton, Johnston, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McNeill, Michael, Patrick, Paschall, Perry of Bladen, Perry of Wake, Reid of Mecklenburg, Reid of Randolph, Shaw, Turner, Warlick, Watson, Webb, Wiley, Williamson and Wheeler—47.

The following bills were read the second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate:

H. B. No. 52: A bill to be entitled an act to incorporate the Brunswick Bridge and Ferry Company.

H. B. No. 231: An act to amend the charter of the town of Winston, in the county of Forsythe.

H. B. No. 277: A bill to be entitled an act to make the sureties on the several official bonds of Isaac Long, deceased,

late sheriff of Yadkin county, to collect arrearages of State and county taxes.

H. B. No. 154: An act to amend an act entitled an act for amnesty and pardon, was read the second time, and on motion of Mr. McGehee, made the special order for to-morrow at 12 m.

S. B. No. 79, H. B. No. 283: A bill to incorporate the town of Hickory, in the county of Catawba, was read the second time, the amendment of the committee was adopted, and the bill passed; was read the third time, passed, and was ordered to be sent to the Senate for concurrence in the amendment.

H. B. No. 139: A bill to be entitled an act to increase the salary of the Judge of the First Judicial District of North Carolina, was read the second time, and, on motion of Mr. Bowman, was laid on the table.

H. B. No. 90, S. B. No. 26: A bill relating to the new county of Pamlico, was read the second time, and, on motion, referred to the Committee on the Judiciary.

H. B. No. 137: A bill to be entitled an act to give to the county of Burke all vacant lands in said county, was read the second time.

The following amendment, offered by Mr. Whisnant, was adopted: "The provisions of this act shall also apply to the county of Burke."

Mr. Dula's amendment to give the proceeds of the sales of the vacant lands in Wilkes county to that county to improve the road leading from Wilkesboro' to Statesville, was adopted.

Mr. Warlick moved the previous question, and the main question was ordered by the House.

The following amendments, notices of which were given before the demand for the previous question, were rejected:

By Mr. Bean: Provided that the proceeds of the vacant lands surveyed in the county of Randolph be paid to the county treasurer of said county, to assist in building a railroad from Greensboro', N. C., to the South Carolina line towards Cheraw, S. C.

By Mr. Blythe: And in other counties that have taken stock in railroads leading through their counties.

By Mr. Dudley: Insert the county of Craven in the provisions of the bill.

By Mr. Gorman: That all vacant lands belonging to the State in the county of Wake, outside the corporate limits of the city of Raleigh, be ceded to said county, and the same shall be sold at public auction by the county commissioners of said county, after due advertisement in the papers of the city of Raleigh, and the proceeds appropriated to the school fund of said county.

The question recurring upon the passage of the bill, the call for the ayes and noes was sustained, and the bill was rejected. Ayes 36, noes 60.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Clay, Blackwell, Blythe, Bowman, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Wilkes, Bryan of Alleghany, Byrd, Carson, Dickey, Dula, Fletcher, Foster, Freeman, Gant, Gidney, Gudger, Hampton, Haynes, Houston, Johnston, Johns, Lindsay, Lutterloh, Marler, Reid of Mecklenburg, Todd, Trivett, Turner, Warlick, Wiley, Whitmire, Wheeler and Whisnant —36.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Bennett, Bowe, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Brooks, Bunn, Carter, Cobb, Copeland, Costner, Cox, Dudley, Ellison, Gilbert, Godfrey, Gorman, Goodwyn, Gray, Guyther, Hanner, Hinnant, Hughes, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Joyner, Jordan, King, Lloyd, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Moring, Outlaw, Patrick, Paschall, Perry of Bladen, Presson, Reid of Randolph, Richardson, Rhodes, Shaw, Sharp, Shackelford, Stowe, Waddill, Watson, Webb, Winslow, Williamson and Woodhouse—60.

Mr. Jones, of Caldwell, moved to reconsider the vote by which the bill was rejected.

Mr. Gorman moved to lay the motion to reconsider on the table. The call for the ayes and noes was sustained, and the motion to table was rejected. Ayes 31, noes 62.

The following gentlemen voted in the affirmative:

Messrs. Bryan of Pitt, Bryant of Halifax, Bunn, Carter, Cobb, Cox, Dickey, Ellison, Gilbert, Gorman, Goodwyn, Guyther, Hanner, Hinnant, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Joyner, McLaurin, Miller, Michael, Moring, Patrick, Presson, Reid of Randolph, Rhodes, Shaw, Sharp, Watson, Winslow and Woodhouse—31.

The following gentleman voted in the negative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Bean, Bennett, Blythe, Bowe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Carson, Copeland, Costner, Dula, Fletcher, Foster, Freeman, Gant, Gidney, Godfrey, Gudger, Hampton, Haynes, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Orange, Johns, King, Lindsay, Lloyd, Lutterloh, Marler, Maxwell, McGehee, McNeill, Mitchell, Outlaw, Paschall, Perry of Bladen, Reid of Mecklenburg, Richardson, Settle, Shackelford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Webb, Wiley, Whitmire and Whisnant—62.

On motion of Mr. Bowman, the further consideration of the bill was postponed till to-morrow 11 o'clock, and made special order for that hour.

S. B. No. 31, H. B. No. 225, was read the third time by sections.

Mr. Michael's amendment to strike out "thirteen," in line 12, and insert "eight," was rejected.

The amendment of Mr. Whisnant to strike out the words "and branches," in line 13, was rejected.

The amendment of Mr. Bennett, "to be payable in not less

than ten nor more than twenty years," to come in after the word "select," in line 23, was adopted.

The amendment of Mr. Blackwell, to strike out "exceeding," in line 10, and insert "less than;" to strike out the words "two, and not exceeding," in line 11; and the words, "or both at the discretion of the court," in line 12, was adopted.

The amendment of Mr. Brown, of Mecklenburg, to strike out the words "not exceeding," was adopted.

Pending the consideration of the bill, on motion of Mr. Richardson, the House adjourned till to-morrow 10½ o'clock.

TWENTY-FIFTH DAY.

TUESDAY, Dec. 16th, 1873.

The House was called to order by the Speaker at 10½ o'clock.

The reading of a portion of the Journal of yesterday was dispensed with.

The following petitions were introduced, read, and referred or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

On the subject of the liquor traffic:

By Mr. Patrick: From citizens of Greene county.

By Mr. Presson: From citizens of Union county.

By Mr. Norment: From citizens of Robeson county.

By Mr. Gorman: From citizens of Wake and other counties.

By Mr. Anderson, of Davie: From citizens of Smith Grove Camp Ground, Davie county.

By Mr. Dudley: From citizens of Swift creek township, Craven county.

By Mr. Gudger: From the South Lodge Independent Order Good Templars, of the city of Raleigh.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Freeman: From citizens of McDowell, for abolishing Higgins township, No. 10, in the county of McDowell.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Whitmire: From citizens of Transylvania, against the removal of the Little River Turnpike road, in Transylvania county.

By Mr. Johnston: From citizens of Buncombe, in regard to the turnpike road from Old Fort to Swannanoa Bridge.

By Mr. Freeman: From citizens of Buncombe and McDowell counties, for an extension of the charter of the road from Old Fort to West Little's, in Buncombe county.

By Mr. Shaw: From Jesse C. Wicker, asking for permission to peddle without paying a license tax.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett: H. B. No. 300: A bill to be entitled an act to amend chapter 12, section 1, of the Revised Code; that it do pass.

H. B No. 169: A bill to amend section 11, chapter 201, laws of 1868–'69, in relation to the penalty of guardians' bonds; that it do not pass.

H. B. No. 67: A bill to be entitled an act to enable indigent persons to appeal to the Supreme Court, with a substitute; that it do pass.

H. B. No. 217: An act to be entitled an act to repeal section 7, chapter 9, Special Session of 1868; that it do not pass.

H. B. No. 124: A bill to be entitled an act to amend chapter 193, laws of 1871–'72; that it do not pass.

H. B. No. 238: A bill to be entitled an act to amend section 76, title 7, Code of Civil Procedure; that it do not pass.

H. B. No. 239: A bill defining the duties of State officers in making annual reports; that it do not pass.

H. B. No. 301: An act to provide for the pay of witnesses in certain cases; that it do not pass.

H. B. No. 168: An act to appoint a Public Guardian; that it do pass.

H. B. No. 268: A bill concerning an act for the relief of executors and administrators, being chapter 59, laws of 1866 and 1867; that it do pass.

H. B. No. 153: A bill to repeal chapter 68, public laws of 1868–'69, and chapter 262, acts of 1870–'71; that it do pass.

H. B. No. 198: A bill to increase the homestead and personal property exemption; that it do pass.

From the Committee on Counties, Cities, Towns and Townships:

H. B. No. 213: An act in relation to public roads in Beaufort county; that it do pass.

H. B. No. 262: An act to amend an act to incorporate the town of Washington, ratified the 18th day of January, 1847, and amendments thereto; that it do pass.

H. B. No. 276: A bill to be entitled an act to change the line between the counties of Swain, Macon and Graham, near the residence of Jeff. George; that it do pass.

H. B. No. 209. An act to amend an act entitled an act to amend the charter of the city of Raleigh, ratified the 23d day of February, 1871.

From the Committee on Propositions and Grievances:

H. B. No. 271: A bill entitled an act to strike out section 3 of chapter 67, public laws of 1872–'73; that it do not pass.

H. B. No. 303: An act to extend the time for taking out grants in Burke county; that it do pass.

H. B. No. 76: An act in relation to the sale of liquor in certain localities, with amendment; that it do pass.

S. B. 171, H. B. 313: A bill to be entitled an act to author-

ize the commissioners of Washington to remove the county seat.

From the Committee on Corporations:

By Mr. Jones, of Caldwell, S. B. No. 36, H. B. No. 292: A bill concerning incorporated towns; that it do pass.

H. B. No. 39: A bill to amend the charter of the city of Raleigh; that it do pass.

From the Committee on Railroads, Postroads and Turnpikes:

By Mr. Bryson, of Swain, H. B. No. 58: A bill to be entitled an act to establish a turnpike from the town of Winston, in the county of Forsythe, *via* Yadkinsville, to the town of Wilkesborough, in the county of Wilkes.

By Mr. McGehee, from Special Committee on Special Tax Bonds, with resolution, and recommended its passage.

The following bills, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 279: A bill to incorporate the Seaboard and Raleigh Railroad.

H. B. No. 185: A bill to incorporate the Richland Farmers' Association, in the county of Onslow.

H. B. No. 25: A bill entitled an act to re-enact an act of the private laws of 1868–'69.

H. B. No. 77: A bill to change the line between Cumberland and Bladen counties.

H. B. No. 75: A bill for the relief of such counties as have not received the compensation allowed by law for the support of lunatics.

The following named resolutions were introduced, read, and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Ellison: Resolution in regard to a privy on Capitol Square. H. R. No. 85.

By Mr. Hampton: Resolution in regard to Cherokee Cam on Broad river. H. R. No. 86.

PLACED ON THE CALENDAR.

By Mr. Patrick: Resolution for the relief of the Institution of the Deaf and the Dumb and the Blind. H. R. No. 87.

By Mr. Joyner: Resolution in relation to night sessions. H. R. No. 88.

By Mr. Gilbert: Resolution of instruction to the Judiciary Committee. H. R. No. 89.

By Mr. Brown, of Davidson: A resolution of investigation of charges in regard to the Penitentiary Board and Deputy Warden Thompson, of the Penitentiary. H. R. No. 90.

The following named bills were introduced, read, and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Patrick: A bill to be entitled an act to establish the rate of interest, and repeal chapter 114, of the Revised Code, entitled usury; ratified the 12th day of March, 1866. H. B. No. 314.

By Mr. Richardson: A bill in regard to the public taxes, due by the county of Wayne, for the year 1870. H. B. No. 315.

By Mr. Wheeler: A bill to be entitled an act to extend and define the jurisdiction of justices of the peace. H. B. No. 316.

By Mr. Ellison: A bill for funding the floating debt of the city of Raleigh, and providing protection against fire. H. B. No. 317.

By Mr. Scott: A bill in relation to the deeds of sheriffs and coroners. H. B. No. 318.

By Mr. Bennett: A bill in relation to the payment of costs by the State. H. B. No. 319.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Ballard: A bill to require the owners of seines, at or near the mouth of Chowan river, to stake out the middle of the channel. H. B. No. 320.

By Mr. Anderson, of Davie: A bill to incorporate Smith Grove Camp Ground, in Davie county. H. B. No. 321.

By Mr. Whitmire: A bill to prohibit the sale of spirituous liquors within three miles of the Court House in Brevard. H. B. No. 322.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Carter: A bill to be entitled an act to incorporate the town of Engelhard in the county of Hyde. H. B. No. 323.

By Mr. Bennett: A bill to be entitled an act to incorporate Lilesville, in the county of Anson. H. B. No. 324.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Corson: A bill to be entitled an act to empower the commissioners of the county of Beaufort to sell the poor house site and for other purposes. H. B. No. 325.

TO THE COMMITTEE ON RAILROADS, POSTROADS AND TURNPIKES.

By Mr. Bennett: A bill in reference to the meetings of the stockholders and directors of the Carolina Central Railway Company. H. B. No. 326.

TO THE COMMITTEE ON IMMIGRATION.

By Mr. Gudger: An act to establish a Bureau of Immigration, Statistics and Agriculture. H. B. No. 328.

A message was received from the Senate, transmitting engrossed copy of S. B. No. 218, H. B. No. 327: A bill to be entitled an act to incorporate the People's Bank of Monroe; which was read first time, passed, and referred to the Committee on Corporations.

A message was received from the Senate, concurring in the amendments adopted by the House to S. B. No. 79, H. B No. 283: A bill to incorporate the town of Hickory, in Catawba county; and to the S. R. No. 18, H. R. No. 55: Resolution in favor of Hon. J. L. Henry.

Also concurring in the House Resolution to adjourn *sine die* the 24th inst.

On motion of Mr. Bowman, the rules were suspended, and H. R. No. 80: A resolution on adjournment, was read the second time, and on motion of Mr. Johnston, was laid on the table.

On the motion to table the call for the ayes and noes was sustained, and the motion prevailed. Ayes 78, noes 20.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bunn, Byrd, Carter, Carson, Cobb, Copeland, Costner, Cox, Craige, Dickey, Dula, Ellison, Gant, Gidney, Gilbert, Gorman, Grady, Guyther, Hanner, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Lindsay, Lutterloh, Luckey, Marler, Maxwell, McGehee, McNeill, Michael, Mitchell, Moring, Moss, Perry of Bladen, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Rhodes, Scott, Settle, Sharp, Shackelford,

Stowe, Sneed, Todd, Trivett, Turner, Warlick, Waddill, Webb, Wiley, Wheeler, Whisnant and Woodhouse—78.

The following gentlemen voted in the negative:

Messrs. Abbott, Bowe, Corson, Dudley, Fletcher, Foster, Godfrey, Gray, Hampton, Jones of Camden, Jones of Northampton, Jordan, King, Lloyd, McLaurin, Patrick, Paschall, Shaw, Watson and Winslow—20.

Mr. Bowman moved to reconsider and lay the motion to reconsider on the table.

On this motion the call for the ayes and noes was sustained, and the motion to table the motion to reconsider the vote, prevailed.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Bean, Blackwell, Blythe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Bunn, Byrd, Carter, Carson, Costner, Cox, Dickey, Dudley, Dula, Foster, Gilbert, Godfrey, Gorman, Goodwyn, Gray, Guyther, Hanner, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Camden, Jones of Orange, Jones of Tyrrell, Johns, King, Lindsay, Lloyd, Lutterloh, Marler, Maxwell, McLaurin, McGehee, Miller, Michael, Mitchell, Moring, Moss, Norment, Paschall, Perry of Bladen, Presson, Reid of Mecklenburg, Reid of Randolph, Rhodes, Settle, Sharp, Shackelford, Stowe, Sneed, Todd, Trivett, Turner, Warlick, Waddill, Winslow, Wiley, Whitmire, Wheeler, Whisnant and Woodhouse—76.

The following gentlemen voted in the negative:

Messrs. Bowe, Corson, Craige, Ellison, Gidney, Hampton, Jones of Northampton, Joyner, Jordan, Luckey, Patrick and Watson—12.

The hour for the special order having arrived, H. B. No. 137: An act to give to Burke county all vacant lands in said county, was announced. The question being upon the motion to reconsider the vote by which the bill failed to pass yesterday. The motion to reconsider, was rejected.

The hour for the special order, 12 m. having arrived, H. B. No. 154: An act to amend an act entitled an act for amnesty and pardon, was announced.

The amendment of Mr. McGehee was adopted.

The question being upon the passage of the bill, as amended, Mr. Cox called for the ayes and noes, and the call being sustained, the bill was rejected. Ayes 31; noes 56.

The following gentlemen voted in the affirmative:

Messrs. Brown of Mecklenburg, Bryson of Swain, Bryan of Sampson, Carter, Fletcher, Gant, Gidney, Grady, Gudger, Haynes, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Johns, Lindsay, Luckey, Maxwell, McGehee, McNeill, Mitchell, Moring, Norment, Presson, Reid of Mecklenburg, Settle, Shaw, Stowe, Todd, Trivett, Webb and Whitmire—31.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Bean, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Jackson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Bunn, Byrd, Carson, Cobb, Copeland, Corson, Costner, Cox, Dickey, Dudley, Dula, Ellison, Foster, Gilbert, Gray, Guyther, Hinnant, Houston, Johnston, Jones of Northampton, Joyner, Jordan, King, Lloyd, Lutterloh, Marler, McLaurin, Miller, Michael, Moss, Patrick, Paschall, Perry of Bladen, Reid of Randolph, Rhodes, Scott, Sharp, Sneed, Turner, Winslow, Williamson, Whisnant and Woodhouse—56.

Mr. Houston moved to reconsider the vote by which the bill was rejected.

The motion of Mr. Brown, of Davidson, to indefinitely postpone the motion to reconsider was rejected, and the motion to reconsider prevailed.

The motion of Mr. Bennett, to reconsider the vote by which Mr. McGehee's amendment was adopted, prevailed; and the question again recurring upon the amendment, Mr. Norment's amendment to exclude Stephen Lowery from the benefits of the amendment was adopted.

The call for the ayes and noes was sustained, and the amendment, as amended, was rejected. Ayes 16; noes 81.

The following gentlemen voted in the affirmative:

Messrs. Ballard, Brown of Mecklenburg, Gant, Grady, Jones of Orange, Lindsay, Maxwell, McGehee, McNeill, Moring, Norment, Outlaw, Shaw, Waddill, Watson and Webb—16.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Clay, Bean, Bennett, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Brooks, Bunn, Byrd, Cobb, Copeland, Corson, Costner, Cox, Craige, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Gidney, Gilbert, Godfrey, Gorman, Goodwyn, Gray, Guyther, Hampton, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Joyner, Johns, Jordan, King, Lloyd, Lutterloh, Luckey, Marler, McLaurin, Miller, Michael, Mitchell, Moss, Patrick, Paschall, Perry of Bladen, Presson, Reid of Mecklenburg, Reid of Randolph, Rhodes, Scott, Settle, Sharp, Shackelford, Stowe, Sneed, Todd, Trivett, Turner, Winslow, Wiley, Williamson, Whisnant and Woodhouse—81.

On the passage of the bill, a call for the ayes and noes was sustained, and the bill was rejected. Ayes 18, noes 79.

The following gentlemen voted in the affirmative:

Messrs. Bennett, Byrd, Craige, Freeman, Houston, Johnston, Jones of Caldwell, Luckey, Perry of Bladen, Presson, Richardson, Scott, Settle, Shaw, Trivett, Warlick, Waddill, Wiley and Whitmire—18.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Bean, Blackwell, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Brooks, Bunn, Carson, Cobb, Copeland, Costner, Cox, Dickey, Dudley, Dula, Ellison, Foster, Gant, Gidney, Gilbert, Godfrey,

Gorman, Goodwyn, Gray, Gudger, Guyther, Hanner, Hampton, Hinnaut, Hughes, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, King, Lindsay, Lloyd, Lutterloh, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Moring, Norment, Outlaw, Patrick, Paschall, Reid of Mecklenburg, Reid of Randolph, Rhodes, Sharp, Shackelford, Stowe, Sneed, Todd, Watson, Webb, Winslow, Williamson, Wheeler, Whisnant and Woodhouse—79.

The House resumed the consideration of the unfinished business of yesterday: The bill to amend the charter of the North Carolina Railroad and for other purposes, was resumed.

The amendment of Mr. Rhodes to strike out of line 26, section 10, all after the word "stock" and insert "at the time when the purchase shall be made," was adopted.

The amendment of Mr. Lutterloh to section 10, "*Provided further*, That the said Atlantic and North Carolina Railroad shall not constitute assets for the payment of the bonds heretofore issued by the State to build the North Carolina Railroad."

On this amendment, a call for the ayes and noes was sustained, and the amendment was adopted. Ayes 27, noes 23.

The following gentlemen voted in the affirmative:

Messrs. Bowe, Brown of Davidson, Brown of Mecklenburg, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bunn, Carter, Copeland, Costner, Craige, Dickey, Fletcher, Freeman, Gant, Gidney, Gilbert, Gray, Grady, Guyther, Hanner, Hampton, Hinnant, Hughes, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Jordan, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McGehee, McNeill, Michael, Mitchell, Moring, Moss, Norment, Outlaw, Paschall, Perry of Bladen, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Settle, Sharp, Shackelford, Stowe, Sneed, Todd, Trivett, Warlick, Waddill, Watson, Webb, Winslow, Wiley and Woodhouse—67.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Blackwell, Blythe, Bryson of Jackson, Bryson of Swain, Byrd, Dudley, Dula, Foster, Godfrey, Gorman, Gudger, Haynes, Houston, Johnston, Jones of Camden, Johns, McLaurin, Miller, Turner, Whitmire and Whisnant—23.

Pending the further consideration of the bill, on motion of Mr. Jones, of Caldwell, the further consideration was postponed till to-morrow 11 o'clock.

On motion of Mr. Jones, of Caldwell, the rules were suspended, and the following resolution was introduced, read, and placed on the calendar:

H. R. No. 91: *Resolved*, That this General Assembly will adjourn on Monday, the 22d of December, to meet again on Monday, the 12th of January, 1874.

Resolved further, That the resolution already passed by the General Assembly to adjourn *sine die* on the 24th of December, 1873, is hereby rescinded.

Under a suspension of the rules, the resolution was read the second time.

The amendment of Mr. Brown, of Mecklenburg, to strike out "12th of January," and insert "19th of January," was rejected.

Mr. Jones, of Caldwell, demanded the previous question, and the main question was ordered by the House, and the resolution was adopted.

On motion of Mr. Jones, of Caldwell, his motion to reconsider the vote by which the resolution was adopted, was laid on the table.

On motion of Mr. Joyner, the House adjourned till to-morrow 10½ o'clock.

TWENTY-SIXTH DAY.

WEDNESDAY, Dec. 17th, 1873.

The House was called to order by the Speaker at 10½ o'clock.

The Journal of yesterday was read and approved.

Leave of absence was granted Mr. Sharp, and to Mr. Bowman, from and after to-morrow till Monday next; and to Mr. Carter for one day.

The following petitions was introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Webb: From citizens of Carteret county, on the oyster question.

By Mr. Hanner: From citizens of Chatham county, in relation to the liquor traffic.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Gorman: From Judge Tourgee, in relation to a resolution introduced at last session.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Settle: From citizens of Rockingham, asking for an act to incorporate the town of Reidsville, in said county.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, S. B. No. 120, H. B. No. 308: A bill to amend chapter 130, private laws of 1848-'49, and for other purposes; that it do pass.

H. B. No. 171: A bill to be entitled an act to make the

jurisdiction of justices of the peace final in certain criminal matters, with substitute ; that it do pass.

From the Committee on Propositions and Grievances:

By Mr. Brown, of Mecklenburg, H. R. No. 85 : Resolution in regard to a privy on Capitol Square; ask its reference to the Committee on Public Buildings and Grounds. Reference made.

H. R. No. 86 : Resolution in regard to the Cherokee Dam on Broad river ; that it do pass.

H. B. No. 320 : A bill to require the owners of seines at or near the mouth of Chowan river to stake out the middle of the channel ; that it do pass.

H. B. No. 321 : A bill to incorporate Smith Grove Camp Ground in Davie county, with amendment ; that it do pass.

From the Committee on Corporations :

By Mr. Jones, of Caldwell, H. B. No. 290 : An act to incorporate Union Camp Ground, in McDowell county, with amendment ; that it do pass.

H. B. No. 291: An act to incorporate the Frizzel Citizens' Fire Company ; that it do pass.

H. B. No. 298 : An act to incorporate Nebo Camp Ground, in the county of McDowell ; that it do pass.

S. B. No. 119, H. B. No. 312: A bill to be entitled an act to incorporate the Yadkin, New and Watauga Timber and Lumber and Raft Company ; that it do pass with amendment.

S. B. No. 72, H. B. No. 294: A bill to be entitled an act to incorporate the Oriental Fish and Oyster Company ; that it do pass.

H. B. No. 305 : A bill to be entitled an act to incorporate the Rough and Ready Fire Company, No. 1, of Newbern, with amendment; that it do pass.

S. B. No. 179, H. B. No. 311 : A bill to be entitled an act to amend the charter of the Fair of the Carolinas, at Charlotte ; add ratifying clause; that it do pass.

H. B No. 304: An act to incorporate the Center Presbyte-

rian Church, in the county of Iredell, with amendment; that it do pass.

S. B. No. 125, H. B. No. 293: An act to amend an act ratified December, 1865, amending the charter for building a bridge across Pasquotank river, and for other purposes; that it do pass.

H. B. No. 299: A bill to be entitled an act to amend the charter of the Carolina Narrow Guage Railroad Company; ask reference to Committee on Internal Improvements. Reference made.

From the Committee on Counties, Cities, Towns and Townships:

By Mr. Bryan, of Wilkes, H. B. No. 325: A bill to be entitled an act to empower the commissioners of the county of Beaufort to sell the poor-house site, and for other purposes; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 98: A bill to authorize the Secretary of State to purchase a fire proof safe.

H. B. No. 230: An act to amend an act to incorporate New River Canal Company.

H. B. No. 277: A bill to enable the sureties of Isaac Long, deceased, late sheriff of Yadkin county, to collect arrearages of taxes.

H. R. No. 91: Resolution in reference to adjournment.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

S. B. No. 79, H. B. No. 289: An act to incorporate the town of Hickory, in the county of Catawba.

H. B. No. 105, S. B. No. 192: An act to incorporate Montmorency Church, in the county of Buncombe.

H. B. No. 160, S. B. No. 259: An act to incorporate Blue Lodge, No. 287, Free and Accepted Masons.

H. B. No. 128, S. B. No. 222: An act to change the time for the meeting of the board of commissioners and county board of education for Carteret county.

H. B. No. 186, S. B. No. 211: An act to authorize the Dan River Coalfields Railroad to buy the Atlantic, Tennessee and Ohio Railroad.

H. B. No. 148, S. B. No. 196: An act to incorporate the town of Whiteville, in the county of Columbus.

H. B. No. 147, S. B. No. 248: An act to incorporate the town of Toisnot, in the county of Wilson.

H. B. No. 144, S. B. No. 235: An act to incorporate Gray's Chapel Methodist Protestant Church, in the county of Randolph.

H. B. No. 146, S. B. No. 285: An act to incoporate the town of Jonesville, in the county of Yadkin.

H. R. No. 55, S. R. No. 18: Resolution in favor of Hon. J. L. Henry.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Bennett: A bill to be entitled an act to provide a room for the Supreme Court reports. H. B. No. 329.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Lindsay: A bill for the relief of certain officers and tax-payers, in Nash county. H. B. No. 330.

By Mr. Hanner: A bill to be entitled an act to prohibit the sale of liquor in certain localities, in Chatham county. H. B. No. 331.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Moss: An act to amend an act to charter the Wilson and Tar River Narrow Guage Railroad, laws of 1872-'73, chapter 19. H. B. No. 332.

By Mr. Settle: A bill to be entitled an act to incorporate the town of Reidsville. H. B. No. 333.

A message was received from the Senate, transmitting a report from the joint select committee on the Institution for the Deaf and Dumb and Blind, with a proposition to print the same.

On motion of Mr. Johnston, the proposition to print, was concurred in.

A message was received from the Senate, asking that another correctly engrossed copy of H. B. No. 17: A bill to be entitled an act authorizing and empowering the commissioners of the city of Raleigh to appoint an inspector of wood and coal, be transmitted, so that the action of the Senate may be certified thereon; also, transmitting a statement from the Chairman of the Senate Committee on Propositions and Grievances in relation to the manner in which the erasures, interlineations, &c., in the bill returned occurred. Another correctly engrossed copy was ordered to be sent to the Senate.

Mr. Brown, of Davidson, gave notice of his intention to move a reconsideration of the vote by which the amnesty bill, H. B. No. 154, was rejected.

The unfinished business of yesterday, S. B. No. 31, H. B. No. 225: An act to amend the charter of the North Carolina Railroad Company, was resumed.

The question being upon the passage of the bill on its third reading, Mr. Warlick offered the following amendment as a proviso to section 2:

Provided, That the North Carolina Railroad shall, within twelve months after the purchase of the Western North Carolina Railroad, be required to pay, compromise, or in some way

adjust one-half of the debt contracted by Burke county, as a subscription to the capital stock of said Western North Carolina Railroad Company, so that Burke county may be relieved of the same.

The proviso was rejected.

The amendment of Mr. Bennett, to come in after the words years, in third section of the bill, "the sale to be made by William A. Graham, Mathias E. Manly and R. F. Armfield, who are hereby appointed commissioners to sell and dispose of such bonds as may be issued in pursuance with the provisions of this act," was adopted.

The amendment of Mr. Bennett to section 4 of the bill to come in after the words "agreed on," and before the words "the same," "one of whom shall be the Governor of the State," was adopted.

Mr. McNeill's amendment to section 12, to insert after the word "commenced," "or any other railroad purchased," was adopted.

Mr. Moring offered the following as an amendment to section 14, to come in after the proviso: and shall not demand or receive more than twenty-five per cent. additional for carrying local freight above the charges for transporting through freight.

Mr Lloyd moved to amend by striking out "twenty-five" and inserting "thirty-five," which was rejected.

The amendment of Mr. Moring was adopted.

The amendment of Mr. Gudger, to strike out in section 15, after the words "*provided further*, that if the consolidation of the roads herein authorized shall be effected," and insert the word "on" after the word "except," in the same section, was adopted:

The following amendments of Mr. Bennett, to section 16, was adopted:

After "authority" insert "and they are hereby required."

Strike out all after the word "upon" near the close of the section, and insert "equitable terms."

The following amendment of Mr. Bennett, as an additional section of the bill, to come in immediately before the ratifying clause, was adopted:

"Sec 18. That if the North Carolina Railroad Company, through its board of directors or otherwise, shall resist any of the provisions of this act, or if any of its provisions shall be decided to be unconstitutional, then the powers, franchises, rights and privileges herein granted, shall be void and of no effect."

Mr. Luckey moved to postpone till Friday next, and make special order for 12 m. that day, and that the bill, as amended, be printed.

Mr. McGehee demanded the previous question, and the main question was ordered.

The motion to postpone and print was rejected.

The question recurring upon the passage of the bill, a call for the ayes and noes was sustained, and the bill passed. Ayes 76, noes 30.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Bean, Bennett, Blackwell, Blythe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Brooks, Bullard, Bunn, Byrd, Cobb, Costner, Cox, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Gilbert, Gorman, Goodwyn, Grady, Gudger, Hanner, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Joyner, Johns, Jordan, Lindsay, Luckey, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Moring, Norment, Outlaw, Patrick, Paschall, Perry of Bladen, Reid of Randolph, Richardson, Rhodes, Scott, Settle, Shaw, Shackelford, Todd, Trivett, Turner, Warlick, Waddill, Webb, Wiley and Whisnant—76.

The following gentlemen voted in the negative:

Messrs. Bryant of Halifax, Bryan of Alleghany, Carter, Copeland, Corson, Craige, Gidney, Gilmer, Godfrey, Gray, Guyther, Hampton, Jones of Northampton, Jones of Tyrrell, King, Lloyd, Lutterloh, Marler, Maxwell, Moss, Presson, Reid of Mecklenburg, Sharp, Stowe, Sneed, Watson, Winslow, Williamson, Whisnant and Woodhouse—30.

On motion of Mr. Johnston, his motion to reconsider the vote by which the bill passed its third reading, was laid on the table.

On motion of Mr. Bennett, the rules were suspended, and S. B. No. 115, H. B. No. 229: A bill to authorize the appointment of commissioners to provide ways and means to aid the Carolina Central Railway Company, or any other company, in extending a railroad from or near Lincolnton, North Carolina, to Hickory, in Catawba county, was read the second time and passed. Ayes 71, noes 3.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Bean, Bennett, Brown of Mecklenburg, Bryson of Jackson, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Corson, Costner, Craige, Dickey, Dula, Ellison, Fletcher, Gant, Gilbert, Gilmer, Godfrey, Gray, Grady, Gudger, Guyther, Hanner, Hampton, Haynes, Hinnant, Houston, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Norment, Outlaw, Perry of Bladen, Reid of Mecklenburg, Reid of Randolph, Richardson, Shaw, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Watson, Webb, Winslow, Wiley, Whitmire, Whisnant and Woodhouse—71.

The following gentlemen voted in the negative:

Messrs. Brown of Davidson, Dudley and Hughes—3.

On motion of Mr. Cox, the rules were suspended, and S. B No. 124, H. B. No. 242: A bill to change the time of holding

the Superior Courts in the counties of Pitt and Hyde, and to provide for three regular terms of said court in Pitt county was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 307: A bill to be entitled an act to allow the commissioners of Stanly county to levy a special tax, was read the second time and passed. Ayes 76, noes none.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Bennett, Blackwell, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bunn, Carter, Copeland, Corson, Costner, Craige, Dickey, Dula, Ellison, Gant, Gidney, Gilbert, Gilmer, Godfrey, Grady, Gudger, Hanner, Hampton, Haynes, Hinnant, Hughes, Johnston, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McGehee, McNeill, Miller, Michael, Mitchell, Moring, Moss, Norment, Outlaw, Patrick, Paschall, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Shaw, Shackelford, Stowe, Sneed, Todd, Trivett, Turner, Warlick, Waddill, Watson, Webb, Wiley, Williamson, Whitmire, Whisnant and Woodhouse—76.

Negative none.

On motion of Mr. Jones, of Orange, the rules were suspended, and H. B. No. 183: An act to amend the charter of Hillsboro', was read.

Mr. Watson offered a substitute for the bill, which was adopted, and the bill passed, was read the third time, passed, and ordered to be engrossed and sent to the Senate.

On motion of Mr. Freeman, the House adjourned till 10½ o'clock to-morrow.

TWENTY-SEVENTH DAY.

THURSDAY, Dec. 18TH, 1873.

The House was called to order by the Speaker at 10½ o'clock.

The journal of yesterday was read and approved.

Indefinite leave of absence was granted to Messrs. Bryson, of Swain, Dickey, Anderson, of Clay, Byrd, of Yancey, from to-day; to Mr. Hampton from Saturday.

Leave of absence, for Monday, was granted Messrs. Trivett and Presson; to Mr. Williamson, from Saturday; and to Mr. Gilbert for to-day.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 302: An act declaratory of the meaning of section 50, and amendatory of section 52, of the 63rd chapter of Battle's Revisal; that it do not pass.

H. B. No. 318: A bill in relation to sheriffs' deeds: that it do not pass.

H. B. No. 136: A bill to be entitled an act to change the time of holding the Superior Courts in Randolph and Rockingham counties; that it do not pass.

H. B. No. 220: A bill to be entitled an act to amend an act amendatory of an act in relation to the fees of county officers and the Supreme Court Clerk, ratified the 10th day of February, 1872; that it do not pass.

H. B. No. 316: A bill to be entitled an act to extend and define the jurisdiction of justices of the peace; that it do not pass.

H. B. No. —: A bill to be entitled an act to provide for the appointment of State Centennial Managers for the international exhibition of 1876, with amendment; that it do pass.

S. B. No. 131, H. B. 310: A bill to be entitled an act regulating the time of holding the terms of the Superior Courts of

the Fourth Judicial District, and for other purposes; that it do pass.

S. B. No. 209, H. B. No. 309: A bill to be entitled an act to make valid the proceedings heretofore held in the courts of this State, in cases of divorce and alimony; that it do pass.

H. B. No. 20: A bill to be entitled an act to change the time of holding the Superior Courts of Randolph county, Seventh Judicial District, with amendment; that it do pass.

H. B. No. 193: A bill to be entitled an act concerning elections in this State; that it do pass.

H. B. No. 299: A bill concerning the levying and collecting of taxes by county commissioners; that substitute do pass.

From the Committee on Immigration:

By Mr. Joyner, H. B. No. 328: An act to establish a Bureau of Immigration, Statistics and Agriculture; that it do pass.

From the Committee on Railroads, Postroads and Turnpikes:

By Mr. Bryson, of Swain, H. B. No. 326: A bill in reference to meetings of the stockholders and directors of the Carolina Central Railway Company; that it do pass.

From the Committee on Propositions and Grievances:

By Mr. Brown, of Mecklenburg, H. B. No. 330: A bill for the relief of certain officers and tax-payers, in Nash county; that it do pass.

H. B. No. 331: A bill to be entitled an act to prohibit the sale of liquors in certain localities in Chatham county; that it do pass.

From the Committee on Corporations:

By Mr. Jones, of Caldwell, H. B. No. 333: A bill to be entitled an act to incorporate the town of Reidsville; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 52: A bill to be entitled an act to incorporate the Brunswick Bridge and Ferry Company.

H. B. No. 183 : An act to amend the charter of the town of Hillsboro', in Orange county.

H. B. No. 333 : A bill to incorporate the town of Reidsville.

H. B. No. 250 : A bill to add certain sections to Battle's Revisal.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the Senate :

An act to incorporate the town of Jonesboro', in the county of Moore.

An act to incorporate Clayton Lodge No. 68, Odd Fellows, in the county of Johnston.

An act to establish a toll bridge on the French Broad river, in Buncombe county.

An act to incorporate Bethel, in the county of Pitt.

An act for the benefit of the farmers of Cashie Neck, Bertie county.

An act to restore the records of Watauga county.

Resolution instructing the Secretary of State to issue a grant to A. W. Bell, of Macon county.

The following named resolutions and bills were introduced, read, and passed first time, and were referred, or otherwise disposed of, as follows :

PLACED ON THE CALENDAR.

By Mr. Jones, of Orange : Resolution in relation to the pardon of Thomas Lineberry and Alexander Thorn. H. R. No. 92.

BILLS—TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Craige : A bill to be entitled an act to cure certain irregular proceedings in the public courts. H. B. No. 334.

By Mr. Haynes: A bill to be entitled an act to amend chapter 175, of the laws of 1868-'69. H. B. No. 335.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Sneed: A bill to incorporate the town of Manson, in the county of Warren. H. B. No. 336.

By Mr. Guyther: A bill to incorporate the town of Creswell, in Washington county. H. B. No. 337.

Messages were received from the Senate, transmitting engrossed copies of the following bills, resolutions and amendments, which were read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 334, H. B. No. 338: A bill to be entitled an act to amend Battle's Revisal, chapter 17, section 31.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

S. B. No. 233, H. B. No. 339: A bill to be entitled an act to amend an act to prevent distemper and other infectious diseases among cattle.

TO THE COMMITTEE ON CORPORATIONS.

S. R. No. 175, H. R. No. 93: Resolution in favor of the Fayetteville National Bank, of Fayetteville.

S. B. No. 221, H. B. No. 340: A bill to be entitled an act to incorporate the Diamond Cotton Chopper and Cultivator Company.

S. B. No. 132, H. B. No. 341: An act to amend the charter of the town of Concord, in the county of Cabarrus.

TO THE COMMITTEE ON RAILROADS, POSTROADS AND TURNPIKES.

S. B. No. 105, H. B. No. 342: A bill to authorize the board of trustees of Hickory Tavern township to establish public highways, and for other purposes.

PLACED ON THE CALENDAR.

S. R. No. 331, H. R. No. 94: Resolution of instruction to North Carolina Senators and Representatives in Congress.

S. B. No. 332, H. B. No. 343: An act to prohibit the sale of spirituous liquors within three miles of what is known as the Ore Knob Copper Mine, of Ashe county.

S. B. No. 122, H. B. No. 344: An act to defray certain clerical expenses in the Secretary of State's office.

Engrossed amendments to H. B. No. 245, S. B. No. 177: A bill to extend the time of the tax collector of McDowell county to settle with the county treasurer.

On motion, the Senate amendments were concurred in.

Engrossed amendments to S. B. No. 228, H. B. No. 107: A bill to amend the act of incorporation of Lincolnton. Amendments concurred in.

Engrossed amendments to H. B. No. 152, S. B. No. 133: A bill to extend the time for collection of railroad taxes, in the county of Forsythe. Amendments concurred in.

A message was received from the Senate, informing the House that the Senate had concurred in H. R. No. 91: Resolution to take a recess from the 22d instant to January 12th, 1874.

A message was received from the Senate, informing the House that Mr. Ellis, of Catawba, had been excused from serving on the Committee on Printing, and Mr. McCauley had been designated to fill the vacancy caused thereby.

Mr. Craige asks permission to withdraw H. B. No. 200: A bill to be entitled an act to regulate the sale of spirituous liquors within the corporate limits of the town of Salisbury, in the county of Rowan, and Mocksville, in the county of Davie, from

the Committee on Propositions and Grievances and place it upon the calendar. Permission granted.

On motion of Mr. Paschall, the rules were suspended, and H. R. No. 71: A resolution of instruction to the Judiciary Committee, was read the second time.

The motion of Mr. Johnston, to lay the resolution on the table was rejected, and the resolution was adopted.

On motion of Mr. Settle, the rules were suspended, and H. B. No. 333: A bill to be entitled an act to incorporate the town of Reidsville, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Settle, his motion to reconsider the vote by which the bill passed its third reading, was laid on the table.

On motion of Mr. Brown, of Mecklenburg, the rules were suspended, and H. B. No. 164: A bill to be entitled an act to provide arms for military schools, was read the second time, and the substitute offered by the committee was adopted.

Mr. Bowman moved to postpone indefinitely.

Mr. Brown, of Mecklenburg, demanded the previons question, and the main question was ordered by the House.

The question recurring upon the motion of Mr. Bowman, to postpone indefinitely, a call for the ayes and noes was sustained, and the motion to postpone was rejected. Ayes 46, noes 55.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Blythe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Alleghany, Brooks, Burn, Cobb, Copeland, Corson, Cox, Dudley, Dula, Ellison, Fletcher, Foster, Goodwyn, Gray, Guyther, Hampton, Hughes, Jones of Camden, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Patrick, Paschall, Perry of Bladen, Perry of Wake, Reid of Randolph, Rhodes, Scott, Sneed, Trivett, Winslow, Williamson, Wheeler and Whisnant—46.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryan of Alleghany, Bullard, Byrd, Costner, Craige, Freeman, Gant, Gidney, Gilmer, Godfrey, Gorman, Grady, Gudger, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shackelford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb, Wiley, Whitmire and Woodhouse—55.

The amendment of Mr. Gorman, "under the direction of the Governor," was adopted.

The question recurring on the passage of the bill, on its second reading, a call for the ayes and noes was sustained, and the bill passed. Ayes 57, noes 43.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Alleghany, Brooks, Bullard, Byrd, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Godfrey, Gorman, Grady, Gudger, Hanner, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shackelford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb, Wiley, Whitmire and Woodhouse—57.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Bunn, Cobb, Copeland, Corson, Cox, Dudley, Dula, Ellison, Foster, Goodwyn, Gray, Guyther, Hampton, Hughes, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Patrick, Paschall, Perry of Bladen, Perry of Wake,

Reid of Randolph, Rhodes, Scott, Sneed, Trivett, Winslow, Williamson, Wheeler and Whisnant—43.

On motion of Mr. Johnston, the rules were suspended, and H. B. No. 287 was read the second time. The amendments of the committee were adopted.

On motion of Mr. Norment, the rules were suspended, and S. B. No. 131, H. B. No. 310: A bill to be entitled an act regulating the time of holding the terms of the Superior Courts of the Fourth Judicial District, and for other purposes, was read the second time.

The motion of Mr. Bowman to postpone till Saturday was rejected.

Mr. Bowman moved to adjourn, and on this motion called for the ayes and noes, the call was sustained and the House refused to adjourn. Ayes 29, noes 69.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Blythe, Bowman, Bunn, Cobb, Copeland, Corson, Cox, Dudley, Dula, Ellison, Foster, Gidney, Gray, Hampton, Hughes, Jones of Northampton, King, Lloyd, Lutterloh, Miller, Michael, Patrick, Paschall, Rhodes, Scott, Sneed, Trivett and Whisnant—29.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Byrd, Costner, Craige, Dickey, Freeman, Gant, Gilmer, Godfrey, Gorman, Goodwyn, Grady, Gudger, Guyther, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, Lindsay, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Perry of Bladen, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Settle, Shaw, Shackelford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb, Wiley, Whitmire, Wheeler and Woodhouse —69.

Mr. Bennett demanded the previous question. Pending the second by the House, the Speaker (Mr. Jones, of Caldwell, being in the chair) ruled the amendment out of order.

Mr. Dudley appealed from the decision of the Chair, and called for the ayes and noes. The call was sustained, and the decision of the Speaker was sustained. Ayes 67, noes 25.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Byrd, Copeland, Costner, Cox, Craige, Dickey, Dula, Ellison, Foster, Freeman, Gant, Gidney, Gilmer, Godfrey, Gray, Grady, Hanner, Haynes, Hinnant, Houston, Jones of Camden, Jones of Orange, Jones of Tyrrell, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Miller, Mitchell, Moring, Norment, Outlaw, Perry of Wake, Presson, Richardson, Scott, Settle, Shaw, Shackelford, Stowe, Todd, Waddill, Watson, Webb, Winslow, Wiley, Whitmire and Whisnant—67.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Bunn, Cobb, Dudley, Gorman, Goodwyn, Gudger, Hampton, Hughes, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Michael, Paschall, Perry of Bladen, Reid of Mecklenburg, Reid of Randolph, Sneed, Trivett, Turner and Woodhouse—25.

The question recurring upon the demand for the previous question, the call for the ayes and noes was sustained, and the main question was ordered. Ayes 56, noes 42.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Swain, Bryan of Alleghany, Brooks, Byrd, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Godfrey, Grady, Gudger, Hanner, Hinnant, Houston, Johnston, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss,

Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shackelford, Stowe, Todd, Turner, Warlick, Waddill, Webb, Winslow, Wiley, Whitmire and Woodhouse —56.

The following gentlemen voted in the negative :

Messrs. Abbott, Bean, Blythe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Bunn, Cobb, Copeland, Corson, Cox, Dudley, Dula, Ellison, Foster, Gorman, Goodwyn, Gray, Guyther, Hampton, Hughes, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Patrick, Paschall, Perry of Bladen, Perry of Wake, Reid of Randolph, Rhodes, Scott, Sneed, Trivett, Williamson and Whisnant—42.

Mr. Bowman moved to postpone the bill indefinitely, and, on this motion, called for the ayes and noes, which was sustained, and the motion to postpone was rejected. Ayes 38, noes 53.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Blythe, Bowman, Brown of Davidson, Bryan of Pitt, Bryan of Wilkes, Bunn, Cobb, Copeland, Cox, Dudley, Dula, Ellison, Foster, Gorman, Goodwyn, Guyther, Hampton, Hughes, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, Miller, Michael, Patrick, Paschall, Perry of Bladen, Perry of Wake, Reid of Randolph, Rhodes, Scott, Sneed, Williamson, Wheeler and Whisnant—38.

The following gentlemen voted in the negative :

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Alleghany, Bullard, Byrd, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Godfrey, Grady, Gudger, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Shackelford, Stowe, Todd, Turner, Warlick, Waddill, Webb, Wiley, Whitmire and Woodhouse—53.

The question recurring upon the passage of the bill, on its second reading, Mr. Dudley called for the ayes and noes.

The call being sustained, the bill passed. Ayes 59, noes 21.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Bowman, Brown of Mecklenburg, Bryson of Jackson, Bryan of Alleghany, Brooks, Byrd, Costner, Craige, Dickey, Dula, Freeman, Gant, Gidney, Gilmer, Godfrey, Gorman, Grady, Gudger, Hanner, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shackelford, Stowe, Todd, Turner, Warlick, Waddill, Webb, Winslow, Wiley, Whitmire and Woodhouse—59.

The following gentlemen voted in the negative:

Messrs. Abbott, Blythe, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Bunn, Dudley, Ellison, Guyther, Lloyd, Miller, Michael, Paschall, Perry of Bladen, Perry of Wake, Reid of Randolph, Rhodes, Sneed, Williamson and Whisnant—21.

On motion of Mr. Johnston, the rules were suspended, and H. B. No. 287: A bill to be entitled an act to amend an act entitled an act to incorporate the Greenville and French Broad Railroad Company, ratified the 13th day of February, 1855, was read the second time. The amendments of the committee were adopted.

The following amendment of Mr. Gudger was adopted:

Insert after the name of J. H. Rosenborough, the names of Jesse Wall, J. A. McElroy, G. M. McDowell and C. A. Nichols, of Madison county.

The amendment of Mr. Moring, "the property or franchise of said company shall not be exempt from taxation, and the said company shall not make a greater discrimination than twenty-five per cent. between the rates for carrying local and through freights," was adopted, and the bill passed; was read

third time, passed, and ordered to be engrossed and sent to the Senate.

On motion of Mr. Bennett, the rules were suspended, and H. B. No. 250: A bill to add certain sections to Battle's Revisal, was read the second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On the motion of Mr. Bennett, his motion to reconsider the vote by which the bill passed its third reading, was laid on the table.

A message was received from the Senate, informing the House that the Senate had concurred in the House amendments to S. B. No. 31, H. B. No. 225: A bill to amend the charter of the North Carolina Railroad, except last amendment, to come in as section 18 of the bill.

On motion of Mr. Bennett, the consideration of the message was postponed till to-morrow at 11 o'clock, and made special order for that hour.

On motion, the House adjourned till to-morrow at 10½ o'clock.

TWENTY-EIGHTH DAY.

FRIDAY, Dec. 19th, 1873.

The House was called to order by the Speaker at 10½ o'clock.

The reading of the journal of yesterday was dispensed with.

Indefinite leave of absence was granted to Messrs. Anderson, of Davie, Lindsay, Carter, Bunn, Bryan of Wilkes, Whisnant, Blythe, Copeland, Marler, Waugh, Todd, Jones of Tyrrell, Waddill, Corson, Stanford, Bryant of Halifax, Houston, and Brown of Mecklenburg.

It was announced that Mr. Goodwyn was detained at his room on account of sickness.

The following petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Maxwell: From citizens of Sampson county in relation to the sale of intoxicating liquors.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Sneed: From the citizens of Manson, in the county of Warren, asking the incorporation of said town.

PLACED ON THE CALENDAR.

By Mr. Trivett: From citizens of Ashe county, asking for a public road.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on Corporations:

By Mr. Grady, H. B. No. 323: A bill to be entitled an act to incorporate the town of Engelhard, in the county of Hyde; that it do pass.

H. B. No. 332: A bill to be entitltd an act to amend an act entitled an act to charter the Wilson and Tar River Narrow Gauge Railroad, laws 1872-'73, chap. 19; that it do pass.

H. B. No. 324: A bill to be entitled an act to incorporate Lilesville, in the county of Anson; that it do pass.

From the Committee on Railroads, Post Roads and Turnpikes:

By Mr. Bryson of Swain, H. B. No. 326: A bill in reference to meetings of Stockholders and Directors of the Carolina Central Railway Co.; that it do pass.

By Mr. Woodhouse, from same Committee, S. B. No. 105, H. B. No. 342: A bill to be entitled an act to authorize the Board of Trustees of Hickory Tavern Township to establish public highways and for other purposes; amended and passed.

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, S. B. No. 233, H. B. No. 339: A bill to be entitled an act to amend an act to prevent distemper and other infectious diseases; that it do pass.

From the Committee on Finance:

By Mr. Gidney: A bill to be entitled an act to authorize the collection of arrearages of taxes in the town of Statesville; amend and do pass.

From the Committee on Claims:

By Mr. McNeill, H. R. No. 56: Resoluiion in favor of P. McGowan; amend and pass.

A report from the Joint Committee on Public Printing was submitted by Mr. Mitchell, Chairman of the House Branch. A contract has been signed with Josiah Turner, Jr., for the year ending December 18th, 1874. Bond filed with Secretary of State, and contract with the Auditor. Receipts of Treasurer and Auditor are filed with the State Treasurer.

The following Bills, Resolutions and Amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 200: A bill to be entitled an act to regulate the sale of spirituous liquors in Salisbury and Mocksville;

H. B. No. 307: A bill to be entitled an act to allow the Commissioners of Stanley county to levy a special tax;

H. B. No. 345: A bill to be entitled an act to cure defects;

H. B. No. 320: A bill to be entitled an act to require the owners of seines at or near the mouth of Chowan river to stake out the middle of the river channel;

H. B. No. 20: A bill to be entitled an act to change the time for holding the Superior Courts of Randolph county, Seventh Judicial District;

H. B. No. 326: A bill to be entitled an act in reference to meetings of the Stockholders and Directors of the Carolina Central Railway Company;

The following Bills and Resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

H. B. No. 177, S. B. No. 245: A bill to be entitled an act to extend the time of tax collectors of McDowell and Yancey counties;

H. B. No. 107, S. B. No. 228: A bill to be entitled an act to amend an act incorporating the town of Lincolnton;

S. B. No. 124, H. B. No. 242: A bill to be entitled an act to change the time of holding the Superior Courts in the counties of Pitt and Hyde, and to provide for three regular terms of said court in Pitt county each year;

H. B. No. 153, S. B. No. 183: A bill to be entitled an act to extend the time for the collection of railroad taxes in the county of Forsythe.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Perry, of Bladen: A bill to be entitled an act to amend chapter 80, Private Laws of 1871–'72. H. B. No. 358.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Maxwell: A bill to be entitled an act to prohibit the sale of intoxicating liquors in certain localities in Sampson county. H. B. No. 346.

PLACED ON THE CALENDAR.

By Mr. Richardson: A bill to be entitled an act to re-enact chapter 76 of the laws of 1870–'71. H. B. No. 347.

Messages were received from the Senate transmitting engrossed copies of the following named bills, resolutions and amendments, which were read first time, passed and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 4, H. B. No. 348: A bill to be entitled an act to repeal chapter 101, Private Laws of 1871–'72.

S. B. No. 59, H. B. No. 349: A bill to be entitled an act in relation to entries of land.

S. R. No. 297, H. R. No. 95: Resolution authorizing the Governor to withdraw the suit now pending in the Supreme Court of the United States.

TO THE COMMITTEE ON FINANCE.

S. R. No. 176, H. R. No. 96: Joint resolution appropriating $1,277.65 to reimburse those citizens who advanced this amount to defray the expenses of the State Geologist at the Grand Exposition at Vienna.

TO THE COMMITTEE ON INTERNAL IMPROVEMENTS.

S. B. No. 327, H. B. No. 350: A bill to be entitled an act in relation to the Western Division of the Western North Carolina Railroad.

PLACED ON THE CALENDAR.

S. B. No. 300, H. B. No. 351: A bill to be entitled an act to extend the time of taking out grants from the State.

A message was received from the Senate transmitting the report of the Joint Select Committee on the Governor's Message, transmitting the report of the State Geologist as representative of North Carolina to the Grand Exposition at Vienna, with statement of expenses and accompanying resolution. The report was read, and the resolution referred to the Committee on Finance.

S. B. No. 72, H. B. No. 294: A bill to be entitled an act to incorporate the Oriental Fish and Oyster Company, was read

second time. The motion of Mr. Hanner to postpone the consideration of the bill till January 15 was rejected.

On the passage of the bill Mr. Webb called for the ayes and noes; the call was sustained and the bill passed. Ayes 60, noes 24.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Bullard, Cobb, Costner, Craige, Dickey, Dudley, Gant, Gidney, Gilbert, Grady, Gudger, Hampton, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lutterloh, Luckey, Maxwell, McLaurin, McGehee, Mitchell, Moring, Outlaw, Perry of Wake, Reid of Mecklenburg, Reid of Randolph, Richardson, Rhodes, Scott, Settle, Shaw, Shackelford, Stowe, Sneed, Todd, Turner, Waddill, Watson, Wiley, Wheeler and Whisnant—60.

The following gentlemen voted in the negative:

Messrs. Abbott, Brown of Davidson, Bunn, Carter, Copeland, Corson, Cox, Ellison, Gilmer, Godfrey, Gorman, Gray, Guyther, Jones of Camden, Jones of Northampton, King, Lloyd, Miller, Michael, Paschall, Trivett, Webb, Williamson and Woodhouse—24.

The bill was read third time, passed and ordered to be enrolled for ratification.

On motion of Mr. Scott, his motion to reconsider the vote by which the bill passed its third reading was laid on the table.

H. B. No. 307: A bill to be entitled an act to authorize the Commissioners of Stanley county to levy a special tax, was read third time and passed. Ayes 95, noes 1.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bean, Blackwell, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Carter, Cobb, Copeland,

Corson, Costner, Cox, Craige, Dickey, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Gray, Grady, Gudger, Guyther, Hanner, Hampton, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McGehee, Miller, Michael, Mitchell, Moring, Moss, Norment, Outlaw, Patrick, Paschall, Perry of Bladen, Perry of Wake, Reid of Mecklenburg, Reid of Randolph, Richardson, Rhodes, Scott, Settle, Shaw, Shackelford, Stowe, Sneed, Todd, Turner, Warlick, Waddill, Watson, Webb, Winslow, Wiley, Williamson, Whitmire, Whisnant and Woodhouse—95.

Mr. Dudley voted in the negative.

On motion of Mr. Waddill, his motion to reconsider the vote by which the bill passed its third reading was laid on the table.

S. B. No. 172, H. B. No. 295: A bill to be entitled an act to amend the act to change the line between the counties of Granville and Franklin was read the second time.

The motion of Mr. Hughes to postpone till the 15th of January was lost.

On the passage of the bill the call for the ayes and noes made by Mr. Hughes was sustained, and the bill passed. Ayes 59, noes 40.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Carter, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Godfrey, Grady, Gudger, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, McGehee, McNeill, Mitchell, Moring, Moss, Outlaw, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shackelford, Stowe, Todd, Turner, Warlick, Waddill, Wat-

son, Webb, Winslow, Wiley, Williamson, Whitmire and Woodhouse—59.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Brooks, Bunn, Copeland, Corson, Cox, Ellison, Fletcher, Foster, Gilbert, Gorman, Gray, Guyther, Hampton, Hughes, Jones of Camden, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Patrick, Paschall, Perry of Bladen, Perry of Wake, Reid of Randolph, Rhodes, Scott, Sneed, Trivett, Wheeler and Whisnant—40.

The unfinished business of yesterday, S. B. No. 31, H. B. No. 225, a bill to be entitled an act to amend the charter of the North Carolina Railroad and for other purposes, was resumed.

The question being upon the motion of Mr. Johnston to recede from the House amendment adding section 18 to the bill, the motion of Mr. Johnston was adopted, and the bill was ordered to be enrolled for ratification.

The motion of Mr. Craige to reconsider the vote by which the House receded from the amendment was, on motion of Mr. Trivett, laid upon the table.

On motion of Mr. Brown of Davidson, the Calendar was placed at the disposal of the Speaker.

S. B. No. 122, H. B. No. 344: A bill to be entitled an act to provide for clerical assistance in the office of the Secretary of State, was read second time. The motion of Mr. McGehee to postpone till January 16th was rejected.

The amendment of Mr. Brown of Mecklenburg to strike out "twelve months" and insert "four months" was rejected.

The call for the ayes and noes made by Mr. McGehee was not sustained and the bill passed.

On motion of Mr. Rhodes, the rules were suspended and the bill read third time.

The amendment of Mr. Settle to strike out "twelve months" and insert "four months" was rejected.

The motion of Mr. Moss to refer to the Committee on the Library was lost.

The call for the ayes and noes by Mr. Maxwell was sustained and the bill passed. Ayes 64, noes 32.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Blythe, Brown of Davidson, Bryson of Jackson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Bryan of Alleghany, Brooks, Carter, Cobb, Copeland, Corson, Cox, Craige, Dudley, Dula, Ellison, Fletcher, Foster, Freeman, Gilmer, Godfrey, Gorman, Gray, Guyther, Hampton, Haynes, Hughes, Jones of Caldwell, Jones of Northampton, Jones of Orange, Jordan, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, McLaurin, Miller, Outlaw, Patrick, Paschall, Perry of Bladen, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Rhodes, Scott, Shaw, Sneed, Todd, Trivett, Waddill, Webb, Winslow, Wiley, Williamson, Wheeler, Whisnant and Woodhouse—64.

The following gentlemen voted in the negative:

Messrs. Ballard, Blackwell, Brown of Mecklenburg, Bryan of Sampson, Bullard, Costner, Dickey, Gant, Gidney, Gilbert, Grady, Hanner, Hinnant, Houston, Johnston, Jones of Tyrrell, Joyner, Johns, Maxwell, McGehee, McNeill, Michael, Mitchell, Moring, Moss, Norment, Richardson, Shackelford, Stowe, Turner, Warlick and Watson—32.

On motion of Mr. Trivett, his motion to reconsider the vote by which the bill passed its third reading was laid on the table.

H. B. No. 20: A bill to be entitled an act to change the time for holding Superior Courts in Randolph county, Seventh Judicial District, was read second time, amendments of committee were adopted, and bill passed, was read third time, passed and ordered to be engrossed and sent to the Senate.

H. B. No. 200: A bill to be entitled an act touching the sale of spirituous liquors within the town of Salisbury, subject to the vote of the qualified electors residing therein, was read second and third times, passed each reading and was ordered to be engrossed and sent to the Senate.

The following bills were read second and third times, passed each reading and ordered to be enrolled for ratification :

S. B. No. 171, H. B. No. 313 : A bill to be entitled an act to authorize the Commissioners of the county of Washington to change the county seat ;

S. B. No. 332, H. B. No. 343 : A bill to be entitled an act to prohibit the sale of spirituous liquors within three miles of what is known as Ore Knob Copper Mine, of Ashe county ;

S. R. No. 331, H. R. No. 94 : Resolution of instruction to North Carolina Senators and Representatives in Congress.

H. R. No. 56 : Resolution in favor of Patrick McGowan, was read second time, amendment of committee adopted and resolution passed ; was read third time, passed and ordered to be engrossed and sent to the Senate;

H. B. No. 326 : A bill in reference to meetings of the Stockholders and Directors of the Carolina Central Railway Company, was read second time, amendment of Committee adopted and passed; was read third time, passed and ordered to be engrossed and sent to the Senate ;

H. B. No. 58 : A bill to be entitled an act to establish a turnpike road from the town of Winston, in the county of Forsythe, *via* Yadkinville, in the county of Yadkin, to the town of Wilkesborough in the county of Wilkes, was read second time, amendment of committee adopted and bill passed.

S. B. No. 179, H. B. No. 311 : A bill to be entitled an act to amend the charter of the Fair of the Carolinas, at Charlotte, was read second time and sundry amendments were proposed thereto.

Pending the consideration of the bill and amendments, on motion of Mr. Brown of Mecklenburg, the bill was postponed and made special order for to-morrow, 11 o'clock.

H. B. No. 261 : A bill to be entitled an act to authorize the collection of arrearages of taxes in the town of Statesville, was read second time, amendment of committee adopted, and bill passed ; was read third time, passed and ordered to be engrossed and sent to the Senate.

On motion, the House adjourned till to-morrow 10½ o'clock.

TWENTY-NINTH DAY.

SATURDAY, Dec. 20th, 1873.

The House was called to order by the Speaker at 10½ o'clock.

The reading of the Journal of yesterday was dispensed with.

Mr. Jones of Caldwell arose to a question of privilege in regard to a communication which appeared in the *News* of this morning from his Excellency, Governor Caldwell.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Hughes: From citizens of Oxford, in Granville county, asking for the passage of an act authorizing the taking of a vote in said town on the question of prohibiting the sale of spirituous liquors.

By Mr. McNeill: From citizens of Robeson and Richmond counties praying for the passage of a prohibitory law within five miles of Montpelier church, in Robeson county.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

H. B. No. 64, S. B. No. 158: A bill to be entitled an act declaring it a misdemeanor for any person who has executed a chattel mortgage, deed in trust or lien to dispose of the property with intent to defeat the mortgage;

H. B. No. 277, S. B. No. 318: A bill to be entitled an act to enable the sureties of Isaac Long deceased, late sheriff of Yadkin to collect taxes;

H. B. No. 31, S. B. No. 190: A bill to be entitled an act in relation to foreign insurance companies;

H. B. No. 141, S. B. No. 237: A bill to be entitled an act for the benefit of Stanley county and others;

S B. No. 37, H. B. No. 225: A bill to be entitled an act

to amend the charter of the North Carolina Railroad Company and for other purposes therein mentioned;

H. B No. 98, S. B. No. 319: A bill to be entitled an act to authorize the Secretary of State to purchase a fire-proof safe;

H. B. No. 344, S. B. No. 122: A bill to be entitled an act to defray certain clerical expenses in the office of the Secretary of State.

The following named resolutions and bills were introduced, read and passed first time, and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. McNeill: A bill to be entitled an act to prohibit the sale of intoxicating liquors within five miles of Montpelier church, in the county of Robeson. H. B. No. 357.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. McNeill: A bill to be entitled an act amendatory of the charter of Floral College, in the county of Robeson. H. B. No. 353.

TO THE COMMITTEE ON EDUCATION.

By Mr. Bean: A bill to authorize the county Board of Education of Randolph county to organize a Teachers' Institute. H. B. No. 354.

PLACED ON THE CALENDAR.

By Mr. McLaurin: A bill to be entitled an act to incorporate Free Love Lodge, No. 1469, Grand United Order of Odd Fellows. H. B. No. 355.

A message was received from the Senate transmitting engrossed copy of S. B. No. 341, H. B. No. 356: A bill to be entitled an act concerning Battle's Revisal.

The bill was read first time, passed and placed on the calendar.

Under a suspension of the rules the bill was read second and third times, passed each reading, and was ordered to be enrolled for ratification.

A message was received from the Senate transmitting engrossed copies of Senate amendments to H. B. No. 279, S. B. No. 311, a bill to be entitled an act to incorporate the Seaboard and Raleigh Railroad.

On motion of Mr. Guyther, the amendments were concurred in.

A message was received from the Senate concurring in House amendment to S. R. No. 63, H. R. No. 84, resolution in favor of Jas. H. Enniss & Co.

A message was received from the Senate transmitting engrossed copy of S. B. No. 333, H. B. No. 352, a bill to be entitled an act to amend chapter 19, laws of 1871–'72.

The bill was read first time and passed. The rules were suspended, and the bill was read second time.

The following amendment of Mr. Blackwell was adopted:

Provided, That no citizen of Buncombe county shall be required to work on said road from Swannanoa Gap; and provided, further, that the commissioners of Buncombe county shall have power, and are hereby authorized to discontinue the toll-gate on said road whenever they think necessary.

The following amendment of Mr. Haynes was read and rejected:

"*Provided*, The citizens of Haywood county shall not be required to pay toll at said gate."

Mr. Haynes offered the following amendment, which was rejected:

"*Provided*, That no person travelling east or west shall be required to pay toll at said gate."

The following amendment of Mr. Haynes was read and rejected:

"*Provided*, That no toll gate shall be erected on said road until the whole line thereof shall have been completed, and that the grade of the same shall in no case be greater than one foot in sixteen, except on the mountain east of the Swannanoa Gap, in which case it shall not be greater than one foot in twelve, nor of a less width than twelve feet."

The bill passed its second reading, and was read third time and ordered to be returned to the Senate for concurrence in amendment.

The following named bills were read second and third times, passed each reading, and were ordered to be enrolled for ratification:

S. B. No. 125, H. B. No. 293: A bill to be entitled an act to amend an act ratified December, 1865, amending the charter for building a bridge across the Pasquotank river, and for other purposes;

S. B. No. 112, H. B. No. 281: A bill to be entitled an act to incorporate the Cross Creek Cemetery Company;

S. B. No. 37, H. B. No. 282: A bill to be entitled an act to amend the charter of Rabun Gap Short Line Railway;

S. B. No. 41, H. B. No. 265: A bill to be entitled an act to incorporate Berne Lodge, No. 71, I. O. O. F.;

S. B. No. 128, H. B. No. 267: A bill to be entitled an act to incorporate Athenia Lodge, No. 8, Knights of Pythias, in the county of Craven;

S. B. No. 28, H. B. No. 284: A bill to be entitled an act to establish a turnpike road from the town of Statesville, in Iredell county, to the Virginia line;

S. B. No. 120, H. B. No. 308: A bill to be entitled an act to amend chapter 130, Private Laws of 1848–'49, and for other purposes;

S. B. No. 115, H. B. No. 229: A bill to be entitled an act authorizing the appointment of commissioners to provide ways

and means to aid the Carolina Central Railway Company, or any other company in extending a railroad from or near Lincolnton, North Carolina, to Hickory, in Catawba county.

The following named bills were read second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate:

H. B. No. 257: A bill to be entitled an act to incorporate the town of Teachey's, in Duplin county;

H. B. No. 276: A bill to be entitled an act to change the line between the counties of Swain, Graham and Macon, near the residence of Jeff George;

H. B. No. 355: A bill to be entitled an act to incorporate Free Love Lodge, No. 1469, Grand United Order of Odd Fellows;

H. B. No. 256: A bill to be entitled an act to make the entry takers of certain counties *ex officio* county agents;

H. B. No. 331: A bill to be entitled an act to prohibit the sale of liquor in certain localities in Chatham county;

H. B. No. 304: A bill to be entitled an act to incorporate Centre Presbyterian Church, in the county of Iredell;

H. B. No. 305: A bill to be entitled an act to incorporate the Rough and Ready Fire Company, No. 1, of Newbern;

H. B. No. 253: A bill to be entitled an act to legalize the acts of the commissioners of Watauga county;

H. B. No. 273: A bill to be entitled an act to incorporate the town of Sanford, in the county of Moore;

H. B. No. 234: A bill to be entitled an act to amend chapter 19, laws of 1872–'73, entitled "An act to change the name of the town of Boon Hill, in Johnston county, and prohibiting the sale of spirituous liquors therein";

H. B. No. 168: A bill to be entitled an act to appoint a Public Guardian;

H. B. No. 243: A bill to be entitled an act to create an additional term of the Superior Court for the county of Edgecombe;

H. B. No. 235: A bill to be entitled an act to incorporate

Sandy Cross Colored Farmers' Mutual Aid Society, of Gates county;

H. B. No. 285: A bill to be entitled an act to enable the Board of Commissioners of Gates county to sell land.

SPECIAL ORDER.

The hour for the special order having arrived, S. B. No. 179, H. B. No. 311: A bill to be entitled an act to amend the charter of the Fair of the Carolinas, at Charlotte, was announced.

On motion of Mr. Johnston, the bill was recommitted to the Committee on Corporations.

On motion of Mr. McGehee, S. R. No. 176, H. R. No. 96: Joint resolution appropriating $1,277.65 to reimburse those citizens who advanced this amount to defray expenses of the State Geologist at the Grand Exposition at Vienna, was withdrawn from the Committee on Finance and placed on the Calendar.

The rules were suspended and the resolution was read second time, and,

On motion of Mr. Guyther, recommitted to the Committee on Finance.

H. R. No. 66: Resolution requesting the Governor to send papers, was read and adopted.

H. R. No. 90: A resolution of investigation of charges in regard to the Penitentiary Board and Deputy Warden Thompson, of the Penitentiary, was read second time.

The motion of Mr. Gorman, to refer to the Committee on Penal Institutions was rejected, and the resolution adopted.

S. R. No. 63, H. R. No. 84: Resolution in favor of Jas. H. Enniss & Co., was read, amended by adding a ratifying clause, passed second and third readings and returned to the Senate for concurrence in amendment.

H. B. No. 274: A bill to be entitled an act to incorporate the town of Germanton, in Stokes county, was read second time; amendment of the committee was adopted, and bill

passed, was read third time, passed and ordered to be engrossed and sent to the Senate.

H. B. No. 173: A bill to be entitled an act in relation to the Western Turnpike road, was read second time, and, on motion, indefinitely postponed.

S. B. No. 11, H. B. No. 264: A bill to be entitled an act fixing the weight of packages containing salted fish, and to require packers to stamp or mark their names on each package shipped for sale, was read second time.

Mr. Outlaw offered a substitute for the bill, and

On motion of Mr. Guyther, the further consideration of the bill was postponed till the 16th of January, 1874.

On motion, the House adjourned till Monday, 11 o'clock.

THIRTIETH DAY.

MONDAY, Dec. 22d, 1873.

The House was called to order by the Speaker at 11 o'clock.

On motion of Mr. Jones of Caldwell the reading of the journal of Saturday was postponed till January 12th, 1874.

A message was received from the Senate transmitting engrossed copy of S. B. No. 324, H. B. 359: A bill to be entitled an act to incorporate the Ladies' Memorial Association of Wilmington, N. C.

The bill was read first time, passed and placed on the Calendar.

S. B. No. 119, H. B. No. 312: A bill to be entitled an act to incorporate the Yadkin, New and Watauga Timber and Lumber and Raft Company, was read second and third times, passed each reading and was ordered to be enrolled for ratification.

A message was received from the Senate concurring in

House amendments to S. B. No. 333, H. B. No. 352: A bill to be entitled an act to amend chapter 19 laws of 1871–'72.

The following named bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to add certain sections to Battle's Revisal.

An act to incorporate the Cross Creek Cemetery Company.

An act to establish a turnpike road from the town of Statesville, Iredell county, to the Virginia line.

An act to amend chapter 130 Private Laws of 1848–'49, and for other purposes.

An act to amend chapter 19 of the laws of 1871–'72.

An act to prohibit the sale of intoxicating liquors within two miles of the court-house in Burnsville, Yancey county.

An act to amend an act entitled an act to incorporate the Greenville and French Broad Railroad Company, ratified 13th February, 1855, and an act amendatory thereto.

An act to cure defects.

An act to incorporate Athenia Lodge, No. 8, Knights of Pythias, in Craven county.

An act to amend the charter of the Rabun Gap Short Line Railway Company.

An act to authorize the issue of bonds and to provide for the redemption of the same.

An act to incorporate the Yadkin, New and Watauga Timber and Lumber Raft Company.

An act to amend an act ratified December, 1845, entitled an act to amend an act ratified the 29th of January, 1849, in reference to amending the charter for a bridge across Pasquotank river, &c.

An act to regulate the sale of spirituous liquors in Salisbury and Mocksville.

An act to incorporate the town of Reidsville, in Rockingham county.

An act to incorporate Berne Lodge No. 71, I. O. O. F., Newbern, N. C.

An act to authorize the commissioners of the county of Washington to remove the county seat of said county.

An act to prohibit the sale of spirituous liquors within three miles of the Ore Knob Copper Mine, in Ashe county.

An act to incorporate the Oriental Fish and Oyster Company.

An act concerning Battle's Revisal.

An act to incorporate the Seaboard and Raleigh Railroad Company.

An act to require the owners of seines at or near Chowan river to stake the middle of the channel, &c.

Resolution of instruction to members of Congress.

Resolution in favor of J. H. Enniss.

The hour (12 M.) fixed by joint resolution for the adjournment of the two Houses having arrived, the Speaker declared the House of Representatives adjourned till Monday, 12th of January, 1874, 12 M.

THIRTY-FIRST DAY.

MONDAY, January 12th, 1874.

The House was called to order by the Speaker at 12 o'clock.

Prayer by Rev. Mr. Blythe.

The journal of Saturday, December 20th, and of Monday, December 22d, 1873, was read and approved.

A roll of the House being called, the following gentlemen answered to their names:

Messrs. Bean, Blackwell, Blythe, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Bullard, Bunn, Cobb, Copeland, Costner, Craige, Ellison, Foster, Gant, Gilbert, Gilmer, Gorman, Gray, Grady, Gudger, Guyther, Hughes, Johnston, Jones of Caldwell, Jones of Orange, Joyner, Jordan, King, Lindsay, Lloyd, Lutterloh, Marler, McLaurin, McGehee, Michael, Perry of Wake, Presson, Richardson, Rhodes, Scott,

Shaw, Shinn of Cabarrus, Shackelford, Stowe, Todd, Warlick, Waddill, Watson, Webb and Wiley.

Mr. Heaton was reported sick at his room in this city.

No quorum being present, on motion of Mr. Bean, the House adjourned till to-morrow at 11 o'clock.

THIRTY-SECOND DAY.

TUESDAY, January 13th, 1874.

The House was called to order by the Speaker at 11 o'clock.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Godfrey till to-morrow, and to Mr. Carson till Monday, 19th inst., on account of sickness in their families, and to Mr. Waugh till 16th inst.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Blythe: From citizens of Henderson asking the prohibition of the sale of spirituous liquors within three miles of Fanning's Chapel.

By Mr. Blythe: From citizens of Henderson against changing the boundary line between Henderson and Transylvania counties.

By Mr. Blackwell: From citizens of Buncombe county asking for a law to prohibit the sale or giving away intoxicating drinks in two miles of Turkey Creek Camp Ground.

By Mr. Richardson: From citizens of Bladen county asking the prohibition of the sale of spirituous liquors within three miles of the Methodist church at Abbottsburg, N. C.

PLACED ON THE CALENDAR.

By Mr. Robinson: From Managers of Saratoga Monument Association asking an appropriation to construct monument.

Reports from Standing Committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Craige, S. B. No. 111, H. B. No. 241: A bill to be entitled an act to give the county of Cumberland three terms of the Superior Court each year, and to regulate the time for holding the same; that it do pass.

CALENDAR TAKEN UP.

H. R. No. 92: Resolution in relation to the pardon of Thos. Linebury and Alex. Thorne, was read second time and adopted.

S. B. No. 36, H. B. No. 292: A bill concerning incorporated towns, was read second time and passed; was read third time and the following amendment, offered by Mr. McLaurin, was adopted:

"*Provided*, This act shall not apply to the city of Wilmington."

The bill, as amended, passed and was ordered to be returned to the Senate for concurrence in amendment.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Watson: A resolution in reference to the Public Printing. H. R. No. 97.

By Mr. Brown of Davidson: A bill to be entitled an act to

discharge the security where the principal of any debt becomes discharged from said debt by the operations of law and bankruptcy. H. B. No. 360.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Hughes: A bill to be entitled an act touching the prohibition of the sale of spirituous liquors in four miles of Oxford, in Granville county. H. B. No. 361.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Brown of Mecklenburg: A bill to be entitled an act to incorporate the Carolina Stock and Poultry Association.

TO THE COMMITTEE ON FINANCE.

By Mr. Jones of Caldwell: A bill to be entitled an act to allow the sheriff and tax collector of Caldwell county to collect arrears of taxes. H. B. No. 363.

By Mr. Craige: A bill to be entitled an act for the relief of the sureties of the late William A. Walton. H. B. No. 364.

TO THE COMMITTEE ON CLAIMS.

By Mr. Jones of Caldwell: A bill to be entitled an act in favor of the contractors on the Marion and Asheville Turnpike. H. B. No. 365.

S. B. No. 300, H. B. No. 351: A bill to be entitled an act to extend the time of taking out grants from the State, was read second time; and,

On motion, referred to the Committee on the Judiciary.

S. B. No. 21, H. B. No. 228: A bill to be entitled an act to prevent fraud in the sale of commercial manures, was read second time; and,

On motion of Mr. Brown of Mecklenburg, referred to the Committee on the Judiciary.

S. B. No. 105, H. B. No. 342: A bill to be entitled an act to authorize the Board of Trustees of Hickory Tavern Township to establish public highways, and for other purposes, was read second time; and,

On motion of Mr. Jones of Caldwell, recommitted to the Committee on Railroads, Post Roads and Turnpikes.

H. B. No. 233: A bill to be entitled an act to allow commissioners of the several counties to exempt certain property from taxation, was read second time; and,

On motion of Mr. Brown of Mecklenburg, was referred to the Committee on the Judiciary.

A memorial from the Directors of the North Carolina Railroad was presented by Mr. McGehee, and, on his motion, transmitted to the Senate with a proposition to print.

H. B. No. 299: A bill to be entitled an act concerning the duties of county commissioners, and for other purposes, was read second time, and the substitute of the committee was adopted; and, on motion, postponed until Tuesday next.

The following named bills were read second and third times, passed each reading, and were ordered to be enrolled for ratification:

S. B. No. 172, H. B. No. 295: A bill to be entitled an act to amend an act to change the dividing line between the counties of Granville and Franklin;

S. B. No. 209, H. B. No. 309: A bill to be entitled an act to make valid the proceedings heretofore had in the courts of this State in cases of divorce and alimony.

H. B. No. 72: A bill to be entitled an act to secure the free passage of fish in the Catawba river, was read second time; and,

On motion of Mr. Brown of Mecklenburg, laid on the table.

H. B. No. 157: A bill to be entitled an act to improve the State road on Buffalo Creek, in Ashe county, was read second time; and,

On motion of Mr. Trivett, laid on the table.

H. B. No. 178: A bill to be entitled an act to prevent the

obstruction of navigation of White Oak and Trent rivers, in Jones county, was read second time; and,

On motion of Mr. Scott, was laid on the table.

H. B. No. 202: A bill to be entitled an act to prevent the felling of timber in Tar river, was read second time; and,

On motion of Mr. Maxwell, laid on the table.

H. B. No. 210: A bill to be entitled an act to exempt $300 worth of personal property from taxation, was read the second time.

Mr. Maxwell moved to lay on the table, and on this motion the call for the ayes and noes made by Mr. Trivett was sustained, and the motion prevailed. Ayes 43, noes 34.

The following gentlemen voted in the affirmative:

Messrs. Blackwell, Brown of Mecklenburg, Bryan of Alleghany, Bullard, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Grady, Gudger, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Northampton, Jones of Orange, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, Michael, Moss, Outlaw, Presson, Richardson, Rhodes, Scott, Shaw, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stowe, Warlick, Watson, Webb, Wiley and Whitmire—43.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Wilkes, Bunn, Byrd, Cobb, Copeland, Cox, Dula, Ellison, Foster, Gilbert, Gorman, Guyther, Hampton, Hughes, Jordan, King, Lloyd, Lutterloh, Norment, Paschall, Reid of Randolph, Todd, Trivett, Waddill, Waugh, Williamson, Wheeler and Whisnant—34.

H. B. No. 214: A bill to be entitled an act to authorize the commissioners of Polk county to levy a special tax, was read second time and passed. Ayes 70, noes 3.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Bowe, Brown of Davidson, Brown of Mecklenburg, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Bunn, Byrd, Copeland, Costner, Cox, Craige, Dickey, Ellison, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Gorman, Gray, Grady, Gudger,

Guyther, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, King, Lindsay, Lloyd, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Michael, Moss, Norment, Outlaw, Paschall, Presson, Reid of Randolph, Richardson, Shaw, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stowe, Todd, Trivett, Warlick, Waddill, Watson, Webb, Wiley, Williamson, Whitmire and Whisnant—70.

The following gentlemen voted in the negative:

Messrs. Bullard, Dudley and Lutterloh—3.

The following named bills were read second and third times, passed each reading and were ordered to be engrossed and sent to the Senate:

H. B. No. 123: A bill to be entitled an act to amend chapter 197, laws of 1871–'72, entitled an act to empower the Superior Court Judge to appoint a commissioner in certain cases for the settlement of estates;

H. B. No. 196: A bill to be entitled an act to save harmless honest representatives of the estates of deceased persons;

H. B. No. 272: A bill to be entitled an act to incorporate the United Brotherhood, of Newbern, N. C.;

H. B. No. 286: A bill to be entitled an act to amend chapter 110, laws of 1856–'57, in regard to the town of Salem.

H. B. No. 65: A bill to be entitled an act requiring county officers to deliver to their successors Battle's Revisal, was read second time, the substitute of the committee was adopted, and the bill passed; was read third time, passed and ordered to be engrossed and sent to the Senate.

On motion of Mr. Outlaw, the House adjourned till tomorrow at 10½ o'clock.

THIRTY-THIRD DAY.

WEDNESDAY, January 14th, 1874.

The House was called to order by the Speaker at half-past 10 o'clock.

The journal of yesterday was read and approved.

It was announced that Mr. Perry of Wake was absent yesterday on account of sickness.

Leave of absence for to-morrow was granted to Mr. Lindsay on account of important business.

Indefinite leave was granted to Mr. Darden on account of sickness; to Mr. Mizell on account of sickness in his family.

Leave of absence till Saturday next was granted to Mr. Jones of Camden.

The following petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Norment: From citizens of Robeson county asking for a prohibitory liquor law within two miles of Cliburn Baptist church.

By Mr. McNeill: From citizens of Robeson and Richmond counties asking for the establishment of a new county.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Gidney: From citizens of King's Mountain asking for an act of incorporation.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Corporations:

By Mr. Jones of Caldwell, S. B. No. 132, H. B. No. 341: A bill to be entitled an act to amend the charter of the town of Concord, in the county of Cabarrus; that it do pass.

S. B. No. 218, H. B. No. 327: A bill to be entitled an act

to incorporate the People's Bank of Monroe; that it do pass with amendment.

S. B. No. 221, H. B. No. 340: A bill to be entitled an act to incorporate the Diamond Cotton Chopper and Cultivator Company; that it do pass.

S. B. No. 179, H. B. No. 311: A bill to be entitled an act to amend the charter of the Fair of the Carolinas, at Charlotte, N. C; that it do pass with amendment.

H. B. No. 336: A bill to be entitled an act to incorporate the town of Manson, in the county of Warren; that it do pass.

H. B. No. 337: A bill to be entitled an act to incorporate the town of Creswell, in Washington county; that it do pass with amendment.

S. R. No. 175, H. R. No. 93: Resolution in favor of the Fayetteville National Bank, of Fayetteville, N. C.; ask its reference to the Committee on Finance. Reference made.

From the Committee on the Judiciary:

By Mr. Craige, S. B. No. 4, H. B. No. 348: A bill to be entitled an act to repeal chapter 101 Private Laws of 1870-'71, and to repeal section 2 of chapter 95 Private Laws of 1871-'72; that it do pass.

S. B. No. 300, H. B. No. 351: A bill to be entitled an act to extend the time of taking out grants from the State; that it do pass.

H. R. No. 97: A resolution with reference to the Public Printing; that the substitute do pass.

From the Committee on Finance:

By Mr. Gidney, H. B. No. 95, S. B. No. 186: Senate amendments to an act for the relief of sheriffs and tax collectors; that they be concurred in.

H. B. No. 363: A bill to be entitled an act to allow the sheriff and tax collector of Caldwell county to collect arrears of taxes; that it be laid on the table.

H. B. No. 364: A bill to be entitled an act for the relief of the sureties of the late William A. Walton; that it do pass.

The following bills, resolutions and amendments, reported

as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 243: A bill to be entitled an act to create an additional term of the Superior Court for the county of Edgecombe;

H. B. No. 257: A bill to be entitled an act to incorporate the town of Teachey's, in Duplin county;

H. B. No. 168: A bill to be entitled an act to appoint a Public Guardian;

H. B. No. 274: A bill to be entitled an act to incorporate the town of Germanton, in Stokes county;

H. B. No. 331: A bill to be entitled an act to prohibit the sale of liquor in certain localities in Chatham county;

H. B. No. 261: A bill to be entitled an act to authorize the collection of arrearages of taxes in the town of Statesville;

H. B. No. 285: A bill to be entitled an act to enable the Board of Commissioners of Gates county to sell land;

H. B. No. 235: A bill to be entitled an act to incorporate the Sandy Cross Colored Farmers' Mutual Aid Society, of Gates county;

H. B. No. 253: A bill to be entitled an act to legalize the acts of the commissioners of Watauga county;

H. B. No. 355: A bill to be entitled an act to incorporate Free Love Lodge, No. 1,469, Grand United Order of Odd Fellows;

H. B. No. 273: A bill to be entitled an act to incorporate the town of Sanford, in Moore county;

H. R. No. 56: Resolution in favor of P. McGowan.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Lutterloh: A bill to be entitled an act to amend Battle's Revisal. H. B. No. 366.

By Mr. Jones of Orange: A bill to be entitled an act in

relation to persons in jail working the public roads. H. B. No. 367.

By Mr. Cox: A bill to be entitled an act to prescribe the duties of the Clerks of the Superior Courts and Justices of the Peace in relation to bills of costs. H. B. No. 368.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Waddill: A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of Mount Olive Baptist church, in the county of Stanley. H. B. No. 369.

By Mr. Richardson: A bill to be entitled an act to prohibit the sale of intoxicating liquors within three miles of the Methodist church at Abbottsburg, Bladen county. H. B. No. 370.

TO THE COMMITTEE ON EDUCATION.

By Mr. Mr. Brown of Davidson: A bill to be entitled an act to empower the Board of Education for Davidson county to establish a teachers' institute in said county. H. B. No. 371.

PLACED ON THE CALENDAR.

By Mr. Gidney: A bill to be entitled an act to authorize the Chairman of the Board of Commissioners of Cleaveland county to make title to certain town lots. H. B. No. 372.

The Speaker announced that Messrs. Brown of Davidson, Wiley and Johns constitute the committee to investigate affairs concerning the Penitentiary and charges against Deputy Warden Thompson.

On motion of Mr. Brown of Mecklenburg, the rules were suspended, and S. B. No. 179, H. B. No. 311, a bill to be entitled an act to amend the charter of the Fair of the Carolinas, was read second time and passed; was read third time, the amendments adopted on the second reading of the bill were receded from, and the amendment proposed by the Committee on Corporations was adopted.

Mr. Jones of Caldwell moved to amend by striking out in section 5, line 1, the word "appropriations," which was adopted, and the bill passed.

On motion of Mr. Brown of Mecklenburg, his motion to reconsider the vote by which the bill passed its third reading was laid upon the table.

S. B. No. 131, H. B. No. 310: A bill to be entitled an act regulating the time of holding the terms of the Superior Courts of the Fourth Judicial District, and for other purposes, was read third time, passed and ordered to be enrolled for ratification.

On motion of Mr. Norment, his motion to reconsider the vote by which the bill passed its third reading was laid on table.

The following named bills were read second and third times, passed each reading and were ordered to be engrossed and sent to the Senate:

H. B. No. 167: A bill to be entitled an act declaratory of the meaning of section 41, chapter 45, of Battle's Revisal, in regard to executors and administrators;

H. B. No. 269: A bill to be entitled an act to make valid certain divorce cases;

H. B. No. 323: A bill to be entitled an act to incorporate the town of Engelhard, in the county of Hyde;

H. B. No. 330: A bill to be entitled an act for the relief of certain officers and tax payers in Nash county;

H. B. No. 364: A bill to be entitled an act for the relief of the sureties of the late Wm. A. Walton.

H. B. No. 67: A bill to be entitled an act to enable indigent persons to appeal to the Supreme Court, was read second time, substitute recommended by the committee was adopted and bill passed; was read third time, passed and ordered to be engrossed and sent to the Senate.

H. B. No. 298: A bill to be entitled an act to incorporate Nebo Camp Ground, in the county of McDowell, was read second time, amended and passed; was read third time, passed and ordered to be engrossed and sent to the Senate.

H. B. No. 214: A bill to be entitled an act to authorize

the commissioners of Polk county to levy a special tax, was read third time and passed. Ayes 92, noes 1.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Ballard, Bean, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Bullard, Bunn, Byrd, Carter, Copeland, Corson, Costner, Cox, Craige, Dickey, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Gray, Grady, Gudger, Guyther, Hampton, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, Michael, Mitchell, Moss, Norment, Outlaw, Paschall, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Scott, Shaw, Sharp, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stowe, Todd, Trivett, Warlick, Waddill, Watson, Webb, Winslow, Wiley, Williamson, Whitmire, Wheeler and Whisnant—92.

Mr. Dudley voted in the negative.

H. B. No. 97: A resolution in reference to the Public Printing, was read second time, and the substitute proposed by the committee was adopted.

The question recurring upon the passage of the resolution, a call for the ayes and noes was sustained and the resolution passed. Ayes 73, noes 13.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Ballard, Bean, Blackwell, Blythe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Bullard, Byrd, Carter, Costner, Craige, Dickey, Dula, Ellison, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Grady, Gudger, Guyther, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee,

Mitchell, Moss, Norment, Outlaw, Perry of Wake, Presson, Ried of Mecklenburg, Reid of Randolph, Richardson, Rhodes, Scott, Settle, Shaw, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Standford, Stowe, Todd, Trivett, Warlick, Waddill, Watson, Webb, Winslow, Wiley, Williamson, Whitmire, Wheeler and Whisnant—73.

The following gentlemen voted in the negative:

Messrs. Abbott, Bowe, Bryan of Wilkes, Bunn, Cobb, Copeland, Cox, Dudley, Gorman, Hampton, King, Lloyd and Paschall—13.

The resolution was read third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 159: A bill to be entitled an act to prohibit the sale of ardent spirits to minors, was read second time and passed.

The House refused to suspend the rules to place the bill on its third reading.

H. R. No. 82: Resolution respecting reform in the general government, was read second time, and,

On motion of Mr. Maxwell, laid on the table.

H. B. No. 170: A bill to be entitled an act requiring Justices of the Peace to give bond, was read second time, and,

On motion of Mr. Bowman, indefinitely postponed.

H. B. No. 223: A bill to be entitled an act to make attendance upon the public schools of the State obligatory, was read second time, and,

On motion of Mr. Maxwell, laid on the table.

H. B. No. 192: A bill to be entitled an act to amend chapter 110, acts of 1870-'71, being an act to cure certain irregular proceedings in the jurisdiction of the courts, was read second time and passed.

S. B. No. 111, H. B. No. 241: A bill to be entitled an act to give the county of Cumberland three terms of the Superior Court each year, and to regulate the time for holding the same, was read second time.

Mr. Lutterloh offered a substitute for the bill, and,

On motion, bill and substitute were recommitted to the Committee on the Judiciary.

S. B. No. 324, H. B. No. 359: A bill to be entitled an act to incorporate the Ladies' Memorial Association, of Wilmington, N. C., was read second time and referred to the Committee on Corporations.

H. B. No. 221: A bill to be entitled an act to authorize the town of Newton to take stock in railroads, and for other purposes, was read second time, and recommitted to the Committee on Corporations.

H. B. No. 318: A bill to be entitled an act in relation to sheriffs' bonds, was read second time; and,

On motion of Mr. Scott, recommitted to the Committee on the Judiciary.

H. B. No. 347: A bill to be entitled an act to re-enact chapter 76, of the laws of 1870–'71, was read second time, and referred to the Committee on the Judiciary.

S. B. No. 4, H. B. No. 349: A bill to be entitled an act to repeal chapter 101, laws of 1870–'71, and to repeal section 2, chapter 95, Private Laws of 1870–'71, was read second time; and,

On motion of Mr. Ellison, was postponed till Monday next, and made special order for 12 M. that day.

On motion of Mr. Trivett, the House adjourned till 10½ o'clock to-morrow.

THIRTY-FOURTH DAY.

THURSDAY, January 15th, 1874.

The House was called to order by the Speaker at half-past 10 o'clock.

The journal of yesterday was read and approved.

On motion of Mr. Watson, the use of the hall of the House of Representatives was granted to Colonel John H. Wheeler to-night for the purpose of delivering a lecture upon the early

Governors of the State and the Mecklenburg Declaration of Independence.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

In relation to the sale of spirituous liquors:

By Mr. Woodhouse: From citizens of Currituck county;

By Mr. Brown of Davidson: From citizens of Davidson county;

By Mr. Waddill: From citizens of Stanley county;

By Mr. Byrd: From citizens of Yancey county;

By Mr. Perry of Bladen: From citizens of Bladen county;

By Mr. Perry of Bladen: Counter petition from Bladen county;

By Mr. Shackelford: From citizens of Onslow county;

By Mr. Blythe: From citizens of Transylvania county;

By Mr. Waugh: From citizens of Surry county;

By Mr. Todd: From citizens of Mitchell and Watauga counties for the protection of mountain trout in Elk river and tributaries in said counties;

By Mr. Whitmire: From citizens of Henderson county against any act incorporating Fanning's Chapel, in said county.

TO THE COMMITTEE ON RAILROADS, POSTROADS AND TURNPIKES.

By Mr. Guyther: From citizens of Washington county asking for a new road in said county.

TO THE COMMITTEE ON AGRICULTURE.

By Mr. Carter: From citizens of Hyde county asking for a fence and stock law.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Finance:

By Mr. Gidney, H. R. No. 73: A joint resolution to refund taxes illegally collected from the Atlantic, Tennessee and Ohio Railroad Company; that it do not pass.

H. R. No. 73: Resolution in favor of G. W. Gail & Ax; ask its reference to the Judiciary Committee. Reference made.

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 361: A bill to be entitled an act touching the prohibition of the sale of spirituous liquors in four miles of Oxford, in Granville county; that it do pass with amendment.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 286: A bill to be entitled an act to amend chapter 110 laws of 1856-'57 in regard to Salem, in Forsythe county;

H. B. No. 256: A bill to be entitled an act to make the entry takers of certain counties *ex officio* county agents;

H. B. No. 196: A bill to be entitled an act to save harmless honest representatives of the estates of deceased persons;

H. B. No. 65: A bill to be entitled an act to require county officers to turn over Battle's Revisal to their successors in office;

H. B. No. 276: A bill to be entitled an act to change the line between the counties of Swain, Graham and Macon, near Jeff George;

H. B. No. 58: A bill to be entitled an act to establish a turnpike from Winston, *via* Yadkinville, to Wilkesboro;

H. B. No. 123: A bill to be entitled an act to amend chapter 197 laws of 1871-'72, empowering the Superior Court Judge to appoint a commissioner in certain cases for the settlement of estates;

H. B. No. 304: A bill to be entitled an act to incorporate Centre Presbyterian church, in the county of Iredell;

H. B. No. 364: A bill to be entitled an act for the relief of the sureties of the late William A. Walton;

H. B. No. 234: A bill to be entitled an act to amend chapter 19 laws of 1872-'73, to change the name of the town of Boon Hill, in Johnston county, and prohibiting the sale of spirituous liquors therein;

H. B. No. 272: A bill to be entitled an act to incorporate the United Brotherhood, of Newbern, N. C.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to make valid the proceedings heretofore had in the courts of the State in cases of divorce and alimony;

An act to amend an act to change the dividing line between the counties of Granville and Franklin.

The following named resolutions and bills were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Outlaw: Resolution on adjournment. H. R. No. 98.

By Mr. Paschall: A bill to be entitled an act appropriating six thousand dollars for the benefit of the Orphan Asylum, located at Oxford, N. C. H. B. No. 373.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Shackelford: A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of Belle Veu School House, White Oak Township, Onslow county. H. B. No. 374.

By Mr. Grady: A bill to be entitled an act to prevent the felling of trees in Upper Little river, in Harnett county. H. B. No. 375.

By Mr. Dudley: A bill to be entitled an act to protect the fish interest of North Carolina. H. B. No. 376.

By Mr. Todd: A bill to be entitled an act in relation to taking or shooting mountain trout in the waters of Elk

river and tributaries, in the counties of Mitchell and Watauga. H. B. No. 377.

By Mr. Byrd: A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of Jack's Creek Free Will Baptist church and Caney River church. H. B. No. 378.

By Mr. Michael: A bill to be entitled an act to prohibit the sale of spirituous liquors within one mile of churches, schools, &c. H. B. No. 379.

By Mr. Blythe: A bill to be entitled an act to prohibit the sale of spirituous liquors within three miles of Fanning's Chapel, in Henderson county. H. B. No. 380.

By Mr. Gorman: A bill to be entitled an act to repeal chapter 61, Private Laws of 1872–'73. H. B. No. 381.

By Mr. Blackwell: A bill to be entitled an act to prevent the selling or giving away of intoxicating liquors within two miles of Turkey Creek Camp Ground, in Buncombe county, and for other purposes. H. B. No. 382.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Brown of Mecklenburg: A bill to be entitled an act to amend Battle's Revisal, chapter 104. H. B. No. 383.

TO THE COMMITTEE ON FINANCE.

By Mr. Copeland: A bill to be entitled an act to amend chapter 105, section 18, of Battle's Revisal. H. B. No. 384.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Gidney: A bill to be entitled an act to incorporate the village of King's Mountain, in the county of Cleaveland. H. B. No. 385.

A message was received from the Senate transmitting engrossed copies of the following bills, which were read first time, passed and referred, or otherwise disposed of, as follows:

S. B. No. 354, H. B. No. 386: A bill to be entitled an act to amend "an act to amend the charter of the North Carolina Railroad Company, and for other purposes," ratified 20th December, 1873. Referred to Committee on Internal Improvements.

S. B. No. 185, H. B. No. 387: A bill to be entitled an act to lay off and establish a new county by the name of Lillington. Referred to Committee on Cities, Counties, Towns and Townships.

A message was received from the Senate concurring in amendment adopted by the House to S. B. 36, H. B. 292, a bill concerning incorporated towns, also concurring in proposition to print the memorial of the President and Directors of the North Carolina Railroad.

A message was received from His Excellency, the Governor, in response to a resolution of the House, covering correspondence with the Superintendent of the Charlotte Military Institute. The message and correspondence were read and placed on the Calendar.

On motion of Mr. Marler, H. B. No. 223, a bill to be entitled an act to make attendance upon the public schools of the State obligatory, was taken from the table and referred to the Committee on the Judiciary.

On motion of Mr. Gilbert, H. B. No. 246, a bill to be entitled an act to amend section 1, chapter 120, Revised Code, and for other purposes, was recommitted to the Committee on the Judiciary.

On motion of Mr. Williamson, H. B. No. 202, a bill to be entitled an act to prevent the felling of timber in Tar river, was taken from the table and referred to the Committee on the Judiciary.

On motion of Mr. Brown of Mecklenburg, H. B. No. 76, a bill to be entitled an act to amend an act entitled "An act to prohibit the sale of liquor in certain localities," was taken from the Calendar and recommitted to the Committee on Propositions and Grievances.

On motion of Mr. Brown of Davidson, his motion to recon-

sider the vote by which H. B. No. 154, a bill to be entitled an act to amend an act for amnesty and pardon, was rejected on the 16th of December, notice of which was given on the 17th of December, was made special order for Wednesday next at 12 M.

H. B. No. 159: A bill to be entitled an act to prohibit the sale of ardent spirits to minors, was read third time.

The following amendment, offered by Mr. Trivett, was rejected:

Strike out the words "twenty-one," wherever they occur, and insert "sixteen."

Mr. Joyner's amendment, "*Provided, however*, that the provisions of this act shall not apply to the county of Johnston," was rejected.

The following amendment, offered by Mr. Moss, was rejected:

"*Provided*, That when parents and guardians of said minors shall afterwards come forward and consent to such gift or sale, then the provisions of this act shall not apply to the said sale or gift."

Mr. Lloyd offered the following amendment, which was rejected:

"*Provided*, This act shall not apply to the county of New Hanover."

Mr. Bean's amendment, "*Provided*, That such minor have not the charge of a family," was rejected.

Mr. Blythe offered the following: "Without leave from the parent, guardian or other person having charge of said minor," which, by consent, was subsequently withdrawn.

Mr. Gorman's amendment, to strike out "twenty-one," and insert "fifty," was ruled out of order.

Mr. Bennett's amendment, to strike out "thirty days" and insert "one month," was rejected.

Mr. Bennett offered the following amendment, which was rejected:

Strike out the word "exemplary," whenever it occurs before the word "damages" in section 3.

Mr. Trivett's amendment, "*Provided*, this act shall not apply to the county of Ashe," was rejected.

Mr. Bennett's amendment, "including the minor who buys or receives such drinks or liquors," was rejected.

Mr. Brown of Mecklenburg demanded the previous question.

Notices of amendments were given by Messrs. Trivett, Bennett and Lloyd.

The House ordered that the main question should be put.

The question being upon the amendment of Mr. Bennett, "*Provided*, *however*, that this act shall not apply in cases of minors who are married, or whose time has been forgiven them by their parents," it was adopted.

The amendment of Mr. Trivett, to strike out "twenty-one" and insert "eighteen" was rejected.

The amendment of Mr. Lloyd, "*Provided*, no indictment shall be heard in any court except by the father or persons who shall have such minor in charge," was rejected.

Mr. Bennett's amendment, strike out section 6 of the bill and insert "That this act shall take effect on the first day of May, 1874," was adopted; and the question recurring upon the passage of the bill its third and final reading, a call for the ayes and noes made by Mr. Johnston was sustained, and the bill passed. Ayes 69, noes 31.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Bennett, Blackwell, Blythe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bunn, Byrd, Carter, Copeland, Costner,

Craige, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Gant, Gidney, Gilbert, Gilmer, Gray, Grady, Gudger, Haynes, Houston, Hughes, Jones of Caldwell, Jones of Northampton, Jones of Orange, Johns, Jordan, King, Luckey, Marler, McLaurin, McGehee, Miller, Michael, Mitchell, Moss, Paschall, Perry of Bladen, Presson, Reid of Mecklenburg, Reid of Randolph, Scott, Shaw, Shinn of Iredell, Standford, Turner, Warlick, Watson, Waugh, Webb, Wiley, Williamson, Whitmire, Wheeler and Woodhouse—69.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Bryan of Sampson, Bullard, Freeman, Godfrey, Gorman, Guyther, Hampton, Heaton, Hinnant, Johnston, Joyner, Lloyd, Maxwell, NcNeill, Norment, Outlaw, Perry of Wake, Richardson, Rhodes, Settle, Sharp, Shinn of Cabarrus, Shackelford, Stowe, Sneed, Todd, Trivett, Waddill, Winslow and Whisnant—31.

On motion of Mr. Bean, his motion to reconsider the vote by which the bill passed its third reading was laid on the table.

H. B. No. 372: A bill to be entitled an act to authorize the Chairman of the Board of Commissioners of Cleaveland county to make title to certain town lots, was read second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 192: A bill to be entitled an act to amend chapter 110, acts of 1870–'71, being an act to cure certain irregular proceedings in the jurisdiction of the courts, was read third time, passed, and ordered to be engrossed and sent to the Senate.

The following named bills were read second and third times, passed each reading, and were ordered to be enrolled for ratification:

S. B. No. 132, H. B. No. 341: A bill to be entitled an act to amend the charter of the town of Concord, in the county of Cabarrus;

S. B. No. 221, H. B. No. 340: A bill to be entitled an act to incorporate the Diamond Cotton Chopper and Cultivator Company, was read second time.

The name of Bond E. Sedbury was added to the list of incorporators, and the bill passed; was read third time, passed, and ordered to be returned to the Senate for concurrence.

S. B. No. 218, H. B. No. 327: A bill to be entitled an act to incorporate the People's Bank of Monroe, was read second time, amended and passed; was read third time, passed, and ordered to be returned to the Senate for concurrence in the amendment.

On motion of Mr. Gorman, the House adjourned until to-morrow at 10½ o'clock.

THIRTY-FIFTH DAY.

FRIDAY, January 16th, 1874.

The House was called to order by the Speaker at 10½ o'clock.

The journal of yesterday was read and approved.

Leave of absence for three days, from and after to-morrow, was granted to Mr. Bullard on account of important business.

It was announced that Mr. Moring had been detained at his home by sickness since Monday.

Mr. Cox was added to the Committee on Propositions and Grievances.

The following petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

In reference to the sale of liquors:

By Mr. Bennett: From citizens of Anson county;

By Mr. Fletcher: From citizens of Richmond county;

By Mr. Robinson: From citizens of Macon county;

By Mr. Fletcher: From citizens of Richmond county, ask-

ing for the establishment of a new county out of portions of Richmond and Robeson counties.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. 233: A bill to be entitled an act to allow the commissioners of the several counties to exempt certain property from taxation; that it do not pass;

H. B. No. 318: A bill to be entitled an act in relation to sheriffs' deeds; that it do not pass;

H. B. No. 334: A bill to be entitled an act to cure certain irregular proceedings in the Probate Courts; that it do pass;

H. B. No. 335: A bill to be entitled an act to amend chap. 175 of the laws of 1868–'69; that it do pass;

S. B. No. 334, H. B. No. 338: A bill to be entitled an act to amend Battle's Revisal, chap. 17, sec. 31; that it do not pass;

S. B. No. 59, H. B. No. 349: A bill to be entitled an act in relation to entries of land; that it do pass.

From the Committee on Railroads, Post Roads and Turnpikes:

By Mr. Anderson of Davie, S. B. No. 105, H. B. No. 342: A bill to be entitled an act to authorize the Board of Trustees of Hickory Tavern Township to establish public highways, and for other purposes; that it do pass with substitute for section 2.

The following bill, reported as correctly engrossed by Committee on Engrossed Bills, was transmitted to the Senate for concurrence:

H. B. No. 330: A bill to be entitled an act for the relief of certain officers and tax payers of Nash county.

The following bills, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act concerning incorporated towns and villages;

An act regulating the time of holding the terms of the Superior Courts of the Fourth Judicial District, and for other purposes.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Mitchell: A bill to be entitled an act for the relief of physicians. H. B. No. 388.

By Mr. Jones of Caldwell: A bill to be entitled an act concerning Commissioners of Affidavits and Probates of Deeds in other States and Territories and the District of Columbia. H. B. No. 389.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. McNeill: A bill to be entitled an act prohibiting the sale of liquors within four miles of Bethel church, in Robeson county. H. B. No. 390.

By Mr. Moss: A bill to be entitled an act to prevent the obstruction of the waters of Black Creek, in the county of Wilson. H. B. No. 391.

By Mr. Fletcher: A bill to be entitled an act to prohibit the sale of spirituous liquors within three miles of Lethe church, in the county of Richmond. H. B. No. 392.

By Mr. Reid of Randolph: A bill to be entitled an act to amend chap. 43, Private Laws 1872–'73. H. B. No. 393.

By Mr. Brown of Davidson: A bill to be entitled an act to amend chap. 91, Private Laws of 1870–'71, by striking out section 3 of said act. H. B. No. 394.

By Mr. Waugh: A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of the Baptist church in the town of Dobson, Surry county, and for other purposes. H. B. No. 395.

By Mr. Whitmire: A bill to be entitled an act to allow the owners of lands to seize and impound horses, cattle and other stock for damages committed within the enclosure. H. B. No. 396.

By Mr. Maxwell: A bill to be entitled an act concerning inspectors in the city of Wilmington. H. B. No. 397.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Luckey: A bill to be entitled an act to incorporate the town of Gold Hill, in the county of Rowan. H. B. No. 398.

By Mr. Johnston: A bill to be entitled an act to incorporate the town of Liecester, in the county of Buncombe. H. B. No. 399.

By Mr. Moss: A bill to be entitled an act to charter the Bank of Wilson. H. B. No. 400.

By Mr. Moss: A bill to be entitled an act to incorporate the town of Saratoga, in the county of Wilson. H. B. No. 401.

TO THE COMMITTEE ON AGRICULTURE.

By Mr. Brown of Mecklenburg: A bill to be entitled an act to amend an act relating to fences and for the protection of crops, chapter 193, laws of 1872–'73. H. B. No. 402.

By Mr. Shaw: A bill to be entitled an act to amend chapter 82, Battle's Revisal. H. B. No. 403.

TO THE COMMITTEE ON FINANCE.

By Mr. Waugh: A bill to be entitled an act to repeal sections 14, 15, 16 and 17 of chapter 2, Revised Code. H. B. No. 404.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Gidney: A bill to be entitled an act to amend section 13, chapter 20, laws of 1868 (section 13, chapter 27, Battle's Revisal.) H. B. No. 405.

TO THE COMMITTEE ON RAILROADS, POSTROADS AND TURNPIKES.

By Mr. Dula: A bill to be entitled an act to lay off and improve the public road leading from Wilkesboro, in the county of Wilkes, to Taylorsville, in the county of Alexander. H. B. No. 406.

On motion of Mr. Joyner, the rules were suspended and H. B. No. 328, a bill to be entitled an act to establish a Bureau of Immigration, was taken up and ordered to be printed.

On motion of Mr. Abbott, H. B. No. 109, a bill to be entitled an act to incorporate the Young Men's Intelligent and Enterprising Association, was made special order for Tuesday, January 27th, at 12 o'clock.

On motion of Mr. Brown of Mecklenburg, the rules were suspended and H. B. No. 76, a bill to be entitled an act to amend an act to prohibit the sale of spirituous liquors in certain localities, was read second time.

The amendment of Mr. Lutterloh to strike out Cumberland church, in Cumberland county, was adopted.

The amendment of Mr. Gorman to strike out in section 1, after the word Hendersonville, the words "the paper mills at the Falls of Neuse river, in Wake county," was adopted.

Mr. McNeill offered the following amendment, which was adopted:

"Or within four miles of Bethel Presbyterian church, in Robeson county."

Mr. Dudley offered the following amendment, which was adopted:

"Or within three miles of Post Oak church, in Swift Creek Township, Craven county."

The amendment of Mr. Jordan, "After the name of Mt.

Gilead church, in Montgomery county, insert McGill's church," was adopted.

Mr. Blythe offered the following amendment, which was adopted:

"*Provided*, that for offences against this act, or the act to which it is amendatory, within Henderson and Randolph counties, the penalties herein prescribed shall not attach, but the Superior Court of said counties shall have jurisdiction thereof, and the punishment shall be at the discretion of the Judge of said court."

Mr. Norment's amendment to insert "within two miles of Cleburn Baptist church, in Robeson county," was adopted.

Mr. Bowman's amendment to insert in same section, "Roan Mountain church, in Mitchell county," was adopted.

Mr. Robinson's amendment to insert in same section "Bethel Methodist church, in Macon county," was adopted.

Under the one mile section of the bill, Mr. Turner's amendment to insert "Center church and Coddle's Creek church and academy," was adopted.

The amendment of Mr. Whitmire, "to strike out Clarilla Institute, in Greene county, and Fanning's Chapel, in Henderson county," was rejected.

Mr. Gorman's amendment, to come in immediately after the one mile section, "and within three hundred yards of the Christian church at Morrisville, in Wake county," was adopted.

Mr. Waugh's amendment, "that if any person or persons shall purchase any kind of intoxicating liquors outside of the limits specified in this act and shall bring the same within said limits, to disturb the peace and quiet of the citizens thereof, he, she or they so offending shall be guilty of a misdemeanor, and on conviction thereof shall be fined and imprisoned, not exceeding fifty dollars and six months' imprisonment, one or both, at the discretion of the court," was rejected.

Mr. Brown of Mecklenburg demanded the previous ques-

tion, which was seconded by the House, and the main question ordered, and the bill passed its second reading.

The rules were suspended and the bill was read third time.

The motion of Mr. Waugh to recommit the bill was rejected.

Mr. Waugh offered the following: "That if any person or persons shall purchase any kind of intoxicating liquors outside of the limits prescribed for Dobson, in Surry county, and Bakersville, in Mitchell county, in this act, and shall bring the same within said limits to disturb the peace and quiet thereof, he, she or they so offending, shall be guilty of a misdemeanor, and on conviction thereof in any court having jurisdiction shall be fined not exceeding fifty dollars, and not exceeding six months' imprisonment, one or both, at the discretion of the court;" which was adopted, and the bill passed under the operation of the previous question, demanded by Mr. Brown of Mecklenburg.

On motion of Mr. Hughes, his motion to reconsider the vote by which the bill passed its third reading was laid on the table.

On motion of Mr. Gorman, S. B. No. 4, H. B. No. 348, a bill to be entitled an act to repeal chapter 101, Private Laws 1871–'72, was taken from the special order calendar, and read second time; the amendment of Mr. Gorman was adopted and the bill passed, was read third time, passed and ordered to be returned to the Senate for concurrence in House amendment.

The following named bills were read second and third times, passed each reading and were ordered to be engrossed and sent to the Senate:

H. B. No. 153: A bill to be entitled an act to repeal chapter 68, laws of 1868–'69, and chapter 262, acts 1870–'71;

H. B. No. 172: A bill to be entitled an act to prevent the sale of spirituous liquors within two miles of any place of public worship in Stokes county upon days of such worship;

H. B. No. 209: A bill to be entitled an act to amend an act entitled an act to amend the charter of the city of Raleigh, ratified the 23d day of February, 1871.

The following named bills were read second time, and, on motion, laid on the table:

H. B. No. 29: A bill to be entitled an act to protect the agricultural interests of the State;

H. B. No. 47: A bill to be entitled an act to prevent the selling of articles by the offer of gifts or prizes;

H. B. No. 82: A bill to be entitled an act to require the registration of deeds;

H. B. No. 110: A bill to be entitled an act to amend title 11, chapter 17, of the Code of Civil Procedure;

H. B. No. 118: A bill to be entitled an act to repeal section 5 of chapter 2 of the Revised Code;

H. B. No. 124: A bill to be entitled an act to amend chap. 193 laws of 1871–'72;

H. B. No. 136: A bill to be entitled an act to change the time of holding the Superior Courts in Randolph and Rockingham counties, Seventh Judicial District.

The following named bills were read second time, and, on motion, indefinitely postponed:

H. B. No. 94: A bill to be entitled an act in relation to amending the laws of North Carolina;

H. B. No. 108; A bill to be entitled an act in relation to mischievous animals;

H. B. No. 138: A bill to be entitled an act for the relief of landlords;

H. B. No. 165: A bill to be entitled an act to repeal laws of 1872–'73, section 1, chapter 97, Battle's Revisal.

S. B. No. 11, H. B. No. 264: A bill to be entitled an act fixing the weight of packages containing salted fish, &c., was read second time, and,

On motion of Mr. Shackelford, postponed and made special order for to-morrow, 12 M.

H. B. No. 169: A bill to be entitled an act to amend section 11, chapter 201, laws of 1868–'69, in relation to the penalty of guardians' bonds, was read second time and passed, was read third time and rejected.

H. B. No. 171: A bill to be entitled an act to make the

jurisdiction of Justices of the Peace final in certain criminal matters, was read second time.

The question being upon the substitute proposed by the committee,

The following amendment, offered by Mr. Bowman, was adopted:

That where parties have been tried before Justices of the Peace and convicted or acquitted, or submitted, it shall be competent upon the appropriate plea, and it shall be the duty of the Superior Courts, in which prosecutions have been instituted for the offences already heard before the Justice to dismiss the same.

This act shall apply to prosecutions now pending, as well as to such as may be hereafter instituted, but nothing herein contained shall apply in cases of collusion.

Mr. Dula's amendment, "that nothing contained in this act shall prevent persons violating the criminal law over which Justices have final jurisdiction from voluntarily submitting before any Justice of the Peace without being arrested," was rejected.

Mr. Bennett's amendment, "that any person who is brought before a Justice of the Peace and is subject to his final jurisdiction, may, on affidavit, that owing to prejudice in the mind of the Justice, he cannot get a fair hearing, shall be entitled to a transfer of his case to some Justice of the Peace in an adjoining township, to be heard and determined: *Provided*, That this right shall only be exercised once," was adopted, and the substitute, as amended, was adopted and the bill passed; was read third time, passed and ordered to be engrossed and sent to the Senate.

Senate amendments to H. B. No. 75, S. B. No. 186: A bill to be entitled an act for the relief of sheriffs and tax collectors, were concurred in, and the bill ordered to be enrolled for ratification.

H. B. No. 39: A bill to be entitled an act to amend the

charter of the city of Raleigh, was read second time, passed and referred to the Committee on the Judiciary.

On motion of Mr. Jordan, the House adjourned till to-morrow at 11 o'clock.

THIRTY-SIXTH DAY.

SATURDAY, January 17th, 1874.

The House was called to order by the Speaker at 11 o'clock.

The journal of yesterday was read and approved.

It was announced that Mr. Byrd was detained at his room on account of sickness.

Indefinite leave of absence was granted to Mr. Gilmer.

Leave of absence till Tuesday next was granted to Mr. Outlaw.

It was announced that Messrs. Hanner, King and Outlaw were kept from their seats on account of sickness, and that Mr. Patrick had been detained at his home in Greene county till to-day on account of sickness in his family.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Scott: From the County Commissioners of Jones county asking authority to levy a special tax.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Sharp: From citizens of the town of Winton, in Hertford county, asking for an act of incorporation.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 367: A bill to be entitled an act in relation to persons in jail working on the public roads; that it do not pass.

From the Committee on Counties, Cities, Towns and Townships:

By Mr. Waugh, H. B. No. 162: A bill to be entitled an act in reference to the line between Brunswick and New Hanover counties; that it do not pass.

From the Committee on Education:

By Mr. Johnston, H. B. No. 354: A bill to be entitled an act to authorize the County Board of Education of Randolph to organize a Teachers' Institute; that it do pass with amendment;

H. B. No. 371: A bill to be entitled an act to empower the Board of Education for Davidson county to establish a Teachers' Institute in said county; that it do pass with amendments.

From the Committee on Railroads, Post Roads and Turnpikes:

By Mr. Bryson of Swain, H. B. No. 406: A bill to be entitled an act to lay off and improve the public road from Wilkesboro, in Wilkes county, to Taylorsville, in Alexander county; that it do pass with amendments.

A petition from citizens of Washington county asking for an appropriation to construct a public road in said county—asking to be discharged from its further consideration on account of the impoverished condition of the State.

The following bills and resolutions, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. R. No. 97: Resolution in favor of Josiah Turner, Jr.;

H. B. No. 372: A bill to be entitled an act to authorize the chairman of the Board of Commissioners of Cleaveland county to make title to certain town lots;

H. B. No. 214: A bill to be entitled an act to authorize the commissioners of Polk county to levy a special tax;

H. B. No. 167: A bill to be entitled an act declaratory of the meaning of section 41, chapter 45 of Battle's Revisal in regard to executors and administrators;

H. B. No. 269: A bill to be entitled an act to make valid certain divorce cases;

H. B. No. 159: A bill to be entitled an act to prohibit the sale of ardent spirits to minors.

The following bills, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to amend an act entitled an act to incorporate the town of Concord, in the county of Cabarrus, chapter 329, ratified January 28th, 1851;

An act to incorporate the Diamond Cotton Chopper and Cultivator Company.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Houston: Resolution to protest against the passage of the civil rights bill by Congress. H. R. No. 99.

By Mr. Turner: Resolution to raise a Joint Select Committee on adjournment. H. R. No. 100.

By Mr. Blackwell: Resolution in regard to the sessions of this House. H. R. No. 101.

By Mr. Bennett: Resolution asking the appointment of a committee to inquire and report when the first session of the next General Assembly is to be held. H. R. No. 102.

By Mr. McGehee: Resolution requesting our Senators and Representatives to secure, through the government of the United States, from the government of Great Britain copies of all papers, in the Colonial and other offices in London, relating to the early history of North Carolina. H. R. No. 103.

TO THE COMMITTEE ON FINANCE.

By Mr. Michael: Resolution of instruction to the Auditor of this State. H. R. No. 104.

The following named bills were in introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Settle: A bill to be entitled an act to change the time of holding the Superior Courts of the counties of Rockingham and Chatham, in the Seventh Judicial District. H. B. No. 407.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Perry of Bladen: A bill to be entitled an act to prohibit the sale of spirituous liquors in certain localities. H. B. No. 408.

By Mr. Whitmire: A bill to be entitled an act for the protection of sheep and other animals. H. B. No. 409.

By Mr. Dickey: A bill to be entitled an act in relation to Mount Pleasant Academy, of Cherokee county. H. B. No. 410.

By Mr. Sharp: A bill to be entitled an act to incorporate the town of Winton, in the county of Hertford. H. B. No. 411.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. McLaurin: A bill to be entitled an act to incorporate St. John's Lodge, No. 12, of F. & A. Masons, of Greensboro, Guilford county. H. B. No. 412.

TO THE COMMITTEE ON FINANCE.

By Mr. Scott: A bill to be entitled an act to empower the

County Commissioners of Jones county to levy a special tax. H. B. No. 413.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Gidney: A bill to be entitled an act to amend section 1, chapter 71, laws of 1871–'72, (section 22, chapter 27, Battle's Revisal.) H. B. No. 414.

TO THE COMMITTEE ON RAILROADS, POST ROADS AND TURNPIKES.

By Mr. Haynes, with accompanying petition: A bill to be entitled an act to prohibit the demanding of tolls at Sandy Bottoms, in Buncombe county. H. B. No. 415.

A message was received from the Senate transmitting engrossed copy of amendments to H. B. No. 145, S. B. No. 236: A bill to be entitled an act to allow the Commissioners of Anson county to levy a special tax, which were read and concurred in, and the bill ordered to be enrolled for ratification.

A message was received from the Senate concurring in House amendments to H. B. No. 340, S. B. No. 220: A bill to be entitled an act to incorporate the Diamond Cotton Chopper and Cultivator Company; and to S. B. 179, H. B. 311: A bill to be entitled an act to amend the charter of the Fair of the Carolinas.

On motion of Mr. Settle, the rules were suspended and H. B. No. 407: A bill to be entitled an act to change the time of holding the Superior Courts of the counties of Rockingham and Chatham in the Seventh Judicial District, was read second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Settle, his motion to reconsider the vote by which the bill passed its third reading was laid on the table.

On motion of Mr. Mitchell, the rules were suspended and H. R. No. 99: A resolution to be entitled a protest against the passage of the Civil Rights bill by Congress, was read second time.

On motion to table the resolution, the call for the ayes and noes made by Mr. Guyther was sustained, and the House refused to table. Ayes 29, noes 65.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Bowe, Brown of Davidson, Bryant of Halifax, Bunn, Cobb, Corson, Dudley, Ellison, Foster, Gilbert, Goodwyn, Gray, Guyther, Hampton, Hughes, Jones of Northampton, Jordan, Lloyd, Lutterloh, McLaurin, Miller, Michael, Paschal, Perry of Bladen, Sharp, Sneed and Winslow—29.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Ballard, Bennett, Blackwell, Blythe, Bowman, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Carter, Costner, Cox, Craige, Dickey, Dula, Freeman, Gant, Gilmer, Godfrey, Gorman, Grady, Gudger, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Standford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley, Whitmire, Whisnant and Woodhouse 65.

The amendment of Mr. Craige, to insert "supplemental" before "civil rights," was adopted.

Mr. Bowman moved to postpone till Thursday next and make special order for that day.

Mr. Jones of Caldwell moves to lay the motion to postpone on the table, which motion prevailed.

Mr. Williamson offered the following as a substitute for the resolution:

"*Resolved by the House of Representatives, the Senate concurring*, That our Senators be instructed and our Representatives requested to vote for such a bill as will secure equal civil and political rights, and against all bills tending to an enforcement of social equality."

Mr. Jones of Caldwell, offered the following amendment to the original resolution:

Strike out all after the word "resolved" and insert," that the General Assembly of North Carolina do most earnestly and respectfully petition the Congress of the United States not to pass the bill now pending in the House of Representatives, known as the Supplemental Civil Rights Bill, believing as we do that the immediate effects of such a law would be the suppression of our public schools, for both white and colored, the closing of many of our houses of worship, the ruin of our landlords and hotel proprietors, as well as the thorough demoralization of our society, and the cause of bitter strife between the races.

From a thorough knowledge of the situation, we are satisfied that the bill would operate disastrously to our best interests, and therefore we prefer this our petition."

Mr. Houston demanded the previous question, which was seconded by the House, and the main question ordered.

Mr. Rhodes moved to adjourn.

This motion was decided out of order by the Speaker (Mr. Gudger in the chair).

From the decision of the Speaker Mr. Rhodes appealed. A call for the ayes and noes was sustained, and the question "Shall the decision of the Chair be sustained?" was decided in the affirmative. Ayes 81, noes 5.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Ballard, Bean, Bennett, Blackwell, Blythe, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Costner, Cox, Craige, Dickey, Dula, Ellison, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Goodwyn, Grady, Guyther, Haynes, Hughes, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Jordan, Lindsay, Lloyd, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell,

Mizell, Moring, Moss, Norment, Patrick, Paschall, Perry of Wake, Presson, Reid of Mecklenburg, Richardson, Rhodes, Scott, Settle, Shaw, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Standford, Stowe, Sneed, Todd, Trivett, Turner, Warlick, Waddill, Watson, Webb, Winslow, Wiley, Whitmire, Wheeler, Whisnant and Woodhouse—81.

The following gentlemen voted in the negative:

Messrs. Cobb, Corson, Jones of Northampton, Waugh and Williamson—5.

The amendment of Mr. Jones of Caldwell was adopted, and the question recurring upon the adoption of the substitute offered by Mr. Williamson, it was rejected. Ayes 46, noes 55.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Blythe, Bowe, Brown of Davidson, Bryan of Pitt, Bryan of Halifax, Bryan of Wilkes, Brooks, Bunn, Cobb, Copeland, Corson, Cox, Dudley, Ellison, Fletcher, Foster, Gilbert, Gorman, Goodwyn, Guyther, Hampton, Hughes, Jones of Northampton, Jordan, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Patrick, Paschall, Perry of Bladen, Perry of Wake, Reid of Randolph, Rhodes, Scott, Sharp, Sneed, Trivett, Winslow, Williamson, Wheeler and Whisnant—46.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Ballard, Bennett, Blackwell, Bowman, Bryson of Jackson, Bryan of Sampson, Bryan of Alleghany, Carter, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Godfrey, Grady, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Standford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley, Whitmire and Woodhouse—55.

On the passage of the resolution as amended, a call for the ayes and noes was sustained and the resolution was adopted. Ayes 75, noes 25.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Ballard, Bean, Bennett, Blackwell, Blythe, Bowman, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Carter, Costner, Cox, Craige, Dickey, Dula, Ellison, Freeman, Gant, Gidney, Gilmer, Godfrey, Grady, Gudger, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Michael, Mitchell, Mizell, Moring, Moss, Norment, Patrick, Perry of Bladen, Perry of Wake, Presson, Reid of Mecklenburg, Richardson, Rhodes, Settle, Shaw, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Standford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whitmire, Wheeler, Whisnant and Woodhouse—75.

The following gentlemen voted in the negative:

Messrs. Abbott, Bowe, Bryant of Halifax, Bunn, Cobb, Corson, Dudley, Foster, Gilbert, Gorman, Goodwyn, Gray, Guyther, Hampton, Hughes, Jones of Northampton, Jordan, Lloyd, Lutterloh, McLaurin, Miller, Paschall, Scott, Sneed and Williamson—25.

Mr. Ellison moved to reconsider the vote by which the resolution passed, and Mr. Jones of Caldwell moved to lay that motion on the table.

On the motion to table, the call for the ayes and noes was sustained, and the motion prevailed. Ayes 67, noes 22.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Ballard, Bennett, Blackwell, Bowman, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Carter, Costner, Cox, Craige, Dickey, Dudley, Dula, Freeman, Gant, Gidney, Gilmer, Godfrey, Grady, Gudger, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, Michael, Mitchell, Moring, Norment, Patrick, Perry of Bladen, Perry of Wake, Presson, Reid of Mecklenburg, Richardson, Scott, Settle, Shaw, Shinn of Iredell, Shinn of Cabarrus,

Shackelford, Stanford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whisnant and Woodhouse—67.

The following gentlemen voted in the negative:

Messrs. Abbott, Bowe, Brown of Davidson, Bunn, Cobb, Ellison, Gilbert, Gorman, Goodwyn, Guyther, Hampton, Hughes, Jones of Northampton, Jordan, Lloyd, McLaurin, Miller, Mizell, Paschall, Rhodes and Sneed—22.

On motion, the House adjourned until half-past 10 o'clock, Monday.

THIRTY-SEVENTH DAY.

MONDAY, Jan. 19th, 1874.

The House was called to order by the Speaker at 10½ o'clock.

The journal of Saturday was read and approved.

Indefinite leave of absence was granted to Messrs. Carson and Shinn of Cabarrus, on account of sickness in their families.

Leave was granted to Mr. Sharp to record his vote in the affirmative upon the final passage of the resolution relating to the Civil Rights bill pending before Congress.

Leave of absence was granted to Mr. Norment till Thursday next.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Gorman: From the grand jury of Wake county in relation to discharged convicts;

By Mr. Maxwell: From members of the New Hope Baptist

church, in Sampson county, asking for a prohibitory liquor law within two miles of said church.

TO THE COMMITTEE ON CITIES, COUNTIES, TOWNS AND TOWNSHIPS.

From citizens of Cashie Neck asking for a repeal of the law passed at this session relative to fences, &c., in Cashie Neck, Bertie county;

By Mr. Freeman: From citizens of Rutherford and McDowell counties, asking for a change of a portion of the line between said counties.

TO THE COMMITTEE ON EDUCATION.

By Mr. Scott: From citizens of Jones county asking for the establishment of a collegiate institute for the colored youth of the State.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 368: A bill to be entitled an act to prescribe the duties of the Clerks of Superior Courts and Justices of the Peace, in relation to bills of costs; ask passage of substitute.

From the Committee on Cities, Counties, Towns and Townships:

S. B. No. 185, H. B. No. 387: A bill to be entitled an act to lay off and establish a new county by the name of Lillington; without any recommendation.

From the Committee on Corporations:

By Mr. Jones of Caldwell, H. B. No. 221: A bill to be entitled an act to authorize the town of Newton to take stock in railroads, and for other purposes; amend and pass;

S. B. No. 324, H. B. No. 359: A bill to be entitled an act to incorporate the Ladies' Memorial Association, of Wilmington, N. C.; that it do pass;

H. B. No. 385: An act to incorporate the village of King's Mountain, in the county of Cleaveland; that it do pass;

H. B. No. 398: A bill to be entitled an act to incorporate the town of Gold Hill, in the county of Rowan; that it do pass;

H. B. No. 399: A bill to be entitled an act to incorporate the town of Leicester, in the county of Buncombe; that it do pass;

H. B. No. 400: A bill to be entitled an act to charter the Bank of Wilson; ask its reference to the Committee on Banks and Currency; reference made;

H. B. No. 401: A bill to be entitled an act to incorporate the town of Saratoga, in the county of Wilson; that it do pass with amendment.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 67: A bill to be entitled an act to enable indigent persons to appeal to the Supreme Court.

H. B. No. 192: A bill to be entitled an act to amend chapter 110, acts 1870–'71, being an act to cure certain irregular proceedings in the jurisdiction of the courts.

H. B. No. 298: A bill to be entitled an act to incorporate Nebo Camp Ground, in McDowell county;

H. B. No. 323: A bill to be entitled an act to incorporate the town of Engelhard;

H. B. No. 209: A bill to be entitled an act to amend the charter of the city of Raleigh, ratified the 23d day of February, 1871;

H. B. No. 305: A bill to be entitled an act to incorporate the Rough and Ready Fire Company, No. 7, Newbern, N. C.;

H. B. No. 407: A bill to be entitled an act to change the time of holding the Superior Courts of the counties of Rockingham and Chatham, in the Seventh Judicial District.

The following bills, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act for the relief of sheriffs and tax collectors;

An act to amend the charter of the Fair of the Carolinas, at Charlotte;

An act to change the time of holding the Superior Courts for the counties of Rockingham and Chatham, in the Seventh Judicial District.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Jones of Caldwell: A bill to be entitled an act to provide for a special election in the county of Caldwell. H. B. No. 416.

By Mr. Bennett: A bill to be entitled an act to repeal all laws, parts of laws or clauses of laws, public or private, heretofore passed giving or dedicating or purporting to give or dedicate any part of the swamp lands of the State to any railroad or other corporation or company. H. B. No. 417.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Dickey: A bill to be entitled an act for the relief of persons who have entered vacant lands in Cherokee, Clay and Graham counties. H. B. No. 418.

By Mr. Bryson of Jackson: A bill to be entitled an act for the better protection of sheep in Jackson county. H. B. No. 419.

By Mr. Bowman: A bill to be entitled an act to lay off and establish a new county by the name of Badger. H. B. No. 420.

By Mr. Maxwell: A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of New Hope church, in the county of Sampson. H. B. No. 421.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Byrd: A bill to be entitled an act to incorporate the Ramseytown Baptist church, in Yancey county. H. B. No. 422.

By Mr. Lindsay: A bill to be entitled an act to amend the charter of the town of Battleboro. H. B. No. 423.

By Mr. Abbott: A bill to entitled be an act to incorporate Western Star Lodge, No. 9, F. and A. A. Y. Masons, in the town of Salisbury. H. B. No. 424.

TO THE COMMITTEE ON FINANCE.

By Mr. Presson: A bill to be entitled an act to raise revenue, and for other purposes. H. B. No. 425.

TO THE COMMITTEE ON EDUCATION.

By Mr. Abbott: A bill to be entitled an act to authorize the establishment of a collegiate institute for the colored youth of this State. H. B. No. 426.

PLACED ON THE CALENDAR.

By Mr. Jones of Caldwell: A bill to be entitled an act to authorize the commissioners of the town of Lenoir to sell certain tracts of land. H. B. No. 427.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Trivett: Resolution respecting Hon. A. M. Waddell and Hon. M. W. Ransom on the Back Salary Grab act. H. R. No. 105.

PLACED ON THE CALENDAR.

By Mr. Mitchell: Resolution of instruction to Finance Committee. H. R. No. 106.

A message was received from the Senate transmitting engrossed copy of S. B. No. 306, H. B. No. 428, bill to be entitled an act to provide the necessary appropriation for the Institution for the Deaf and Dumb and the Blind for the year 1874.

The bill was read first time, passed and placed on the Calendar.

On motion of Mr. Brown of Davidson, the rules were suspended and H. B. No. 371, a bill to be entitled an act to empower the Board of Education for Davidson county to establish a teachers' institute in said county, was read second time, amendments proposed by the committee were adopted, and the bill passed. Was read third time.

Mr. Bennett offered the following amendment: Strike out in section 1, line 25, the word "provided," and all that follows to and including "cause."

Pending the consideration of the amendment,

On motion of Mr. Brown, the further consideration of the bill was postponed till to-morrow.

On motion of Mr. Dula, the rules were suspended, and H. B. No. 406, a bill to be entitled an act to lay off and improve the public road leading from Wilkesboro, in the county of Wilkes, to Taylorsville, in the county of Alexander, was read second time.

The amendments of the committee were adopted, and the bill passed; was read third time, passed, and ordered to be engrossed and sent to the Senate.

On motion of Mr. Stanford, the rules were suspended, and S. B. No. 185, H. B. No. 387, a bill to be entitled an act to lay off and establish a new county by the name of Lillington, was recommitted to the Committee on Counties, Cities, Towns and Townships.

On motion of Mr. Houston, the rules were suspended, and

H. B. No. 221, a bill to be entitled an act to authorize the town of Newton to take stock in railroads, and for other purposes, was read second time, and the amendments of the committee were adopted.

The following amendment, offered by Mr. Bennett, "*Provided, further*, That a majority of the qualified voters of said town shall vote for the same; the number of said voters to be ascertained by a registration made and completed at least thirty days before said election," was adopted, and the bill passed. Ayes 83, noes 6.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Bean, Bennett, Blackwell, Blythe, Bowe, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Copeland, Corson, Costner, Cox, Craige, Dudley, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Godfrey, Gorman, Goodwyn, Gray, Grady, Gudger, Guyther, Hampton, Haynes, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Jones of Tyrrell, Johns, Jordan, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McGehee, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Patrick, Paschall, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Scott, Sharp, Shinn of Iredell, Shinn of Cabarrus, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whitmire, Whisnant and Woodhouse—83.

The following gentlemen voted in the negative:

Messrs. Bryan of Pitt, Bunn, Hinnant, Jones of Northampton, Shaw and Sneed—6.

S. B. No. 300, H. B. No. 351: A bill to be entitled an act to extend the time of taking out grants from the State, was read second time.

Mr. Dickey offered the following amendment, which was adopted:

"Strike out in line 6, section 1, the words 'June (30th, 1874,) hirtieth,' and insert December the thirty-first."

The following amendment of Mr. Webb was adopted:

"*Provided*, That this act shall not apply to entries made below tide water in Carteret county."

Mr. Johnston offered the following proviso:

"*Provided*, That the provisions of this act shall not be construed to affect the rights of any person or persons who have entered any lands in the State since the 31st of December, 1873; *And provided, further*, That this act shall not apply to dormant entries of land where other parties have entered the same," was adopted, and the bill passed; was read third time, and, on motion, recommitted to the Committee on the Judiciary.

On motion of Mr. Craige, the rules were suspended and H. B. No. 193, a bill to be entitled an act concerning elections in the State, was taken from the Calendar, ordered to be printed and made special order for 12 M., Friday, January 22.

On motion of Mr. Blackwell, the rules were suspended and H. R. No. 101, a resolution in regard to the sessions of the House, was read second time, and,

On motion of Mr. Waugh, laid on the table.

On motion of Mr. Guyther, the rules were suspended and H. B. No. 337, a bill to be entitled an act to incorporate the town of Creswell, in Washington county, was read second time.

Mr. Guyther's motion to non-concur in committee's amendment was rejected, the amendment prosposed by the committee was adopted, and the bill passed.

Mr. Guyther moved that the consideration of the bill be postponed till he could hear from his constituents.

S. B. No. 233, H. B. No. 339: A bill to be entitled an act

to prevent distemper and other infectious diseases among cattle, was read second time.

The following amendment, offered by Mr. Bennett, was adopted :

"Nothing herein contained shall be construed to deprive any citizen of North Carolina of his personal property exemption."

The amendment of Mr. Bryan of Pitt, "*Provided*, That they shall first make a lawful fence on the South Carolina and North Carolina line," was rejected.

Mr. Scott's amendment, "*Provided, however*, It shall not be lawful for the Legislatures of South Carolina and Georgia to pass any similar act in regard to cattle from North Carolina," was rejected.

Mr. Bowman offered the following :

"*Provided, further*, That the provisions of this act shall not apply to cattle owned by citizens of the State of South Carolina or Georgia, who are domiciled within three miles of the North Carolina State line."

Mr. Moss offered the following as an amendment to Mr. Bowman's :

Provided, This bill shall not apply to cattle which shall stray over the line contrary to the will of the owner."

Mr. Moss's amendment was rejected, and the question recurring upon the amendment of Mr. Bowman, it was rejected and the bill passed, was read third time, passed and ordered to be returned to the Senate for concurrence in amendment.

H. B. No. 321: A bill to be entitled an act to incorporate Smith Grove Camp Ground, in Davie county, was read second time and passed, was read third time, passed and ordered to be engrossed and sent to the Senate.

The following named bills were read second and third times, passed each reading and were ordered to be engrossed and sent to the Senate :

H. B. No. 207: A bill to be entitled an act to authorize the Commissioners of Martin county to sell or lease a certain public landing ;

H. B. No. 324: A bill to be entitled an act to incorporate Lilesville, in the county of Anson ;

H. B. No. 336: A bill to be entitled an act to incorporate the town of Manson, in the county of Warren ;

H. B. No. 398: A bill to be entitled an act to incorporate the town of Gold Hill, in the county of Rowan.

On motion of Mr. Gorman, the House adjourned till to-morrow, 10½ o'clock.

THIRTY-EIGHTH DAY.

TUESDAY, January 20th, 1874.

The House was called to order by the Speaker at half-past 10 o'clock.

The journal of yesterday was read, amended and approved.

Mr. Trivett addressed the House upon a question of personal privilege.

Mr. Turner was excused from attendance upon the session of the House to-morrow on account of duties pertaining to a Joint Select Committee on the Insane Asylum.

The following petitions were introduced, read and referred, or otherwise disposed of, as follows :

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Warlick : From the citizens of Morganton, Burke county, asking for the passage of a law to license one bar-room in said town.

By Mr. Warlick: Counter petition from the citizens of Morganton on the same subject.

By Mr. Shackelford: From citizens of Onslow county praying for the repeal of the law prohibiting the sale of liquor within four miles of Yopp Meeting House.

TO THE COMMITTEE ON RAILROADS, POST ROADS AND TURNPIKES.

By Mr. Blythe: From citizens of McDowell and Henderson counties, for a public road from Old Fort, in McDowell county, to Reedy Patch Bridge, in Henderson county.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 223: A bill to be entitled an act to make attendance upon the public schools of the State obligatory; that it do not pass;

H. B. No. 248: A bill to be entitled an act to amend sections 3 and 4, chapter 87, Revised Code; that it do not pass;

S. B. No. 93, H. B. No. 266: A bill to be entitled an act to amend chapter 60, section 16, laws of 1869-'70; that it do pass with amendments;

H. B. No. 329: A bill to be entitled an act to provide a room for the Supreme Court records; that it do pass;

H. B. No. 360: A bill to be entitled an act to discharge the security where the principal of any debt becomes discharged from the said debt by operation of law and bankruptcy; that it do not pass;

H. B. No. 388: A bill to be entitled an act for the relief of physicians; that it do not pass;

H. B. No. 389: A bill to be entitled an act concerning Commissioners of Affidavits and Probates of Deeds in other States and Territories and the District of Columbia; that it do pass;

H. B. No. 417: A bill to be entitled an act to repeal all laws, parts of laws or clauses of laws, public or private, heretofore passed, giving or dedicating or purporting to give or

dedicate any part of the swamp lands of the State to any railroad or other corporation or company; that it do pass;

H. R. No. 71: A resolution of instruction to the Judiciary Committee; the committee report adversely to the creation of an office in the present impoverished condition of the State.

From the Committee on Banks and Currency:

By Mr. Richardson, H. B. No. 400: A bill to be entitled an act to charter the Bank of Wilson; that it do pass with amendment.

From the Committee on Finance:

By Mr. Standford, H. R. No 104: A resolution of instruction to the Auditor of the State; that it do not pass.

From the Committee on Propositions and Grievances:

By Mr. Carter, H. B. No. 376: A bill to be entitled an act to protect the fish interest of North Carolina; that it do not pass;

H. B. No. 377: A bill to be entitled an act in relation to taking or shooting mountain trout in the waters of Elk river and tributaries in the counties of Mitchell and Watauga; that it do pass.

H. B. No. 379: A bill to be entitled an act to prohibit the sale of spirituous liquors within one mile of churches, schools, &c.; that it do not pass;

H. B. No. 382: A bill to be entitled an act to prevent the selling or giving away of intoxicating liquors within two miles of Turkey Creek Camp Ground, in Buncombe county, and for other purposes; that it do pass;

H. B. No. 396: A bill to be entitled an act to allow owners of land to seize and impound horses, cattle and other stock for damages committed within the enclosure; that it do not pass;

H. B. No. 397: A bill to be entitled an act concerning inspectors in the city of Wilmington, asking its reference to the Judiciary Committee. Reference made;

H. B. No. 408: A bill to be entitled an act to prohibit the sale of liquor in certain localities; that it do pass with amendment.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H B. No. 76: A bill to be entitled an act to amend chapter 171, laws of 1872–'73, entitled "An act to prohibit the sale o intoxicating liquors in certain localities;"

H. B. No. 172: A bill to be entitled an act to prevent the sale of spirituous liquors within two miles of any place of public worship, in Stokes county, upon the days of such worship.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to allow the Commissioners of Anson county to levy a special tax;

An act to incorporate the People's Bank of Monroe;

An act to repeal chapter 101, Private Laws of 1870–'71, and to amend chapter 95, Private Laws of 1871–'72.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Marler: Resolution expressive of the sense of this House in regard to amending Battle's Revisal. H. R. 107.

By Mr. Maxwell: Resolution to raise a Joint Select Committee to report on the expenditures of the Insane Asylum. H. R. No. 108.

By Mr. McNeill: Resolution in regard to Marion and Asheville Turnpike Company. H. R. No. 109.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Maxwell: A bill to be entitled an act for the protection of ton timber. H. B. No. 429.

By Mr. Marler: A bill to be entitled an act to cause the Probate Court in the several counties of this State to be and remain open for the despatch of business on the first Monday in January, April, July and October. H. B. No. 430.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Mizell: A bill to be entitled an act giving the Superior Court of Martin county jurisdiction over misdemeanors committed on Conine Island, in Bertie county. H. B. No. 431.

By Mr. Presson: A bill to be entitled an act to authorize J. J. Hasty, former sheriff of Union county, to collect arrears of taxes. H. B. No. 432.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Gidney: A bill to be entitled an act to amend section 3 of act concerning Clover Hill Camp Ground, &c., and section 3 of an act concerning Sharon Camp Ground, &e. H. B. No. 433.

By Mr. Moss: A bill to be entitled an act to extend the corporate limits of the town of Wilson. H. B. No. 434.

By Mr. Ballard: A bill to be entitled an act to amend chapter 116 of laws of 1871-'72. H. B. No. 435.

TO THE COMMITTEE ON FINANCE.

By Mr. Perry of Bladen: A bill to be entitled an act to authorize the commissioners of Bladen county to levy a special tax in the year 1874. H. B. No. 436.

By Mr. Stanford: A bill to be entitled an act to authorize Bland Wallace, sheriff of Duplin county, to collect arrears of taxes. H. B. No. 437.

TO THE COMMITTEE ON INTERNAL IMPROVEMENTS.

By Mr. Gorman: A bill to be entitled an act to provide

for the improvement of the public highways in Wake county. H. B. No. 438.

By Mr. Bennett: A bill to be entitled an act to amend an act entitled an act to amend the charter of the North Carolina Railroad Company, and for other purposes therein mentioned, ratified December 20th, 1873. H. B. No. 439.

TO THE COMMITTEE ON AGRICULTURE.

By Mr. Bryan of Pitt: A bill to be entitled an act to amend section 1, chapter 48, Revised Code, entitled fences. H. B. No. 440.

By Mr. Brown of Mecklenburg: A bill to be entitled an act to amend chapter 193 laws of 1872-'73. H. B. No. 441.

By Mr. Carter: A bill to be entitled an act to include the county of Hyde within the provisions of the act relating to fences and for the protection of crops. H. B. No. 442.

On motion of Mr. Jones of Caldwell, the rules were suspended and H. R. No. 72, resolution in regard to certain important manuscripts belonging to the State, was read and adopted.

On motion of Mr. Cox, the Calendar was placed at the disposal of the Speaker for to-day.

The following named bill was read second and third times, passed each reading and was ordered to be engrossed and sent to the Senate:

H. B. No. 334: A bill to be entitled an act to cure certain irregular proceedings in the Probate Courts.

H. B. No. 354: A bill to be entitled an act to authorize the County Board of Education of Randolph to organize a teachers' institute, was read second time.

The amendment of Mr. Bean, to insert the words "certified by the" between the words "and" and "secretary" in third section was adopted, and bill passed, was read third time, passed and ordered to be engrossed and sent to the Senate.

H. B. No. 337: A bill to be entitled an act to incorporate the town of Creswell, was read third time, and,

On motion of Mr. Stanford, the name "Guyther," inserted on second reading of the bill, was stricken out and bill passed, and was ordered to be engrossed and sent to the Senate.

H. B. No. 361: A bill to be entitled an act touching the prohibition of the sale of spirituous liquors in four miles of Oxford, in the county of Granville, was read second time, the amendments of Mr. Hughes were adopted, and the bill passed; was read third time, passed and ordered to be engrossed and sent to the Senate.

The following named bills were read second time, and, on motion, laid on the table:

H. B. No. 162: A bill to be entitled an act in reference to the line between Brunswick and New Hanover counties;

H. B. No. 190: A bill to be entitled an act to repeal chapter 71, laws of North Carolina, 1871–'72;

H. B No. 197: A bill to be entitled an act to amend subdivision 2, section 31, chapter 3, title 4, Code of Civil Procedure.

The following named bills were read second and third times, passed each reading, and were ordered to be enrolled for ratification:

S. B. No. 59, H. B. No. 349: A bill to be entitled an act in relation to entries of land;

S. B. No. 324, H. B. No. 359: A bill to be entitled an act to incorporate "The Ladies' Memorial Association," of Wilmington, N. C.;

S. B. No. 354, H. B. No. 386: A bill to be entitled an act to amend an act to amend the charter of the North Carolina Railroad Company, and other purposes, ratified 20th day December, 1873:

H. B. No. 371: A bill to be entitled an act to empower the Board of Education for Davidson College to establish a teachers' institute in said county, was read third time.

The amendment of Mr. Bennett, by consent, was withdrawn and the bill passed, and,

On motion of Mr. Brown of Davidson, his motion to recon-

sider the vote by which the bill passed its third reading, was laid on the table.

H. B. No. 221: A bill to be entitled an act to authorize the town of Newton to take stock in railroads, and for other purposes, was read third time and passed. Ayes 79, noes 12.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Ballard, Bean, Bennett, Blackwell, Blythe, Bowe, Bowman, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Bunn, Byrd, Carter, Cobb, Costner, Cox, Craige, Dickey, Dula, Ellison, Foster, Freeman, Gant, Gidney, Gorman, Goodwyn, Grady, Gudger, Hampton, Haynes, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Johns, Lindsay, Lloyd, Marler, Maxwell, McLaurin, Miller, Michael, Mitchell, Mizell, Moring, Moss, Patrick, Perry of Bladen, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Rhodes, Settle, Shinn of Iredell, Shackelford, Standford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whisnant and Woodhouse—79.

The following gentlemen voted in the negative:

Messrs. Abbott, Bryan of Pitt, Copeland, Dudley, Hinnant, Jones of Northampton, Joyner, Jordan, King, Paschall, Shaw, and Sneed—12.

S. B. No. 306, H. B. No. 428: A bill to be entitled an act to provide the necessary appropriation for the Institution of the Deaf and Dumb and the Blind, for the year 1874, was read second time and made special order for Thursday, Jan. 22, at 11 o'clock.

SPECIAL ORDER.

The hour (12 M.) for the special order having arrived, S. B. No. 11, H. B. No. 264: A bill to be entitled an act fixing the weight of packages containing salted fish, and to require pack-

ers to stamp or mark their names on each package shipped for sale, was read second time.

The substitute for the bill offered by Mr. Outlaw was adopted.

Pending the consideration of the bill and amendments, on motion of Mr. Shackelford, the bill was recommitted to the Committee on Propositions and Grievances.

H. B. No. 198: A bill to be entitled an act to increase the Homestead and Personal Property Exemption, was read second time and passed.

The rules were suspended and the bill was read third time.

A call for the ayes and noes was sustained and the bill passed. Ayes 91, noes 4.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Ballard, Bean, Bennett, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bunn, Byrd, Carter, Carson, Cobb, Copeland, Costner, Cox, Craige, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Gant, Gilbert, Godfrey, Gorman, Goodwyn, Gray, Grady, Guyther, Hanner, Hampton, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Jordan, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mizell, Moring, Moss, Patrick, Paschall, Perry of Bladen, Reid of Mecklenburg, Reid of Randolph, Settle, Shaw, Sharp, Shinn of Iredell, Shackelford, Standford, Stowe, Sneed, Tood, Trivett, Turner, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Williamson and Whisnant—91.

The following gentlemen voted in the negative:

Messrs. Freeman, Gidney, Gudger and Presson—4.

On motion of Mr. Bennett, his motion to reconsider the vote by which the bill passed its third reading, was laid on the table.

S. B. No. 105, H. B. No. 342: A bill to be entitled an act to authorize the Board of Trustees of Hickory Tavern Town-

ship to establish public highways, was read second time, and the amendment proposed by the committee as a substitute for section 2 of the bill, was adopted, and the bill passed; was read the third time, passed and ordered to be returned to the Senate for concurrence in House amendment.

S. B. No. 334, H. B. No. 338: A bill to be entitled an act to amend Battle's Revisal, chapter 17, section 31, was read second time and rejected.

On motion of Mr. Gorman, the House adjourned till to-morrow, half-past 10 o'clock.

THIRTY-NINTH DAY.

WEDNESDAY, January 21st, 1874.

The House was called to order by the Speaker at half-past 10 o'clock.

The journal of yesterday was read and approved.

Leave was granted to Mr. Wheeler and Mr. Mitchell to record their vote on the bill to increase the property exemptions.

Indefinite leave was granted to Mr. Johns on account of sickness in his family.

Leave for the balance of this week was granted to Mr. Jones of Orange, on account of important business.

It was announced that Mr. Davis was sick at his room in this city.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

By Mr. Goodwyn: From citizens of Halifax county, praying for the repeal of the charter of the Roanoke Navigation Company;

By Mr. Dickey: From citizens of Cherokee county, asking for authority to construct a road;

By Mr. Gorman: From citizens of Wake county, praying

the prohibition of the sale of liquor within two miles of Mount Hermon church, in said county.

Reports from standing committees were submitted with recommendations, as follows :

From the Committee on Propositions and Grievances :

By Mr. Brown of Mecklenburg, H. B. No. 255 : A bill to be entitled an act concerning Clark's and Marden's creeks; that substitute do pass.

H. B. No. 410 : A bill to be entitled an act in relation to Mount Pleasant Academy, in Cherokee county ; that it do not pass.

H. B. No. 418 : A bill to be entitled an act for the relief of persons who have entered vacant lands in Cherokee, Clay and Graham counties ; that it do pass.

H. B. No. 419 : A bill to be entitled an act for the protection of sheep in Jackson county; that it do pass.

From the Committee on Finance :

By Mr. Stanford, H. B. No. 404 : A bill to be entitled an act to repeal sections 14, 15, 16 and 17, of chapter 2, Revised Code ; amend and pass.

By Mr. Gidney, from same committee, H. B. No. 425 : A bill to be entitled an act to raise revenue, and for other purposes ; that it do not pass.

S. R. No. 176, H. R. No. 96 : Joint resolution appropriating $1,277.65 to reimburse those citizens who advanced this amount to defray the expenses of the State Geologist at the Grand Exposition at Vienna ; that it do not pass.

From the Committee on Agriculture :

By Mr. Jones of Orange, H. B. No. 440 : A bill to be entitled an act to amend section 1, chapter 48, Revised Code, entitled fences; that it do not pass.

H. B. No. 441 : A bill to be entitled an act to amend chapter 193 laws of 1872-'73, and H. B. No. 402, a bill to be entitled an act to amend an act relating to fences and for the protection of crops ; that it do pass.

From the Committee on Internal Improvements :

By Mr. McGehee, H. B. No. 439 : A bill to be entitled an

act to amend an act to amend the charter of the North Carolina Railroad Company, and for other purposes therein mentioned, ratified December 20th, 1873; that it do pass with amendment.

S. B. No. 327, H. B. No. 350: A bill to be entitled an act in relation to the Western Division of the Western North Carolina Railroad; that it do pass.

From the Committee on Railroads, Post Roads and Turnpikes:

By Mr. Bryson of Swain, H. B. No. 415: A bill to be entitled an act to prohibit the demanding of tolls at Sandy Bottoms, in Buncombe county; that it do pass.

From the Committee on Corporations:

By Mr. Jones of Caldwell, H. B. No. 422: A bill to be entitled an act to incorporate the Ramseytown Baptist church, in Yancey county; that it do pass.

Mr. Paschall, from the Joint Select Committee to procure opinion of Attorney General, submitted a report, and accompanying that report was enclosed the opinion of Attorney General, which was read and ordered to be transmitted to the Senate for the information of that body.

The following bills and resolutions, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. R. No. 99: A resolution to be entitled a protest against the passage of the Supplemental Civil Rights Bill by Congress.

H. B. No. 207: A bill to be entitled an act to authorize the commissioners of Martin county to sell or lease a public landing.

H. B. No. 321: A bill to be entitled an act to incorporate Smith Grove Camp Ground, in Davie county.

H. B. No. 336: A bill to be entitled an act to incorporate the town of Manson, in Warren county.

H. B. No. 398: A bill to be entitled an act to incorporate the town of Gold Hill, in the county of Rowan.

H. R. No. 102: Resolution asking the appointment of a

Committee to inquire and report when the first session of the next General Assembly is to be held.

H. R. No. 104: A resolution of instruction to the Auditor of this State.

H. R. No. 108: Resolution to raise a joint select committee to report on the expenditures of the Insane Asylum.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to amend an act to amend the charter of the North Carolina Railroad Company, and other purposes mentioned therein, ratified 20th December, 1873.

An act to incorporate the Ladies' Memorial Association, of Wilmington, N. C.

Resolution to legalize certain acts of entry takers.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON CLAIMS.

By Mr. Hanner: A resolution in favor of Alexander Dawson and others. H. R. No. 111.

PLACED ON THE CALENDAR.

By Mr. Waugh: Resolution of instruction to the Committee on Salaries and Fees. H. R. No. 112.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Wheeler: A bill to be entitled an act to amend an act entitled an act to allow the transfer of certain causes pending in the Courts of Equity in this State. H. B. No. 443.

By Mr. Gudger: A bill to be entitled an act to amend section 35, chapter 193, Public Laws of 1871–'72, ratified 12th February, 1872. H. B. No. 444.

By Mr. Bennett: A bill to be entitled an act to amend chapter 105, section 14, of Battle's Revisal. H. B. No. 445.

By Mr. Goodwyn: A bill to be entitled an act to repeal the charter of the Roanoke Navigation Company. H. B. No. 446.

By Mr. Brown of Mecklenburg: A bill to be entitled an act to amend section 53, Code Civil Procedure. H. B. No. 447.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Gorman: A bill to be entitled an act concerning convicts discharged from the penitentiary. H. B. No. 448.

By Mr. Dickey: A bill to be entitled an act to construct and establish a turnpike road from Shoal Creek, in Cherokee county, to the Tennessee line. H. B. No. 449.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Godfrey: A bill to be entitled an act to amend chapter 28, Private Laws of 1868–'69. H. B. No. 450.

By Mr. Warlick: A bill to be entitled an act to incorporate the People's Building and Loan Association, of Morganton, N. C. H. B. No. 451.

By Mr. Shackelford: A bill to be entitled an act in relation to the town of Trenton, in Jones county. H. B. No. 452.

TO THE COMMITTEE ON SALARIES AND FEES.

By Mr. Turner: A bill to be entitled an act regulating the fees of Justices of the Peace and Constables. H. B. No. 453.

TO THE COMMITTEE ON RAILROADS, POST ROADS AND TURNPIKES.

By Mr. Jones of Northampton: A bill to be entitled an act

to compensate overseers of public roads in certain cases. H. B. No. 454.

By Mr. Blythe: A bill to be entitled an act directing the Secretary of State to furnish laws touching public roads to the several counties of the State. H. B. No. 455.

TO THE COMEITTEE ON BANKS AND CURRENCY.

By Mr. Waugh: A bill to be entitled an act to incorporate the Planters' Bank, of Mt. Airy. H. B. No. 456.

PLACED ON THE CALENDAR.

By Mr. Carson: A bill to be entitled an act for the relief of the sheriff of Alexander county. H. B. No. 457.

H. B. No. 220: A bill to be entitled an act to amend an act amendatory of an act in relation to the fees of county officers and the Supreme Court Clerk, was read second time.

The counties of Ashe, Transylvania and Madison were exempted from the provisions of the bill.

Mr. Brown of Davidson moved to lay the bill on the table.

A call for the ayes and noes, made by Mr. Guyther, was sustained, and the motion prevailed. Ayes 69, noes 35.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Ballard, Bennett, Blackwell, Blythe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Carter, Carson, Costner, Cox, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Gant, Gidney, Gilbert, Grady, Gudger, Guyther, Hampton, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Joyner, Jordan, Lutterloh, Marler, Maxwell, McGehee, McNeill, Miller, Mitchell, Mizell, Moring, Moss, Perry of Wake, Presson, Reid of Mecklenburg, Shaw, Sharp, Shinn of Iredell, Stowe, Trivett, Turner, Warlick, Waddill, Waugh, Webb, Wiley, Whitmire and Whisnant—69.

The following gentlemen voted in the negative:

Messrs. Bean, Bowe, Bryant of Halifax, Bunn, Craige, Freeman, Godfrey, Gorman, Goodwyn, Gray, Hughes, Jones of Orange, King, Lindsay, Lloyd, Luckey, McLaurin, Micheal, Outlaw, Patrick, Paschal, Perry of Bladen, Reid of Randolph, Richardson, Rhodes, Scott, Shackelford, Standford, Sneed, Todd, Watson, Winslow, Williamson, Wheeler and Woodhouse—35.

The hour (12 M.) for the special order having arrived, Mr. Brown of Davidson's motion to reconsider the vote by which H. B. No. 154, a bill to be entitled an act for amnesty and pardon, was rejected.

On motion of Mr. Brown of Davidson, it was postponed till Wednesday, 28th January, and made special order for 12 M. that day.

H. R. No. 104: A resolution of instruction to the Auditor of this State, was read second time.

On the passage of the resolution, a call for the ayes and noes, made by Mr. Michael, was sustained, and the resolution was adopted. Ayes 89, noes 2.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Ballard, Bean, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bunn, Byrd, Carter, Carson, Corson, Costner, Cox, Craige, Dickey, Dudley, Dula, Ellison, Foster, Freeman, Gant, Gilbert, Godfrey, Gorman, Goodwyn, Gray, Guyther, Hanner, Hampton, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Jordan, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, Miller, Michael, Mitchell, Mizell, Moring, Moss, Outlaw, Patrick, Paschall, Perry of Bladen, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Rhodes, Scott, Shaw, Sharp, Shinn of Iredell, Shackelford, Standford, Stowe, Sneed, Todd, Trivett, Turner, Warlick, Waddill, Watson, Waugh,

Webb, Winslow, Wiley, Whitmire, Wheeler, Whisnant and Woodhouse—98.

Messrs. Gidney and Gudger voted in the negative.

The following named bills were read second time, and on motion, laid on the table:

H. B. No. 212: A bill to be entitled an act to change the line between the counties of Bertie and Martin;

H. B. No. 217: A bill to be entitled an act to repeal section 7, chapter 9, laws of special session 1868;

H. B. No. 232: A bill to be entitled an act to lay off and establish a new county by the name of Centre;

H. B. No. 233: A bill to be entitled an act to allow commissioners of the several counties to exempt certain property from taxation of certain persons;

H. B. No. 238: A bill to be entitled an act to amend section 76, title 7, Code of Civil Procedure;

H, B. No. 239: A bill to be entitled an act defining the duties of State officers in making annual reports;

H. B. No. 247: A bill to be entitled an act in relation to fees of witnesses in justices' courts;

H. B. No. 248: A bill to be entitled an act to amend sections 3 and 4, chapter 87, Revised Code.

The following named bills were read second time, and, on motion, indefinitely postponed:

H. B. No. 211: A bill to be entitled an act exempting three hundred dollars' worth of personal property for each tax payer in this State;

H. B. No. 194: A bill to be entitled an act to amend section 3, line 5, chapter 169, public laws 1869-'70.

The following named bills were read second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate:

H. B. No. 208: A bill to be entitled an act to authorize the commissioners of Martin county to sell or lease certain lands in said county;

H. B. No. 335: A bill to be entitled an act to amend chapter 175 of the laws of 1868-'69;

H. B. No. 389: A bill to be entitled an act concerning Commissioners of Affidavits and Probates of Deeds in other States and Territories, and the District of Columbia.

H. B. No. 258: A bill to be entitled an act to incorporate the town of Taylorsville, in Alexander county, was read second time, amendment proposed by the committee was adopted and bill passed; was read third time, passed and ordered to be engrossed and sent to the Senate.

H. B. No. 245: A bill to be entitled an act to amend section 15, chapter 105, Battle's Revisal, was read second time and rejected.

On motion of Mr. Mitchell, H. R. No. 106, resolution of instruction to Finance Committee, was referred to the Judiciary Committee.

H. R. No. 108: Resolution to raise Joint Select Committee to report on the expenditures of the Insane Asylum, was read and adopted.

On motion of Mr. Perry of Wake, the House adjourned till to-morrow, 10½ o'clock.

FORTIETH DAY.

THURSDAY, January 22d, 1874.

The House was called to order by the Speaker at half-past 10 o'clock.

The reading of the journal of yesterday was dispensed with.

Leave of absence was granted to Mr. Cox from and after to-morrow till Monday next.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Brooks: From citizens of Brunswick county, asking

for the prohibition of the sale of liquor within five miles of Zion Methodist E. Church;

By Mr. McNeill: From citizens of Robeson county, protesting against the passage of a law prohibiting the sale of liquor within four miles of Bethel church.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Bean: From citizens of Randolph county, to incorporate Brown Chapel M. P. Church;

By Mr. Blackwell: From citizens of Buncombe county, asking for the incorporation of Leicester;

By Mr. Carson: From citizens of Alexander, to incorporate Rocky Spring church and Camp Ground, in Alexander county, and to prohibit the sale of intoxicating liquor within one mile of the same.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Abbott: From citizens of Craven county, asking the enactment of a law authorizing the establishment of a collegiate institute for the benefit of the colored youth of the State.

A communication from the Chamber of Commerce of the city of Wilmington, addressed to the Speaker of the House, covering a series of resolutions recently adopted by that body relative to the public funds and their more general distribution among the banks of the State. The communication and resolutions were read and referred to the Committee on Finance.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 202: A bill to be entitled an act to prevent the felling of timber in Tar river; that it do not pass;

S. B. No. 21, H. B. No. 228: A bill to be entitled an act to

prevent fraud in the sale of commercial manures; amend and pass;

H. B. No. 314: A bill to be entitled an act to amend an act to establish the rate of interest and to repeal chapter 114 of the Revised Code, entitled Usury; that it do not pass;

H. B. No. 443: A bill to be entitled an act to amend an act entitled "An act to allow the transfer of certain causes pending in the late Courts of Equity in this State;" that it do pass;

H. B. No. 447: A bill to be entitled an act to amend section 53, Code of Civil Procedure; that it do pass.

From the Committee on Claims:

By Mr. McNeill, H. B. No. 365: A bill to be entitled an act in favor of the contractors on the Marion and Asheville turnpike; amend and pass.

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 375: A bill to be entitled an act to prevent the felling of trees in Upper Little River, Harnett county; that it do not pass;

H. B. No. 381: A bill to be entitled an act to repeal chapter 61, Private Laws of 1872–'73; that it do not pass;

H. B. No. 391: A bill to be entitled an act to prevent the obstruction of the waters of Black Creek, in Wilson county; that it do not pass;

H. B. No. 431: A bill to be entitled an act giving the Superior Court of Martin county jurisdiction over misdemeanors committed on Conine Island, in Bertie county; amend and pass;

H. B. No. 393: A bill to be entitled an act to amend chapter 43 of the Private Laws of 1872-'73; that it do pass;

H. B. No. 448: A bill to be entitled an act concerning convicts discharged from the penitentiary; that it do not pass;

H. R. No. 78: Resolution to provide for celebrating the one hundredth anniversary of the Mecklenburg Declaration of Independence by holding an exhibition of arts and of the products and manufactures of the State, in the city of Charlotte, on the 20th day of May, A. D. 1875; that it do pass.

From the Committee on Corporations:

By Mr. Jones of Caldwell, H. B. No. 411: A bill to be entitled an act to incorporate the town of Winton, in the county of Hertford; amend and pass;

H. B. No. 412: A bill to be entitled an act to incorporate St. John's Lodge, No. 12, F. & A. A. Y. Masons, of Greensboro, Guilford county; that it do pass;

H. B. No. 423: A bill to be entitled an act to amend the charter of the town of Battleboro; that it do pass;

H. B. No. 424: A bill to be entitled an act to incorporate Western Star Lodge, No. 9, F. & A.A. Y. Masons, in the town of Salisbury; that it do pass;

H. B. No. 433: A bill to be entitled an act to amend section 3 of an act concerning Clover Hill Camp Ground, and section 3 of an act concerning Sharon Camp Ground; that it do pass;

H. B. No. 434: A bill to be entitled an act to extend the corporate limits of the town of Wilson; that it do pass;

H. B. No. 435; A bill to be entitled an act to amend chapter 116, laws of 1871-'72; that it do pass;

H. B. No. 451: A bill to be entitled an act to incorporate the People's Building and Loan Association, of Morganton, N. C.; that it do pass;

H. B. No. 452: A bill to be entitled an act in relation to the town of Trenton, in Jones county; that it do pass.

From the Committee on Finance:

By Mr. Stanford, H. B. No. 384: A bill to be entitled an act to amend chapter 105, section 18, of Battle's Revisal; that substitute do pass;

H. B. No. 458: A bill to be entitled an act for collecting revenue—the Machinery Act; that it do pass;

By Mr. Gidney, from same committee, S. R. No. 175, H. R. No. 93: Resolution in favor of the Fayetteville National Bank, of Fayetteville; that it do pass;

H. B. No. 459: A bill to be entitled an act to raise revenue; that it do pass.

Mr. Brown of Davidson, from the Select Committee to investigate charges against the Penitentiary Board and Deputy Warden Thompson, submitted a report with testimony.

The report was read and placed on the Calendar.

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. R. No. 72: Resolution in regard to certain important manuscripts belonging to the State.

H. B. No. 198: A bill to be entitled an act to increase the homestead and personal property exemption.

H. B. No. 324: A bill to be entitled an act to incorporate Lilesville, in Anson county.

H. B. No. 334: A bill to be entitled an act to cure certain irregular proceedings in the Probate Courts.

H. B. No. 337: A bill to be entitled an act to incorporate the town of Creswell, in Washington county.

H. B. No. 361: A bill to be entitled an act touching the prohibition of the sale of intoxicating liquors within the corporate limits of Oxford, in Granville county.

H. B. No. 371: A bill to be entitled an act to empower the Board of Education for Davidson county to establish a teachers' institute in said county.

H. B. No. 406: A bill to be entitled an act to lay off and improve the public road leading from Wilkesboro, in the county of Wilkes, to Taylorsville, in the county of Alexander.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By the Committee on Finance: A bill to be entitled an act for collecting revenue. H. B. No. 458.

By the Committee on Finance: A bill to be entitled an act for raising revenue. H. B. No. 459.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Ellison: A bill to be entitled an act to declare cer-

tain larcenies to be misdemeaners, and to provide for the punishment of the same. H. B. No. 460.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Gorman: A bill to be entitled an act to amend an act to protect the city of Raleigh from accident by fire. H. B. No. 461.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Brooks: A bill to be entitled an act to prohibit the sale of intoxicating liquors within five miles of Zion Methodist church, in Brunswick county. H. B. No. 462.

By Mr. Carson: A bill to be entitled an act to prohibit the sale of spirituous liquors within one mile of Rocky Spring Camp Gronnd and Church, in Alexander county. H. B. No. 463.

TO THE COMMITTEE ON RAILROADS, POST ROADS AND TURNPIKES.

By Mr. Waugh: A bill to be entitled an act to amend an act to incorporate the Mount Airy and Central Railroad Company. H. B. No. 464.

A communication was received from the Auditor in response to a resolution of the House submitting a statement of warrants issued to sundry persons on account of the Marion and Asheville Turnpike.

The communication was read, and with the statement, placed on the Calendar.

A message was received from the Senate transmitting engrossed copy of S. B. No. 189, H. B. No. 465, a bill to be entitled an act for the support, repairs and improvement and payment of the debts of the Insane Asylum for the year 1874.

Also Senate amendments to H. B. No. 230, S. B. No. 319,

an act to amend an act to incorporate the New River Canal Company.

S. B. No. 189, H. B. No. 465, was read first time, passed and placed on the Calendar.

Senate amendments to H. B. No. 230, S. B. No. 319, were concurred in and the bill ordered to be enrolled for ratification.

A message was received from the Senate transmitting engrossed copy of S. B. No. 407, H. B. No. 466, an act to amend the charter of the Neuse River Ferry Company; also of S. R. No. 447, H. R. No. 114, resolution concerning the penal and benevolent institutions of the State.

S. B. No. 407, H. B. No. 466, was read first time, passed, and referred to the Committee on Corporations.

S. R. No. 447, H. R. No. 114, was read first time, passed, and placed on the Calendar.

S. B. No. 306, H. B. No. 428: A bill to be entitled an act to provide the necessary appropriation for the Institution for the Deaf and Dumb and the Blind for the year 1874, was read by sections.

Section 1 was read.

The motion of Mr. Brown of Mecklenburg to postpone and make special order for 12 M., Monday next, was rejected.

Mr. Bean moved to amend by striking out $46,500, and inserting $45,000.

Mr. Moring moved to amend the amendment by striking out $46,500, and inserting $40,000.

Mr. Moring's amendment was rejected, and the question recurring upon Mr. Bean's amendment, it was rejected, and the section was adopted.

Section 2 of the bill was read, and the following amendment of Mr. Gilbert, as a proviso, was adopted:

"*Provided*, That it shall not be lawful for the Board of Trustees of said Institution to contract any debts during the present fiscal year which would call for an appropriation by the State to make up a deficit."

The section was adopted.

Sections 3 and 4 were adopted, and the bill, as amended,

passed; was read third time, passed, and ordered to be returned to the Senate for concurrence in amendment.

The second special order, S. B. No. 185, H. B. No. 387, a bill to be entitled an act to lay off and establish a new county by the name of Lillington, was read second time.

Mr. Brown of Davidson moved to postpone indefinitely.

The motion of Mr. Guyther to adjourn was rejected.

On motion of Mr. Settle, the bill was postponed, and made special order for to-morrow at half-past 10 o'clock.

On motion of Mr. Settle, the House adjourned till to-morrow, half-past 10 o'clock, Mr. Heaton being entitled to the floor.

FORTY-FIRST DAY.

FRIDAY, January 23d, 1874.

The House was called to order by the Speaker at 10½ o'clock.

The reading of the journal of yesterday was dispensed with.

Indefinite leave of absence was granted to Mr. Davis on account of sickness.

Leave of absence was granted to Messrs. Maxwell and Lindsay till Tuesday next; to Mr. Richardson till Wednesday, and to Messrs. Moss, Brown of Davidson, Williamson and King for to-morrow on account of business; and to Mr. Bryan of Wilkes till Thursday next on account of sickness.

The following named petition was introduced, read and referred

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. McNeill: From citizens of Robeson county, asking for the establishment of a new county.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 251: A bill to be entitled an act to provide for the election of Trustees of the University of North Carolina; that it do pass;

H. B. No. 416: A bill to be entitled an act to provide for a special election in the county of Caldwell; that it do pass.

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, S. B. No. 11, H. B. No. 264: A bill to be entitled an act fixing the weight of packages containing salted fish, and other purposes; with substitute and do pass.

From the Committee on Cities, Counties, Towns and Townships:

By Mr. Waugh, H. B. No. 414: A bill to be entitled an act to amend section 1, chapter 71, laws of 1871–'72, (section 22, chapter 27, Battle's Revisal.)

The following bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 153: A bill to be entitled an act to repeal chapter 68, Public Laws of 1868–'69, and chapter 262, acts of 1870-'71;

H. B. No. 171: A bill to be entitled an act to make the jurisdiction of Justices of the Peace final in certain criminal matters;

H. B. No. 208: A bill to be entitled an act to authorize the commissioners of Martin county to sell or lease certain lands in said county;

H. B. No. 335: A bill to be entitled an act to amend chapter 175 of the laws of 1868–'69;

H. B. No. 258: A bill to be entitled an act to incorporate the town of Taylorsville, in Alexander county;

H. B. No. 389: A bill to be entitled an act concerning Commissioners of Affidavits and Probate of Deeds in other States and Territories, and the District of Columbia.

The following named resolutions and bills were introduced,

read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON FINANCE.

By Mr. Perry of Bladen: A resolution in favor of the sheriff of Bladen county. H. R. No. 113.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Bennett: A bill to be entitled an act concerning cases in the late County Courts. H. B. No. 467.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Waugh: A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of the male academy, in the town of Mount Airy. H. B. No. 468.

By Mr. Marler: A bill to be entitled an act to amend chapter 9, section 1, Battle's Revisal. H. B. No. 469.

TO THE COMMITTEE ON CITIES, COUNTIES, TOWNS AND TOWNSHIPS.

By Mr. Blackwell: A bill to be entitled an act to create a new county by the name of Lee. H. B. No. 470.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Bean: A bill to be entitled an act to incorporate Brown's Chapel Methodist Protestant church, in the county of Randolph. H. B. No. 471.

TO THE COMMITTEE ON INTERNAL IMPROVEMENTS.

By Mr. Settle: A bill to be entitled an act to authorize the Piedmont Railroad Company to consolidate with the Richmond and Danville Railroad Company. H. B. No. 472.

The unfinished business of yesterday, S. B. No. 185, H. B. No. 387, a bill to be entitled an act to lay off and establish a new county by the name of Lillington, was announced; and,

On motion of Mr. Gidney, postponed for five minutes.

On motion of Mr. Gidney, the rules were suspended, and H. B. No. 459 and H. B. No. 458, a bill to be entitled an act for collecting revenue, and a bill to be entitled an act to raise revenue, were taken from the Calendar and ordered to be printed.

On motion of Mr. Gorman, the rules were suspended, and H. B. No. 448, a bill to be entitled an act concerning convicts discharged from the penitentiary, was taken from the Calendar and referred to the Committee on Penal Institutions.

The unfinished business was resumed; the question being upon the motion to indefinitely postpone,

Mr. Waugh demanded the previous question, which was not seconded by the House.

The motion to indefinitely postpone was rejected.

Mr. Gorman offered the following amendment:

After section 2, insert, "Sec. 3. This act shall not go into operation until ratified by a majority of the electors of the proposed new county, voting at an election to be held on the first Monday in May, 1874—thirty days' notice being given of said election—(a copy of this act to accompany said notification) by advertisement posted at five or more public places within the proposed limits of the new county.

Sec. 4. It shall be the duty, and the present Board of Commissioners of the county of New Hanover are hereby authorized and required to appoint the poll holders (who shall be citizens of the proposed new county,) to hold said election, which shall be held under the direction and authority of the said Board of Commissioners, at the usual voting places within the proposed limits, under the laws, rules and regulations governing regular elections in this State."

Pending the consideration of the amendment,

On motion of Mr. Bennett, the bill was recommitted to Committee on Cities, Counties, Towns and Townships.

On motion of Mr. Moring, the rules were suspended and S. R. No. 447, H. R. No. 114, resolution concerning the penal and benevolent institutions of the State, was read and adopted.

On motion of Mr. McGehee, the rules were suspended and H. B. No. 439, a bill to be entitled an act to amend an act entitled an act to amend the charter of the North Carolina Railroad Company, and for other purposes therein mentioned, ratified December 20th, 1873, was read second time, and,

On motion of Mr. Craige, was made special order for Tuesday next at 12 o'clock, and ordered to be printed.

On motion of Mr. Brown of Mecklenburg, H. B. No. 375, a bill to be entitled an act to prevent the felling of trees in Upper Little river, in Harnett county, was recommitted to the Committee on Propositions and Grievances.

H. B. No. 260: A bill to be entitled an act to amend an act for the better government of the town of Wadesboro, in Anson county, being chapter 75 of the acts of 1825, was read second time and passed. Ayes 97, noes 3.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Ballard, Bean, Bennett, Bowe, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Bullard, Byrd, Carter, Carson, Copeland, Costner, Craige, Dickey Dudley, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Gorman, Goodwyn, Gray, Grady, Gudger, Guyther, Hanner, Hampton, Haynes, Heaton, Hinnant, Johnston, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Joyner, Jordan, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Outlaw, Patrick, Paschall, Perry of Bladen, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Rhodes, Scott, Settle, Shaw, Sharp, Shinn of Iredell, Shackelford, Stanford, Stowe, Sneed, Todd,

Trivett, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Williamson, Whitmire, Wheeler, Whisnant and Woodhouse—97.

The following gentlemen voted in the negative :

Messrs. Brown of Davidson, Bunn and King—3.

On motion of Mr. Heaton, the rules were suspended and H. B. No. 275, a bill to be entitled an act to authorize the reissue of certain lost special tax bonds, was read second time ; and,

On motion of Mr. Waugh, indefinitely postponed.

H. B. No. 219 : A bill to be entitled an act to amend sections 4 and 5, chapter 35, Public Acts special session of 1868, in regard to Register of Deeds, was read second time ; and,

On motion of Mr. Bennett, the further consideration was postponed for one week.

A message was received from the Senate transmitting engrossed copy of S. R. No. 468, H. R. No. 110 : Resolution concerning the penitentiary ;

Also, engrossed copy of Senate amendments to H. R. No. 108, S. R. No. 479 : Resolution to raise Joint Select Committee to report on the expenditures of the Insane Asylum.

S. R. No. 468, H. R. No. 110, was read second time, passed and placed on the Calendar.

Senate amendments to H. R. No. 108, S. R. No. 479, were concurred in.

S. R. No. 468, H. R. No. 110, was read second time and adopted.

A message was received from the Senate concurring in H. R. No. 102, resolution asking the appointment of a committee to inquire and report when the first session of the next General Assembly is to be held, and indicating Messrs. Norwood and Seymour as the Senate branch of the Committee.

H. B. No. 423 : A bill to be entitled an act to amend the charter of the town of Battleboro, was read second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 164 : A bill to provide arms for military schools,

was read third time, passed, and ordered to be engrossed and sent to the Senate.

On motion of Mr. Brown of Mecklenburg, his motion to reconsider the vote by which the bill passed its third reading was laid on the table.

H. B. No. 193: A bill to be entitled an act concerning elections in this State, was read second time.

Mr. Dula's amendment to strike out in section 9, line 22, the word "Burke" and insert "Wilkes," was adopted.

On motion of Mr. Marler, "Davidson" was stricken out in section 9, line 18, and Davie inserted.

Mr. Todd's amendment to strike out "Ashe" in line 24, section 9, and insert "Yancey," was adopted.

Mr. Williamson's amendment to strike out in line 15, section 9, "Warren" and insert "Franklin," was adopted.

On motion of Mr. Shaw, "Anson" was stricken out in line 14, section 9, and "Richmond" inserted.

On motion of Mr. Whisnant, "Mecklenburg" was stricken out in line 20, section 9, and "Lincoln" inserted.

The amendment of Mr. Rhodes, to strike out in line 11, section 9, the word "Craven" and insert "Lenoir," was adopted, and the bill passed its second reading.

The bill was read third time.

Mr. Paschall moved to strike out in section 9, line 15, "Franklin" and insert "Warren."

Mr. Gilbert moved to amend the amendment by inserting after the word "at," line 15, section 9, the words "Franklinton, in Franklin county."

The amendment to the amendment was rejected, and the question recurring upon the amendment of Mr. Paschall, it was rejected.

The amendment of Mr. Gudger, to strike out in line 24, section 9, "Yancey" and insert "Buncombe," was rejected.

The amendment of Mr. Sharp, to strike out "Pasquotank" in line 7, section 9, and insert "Chowan," was rejected.

Mr. Moring's amendment, to strike out in line 16, section 9, "Guilford" and insert "Alamance," was rejected.

The amendment of Mr. Brown of Davidson, to strike out in line 18, section 9, "Davie" and insert "Yadkin," was rejected; and the question recurring upon the passage of the bill on its third reading, it passed, and was ordered to be engrossed and sent to the Senate.

S. B. No. 93, H. B. No. 266: A bill to be entitled an act to amend chapter 60, scction 16, laws of 1869–'70, was read second time, and,

On motion, was postponed, and made special order for Thursday, January 29th, at 12 M.

S. R. No. 176, H. R. No. 96: Joint resolution appropriating $1,277.65 to reimburse those citizens who advanced this amount to defray the expenses of the State Geologist at the Grand Exposition at Vienna, was read, and,

On motion of Mr. Craige, referred to the Committee on Claims, and made special order for Thursday next, at eleven o'clock.

The Speaker announced the following committees:

On Penal and Benevolent Institutions—Messrs. Moring, Gudger, Wheeler, Norment and Gorman, House branch.

To separate Private from Public Laws—Messrs. Brown of Mecklenburg, Craige and Guyther.

Mr. Brown of Davidson moved to adjourn.

On this motion, Mr. Brown of Mecklenburg called for the ayes and noes.

The call was not sustained, and the motion to adjourn till to-morrow, half-past 10 o'clock, prevailed.

FORTY-SECOND DAY.

SATURDAY, January 24th, 1874.

The House was called to order by the Speaker at 10½ o'clock.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Reid of Randolph for to-day, and to Mr. Paschall for to-day and Monday.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

In relation to the sale of spirituous liquors;

By Mr. Carson: From citizens of Alexander county, members of Bethel church, &c.;

By Mr. Brown of Mecklenburg: From citizens of Mecklenburg county.

TO THE COMMITTEE ON EDUCATION.

By Mr. Jones of Northampton: From citizens of Northampton for a law establishing a collegiate institute for the colored youth of the State.

PLACED ON THE CALENDAR.

By Mr. Bennett: From Josiah Turner, Jr., asking for the impeachment of Judge Samuel W. Watts, &c.;

By Mr. Corson: From citizens of Beaufort in relation to the charter of the town of Washington.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Counties, Cities, Towns and Townships:

By Mr. Waugh, S. B. No. 185, H. B. No. 387: A bill to be entitled an act to lay off and establish a new county by the name of Lillington; that the amendment of Mr. Gorman be rejected, and that the bill do pass.

From the Committee on Railroads, Post Roads and Turnpikes:

By Mr. Bryson of Swain, H. B. No. 454: A bill to be en-

titled an act to compensate overseers of public roads in certain cases; that it do not pass.

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 246: A bill to be entitled an act to amend section 1, chapter 120, Revised Code, and for other purposes; that it do not pass.

From the Committee on Penal Institutions:

By Mr. Craige, H. B. No. 448: A bill to be entitled an act concerning convicts discharged from the Penitentiary; ask its reference to the Committee on the Judiciary; reference made.

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 420: A bill to be entitled an act to lay off and establish a new county by the name of Badger; ask its reference to the Committee on Cities, Counties, Towns and Townships; reference made.

Mr. Brown of Mecklenburg, from the committee to arrange the Calendar, separating the public and private bills, reported that duty performed.

The following bills, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 193: A bill to be entitled an act concerning elections in this State;

H. B. No. 164: A bill to be entitled an act to provide arms for military schools.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to authorize the chairman of the Board of Commissioners of Cleaveland county to make title to certain town lots;

An act to authorize the township Board of Trustees in Hickory Tavern Township to declare the turnpike a public highway;

An act to amend the charter of the New River Canal Company;

Besolution of instruction to the Auditor of the State.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Houston: A resolution in relation to the Public Printing. H. R. No. 115.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Bennett: Resolution impeaching Samuel W. Watts, Judge of the Sixth Judicial District, of high crimes and misdemeanors in office. H. R. No. 116.

By Mr. Bennett: A bill to be entitled an act to repeal section 3, chapter 28, of the Revised Code. H. B. No. 473.

By Mr. Blythe: A bill to be entitled an act to amend chapter 52 Battle's Revisal. H. B. No. 474.

By Mr. Rhodes: A bill to be entitled an act to provide for the registration of voters on the day of election. H. B. No. 475.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Carson: A bill to be entitled an act to prohibit the sale of spirituous liquors within one mile of Bethel church, in Alexander county. H. B. No. 476.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Turner: A bill to be entitled an act to incorporate Harmony Hill Camp Ground, in the county of Iredell. H. B. No. 477.

PLACED ON THE CALENDAR.

By Mr. Moring: A bill to be entitled an act to adjust and

settle the debt of the State of North Carolina. H. B. No. 478.

By Mr. Bryan of Alleghany: A bill to be entitled an act to amend chapter 66, section 2, of Public Laws of 1869 '70. H. B. No. 479.

A message was received from the Senate transmitting engrossed copy of S. B. No. 504, H. B. No. 480, a bill to be entitled an act to make legal the special term of Wake Superior Court, beginning on the 27th day of January, 1874.

The bill was read first time, passed and placed on the Calendar.

By consent, Mr. Blackwell was permitted to withdraw from the files of last year certain petitions relating to a new county, which were referred to the Committee on Cities, Counties, Towns and Townships.

On motion of Mr. Waugh, the rules were suspended and H. B. No. 404, a bill to be entitled an act to repeal sections 14, 15, 16 and 17, of chapter 2, Revised Code, was made special order for Wednesday, January 28th, at 11 o'clock.

H. B. No. 259: A bill to be entitled an act to change the corporate limits of the town of Rockingham, in Richmond county, was read first time and passed, and by request returned to the Calendar.

H. B. No. 260: A bill to be entitled an act for the better government of the town of Wadesboro, in Anson county, being chapter 75 of the acts 1825, was read third time and passed. Ayes 79, noes 2.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Ballard, Bean, Bennett, Blackwell, Bowman, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Bullard, Byrd, Carter, Carson, Copeland, Corson, Costner, Cox, Craige, Dickey, Dula, Ellison Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Gorman' Goodwyn, Gray, Grady, Gudger, Guyther, Hanner, Hampton, Haynes, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Jones of Tyrrell, Joyner, Jordan, Lloyd, Marler

McNeill, Miller, Michael, Mitchell, Mizell, Moring, Norment, Patrick, Perry of Bladen, Presson, Rhodes, Settle, Shaw, Sharp, Shackelford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whitmire, Whisnant and Woodhouse—79.

The following gentlemen voted in the negative :

Messrs. Bryant of Halifax and Bunn—2.

S. B. No. 185, H. B. No. 387 : A bill to be entitled an act to lay off and establish a new county by the name of Lillington, was, on motion of Mr. Bennett, postponed till Tuesday next and made special order for 11½ o'clock that day.

H. B. No. 416 : A bill to be entitled an act to provide for a special election in the county of Caldwell, was read second time and passed. Ayes 74 ; noes none.

The following gentlemen voted in the affirmative :

Messrs. Anderson of Davie, Ballard, Bean, Bennett, Bowe, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Alleghany, Brooks, Bullard, Byrd, Carter, Carson, Copeland, Corson, Costner, Craige, Dickey, Dula, Ellison, Fletcher, Freeman, Gant, Gidney, Gilbert, Godfrey, Gorman, Goodwyn, Gray, Guyther, Hanner, Hampton, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Joyner, Jordan, Lloyd, Luckey, Marler, McNeill, Michael, Mitchell, Mizell, Moring, Norment, Perry of Bladen, Perry of Wake, Presson, Rhodes, Scott, Shaw, Sharp, Shackelford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whisnant and Woodhouse—74.

On motion of Mr. Jones of Caldwell, the Private Calendar was taken up for to-day and placed at the disposal of the Speaker.

H. B. No. 381 : A bill to be entitled an act to repeal chapter 61, Private Laws of 1872–'73, was read second time ; and,

On motion of Mr. Jones of Caldwell, recommitted to the Committee on Propositions and Grievances.

The following named bills were read second time, passed, and returned to the Calendar:

H. B. No. 262: A bill to be entitled an act to amend an act for the incorporation of the town of Washington, ratified the 18th day of January, 1847, and amendments thereto;

H. B. No. 291: A bill to be entitled an act to incorporate the Frizzell Citizens' Fire Company, of Fayetteville;

H. B. No. 399: A bill to be entitled an act to incorporate the town of Leicester, in the county of Buncombe;

H. B. No. 412: A bill to be entitled an act to incorporate St. John's Lodge, No. 12, F. & A. A. Y. Masons, of Greensboro, Guilford county.

The following named bills were read second time, and, on motion, laid on the table:

H. B. No. 363: A bill to be entitled an act to allow the sheriff and tax collector of Caldwell county to collect arrears of taxes;

H. B. No. 410: A bill to be entitled an act in relation to Mount Pleasant Academy, in Cherokee county;

H. B. No. 255: A bill to be entitled an act concerning Clarke's and Maiden's creeks, was read second time, the substitute proposed by the committee was adopted and the bill passed; was read third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 290: A bill to be entitled an act to incorporate Union Camp Ground, in McDowell county, was read second time, amendments of the committee were adopted, and bill passed; was read third time, passed and ordered to be engrossed and sent to the Senate.

H. B. No. 452: A bill to be entitled an act in relation to the town of Trenton, in Jones county, was read second time.

The following amendment was offered by Mr. Shackelford, to come in at the end of section 2:

"*Provided*, that no new streets shall be opened beyond the original corporation."

The amendment was adopted and the bill passed, was read third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 402: A bill to be entitled an act to amend chapter 193, laws of 1872–'73, was read second time.

The substitute proposed by the committee, and for H. B. No. 441, was adopted and the bill passed; was read third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 408: A bill to prohibit the sale of spirituous liquors in certain localities, was read second time.

The amendments of the committee were adopted, and the bill passed; was read third time, passed and ordered to be engrossed and sent to the Senate.

H. B. No. 411: A bill to be entitled an act to incorporate the town of Winton, in the county of Hertford, was read second time, the amendments proposed by the committee were adopted and the bill passed; was read third time, passed and ordered to be engrossed and sent to the Senate.

The following named bills were read second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate.

H. B. No. 382: A bill to be entitled an act to prevent the selling or giving away of intoxicating liquors within two miles of Turkey Creek Camp Ground, in Buncombe county, and for other purposes.

H. B No. 368: A bill to be entitled an act to incorporate the village of King's Mountain, in the county of Cleaveland;

H. B. No. 401: A bill to be entitled an act to incorporate the town of Saratoga, in the county of Wilson;

H. B. No. 422: A bill to be entitled an act to incorporate the Ramseytown Baptist Church, in Yancey county;

H. B. No. 442: A bill to be entitled an act to include the county of Hyde within the provisions of the acts relating to fences, and for the protection of crops.

On motion of Mr. Carson, the House adjourned till 10½ o'clock Monday morning.

FORTY-THIRD DAY.

MONDAY, January 26th, 1874.

The House was called to order by the Speaker at half-past 10 o'clock.

The journal of Saturday was read and approved.

It was announced that Mr. Anderson of Clay had been detained from his seat till to-day by a severe injury received on the 2d instant, and the Clerk was instructed to make out Mr. Anderson's certificate from the 12th of January.

Reports from standing committees were submitted with recommendations, as follows :

From the Committee on Cities, Counties, Towns and Townships :

By Mr. Waugh, H. B. No. 405 : A bill to be entitled an act to amend section 13, chapter 20, laws of 1868 (section 13, chapter 27, Battle's Revisal) ; that it do pass.

The following bills, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence :

H. B. No. 260 : A bill to be entitled an act for the better government of the town of Wadesboro, in Anson county, being chapter 75 of the acts of 1825 ;

H. B. No. 251 : A bill to be entitled an act to provide for the election of the Trustees of the University of North Carolina ;

H. B. No. 354 : A bill to be entitled an act to authorize the County Board of Education of Randolph to organize a teachers' institute ;

H. B. No. 402 : A bill to be entitled an act to amend chapter 193, laws of 1872-'73 ;

H. B. No. 416 : A bill to be entitled an act to provide for a special election in the county of Caldwell.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate :

An act to create an additional term of the Superior Court for the county of Edgecombe;

An act to provide for the necessary appropriation for the Institution for the Deaf and Dumb and the Blind for the year 1874;

An act to amend an act to prevent distemper and other infectious diseases among cattle;

An act to incorporate the trustees of the Fairfield Academy, in the county of Hyde;

An act to enable indigent parties in civil actions to appeal to the Supreme Court.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Ballard: A bill to be entitled an act in reference to the First Judicial District, and for other purposes. H. B. No. 482.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Waugh: A bill to be entitled an act to alter sections 4 and 15 of chapter 37, Battle's Revisal. H. B. No. 483.

By Mr. Dickey: A bill to be entitled an act to amend chapter 171, laws of 1872-'73. H. B. No. 484.

By Mr. Norment: A bill to be entitled an act to prohibit the sale of intoxicating liquors within two miles of Back Swamp Baptist church, in Robeson county. H. B. No. 485.

TO THE COMMITTEE ON AGRICULTURE.

By Mr. Mizell: A bill to be entitled an act for the better protection of sheep and hog raising in the county of Martin. H. B. No. 489.

The Speaker announced the following committee under

joint resolution of the two Houses to examine the expenditures of the Insane Asylum :

Messrs. Maxwell, Craige, Bowman, Reid of Mecklenburg and Godfrey.

A message was received from the Senate designating Messrs. Waring, King and Ellis of Columbus as the Senate branch of the Joint Select Committee on penal and benevolent institutions.

A message was received from the Senate transmitting engrossed copies of S. B. No. 278, H. B. No. 486 : A bill to be entitled an act to restore the records of Washington county ;

S. B. No. 484, H. B. No. 487: A bill to be entitled an act to amend chapter 27, Battle's Revisal, entitled Counties and County Commissioners ;

S. B. No. 255, H. B. No. 488 : A bill to be entitled an act to amend chapter 189 of the laws of 1870-'71.

S. B. No. 278, H. B. No. 486, was read first time, passed and referred to the Committee on the Judiciary.

S. B. No. 484, H. B. No. 487, was read first time, passed and referred to the Committee on the Judiciary.

S. B. No. 255, H. B. No. 488, was read first time, passed and referred to the Committee on Corporations.

CALENDAR TAKEN UP.

S. B. No. 504, H. B. No. 480 : A bill to make legal the special term of Wake Superior Court, beginning on the 27th day of January, 1874, was read second time, and,

On motion of Mr. Brown of Mecklenburg, was referred to the Committee on the Judiciary.

S. B. No. 21, H. B. No. 228 : A bill to be entitled an act to prevent fraud in the sale of commercial manures, was read second time, the amendment proposed by the Judiciary Committee was adopted and the bill passed ; was read third time, the motion of Mr. Waugh, to strike out the words "State Geologist," wherever they occur in the bill was rejected, and

the bill passed and was ordered to be returned to the Senate for concurrence in amendment.

S. R. No. 175, H. R. No. 93: Resolution in favor of the Fayetteville National Bank, of Fayetteville, was read second time and referred to the Committee on the Judiciary.

On motion of Mr. Houston, the rules were suspended, and

H. R. No. 115: Resolution in relation to the Public Printing, was read, and,

On motion of Mr. Craige, referred to the Committee on the Judiciary.

H. B. No. 435: A bill to be entitled an act to amend chapter 116, laws of 1871–'72, was read second time, and,

On motion, recommitted to the Committee on Corporations.

On motion of Mr. Gudger, the rules were suspended, and

H. B. No. 439: A bill to be entitled an act to amend an act entitled an act to amend the charter of the North Carolina Railroad Company, and for other purposes therein mentioned, ratified December 20th, 1873, was recommitted to the Committee on Internal Improvements.

On motion of Mr. Moring, H. B. No. 478, a bill to be entitled an act to adjust and settle the debt of the State of North Carolina, was made special order for Thursday next, at 12 M.

On motion of Mr. Gorman, S. B. No. 504, H. B. No. 480, was withdrawn from the Judiciary Committee, and made special order for 12 M. to-day.

The following named bills were read second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate:

H. B. No. 332: A bill to be entitled an act to amend an act to charter the Wilson and Tar River Narrow Gauge Railroad, laws of 1872–'73, chapter 19;

H. B. No. 419: A bill to be entitled an act for the better protection of sheep in Jackson county, (amended on second reading so as to include the counties of Transylvania, Haywood, Clay, Henderson and Buncombe);

H. B. No. 427: A bill to be entitled an act to authorize the

commissioners of the town of Lenoir to sell certain tracts of land;

H. B. No. 434: A bill to be entitled an act to extend the coporate limits of the town of Wilson;

H. B. No. 443: A bill to be entitled an act to amend an act to allow the transfer of certain cases pending in the late Courts of Equity in this State;

H. B No. 451: A bill to be entitled an act to incorporate the People's Building and Loan Association, of Morganton, North Carolina;

H. B. No. 431: A bill to be entitled an act giving the Superior Court of Martin county jurisdiction over misdemeanors committed on Conine Island, in Bertie county, was read second time.

The amendment of the committee was adopted, and the bill passed; was read third time, passed, and ordered to be engrossed and sent to the Senate.

SPECIAL ORDER.

The hour (12 M.) having arrived, the special order, S. B. No. 504, H. B. No. 480, a bill to make legal the special term of Wake Superior Court, beginning on the 27th day of January, 1874, was announced.

The motion of Mr. Brown of Mecklenburg to refer to the Committee on the Judiciary, was rejected, and the bill passed.

The House refused to suspend the rules, on motion of Mr. Gorman, to place the bill on its third reading.

On motion of Mr. Gorman, the rules were suspended and bill referred to the Committee on the Judiciary.

The following named bills were read second and third times, passed each reading and were ordered to be engrossed and sent to the Senate:

H. B. No. 414: A bill to be entitled an act to amend section 1, chapter 71, laws of 1871-'72, (section 22, chapter 27, Battle's Revisal);

H. B. No. 433: A bill to be entitled an act to amend sec-

tion 3 of an act concerning Clover Hill Camp Ground, and section 3 of an act concerning Sharon Camp Ground.

The following named bills were read third time, passed and ordered to be engrossed and sent to the Senate:

H. B. No. 259: A bill to be entitled an act to change the corporate limits of the town of Rockingham, in Richmond county;

H. B. No. 399: A bill to be entitled an act to incorporate the town of Leicester, in the county of Buncombe.

H. B. No. 412: A bill to be entitled an act to incorporate St. John's Lodge, No. 12, F. & A. A. Y. Masons, of Greensboro, Guilford county.

The question being upon the passage of the bill, and no quorum voting,

Mr. Sneed moved that the House adjourn.

On this motion, a call for the ayes and noes, made by Mr. Johnston, was sustained, and the motion to adjourn was rejected. Ayes 3, nays 82.

The following gentlemen voted in the affirmative:

Messrs. Bean, Bowe and Sneed—3.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Blythe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Bunn, Byrd, Carter, Carson, Cobb, Costner, Craige, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Goodwyn, Gray, Grady, Gudger, Guyther, Hanner, Hampton, Hinnant, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Jordan, Lloyd, Lutterloh, Muckey, McLaurin, McGehee, McNeill, Miller, Mizell, Morg, Norment, Patrick, Perry of Bladen, Presson, Rhodes, Shaw, Sharp, Shackelford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whitmire, Wheeler, Whisnant and Woodhouse—82.

Mr. Jones of Caldwell demanded the previous question,

which was seconded by the House, and the question again recurring upon the passage of the bill, its third reading,

Mr. Gudger called for the ayes and noes.

The call was sustained, and the bill passed. Ayes 36, noes 34.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bunn, Cobb, Copeland, Dudley, Ellison, Fletcher, Foster, Gilbert, Gorman, Goodwyn, Gray, Guyther, Hanner, Hampton, Hughes, Jones of Caldwell, Jones of Northampton, Jordan, Lloyd, McLaurin, Miller, Mitchell, Mizell, Moring, Perry of Bladen, Sneed, Turner, Waugh, Wheeler and Whisnant 36.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Blackwell, Brown of Mecklenburg, Bryan of Sampson, Bryan of Alleghany, Byrd, Carter, Carson, Dickey, Freeman, Gant, Gidney, Gilmer, Grady, Gudger, Hinnant, Johnston, Jones of Orange, Jones of Tyrrell, Marler, McGehee, Presson, Settle, Shackelford, Stowe, Todd, Waddill, Watson, Webb, Wiley and Woodhouse—34.

Mr. Gorman moved that the House do now adjourn. On this motion Mr. Brown of Mecklenburg called for the ayes and noes; the call was sustained and the motion to adjourn was rejected. Ayes 18; noes 57.

The following gentlemen voted in the affirmative:

Messrs. Bean, Bowe, Brown of Davidson, Bryson of Swain, Cobb, Craige, Dudley, Foster, Gidney, Gorman, Goodwyn, Gudger, Hampton, Hughes, Jones of Northampton, Lloyd, Shackelford and Waugh—18.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Blythe, Bowman, Brown of Mecklenburg, Bryson of Jackson, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Byrd, Carter, Copeland, Costner, Dickey, Dula, Ellison, Freeman, Gant, Gilbert, Gilmer, Godfrey, Gray, Grady, Guyther, Hanner, Hinnant, Houston, Johnston, Jones

of Caldwell, Jones of Camden, Jones of Orange, Marler, McGehee, Miller, Mitchell, Mizell, Moring, Perry of Bladen, Presson, Settle, Shaw, Stowe, Sneed, Todd, Trivett, Turner, Warlick, Waddill, Watson, Webb, Wiley, Wheeler Whisnant and Woodhouse—57.

H. B. No. 291: A bill to be entitled an act to incorporate the Frizell Citizens' Fire Company of Fayetteville, was read third time and passed.

H. B. No. 416: A bill to be entitled an act to provide for a special election in the county of Caldwell, was read third time and passed. Ayes 91, noes 1.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of A., Brooks, Byrd, Carter, Carson, Cobb, Copeland, Costner, Craige, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Goodwyn, Gray, Grady, Gudger, Guyther, Hanner, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Jordan, Lloyd, Lutterloh, Luckey, Marler, McLaurin, McGehee, McNeill, Miller, Mitchell, Mizell, Moring, Norment, Patrick, Perry of Bladen, Perry of Wake, Presson, Rhodes, Settle, Sharp, Shackelford, Stowe, Sneed, Todd, Trivett, Turner, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whitmire, Wheeler, Whisnant and Woodhouse—91.

Mr. Shaw voted in the negative.

On motion of Mr. Jones of Caldwell, his motion to reconsider the vote by which the bill passed its third reading was laid on the table.

On motion of Mr. Jones of Caldwell, the House adjourned till half-past ten o'clock to-morrow.

FORTY-FOURTH DAY.

TUESDAY, January 27th, 1874.

The House was called to order by the Speaker at half-past 10 o'clock.

The journal of yesterday was read and approved.

Leave was granted to Mr. Patrick and Mr. Cox to record their votes in the affirmative on the bill to incorporate St. John's Lodge, No. 12, A. Y. Masons, Greensboro, N. C.

Leave of absence for one week was granted to Mr. Bennett, on account of sickness in his family.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Webb: From citizens of Carteret county, asking for the repeal of the act incorporating the Oriental Fish and Oyster Company;

By Mr. Fletcher: From the citizens of Richmond county, praying the establishment of a new county;

By Mr. McNeill: From citizens of Robeson county, asking for the creation of a new county;

By Mr. Freeman: From citizens of McDowell county, asking for a prohibitory law within two miles of Gum Mountain church, in said county.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Carson: From citizens of Alexander county, to incorporate Liberty Church and Camp Ground;

By Mr. Marler: From members of the Baptist church near Boonville, Yadkin county, and others, asking for a prohibitory law within half mile of said church.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. R. No. 106: Resolution of instruction to the Finance Committee; ask to be discharged from further consideration;

H. B. No. 112: A bill to be entitled an act to prohibit the sale of spirituous liquors in townships where the people so determine; amend and pass;

H. B. No. 448: A bill to be entitled an act concerning convicts discharged from the penitentiary; that it do not pass;

H. B. No. 475: A bill to be entitled an act to provide for the registration of voters on the day of election; that it do not pass;

H. B. No. 480, S. B. No. 504: A bill to be entitled an act to make legal a special term of Wake Superior Court, commencing Tuesday, January 27th, 1874: that it do not pass;

S. B. No. 278, H. B. No. 486: A bill to be entitled an act to restore the records in Washington county; that it do pass.

From the Committee on Corporations:

By Mr. Jones of Caldwell, H. B. No. 461: A bill to be entitled an act to amend an act entitled an act to protect the city of Raleigh from accident by fire; amend and pass;

S. B. No. 407, H. B. No. 466: A bill to be entitled an act to amend the charter of the Neuse River Ferry Company; that it do not pass;

H. B. No. 471: A bill to be entitled an act to incorporate Brower's Chapel Methodist Protestant church, in the county of Randolph; that it do pass;

H. B. No. 477: A bill to be entitled an act to incorporate Harmony Hill Camp Ground, in the county of Iredell; that it do pass.

From the Committee on Railroads, Post Roads and Turnpikes:

By Mr. Bryson of Swain, H. B. No. 455: A bill to be entitled an act directing the Secretary of State to furnish laws touching public roads to the several counties of this State; that it do not pass.

H. B. No. 464: A bill to be entitled an act to amend an

act entitled an act to incorporate the Mount Airy and Central Railroad Company; that it do pass with amendment.

From the Committee on Military Affairs:

By Mr. Gorman, H. B. No. 45: A bill to be entitled an act to reorganize, equip and discipline the militia of North Carolina; that it do pass with amendment.

The following bills, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 382: A bill to be entitled an act to prevent the selling or giving away of intoxicating liquors within two miles of Turkey Creek Camp Ground, in Buncombe county, and for other purposes;

H. B. No. 385: A bill to be entitled an act to incorporate the village of King's Mountain, in the county of Cleaveland;

H. B. No. 422: A bill to be entitled an act to incorporate the Ramseytown Baptist church, in Yancey county;

H. B. No. 442: A bill to be entitled an act to include the county of Hyde within the provisions of the act relating to fences and for the protection of crops.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act authorizing the commissioners of the city of Raleigh to appoint an Inspector of Wood and Coal;

An act to amend section 1, chapter 70, acts of 1870-'71;

Resolution in favor of P. McGowan;

An act to prohibit the sale of cotton within certain hours.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Waugh: A bill to be entitled an act to repeal section 15, chapter 258, acts of the General Assembly, ratified 17th February, 1859. H. B. No. 490.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Marler: A bill to be entitled an act to prohibit the sale of intoxicating liquors within one-half of a mile of the Baptist church, near Boonville, in Yadkin county. H. B. No. 491.

By Mr. Gray: A bill to be entitled an act to appoint five commissioners of navigation. H. B. No. 492.

By Mr. Jones of Camden: A bill to be entitled an act to amend chapter 109 of the Revised Code (chapter 109 Battle's Revisal.) H. B. No. 493.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Carson: A bill to be entitled an act to prohibit the sale of spirituous liquors within one mile of Liberty Church and Camp Ground, in Alexander county. H. B. No 494.

By Mr. Bryant of Halifax: A bill to be entitled an act to extend the corporate limits of the town of Halifax, in the county of Halifax. H. B. No. 495.

By Mr. Bennett: A bill to be entitled an act to incorporate the Pee Dee Manufacturing Company. H. B. No. 496.

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. Bennett: A bill to be entitled an act to establish a new county by the name of Gilliam. H. B. No. 497.

On motion of Mr. Gorman, the rules were suspended, and S. B. No. 504, H. B. No. 480: A bill to be entitled an act to make legal the special term of Wake Superior Court, beginning on the 27th day of January, 1874, was read third time and passed.

On motion of Mr. Gorman, his motion to reconsider the vote by which the bill passed its third reading was laid on the table.

Mr. Bennett asked that his protest against the passage of the bill should be spread upon the journals of the House.

On motion of Mr. Guyther, the rules were suspended, and

S. B. No. 278, H. B. No. 486: A bill to be entitled an act to restore the records of Washington county, was read second and third times, passed each reading, and was ordered to be enrolled and ratified.

CALENDAR TAKEN UP.

S. B. No. 189, H. B. No. 465: A bill to be entitled an act for the support, repairs, improvement and payment of the debts of the Insane Asylum for the year 1874, was read second time, and,

On motion, postponed till Friday next, and made special order for 12 M. that day.

H. B. No. 176: A bill to be entitled an act to submit to the qualified voters of cities, towns and townships the question of the prohibition of the sale of intoxicating liquors, was read second time, and,

On motion of Mr. Hanner, was laid on the table.

H. R. No. 78: Resolution to provide for the one hundredth anniversary of the Mecklenburg Declaration of Independence, by holding an exhibition of arts and of the products and manufactures of the State in the city of Charlotte, on the 20th of May, 1875, was read second time.

Mr. Johnston offered the following amendment:

"*Resolved*, That the fund now appropriated by section —, chapter —, of the Revised Code, to defray the expenses of the Geological Survey of the State for the year 1874 be, and the same is hereby, appropriated to defray the expenses of the said exhibition."

Mr. Houston moved to postpone the further consideration of the resolution and amendment till Friday next, and make it the special order for 12 M. that day.

Pending the consideration of the motion to postpone, the hour (half-past 11 o'clock) for the special order arrived, and

H. B. No. 439: A bill to be entitled an act to amend an act entitled an act to amend the charter of the North Carolina Railroad Company, and for other purposes therein mentioned, ratified December 20th, 1873, was read second time.

The amendments proposed by the Committee on Internal Improvements in their second report, were adopted.

Mr. Bowman's amendment, to insert in section 3, line 3, after the word "him," the words "and to fill the vacancy by appointment," was adopted.

Mr. Bean's amendment to srike out all after the word "die," in line 16, section 1, of the bill, was rejected.

The following gentlemen voted in the affirmative:

Messrs. Bean, Bowe, Bryant of Halifax, Bunn, Fletcher, Gudger, Hampton, Heaton, Jordan, King, Lutterloh, McLaurin, Perry of Bladen, Wheeler and Whisnant—15.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Clay, Ballard, Bennett, Blackwell, Blythe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Byrd, Carter, Carson, Copeland, Costner, Cox, Craige, Dickey, Dudley, Dula, Ellison, Freeman, Gant, Gidney, Gilbert, Gilmer, Gedfrey, Gorman, Gray, Grady, Guyther, Hanner, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Lindsay, Lloyd, Luckey, Marler, Maxwell, McGehee, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Rhodes, Scott, Settle, Shaw, Sharp, Shinn of Iredell, Shackelford, Stowe, Sneed, Todd, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whitmire and Woodhouse—86.

The following amendment, offered by Mr. McGehee, was adopted:

Amend section 14 by striking out the words, "and shall not demand or receive more than 25 per cent. additional for car-

rying local freights above the charge for transporting through freights." Ayes 52, noes 37.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Clay, Bennett, Blackwell, Blythe, Bowman, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Brooks, Bullard, Byrd, Carson, Dickey, Ellison, Fletcher, Gilbert, Godfrey, Gorman, Gudger, Haynes, Hughes, Johnston, Jones of Caldwell, Joyner, Lindsay, Lloyd, Luckey, Maxwell, McLaurin, McGehee, McNeill, Michael, Mitchell, Moring, Norment, Perry of Bladen, Presson, Reid of Mecklenburg, Rhodes, Shaw, Sharp, Shinn of Iredell, Shackelford, Sneed, Waddill, Waugh, Winslow, Wiley, Whitmire, Wheeler and Woodhouse—52.

The following gentlemen voted in the negative:

Messrs. Ballard, Bean, Bowe, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Alleghany, Copeland, Craige, Dudley, Dula, Foster, Freeman, Gant, Gidney, Gilmer, Goodwyn, Guyther, Hanner, Hampton, Heaton, Hinnant, Jones of Camden, Jones of Northampton, Jones of Orange, King, Lutterloh, Marler, Miller, Mizell, Moss, Patrick, Stowe, Todd, Trivett, Webb and Whisnant—37.

The bill as amended passed, and the rules were suspended and the bill was read third time.

Messrs. Moss and Guyther gave notice of amendments.

Mr. McGehee demanded the previous question, which was seconded by the House.

The question recurring upon the following amendment of Mr. Moss, as an additional section of the bill:

"That it shall not be lawful for said railroad to charge more than 50 per cent. up to one quarter of the whole distance of said road, nor 33⅓ per cent. when it is over that distance, more than through freight." It was rejected.

Mr. Guyther's amendment, "*Provided*, That the same rate of freight allowed to the North Carolina Railroad be granted

to the Seaboard and Raleigh Railroad," was adopted and the bill passed.

On motion of Mr. Bowman, the House reconsidered the vote by which the bill passed its third reading.

Mr. Johnston moved to reconsider the vote by which Mr. Guyther's amendment was adopted.

The call for the ayes and noes on this motion, made by Mr. Guyther, was sustained, and the House refused to reconsider.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Bennett, Blackwell, Blythe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bullard, Byrd, Costner, Dickey, Freeman, Gant, Gidney, Godfrey, Gorman, Gray, Grady, Haynes, Houston, Johnston, Lindsay, Luckey, Maxwell, McGehee, McNeill, Miller, Mitchell, Norment, Outlaw, Presson, Reid of Mecklenburg, Rhodes, Scott, Settle, Shaw, Sharp, Shinn of Iredell, Shackelford, Waddill, Waugh and Whitmire—46.

The following gentlemen voted in the negative:

Messrs. Abbott, Ballard, Bean, Bowe, Bryan of Pitt, Bryant of Halifax, Bryan of Alleghany, Brooks, Bunn, Carter, Carson, Cobb, Copeland, Craige, Dudley, Ellison, Fletcher, Foster, Gilbert, Gilmer, Goodwyn, Gray, Guyther, Hanner, Hampton, Heaton, Hinnant, Hughes, Jones of Northampton, Jones of Tyrrell, Joyner, Jordan, King, Lloyd, Lutterloh, Marler, McLaurin, Michael, Mizell, Moring, Patrick, Perry of Bladen, Stowe, Todd, Trivett, Turner, Watson, Webb, Wiley, Whisnant and Woodhouse—51.

On motion of Mr. Craige, the House adjourned till to-morrow half-past 10 o'clock.

FORTY-FIFTH DAY.

WEDNESDAY, January 28th, 1874.

The House was called to order by the Speaker at 10½ o'clock.

The journal of yesterday was read and approved.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON FINANCE.

By Mr. Lutterloh: From citizens of Fayetteville against the usury law.

PLACED ON THE CALENDAR.

By Mr. Bennett: From citizens of a part of Anson county, in reference to the sale of liquor near New Forestville.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. R. No. 40: Resolution in favor of G. W. Gail & Ax; that it do not pass.

H. B. No. 191: A bill to be entitled an act concerning the inspectors in the city of Wilmington; that it do not pass.

H. B. No. 366: A bill to be entitled an act to amend Battle's Revisal; that it do not pass.

H. B. No. 474: A bill to be entitled an act to amend chapter 52, Battle's Revisal; that it do not pass.

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 469: A bill to be entitled an act to amend chapter 9, section 1, of Battle's Revisal; that it do not pass.

H. B. No. 483: A bill to be entitled an act to alter sections 4 and 15 of Battle's Revisal; that it do not pass.

H. B. No. 493: A bill to be entitled an act to amend chap-

ter 109 of the Revised Code (chapter 109, Battle's Revisal); that it do not pass.

From the Committee on Salaries and Fees:

By Mr. Settle, H. B. No. 296: A bill to be entitled an act concerning the fees of Justices of the Peace and Constables; that it do not pass.

H. B. No. 453: A bill to be entitled an act regulating the fees of Justices of the Peace and Constables; that it do not pass.

From the Committee on Agriculture:

By Mr. Jones of Orange, H. B. No. 489: A bill to be entitled an act for the better protection of sheep and hog raising in the county of Martin; that it do pass.

The following bills, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 221: A bill to be entitled an act to authorize the town of Newton to take stock in railroads, and for other purposes;

H. B. No. 259: A bill to be entitled an act to change the corporate limits of the town of Rockingham, in Richmond county;

H. B. No. 291: A bill to be entitled an act to incorporate the Frizell Citizens' Fire Company, of Fayetteville;

H. B. No. 332: A bill to be entitled an act to amend an act entitled an act to charter the Wilson and Tar River Narrow Gauge Railroad, laws of 1872'-'73, chapter 19;

H. B. No. 399: A bill to be entitled an act to incorporate the town of Leicester, in the county of Buncombe;

H. B. No. 401: A bill to be entitled an act to incorporate the town of Saratoga, in the county of Wilson;

H. B. No. 412: A bill to be entitled an act to incorporate St. John's Lodge, No. 12, of Free and Accepted A. Y. Masons, of Greensboro, Guilford county;

H. B. No. 414: A bill to be entitled an act to amend section 1, chapter 71, laws of 1871-'72, section 22, chapter 27, Battle's Revisal;

H. B. No. 423: A bill to be entitled an act to amend the charter of the town of Battleboro;

H. B. No. 427: A bill to be entitled an act to authorize the commissioners of the town of Lenoir to sell certain tracts of lands;

H. B. No. 433: A bill to be entitled an act to amend section 3 of an act concerning Clover Hill Camp Ground, &c., and section 3 of an act concerning Sharon Camp Ground;

H. B. No. 434: A bill to be entitled an act to extend the corporate limits of the town of Wilson;

H. B. No. 443: A bill to be entitled an act to amend an act entitled an act to allow the transfer of certain causes pending in the late courts of equity in this State;

H. B. No. 451: A bill to be entitled an act to incorporate the People's Building Association, of Morganton;

H. B. No. 452: A bill to be entitled an act in relation to the town of Trenton, in Jones county.

The following bills, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to incorporate the United Brotherhood Society, of Newbern, N. C;.

An act to restore the records of Washington county;

An act to make legal the special term of Wake Superior Court beginning on the 27th day of January, 1874;

An act to provide for the relinquishment to the United States in certain cases of title to and jurisdiction over lands for sites of lighthouses, beacons, or other aids to navigation, in the waters of this State;

An act to provide for the election of Trustees of the University of North Carolina.

The following named resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Bennett: Resolution in favor of Josiah Turner, Jr. H. R. No. 117.

PLACED ON THE CALENDAR.

By Mr. Gorman: Resolution in regard to night sessions. H. R. No. 118.

By Mr. Bowman: Resolution on adjournment. H. R. No. 119.

By Mr. Mitchell: Resolution concerning adjournment. H. R. No. 120.

By Mr. Brown of Mecklenburg: Resolution to raise Joint Committee on adjournment. H. R. No. 121.

By Mr. Joyner: Resolution to appoint a committee on adjournment. H. R. No. 122.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Grady: A bill to be entitled an act to regulate liens of executions. H. B. No. 498.

By Mr. Marler: A bill to be entitled an act to re-enact sections 6 and 7, chapter 104, Revised Code. H. B. No. 499.

By Mr. Trivett: A bill to be entitled an act to require the publication of the Constitution as lately amended with the laws of the present session. H. B. No. 500.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. McGehee: A bill to be entitled an act to repeal an act passed at the present General Assembly, entitled an act to require the owners of seines at or near the mouth of Chowan river to stake out the channel, &c. H. B. No. 501.

By Mr. Webb: A bill to be entitled an act to repeal an act entitled an act to incorporate the Oriental Fish and Oyster Company, ratified December 22d, 1873. H. B. No. 502.

By Mr. Woodhouse: A bill to be entitled an act to prohibit the sale of spirituous liquors within a quarter of a mile of certain churches in the county of Currituck. H. B. No. 503.

TO THE COMMITTEE ON SALARIES AND FEES.

By Mr. Marler: A bill to be entitled an act to amend section 25, sub-division 5, chapter 105, Battle's Revisal. H. B. No. 504.

By Mr. Whitmire: A bill to be entitled an act in regard to the fees of Sheriffs and Registers of Deeds. H. B. No. 505.

A message was received from the Senate transmitting engrossed copy of Senate amendments to H. B. No. 159, S. B. No. 439, a bill to be entitled an act to prohibit the sale of ardent spirits to minors; the amendments of the Senate were concurred in and the bill ordered to be enrolled for ratification.

A message was received from the Senate transmitting engrossed copy of S. B. No. 261, H. B. No. 506, a bill to be entitled an act to make uniform the rate of interest in North Carolina; the bill was read first time, passed and referred to the Comittee on Finance.

A message was received from the Senate transmitting en grossed copy of S. B. No. 303, H. B. No. 507, a bill to be entitled an act to amend chapter 85, Private Laws 1871–'72; the bill was read first time, passed and placed on the Calendar.

On motion, H. B. No. 365, a bill to be entitled an act in favor of the contractors on the Marion and Asheville turnpike, was made special order for Friday next, at 12 M.

The hour (11 o'clock) for the special order, H. B. No. 328, a bill to be entitled an act to establish a bureau of immigration, statistics and agriculture, was announced, and,

On motion of Mr. Gudger, postponed till Monday next, and made special order for 12 M. that day.

The unfinished business of yesterday, H. B. No. 439, the bill to amend the charter of the North Carolina Railroad Company, was resumed; the question being upon the passage of the bill its third reading,

Mr. McGehee demanded the previous question, which was seconded by the House, and the bill passed, and was ordered to be engrossed and sent to the Senate.

The consideration of H. R. No. 78, resolution to provide for celebrating the one hundredth anniversary of the Mecklenburg Declaration of Independence, &c., displaced by the special order yesterday, was resumed.

The question being upon the motion of Mr. Houston to postpone till Friday next, it was rejected.

Mr. Bowman moved to lay the resolution upon the table.

The call for the ayes and noes, made by Mr. Johnston, was sustained, and the motion to table rejected.

The following gentlemen voted in the affirmative:

Messrs. Blythe, Bowman, Bryan of Pitt, Brooks, Byrd, Cobb, Copeland, Cox, Ellison, Foster, Gray, Hampton, Jones of Camden, Jordan, Miller, Michael, Mizell, Perry of Wake, Trivett and Whisnant—20.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Bowe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Bullard, Carter, Carson, Costner, Craige, Dickey, Dudley, Dula, Fletcher, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Goodwyn, Grady, Gudger, Guyther, Hanner, Haynes, Heaton, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, King, Lindsay, Lloyd, Luckey, Marler, Maxwell, McGehee, Mitchell, Moring, Moss, Norment, Paschall, Presson, Reid of Mecklenburg, Reid of Randolph, Settle, Shaw, Sharp, Shinn of Iredell, Stowe, Sneed, Todd, Turner, Warlick, Watson, Waugh, Webb, Winslow, Wiley, Williamson, Whitmire and Woodhouse—77.

The question recurring upon the amendment of Mr. Johnston, offered yesterday, Mr. Brown of Mecklenburg proposed the following amendments:

Insert after the words "the Governor of the State," in section 2, the words, "the Mayor of the city of Charlotte."

Strike out section 5 and insert therefor the following: "That when the Mayor of the city of Charlotte shall notify the Governor that the sum of five thousand dollars has been raised by subscription to defray the expenses of said celebration, then the Governor is authorized and requested to call a meeting of the commissioners, at which they shall elect an executive committee, a secretary and treasurer, and such other officers as they may think necessary, and fix their compensation. That the secretary and treasurer shall give bond with ample security, in such sum as shall be fixed by said commissioners, for the faithful discharge of his duties; that when the said secretary and treasurer shall certify to the Auditor of the State that the sum of five thousand dollars has been paid into his hands for the purpose of defraying the expenses of said celebration, then it shall be the duty of the Auditor to draw his warrant upon the Treasurer of the State for a like sum, which sum the Treasurer shall pay over to said secretary and treasurer, to be used in defraying of said expenses."

Strike out all in section 6, down to and including the word "exhibition," and insert therefor the words "that when the commissioners appointed under this act shall have organized, the Governor."

Pending the consideration of this amendment,

On motion of Mr. Johnston, the resolution and amendments were recommitted to the Committee on Propositions and Grievances.

SPECIAL ORDER.

The hour (12:30) for the second special order having arrived,

S. B. No. 189, H. B. No. 387: A bill to be entitled an act to lay off and establish a new county by the name of Lillington, was announced.

The question being upon the amendment of Mr. Gorman, a call for the ayes and noes was sustained, and the amendment was rejected. Ayes 45, noes 59.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Brooks, Bunn, Cobb, Copeland, Cox, Dudley, Dula, Ellison, Fletcher, Foster, Gilbert, Gorman, Goodwyn, Gray, Guyther, Hampton, Heaton, Hughes, Jones of Camden, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Michael, Mizell, Paschall, Perry of Wake, Reid of Randolph, Scott, Sharp, Sneed, Trivett, Williamson, Wheeler and Whisnant—45.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Bullard, Byrd, Carter, Carson, Costner, Craige, Dickey, Freeman, Gant, Gidney, Godfrey, Grady, Hanner, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Miller, Mitchell, Moring, Moss, Norment, Presson, Reid of Mecklenburg, Settle, Shaw, Shinn of Iredell, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whitmire and Woodhouse—59.

H. R. No. 112: Resolution of instruction to the Committee on Salaries and Fees, was read second time and adopted.

H. B. No. 404: A bill to be entitled an act to repeal sections 13, 14, 15, 16 and 17, chapter 2, Revised Code, was read second time.

Mr. Brown of Mecklenburg moved to lay the bill on the table.

On this motion, the call for the ayes and noes, made by Mr. Brown of Davidson, was sustained, and the motion to lay on the table prevailed. Ayes 57, noes 45.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Bean, Bennett, Blythe, Bowe, Brown of Mecklenburg, Bryson of Jackson, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bullard, Bunn, Byrd, Cobb, Copeland, Cox, Craige, Dudley, Ellison, Fletcher, Foster, Gant, Gilmer, Gorman, Goodwyn, Gray, Grady, Hanner, Hampton, Heaton, Houston, Hughes, Jones of Caldwell, Jones of Tyrrell, Jordan, Lindsay, Lloyd, Luckey, Marler, McLaurin, McGehee, McNeill, Moring, Norment, Patrick, Paschal, Presson, Reid of Mecklenburg, Reid of Randolph, Scott, Shaw, Turner, Waddill, Watson, Webb and Wiley—57.

The following gentlemen voted in the negative:

Messrs. Anderson of Clay, Blackwell, Bowman, Brown of Davidson, Bryson of Swain, Bryan of Alleghany, Carter, Carson, Costner, Dickey, Dula, Freeman, Gidney, Gilbert, Godfrey, Guyther, Haynes, Hinnant, Johnston, Jones of Camden, Jones of Northampton, Jones of Orange, Joyner, King, Lutterloh, Maxwell, Miller, Michael, Mitchell, Moss, Perry of Bladen, Perry of Wake, Settle, Sharp, Shinn of Iredell, Stowe, Sneed, Todd, Warlick, Waugh, Winslow, Williamson, Whitmire, Whisnant and Woodhouse—45.

The House refused to suspend the rules, on motion of Mr. Bowman, to take up H. R. No. 119, resolution on adjournment.

On motion of Mr. Joyner, the rules were suspended, and H. R. No. 122, resolution to appoint a committee on adjournment, was read second time.

Mr. Bowman offered a substitute for the resolution, providing for an adjournment *sine die* 7th February, at 12 M.

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

On this motion Mr. Jones of Caldwell called for the ayes and noes; the call was not sustained and the motion to lay on the table prevailed.

On motion of Mr. Craige, the House adjourned till to-morrow 10½ o'clock.

FORTY-SIXTH DAY.

THURSDAY, January 29th, 1874.

The House was called to order by the Speaker at 10½ o'clock.

Prayer by Rev. Dr. Mason, of this city.

The journal of yesterday was read and approved.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Anderson of Clay: From citizens of Clay county, asking that John H. King and Sarah L. King be relieved from pains and penalties for illegal marriage.

TO THE COMMITTEE ON EDUCATION.

By Mr. King: From colored citizens of Warren county, asking for a law to authorize the establishment of a collegiate institute for the colored youth of this State.

TO THE COMMITTEE ON RAILROADS, POST ROADS AND TURNPIKES.

By Mr. Bryan of Alleghany: From citizens of Alleghany county, asking for a road.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Craige: From citizens of the town of Salisbury, asking for an act incorporating the Young Men's Aid Society.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Miller: From citizens of Bertie, Windsor township, asking for a prohibitory liquor law.

By Mr. Miller: From citizens of Windsor township, against a prohibitory liquor law.

By Mr. Brown of Davidson: From citizens of Thomasville, against the repeal of the liquor law.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. R. No. 25: A resolution in regard to repairs on the hall of the House; that it do not pass.

H. R. No. 117: Resolution in favor of Josiah Turner, Jr.; that it do pass.

H. B. No. 195: A bill to be entitled an act in relation to the bonds of sheriffs; that it do not pass.

H. B. No. 237: A bill to be entitled an act to transfer the county of Dare from the First to the Second Judicial District of North Carolina; that it do not pass.

H. B. No. 358: A bill to be entitled an act to amend chapter 80 Private Laws of 1871-'72; that it do not pass.

H. B. No. 467: A bill to be entitled an act concerning cases in the late County Courts; that it do pass.

H. B. No. 473: A bill to be entitled an act to repeal section 3, chapter 28, of the Revised Code; that it do pass.

H. B. No. 482: A bill to be entitled an act in reference to the First Judicial District, and for other purposes; that it do pass.

H. B. No. 490: A bill to be entitled an act to repeal section 15, chapter 258, acts of the General Assembly, ratified the 17th of February, 1859; that it do not pass.

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 409: A bill to be entitled an act for the protection of sheep and other animals that it do not pass.

H. B. No. 484: A bill to be entitled an act to amend chapter 171 laws of 1872-'73; that it do pass.

From the Committee on Salaries and Fees:

By Mr. Settle, H. B. No. 224: A bill to be entitled an act to amend chapter 139 laws 1870-'71; that it do not pass.

H. B. No. 297: A bill to be entitled an act regulating the commissions of sheriffs; that it do not pass.

From the Committee on Banks and Currency:

By Mr. Richardson, H. B. No. 456: A bill to be entitled an act to incorporate the Planters' Bank, of Mount Airy; that it do pass with amendment.

The following bills, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 290: A bill to be entitled an act to incorporate Union Camp Ground, in McDowell county;

H. B. No. 439: A bill to be entitled an act to amend an act entitled an act to amend the charter of the North Carolina Railroad Company, and for other purposes therein mentioned, ratified December 20th, 1873.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to prohibit the sale of ardent spirits to minors;

An act to prevent frauds in the sale of commercial manures;

Resolution in favor of Josiah Turner, Jr.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Whitmire: A bill to be entitled an act to amend chapter 37, sections 4 and 5, of Battle's Revisal. H. B. No. 508.

By Mr. Paschall: A bill to be entitled an act entitled bastardy. H. B. No. 509.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Bennett: A bill to be entitled an act concerning the public roads. H. B. No. 510.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Craige: A bill to be entitled an act to incorporate the Young Men's Aid Society, of the town of Salisbury. H. B. No. 511.

TO THE COMMITTEE ON RAILROADS, POST ROADS AND TURNPIKES.

By Mr. Bryan of Alleghany: A bill to be entitled an act to lay off and establish a public road from the Virginia line *via* Dobson to Winston, in Forsythe county. H. B. No. 512.

TO THE COMMITTEE ON AGRICULTURE.

By Mr. Jones of Orange: A bill to be entitled an act in relation to the State Geologist. H. B. No. 513.

The following named resolution was introduced, read and passed first time, and was referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Brown of Mecklenburg: Resolution for the appointment of a Joint Select Committee on the State and United States Centennial. H. R. No. 123.

A message was received from the Senate transmitting engrossed copy of S. B. No. 19, H. B. No. 16, a bill to be entitled an act supplemental to and explanatory of all acts of incorporation passed by the present General Assembly.

The bill was read first time, passed and referred to the Committee on Corporations.

On motion of Mr. Brown of Mecklenburg, the rules were suspended and S. B. No. 261, H. B. No. 506, a bill to be entitled an act to make uniform the rate of interest in North Carolina, was taken from the Committee on Finance and referred to the Committee on Banks and Currency.

A message was received from the Senate transmitting engrossed copy of S. B. No. 424, H. B. No. 514, a bill to be

entitled an act to incorporate the North Carolina Gold Amalgamating Company.

The bill was read first time, passed and placed on the Calendar.

A message was received from the Senate transmitting engrossed copy of S. B. No. 301, H. B. No. 515, a bill to be entitled an act to lay off and establish a public road in the counties of Davidson and Davie, and to establish a public ferry across the Yadkin river.

The bill was read first time, passed and referred to the Committee on Railroads, Post Roads and Turnpikes.

The Speaker announced the following committee under the joint resolution to report when the first session of the General Assembly shall convene under the amended Constitution:

Messrs. Bennett, Johnston and Dula.

A message was received from the Senate indicating Messrs. Norwood, Harris and Flemming as the Senate branch of the Joint Select Committee on the Expenditures of the Insane Asylum.

SPECIAL ORDER.

The hour (11 o'clock) having arrived, the special order, S. R. No. 176, H. R. No. 96, joint resolution appropriating $1,277.65 to reimburse those citizens who advanced this amount to defray expenses of the State Geologist at the Grand Exposition at Vienna, was read second time, and the question being upon the adoption of the report of the minority of the committee, that the resolution do not pass,

Mr. Bennett moved to amend the resolution by striking out in section 1 the words, "out of any funds in the Treasury not otherwise appropriated," and insert, "out of the annual appropriation for geological purposes for the year 1874."

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

On this motion a call for the ayes and noes was sustained, and the House refused to lay on the table. Ayes 44, noes 62.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Clay, Blackwell, Bowman, Brown of Davidson, Bryson of Swain, Byrd, Carter, Carson, Costner, Dickey, Dudley, Dula, Fletcher, Freeman, Gidney, Guyther, Hanner, Hinnant, Hughes, Johnston, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Lutterloh, Maxwell, Miller, Moss, Perry of Wake, Presson, Richardson, Rhodes, Sharp, Shinn of Iredell, Shackelford, Stowe, Sneed, Todd, Trivett, Warlick, Waugh, Williamson, Whisnant and Woodhouse—44.

The following gentlemen voted in the negative :

Messrs. Anderson of Davie, Ballard, Bean, Bennett, Bowe, Brown of Mecklenburg, Bryson of Jackson, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Alleghany, Brooks, Bunn, Cobb, Copeland, Corson, Cox, Craige, Ellison, Foster, Gant, Gilbert, Gilmer, Godfrey, Gorman, Gray, Grady, Gudger, Hampton, Haynes, Heaton, Houston, Jones of Orange, Joyner, Jordan, Lindsay, Lloyd, Luckey, Marler, McLaurin, McGehee, McNeill, Michael, Mitchell, Mizell, Moring, Norment, Patrick, Paschall, Perry of Bladen, Reid of Mecklenburg, Reid of Randolph, Scott, Settle, Shaw, Turner, Waddill, Watson, Webb, Winslow, Wiley and Wheeler—62.

The amendment of Mr. Bennett was rejected.

The House refused to adjourn, on motion of Mr. Williamson, and the question recurring upon the report of the minority of the committee, it was adopted and the resolution rejected.

On motion of Mr. McGehee, a message was sent to the Senate, proposing to go into an election of Trustees of the University at 1 o'clock to-day.

A message was received from the Senate, proposing to go into an election for Trustees of the University at half-past 3 o'clock, P. M.

The proposition of the Senate was concurred in.

On motion of Mr. Johnston, it was resolved that when this House do adjourn, it adjourn to meet at half-past 3 o'clock, P. M.

SPECIAL ORDER.

The second special order, S. B. No. 93, H. B. No. 266, a bill to be entitled an act to amend chapter 60, section 16, laws of 1869–'70, was announced, and,

On motion of Mr. Shackelford, was postponed till Thursday next, and made special order for 12 M. that day.

SPECIAL ORDER.

The third special order, H. B. No. 478, a bill to be entitled an act to adjust and settle the debt of the State, was announced, and,

On motion of Mr. Moring, the further consideration of the bill was postponed till Monday next, and made special order for 12 M. that day.

On motion of Mr. Heaton, the rules were suspended, and

S. B. No. 185, H. B. No. 387: A bill to be entitled an act to lay off and establish a new county by the name of Lillington, was read third time.

The motion of Mr. Heaton to postpone till to-morrow, and make special order for 12 M., was rejected.

Mr. Heaton's amendment, (the same as that offered by Mr. Gorman on second reading of the bill,) was rejected, and the question recurring, shall the bill pass? a call for the ayes and noes was sustained, and the bill was rejected. Ayes 53, noes 54.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Byrd, Carter, Carson, Costner, Dickey, Freeman, Gant, Gidney, Gilmer, Godfrey, Grady, Haynes, Hinnant, Houston, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Lindsay, Marler, Maxwell, McGehee, McNeill, Miller, Moss, Norment, Outlaw, Perry of Bladen, Presson, Reid of Mecklenburg, Richardson, Shaw, Shinn of Iredell, Shackelford, Stowe,

Todd, Turner, Warlick, Waddill, Waugh, Webb, Winslow, Whitmire and Woodhouse—53.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Brooks, Bunn, Cobb, Copeland, Corson, Cox, Craige, Dudley, Dula, Ellison, Fletcher, Foster, Gilbert, Gorman, Goodwyn, Gray, Guyther, Hanner, Hampton, Heaton, Hughes, Johnston, Jones of Northampton, Jordan, King, Lloyd, Luckey, McLaurin, Michael, Mitchell, Moring, Patrick, Perry of Wake, Reid of Randolph, Rhodes, Scott, Settle, Sneed, Trivett, Watson, Wiley, Williamson, Wheeler and Whisnant—54.

On motion, the House adjourned till half-past 3 o'clock, P. M.

AFTERNOON SESSION.

THURSDAY, January 29th, 1874.

The House was called to order by the Speaker at half-past 3 o'clock.

The following resolution, offered by Mr. Brown of Mecklenburg, was adopted; and a message was sent to the Senate informing that body of the action of the House:

Resolved, That in the election of Trustees for the University, eight shall be elected for each Congressional District.

A message was received from the Senate, concurring in the House resolution to elect eight Trustees for each Congressional District, and designating Messrs. Cunningham and Grandy to superintend the election on the part of the Senate.

A message was sent to the Senate that the House was ready to proceed to the election of Trustees for the University, and designated Messrs. Craige and Wheeler to superintend the election on the part of the House.

On motion of Mr. Moss, the machinery bill was made special order for to-morrow at fifteen minutes past 11 o'clock.

FOR FIRST CONGRESSIONAL DISTRICT.

Mr. Guyther submitted the following nominations for Trustees of the University of North Carolina:

Messrs. Duncan C. Winston, of Bertie; John A. Moore, of Washington; C. B. Hassell, of Martin; Louis Hilliard, of Pitt; D. M. Carter, of Beaufort; William B. Shaw, of Currituck; William F. Martin, of Pasquotank; Mills L. Eure of Gates.

For each of the above, the following gentlemen voted:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Bunn, Byrd, Carter, Carson, Cobb, Copeland, Costner, Cox, Craige, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Gant, Gidney, Gilbert, Gilmer, Godfrey, Grady, Guyther, Hanner, Haynes, Heaton, Hinnant, Houston, Johnston, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Jordan, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Outlaw, Patrick, Paschall, Perry of Bladen, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Rhodes, Scott, Settle, Shaw, Shinn of Iredell, Shackelford, Stowe, Sneed, Todd, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Williamson, Wheeler, Whisnant and Woodhouse.

FOR SECOND CONGRESSIONAL DISTRICT.

Mr. Moss submitted the following nominations for Trustees of the University of North Carolina:

Messrs. William H. Johnston, of Edgecombe; J. E. Dugger,

of Warren; W. T. Faircloth, of Wayne; George Green, of Craven; W. H. Day, of Halifax; J. DeB. Hooper, of Wilson; R. B. Peebles, of Northampton; Dr. B. S. Hardy, of Greene.

For each of the above, the following gentlemen voted:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Bunn, Byrd, Carter, Carson, Cobb, Copeland, Corson, Costner, Cox, Craige, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Gant, Gidney, Gilbert, Gilmer, Goodwyn, Gray, Grady, Guyther, Hanner, Hampton, Haynes, Heaton, Hinnant, Johnston, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Jordan, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Outlaw, Patrick, Paschall, Perry of Bladen, Perry of Wake, Presson, Reid of Randolph, Richardson, Rhodes, Scott, Settle, Shackelford, Stowe, Sneed, Todd, Trivett, Turner, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Williamson, Whitmire, Wheeler, Whisnant and Woodhouse.

FOR THIRD CONGRESSIONAL DISTRICT.

Mr. Shackelford submitted the following nominations for Trustees of the University of North Carolina:

Messrs. Forney George, of Columbus; B. F. Grady, of Sampson; W. L. Saunders, of New Hanover; Rev. Neill McKay, of Harnett; Dr. Jno. McIver, of Moore; R. W. Nixon, of Onslow; T. D. McDowell, of Bladen; R. W. Millard, of Duplin.

For each of the above, the following gentlemen voted:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Byrd, Carter, Carson, Cobb, Corson, Costner,

Craige, Dudley, Dula, Ellison, Fletcher, Foster, Gant, Gidney, Gilbert, Gilmer, Goodwyn, Gray, Grady, Guyther, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Jordan, King, Lindsay, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Outlaw, Patrick, Paschall, Perry of Bladen, Perry of Wake, Presson, Reid of Randolph, Richardson, Rhodes, Scott, Settle, Shaw, Shackelford, Stowe, Sneed, Todd, Trivett, Turner, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Williamson, Wheeler, Whisnant and Woodhouse.

FOR FOURTH CONGRESSIONAL DISTRICT.

Mr. Watson submitted the following nominations for Trustees of the University of North Carolina:

Messrs. J. H. Sharp, of Nash; J. S. Amis, of Granville; Paul C. Cameron, of Orange; John Manning, of Chatham; C. B. Sanders, of Johnston; Joseph J. Davis, of Franklin; Kemp P. Battle, of Wake; William A. Graham, of Orange.

For each of the above, the following gentlemen voted:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Byrd, Carter, Carson, Cobb, Copeland, Costner, Craige, Dickey, Dudley, Dula, Ellison, Fletcher, Gant, Gidney, Gilbert, Gilmer, Goodwyn, Gray, Grady, Guyther, Hanner, Haynes, Heaton, Hinnant, Houston, Johnston, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Jordan, Lindsay, Lloyd, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Moring, Norment, Perry of Bladen, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Rhodes, Scott, Settle, Shaw, Shinn of Iredell, Shackelford, Stowe, Sneed, Todd, Turner, Watson,

Waugh, Webb, Winslow, Wiley, Williamson, Wheeler, Whisnant and Woodhouse.

FOR FIFTH CONGRESSIONAL DISTRICT.

Mr. Mitchell submitted the following nominations for Trustees of the University of North Carolina:

H. Clay Thomas, of Davidson; J. A. Blair, of Randolph; M. S. Robins, of Randolph; J. A. Gilmer, of Guilford; John Kerr, of Caswell; J. L. Dusenbury, of Davidson; David S. Reid, of Rockingham; James A. Graham, of Alamance.

For each of the above, the following gentlemen voted:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blythe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Byrd, Carter, Copeland, Craige, Dickey, Dudley, Dula, Ellison, Fletcher, Gant, Gidney, Gilbert, Gilmer, Godfrey, Goodwyn, Gray, Grady, Guyther, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Joyner, Jordan, Kling, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Michael, Mitchell, Moring, Moss, Norment, Outlaw, Patrick, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Scott, Settle, Shinn of Iredell, Shackelford, Stowe, Sneed, Todd, Trivett, Turner, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Williamson, Wheeler, Whisnant and Woodhouse.

FOR SIXTH CONGRESSIONAL DISTRICT.

Mr. Bennett submitted the following nominations for Trustees of the University of North Carolina:

Messrs. Archibald Purcell, of Robeson; James C. Marshall, of Anson; Walter L. Steele, of Richmond; S. H. Walkup,

of Union; Z. B. Vance, of Mecklenburg; John F. Hoke, of Lincoln; Paul B. Means, of Cabarrus; W. J. Ewing, of Montgomery.

For each of the above, the following gentlemen voted:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Bowe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Sampson, Bryan of Alleghany, Brooks, Byrd, Carter, Cobb, Copeland, Corson, Craige, Dickey, Fletcher, Gant, Gidney, Gilbert, Gilmer, Godfrey, Goodwyn, Gray, Grady, Guyther, Hanner, Haynes, Heaton, Hinnant, Houston, Johnston, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Joyner, Jordan, Lindsay, Lutterloh, Luckey, Marler, Maxwell, McGehee, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Perry of Bladen, Presson, Reid of Mecklenburg, Richardson, Scott, Settle, Shaw, Shinn of Iredell, Shackelford, Stanford, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley, Wheeler, Whisnant and Woodhouse.

FOR SEVENTH CONGRESSIONAL DISTRICT.

Mr. Luckey submitted the following nominations for Trustees of the University of North Carolina:

Messrs. R. L. Patterson, of Forsythe; I. F. Graves, of Surry; W. Kilby Gibbs, of Davie; George B. Wetmore, of Rowan; E. Hayne Davis, of Iredell; Joseph Williams, of Yadkin; G. H. Hamilton, of Ashe; C. L. Cook, of Wilkes.

For each of the above, the following gentlemen voted:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Byrd, Carter, Carson, Costner, Craige, Dickey, Dudley, Dula, Ellison, Fletcher, Gant, Gidney, Gilbert, Gilmer, Goodwyn, Grady, Guyther, Hanner, Haynes, Heaton, Hinnant, Houston, Hughes, Johnston, Jones of Camden,

Jones of Northampton, Jones of Tyrrell, Joyner, Jordan, King, Lindiay, Lutterloh, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Moring, Moss, Norment, Patrick, Perry of Bladen, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Scott, Settle, Shaw, Shinn of Iredell, Shackelford, Stowe, Sneed, Todd, Trivett, Turner, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Williamson, Wheeler, Whisnant and Woodhouse.

FOR EIGHTH CONGRESSIONAL DISTRICT.

Mr. Johnston submitted the following nominations for Trustees of the University:

Messrs. D. Coleman, of Buncombe; Rev. C. D. Smith, of Macon; S. McDowell Tate, of Burke; W. L. Twitty, of Rutherford; J. D. Hyman, of Henderson; E. W. Jones, of Caldwell; W. C. Bowman, of Mitchell; J. O. Hicks, of Clay.

For each of the above, the following gentlemen voted:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Blythe, Bowe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Byrd, Carter, Carson, Cobb, Copeland, Costner, Craige, Dickey, Dudley, Ellison, Gant, Gidney, Gilbert, Gilmer, Goodwyn, Grady, Guyther, Hanner, Haynes, Heaton, Hinnant, Houston, Johnston, Jones of Camden, Jones of Tyrrell, Joyner, Jordan, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Patrick, Perry of Wake, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Scott, Shaw, Shinn of Iredell, Shackelford, Stowe, Sneed, Todd, Trivett, Turner, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Williamson, Wheeler, Whisnant and Woodhouse.

On motion of Mr. Bryan of Pitt, H. B. No. 440 was taken

from the Calendar and referred to the Committee on the Judiciary.

The motion of Mr. Waugh to adjourn was rejected.

On motion of Mr. Joyner, the Calendar was placed at the disposal of the Speaker.

On motion of Mr. Joyner, the House adjourned till to-morrow at half-past 10 o'clock.

FORTY-SEVENTH DAY.

FRIDAY, January 30th, 1874.

The House was called to order by the Speaker at 10½ o'clock.

Prayer by Rev. Dr. Atkinson, of this city.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Waugh till Monday, 9th of February; to Mr. McLaurin till Tuesday next; and to Mr. Bunn for two days.

It was announced that Mr. Woodhouse was detained at his room in this city by sickness.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Freeman: From citizens of McDowell county, asking authority to erect gates across the public highway.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Fletcher: From citizens of Richmond county, against the establishment of a new county.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Richardson: From citizens of Columbus county, asking for an act incorporating the town of Cerro Gordo.

PLACED ON THE CALENDAR.

By Mr. Haynes: From citizens of Haywood, Buncombe, Henderson and Transylvania counties, asking the removal of certain obstructions to travel.

By Mr. Corson: From citizens of Beaufort county, in relation to keeping up the public roads by taxation.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 119: A bill to be entitled an act to amend chapter 167, laws 1869–'70; that substitute do pass;

H. B. No. 397: A bill to be entitled an act concerning inspectors in the city of Wilmington; that it do pass;

From the Committee on Agriculture:

By Mr. Bowman, for the chairman of committee, H. B. No. 403: A bill to be entitled an act to amend chapter 83, Battle's Revisal; that it do not pass.

From the Committee on Claims:

By Mr. McNeill, H. R. No. 61: Resolution in favor of James R. Melton; ask to be discharged from its further consideration.

The following bills, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 255: A bill to be entitled an act to secure the better drainage of the low lands of Clark's and Maiden's Creeks, in the counties of Lincoln and Catawba;

H. B. No. 408: A bill to be entitled an act to prohibit the sale of spirituous liquors in certain localities in Bladen county;

H. B. No. 411: A bill to be entitled an act to incorporate the town of Winton, in the county of Hertford;

H. B. No. 431: A bill to be entitled an act giving the Superior Court of Martin county concurrent jurisdiction with Bertie county over misdemeanors committed in Conine Island, in Bertie county;

H. B. No. 419: A bill to be entitled an act for the better protection of sheep in Jackson and other counties.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act concerning Rock Spring Seminary, and to incorporate a board of trustees therefor;

An act to incorporate the town of Teacheys, in Duplin county;

An act in favor of certain officers and taxpayers in Nash county;

An act to prevent persons from carrying torch lights through covered bridges in Randolph county;

An act to incorporate the town of Pine Level, in Johnston county;

An act to incorporate the North Carolina Gold Amalgamating Company.

Mr. Craige, from the committee to superintend the election for Trustees of the University of North Carolina, submitted the following report:

That Messrs. Duncan C. Winston, of Bertie; John A. Moore, of Washington; C. B. Hassell, of Martin; Louis Hilliard, of Pitt; D. M. Carter, of Beaufort; William B. Shaw, of Currituck; William F. Martin, of Pasquotank; Mills L. Eure, of Gates; William H. Johnston, of Edgecombe; J. E. Dugger, of Warren; W. T. Faircloth, of Wayne; George Green, of Craven; W. H. Day, of Halifax; J. DeB. Hooper, of Wilson; R. B. Peebles, of Northampton; Dr. B. S. Hardy, of Greene; Forney George, of Columbus; B. F. Grady, of Sampson; W. L. Saunders, of New Hanover; Rev. Neill McKay, of Harnett; Dr. Jno. McIver, of Moore; R. W.

Nixon, of Onslow; T. D. McDowell, of Bladen; R. W. Millard, of Duplin; J. H. Sharp, of Nash; J. S. Amis, of Granville; Paul C. Cameron, of Orange; John Manning, of Chatham; C. B. Sanders, of Johnston; Joseph J. Davis, of Franklin; Kemp P. Battle, of Wake; William A. Graham, of Orange; H. Clay Thomas, of Davidson; J. A. Blair, of Randolph; M. S. Robins, of Randolph; J. A. Gilmer, of Guilford; John Kerr, of Caswell; J. L. Dusenbury, of Davidson; David S. Reid, of Rockingham; James A. Graham, of Alamance; Archibald Purcell, of Robeson; James C. Marshall, of Anson; Walter L. Steele, of Richmond; S. H. Walkup, of Union; Z. B. Vance, of Mecklenburg; John F. Hoke, of Lincoln; Paul B. Means, of Cabarrus; W. J. Ewing, of Montgomery; R. L. Patterson, of Forsythe; I. F. Graves, of Surry; W. Kilby Gibbs, of Davie; George B. Wetmore, of Rowan; E. Hayne Davis, of Iredell; Joseph Williams, of Yadkin; G. H. Hamilton, of Ashe; C. L. Cook, of Wilkes; D. Coleman, of Buncombe; Rev. C. D. Smith, of Macon; S. McDowell Tate, of Burke; W. L. Twitty, of Rutherford; J. D. Hyman, of Henderson; E. W. Jones, of Caldwell; W. C. Bowman, of Mitchell; and J. O. Hicks, of Clay, having received a majority of all the votes cast, were duly elected.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON CLAIMS.

By Mr. Gilbert: Resolution in favor of John Armstrong H. R. No. 124.

PLACED ON THE CALENDAR.

By Mr. Marler: Resolution in favor of the soldiers and the widows of deceased soldiers of the Mexican war. H. R. No. 125.

By Mr. Moring: A bill to be entitled an act to amend the charter of the New River Canal Company. H. B. No. 517.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Freeman: A bill to be entitled an act to erect gates across public roads. H. B. No. 518.

By Mr. Lutterloh: A bill to be entitled an act to authorize the removal of civil actions from one Judicial District to another. H. B. No. 519.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Bennett: A bill to be entitled an act to amend an act to charter the Scotland Neck and Weldon Railroad and Steamboat Company, ratified 12th April, 1869. H. B. No. 520.

By Mr. Richardson: A bill to be entitled an act to incorporate the town of Cerro Gordo, in the county of Columbus. H. B. No. 521.

Mr. Luckey moved to reconsider the vote by which S. B. No. 185, H. B. No. 387, a bill to be entitled an act to lay off and establish a new county by the name of Lillington, was rejected on the third reading, and

Mr. Rhodes moved to lay the motion to reconsider upon the table.

The motion to table prevailed.

On motion of Mr. Craige, the rules were suspended, and

S. B. No. 424, H. B. No. 514: A bill to be entitled an act to incorporate the North Carolina Gold Amalgamating Company, was read second and third times, passed each reading, and was ordered to be enrolled for ratification.

On motion of Mr. Cox, the rules were suspended, and

H. B. No. 368: A bill to be entitled an act to prescribe the duties of the Clerks of the Superior Courts and Justices of the Peace in relation to bills of costs, was read second time.

The substitute of the committee was adopted, and the bill

passed; was read third time, passed, and ordered to be engrossed and sent to the Senate.

SPECIAL ORDER.

The hour (11:15 o'clock) having arrived, the special order, H. B. No. 458, the machinery bill, was announced and read by sections.

Section 1 was read.

The amendment of Mr. Luckey, to strike out the words "*per diem*" in line 22, and insert the word "pay," was adopted.

The amendment of Mr. Watson, to strike out the word "six" in line 10, and insert the word "ten," was rejected, and the section, as amended, was adopted.

Sections 2, 3, 4, 5, 6, 7 and 8 were read and adopted.

The hour for the second special order, S. B. No. 189, H. B. No. 465, a bill to be entitled an act for the support, repairs, improvement and payment of the debts of the Insane Asylum, was announced and postponed till the machinery bill was disposed of.

The consideration of the machinery bill was resumed, and section 9 was read.

Mr. Blythe offered the following amendment: Strike out the word "fifty" in line 42, and insert "three hundred."

Mr. Norment moved to amend by inserting "one hundred."

Mr. Bowman offered the following, which the Speaker decided (Mr. Settle in the chair,) to be an amendment to the original proposition of the Committee on Finance:

"*Provided further*, That in addition to the foregoing exemptions, there shall be exempt from taxation in the hands of each tax-payer, who is the owner thereof and the head of a family, one cow and calf, one work horse, or one yoke of oxen."

Messrs. Watson and Dudley gave notice of amendments.

Mr. Stanford, chairman of the Committee on Finance, de-

manded the previous question on section 9 of the bill, which was seconded by the House, and the main question ordered.

The question recurring upon Mr. Blythe's amendment,

Mr. Johnston asked for a division, and the question being upon the motion to strike out "fifty,"

The call for the ayes and noes, made by Mr. Blythe, was sustained, and the motion to strike out prevailed. Ayes 55, noes 53.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Clay, Ballard, Bean, Bennett, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Wilkes, Brooks, Bunn, Byrd, Corson, Cox, Dudley, Dula, Ellison, Foster, Godfrey, Gorman, Gray, Hampton, Haynes, Heaton, Hughes, Jones of Camden, Joyner, Jordan, King, Lloyd, Lutterloh, Marler, McLaurin, McNeill, Michael, Norment, Patrick, Paschall, Reid of Mecklenburg, Reid of Randolph, Settle, Sharp, Shinn of Iredell, Sneed, Todd, Trivett, Turner, Warlick, Winslow, Wheeler and Whisnant—55.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Blackwell, Brown of Mecklenburg, Bryan of Sampson, Bryan of Alleghany, Carter, Carson-Copeland, Costner, Craige, Davis, Dickey, Fletcher, Freeman, Gant, Gidney, Gilbert, Gilmer, Gudger, Guyther, Hanner, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Lindsay, Luckey, Maxwell, McGehee, Miller, Mitchell, Mizell, Moring, Moss, Outlaw, Perry of Bladen, Perry of Wake, Richardson, Rhodes, Scott, Shaw, Shackelford, Stanford, Waddill, Watson, Waugh, Webb, Wiley, Williamson and Whitmire—53.

The question now recurring upon the proposition of Mr. Blythe to insert "three hundred," a call for the ayes and noes, made by Mr. Blythe, was sustained, and the amendment was rejected. Ayes 44, noes 65.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Clay, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Swain, Bryan of Pitt, Bryant

of Halifax, Bryan of Wilkes, Brooks, Bunn, Byrd, Cobb, Copeland, Corson, Cox, Dickey, Dudley, Dula, Foster, Gudger, Hampton, Heaton, Hughes, Jones of Camden, Jones of Northampton, Jordan, King, Lindsay, Lloyd, McLaurin, Mizell, Patrick, Paschall, Reid of Randolph, Settle, Shackelford, Sneed, Todd, Trivett, Wheeler and Whisnant—44.

The following gentlemen voted in the negative :

Messrs. Anderson of Davie, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryan of Sampson, Bryan of Alleghany, Carter, Carson, Costner, Craige, Davis, Ellison, Fletcher, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Gray, Guyther, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Orange, Jones of Tyrrell, Joyner, Lutterloh, Luckey, Marler, Maxwell, McGehee, McNeill, Miller, Michael, Moring, Moss, Norment, Outlaw, Perry of Bladen, Perry of Wake, Presson, Reid of Mecklenburg, Richardson, Rhodes, Shaw, Sharp, Shinn of Iredell, Stanford, Stowe, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Williamson and Whitmire—65.

The Speaker decided that Mr. Bowman's amendment being to the original proposition of the committee, and that proposition having been stricken out, the amendment was no longer in order and could not be entertained.

Mr. Norment's amendment to insert "one hundred," was adopted.

The following amendment, offered by Mr. Watson, was rejected :

"All horse, mule, or cattle drovers of another State shall pay the same *ad valorem* tax on each and every animal sold in any county of this State as is paid by the citizens of this State, and it shall be the duty of the different sheriffs to collect such tax from such drover or agent as may have the same in charge."

Mr. Dudley's amendment to section 9, line 42, insert the

words "any kind of," after the words "value of," and to strike out all of line 43 in the same section, was rejected.

The question being upon the adoption of the 9th section, as amended, a call for the ayes and noes was sustained, and the section was adopted. Ayes 93, noes 10.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Bean, Bennett, Blackwell, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Alleghany, Brooks, Bunn, Byrd, Carter, Carson, Cobb, Copeland, Corson, Costner, Cox, Craige, Davis, Dickey, Dula, Ellison, Fletcher, Foster, Freeeman, Gant, Gidney, Gilbert, Gilmer, Gorman, Goodwyn, Gray, Guyther, Hanner, Hampton, Haynes, Heaton, Houston, Hughes, Johnston, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Jordan, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Patrick, Paschall, Perry of Bladen, Reid of Mecklenburg, Richardson, Scott, Settle, Shaw, Sharp, Shackelford, Stanford, Stowe, Sneed, Todd, Trivett, Warlick, Watson, Waugh, Webb, Winslow, Wiley, Wheeler and Whisnant—93.

The following gentlemen voted in the negative:

Messrs. Abbott, Dudley, Gudger, Hinnant, Jones of Caldwell, Perry of Wake, Presson, Reid of Randolph, Shinn of Iredell and Williamson—10.

On motion of Mr. Mitchell, the House adjourned till 10½ o'clock to-morrow.

FORTY-EIGHTH DAY.

SATURDAY, January 31st, 1874.

The House was called to order by the Speaker at half-past 10 o'clock.

The journal of yesterday was read and approved.

It was announced that Mr. Moring was detained at his room on account of sickness.

Indefinite leave of absence was granted Messrs. Cobb and Heaton on account of sickness.

Leave was granted Mr. Joyner for one week on account of important business; and to Mr. Williamson till Tuesday next.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Lutterloh: From citizens of Cumberland county, asking for a change in the time or holding the Superior courts of the county.

PLACED ON THE CALENDAR.

By Mr. Trivett: From certain citizens of Ashe county against the passage of a liquor law for the town of Jefferson, in Ashe county.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Corporations:

By Mr. Jones of Caldwell, H. B. No. 494: A bill to be entitled an act to prohibit the sale of spirituous liquors within one mile of Liberty Church and Camp Ground, in Alexander county; ask reference to the Committee on Propositions and Grievances. Reference made.

H. B. No. 496: A bill to be entitled an act to incorporate

the Pee Dee Manufacturing Company; that it do pass with amendments.

H. B. No. 511: A bill to be entitled an act to incorporate the Young Men's Aid Society, of the town of Salisbury; that it do pass.

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 502: A bill to be entitled an act to incorporate the Oriental Fish and Oyster Company, ratified December 22d, 1873; that it be referred to the Committee on Corporations. Reference made.

From the Committee on Finance:

By Mr. Stanford, H. B. No. 318: A bill to be entitled an act in relation to sheriffs' deeds; that it do not pass.

By Mr. Gidney, H. R. No. 113: Resolution in favor of the sheriff of Bladen county; that it do not pass.

From the Committee on Claims:

By Mr. McNeill, H. R. No. 111: A resolution in favor of Alexander Dawson and others; that it do pass with amendment.

From the Committee on Railroads, Post Roads and Turnpikes:

By Mr. Anderson of Davie, S. B. No. 301, H. B. No. 515: A bill to be entitled an act to lay off and establish a public road in the counties of Davidson and Davie, and to establish a public ferry across the Yadkin river; that it do pass.

The following bill, reported as correctly enrolled by Committee on Enrolled Bills, was duly ratified and transmitted to the Senate:

An act to incorporate the members of the congregation of the United Brethren, of the town of Salem.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Hanner: A resolution concerning the lots and par-

cels of lots of land belonging to the State of North Carolina, in the city of Raleigh. H. R. No. 126.

By Mr. Lindsay: Resolution on adjournment. H. R. No. 127.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. McNeill: A bill to be entitled an act to incorporate the town of Shoe Heel, in the county of Robeson H. B. No. 522.

By Mr. Mizell: A bill to be entitled an act to charter the Jamesville and Washington Railroad and Lumber Company. H. B. No. 523.

By Mr. Mizell: A bill to be entitled a supplement to an act to amend an act chartering the Jamesville and Washington Railroad and Lumber Company. H. B. No. 524.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Trivett: A bill to be entitled an act to prohibit the sale of liquors within two miles of Hilton Camp Ground. H. B. No. 525.

By Mr. Dickey: A bill to be entitled an act to extend the time for the tax collector of Cherokee county to settle the public taxes. H. B. No. 526.

TO THE COMMITTEE ON RAILROADS, POST ROADS AND TURNPIKES.

By Mr. Jones of Caldwell: A bill to be entitled an act to lay off and construct a public road from the Watauga line to Morganton. H. B. No. 527.

A message was received from the Senate transmitting engrossed copy of Senate amendment to H. B. No. 37, S. B. No. 192, a bill to be entitled an act to incorporate the members of the congregation of the United Brethren, in the town of Salem and vicinity, and commonly known as Moravians.

On motion, the amendment was concurred in and the bill ordered to be enrolled for ratification.

On motion of Mr. McNeill, the rules were suspended and H. B. No. 482, a bill to be entitled an act in reference to the First Judicial District, and for other purposes, was made special order for Monday next at 11½ o'clock.

On motion of Mr. Stanford, the rules were suspended and H. B. No. 459, a bill to be entitled an act to raise revenue, was taken up and made special order for Monday next, 11:15 o'clock.

The unfinished business of yesterday, H. B. No. 458, the Machinery Act, was resumed.

Section 10 was read and adopted.

Section 11 was read.

The amendment of Mr. Wiley, to insert after the word "fairs," in line 20, the words "wearing apparel and provisions for the owner and family," was rejected.

Mr. Blythe's amendment to insert after the word "section," in line 26, the words, "or shall fail to assess all taxable property not exempt at a fair valuation as prescribed in the first section of this act," was rejected.

Mr. Bowman offered the following, to come in as an additional section after section 11:

That in addition to the exemption of one hundred dollars provided for in section 9, there shall be exempt from taxation, in the hands of each taxpayer who may be the owner thereof and the head of a family, one cow and one calf, one work horse, or in lieu thereof one yoke of oxen, not to exceed in value two hundred dollars.

The Speaker ruled the above amendment out of order on second reading of the bill, it seeking to accomplish indirectly what the House had already refused by the rejection of Mr. Blythe's amendment to the ninth section.

Section 11 as amended was adopted.

Sections 12, 13, 14 and 15 were read and adopted.

Section 16 was read, and the amendment of Mr. Shaw to insert after the word "power," in line 14, the words, "after

notifying the owner or agent," having been adopted, the section was adopted.

Sections 17, 18, 19 and 20 were read and adopted.

Section 21 was read.

The amendment of Mr. Bennett, prescribing substantially the form of the order to be given by the clerk, was adopted and section was adopted.

Sections 22, 23, 24, 25, 26 and 27 were read and adopted.

Section 28 was read, and the amendment of Mr. Bennett, prescribing substantially the form of the levy to be used, was adopted; and the section, as amended, was adopted.

Sections 29 and 30 were read and adopted.

Section 31 was read.

The amendmet of Mr. Carson, to insert after the word "delinquent," wherever it occurs, the words "his agent or attorney," having been adopted, the section was adopted.

Section 32 was read.

The same amendment of Mr. Carson as in section 31 prevailed, and the section was adopted.

Section 33 was read and adopted.

Section 34 was read.

Mr. Gilbert's amendment, to insert after the word "omitted," in line 13, the words "and any sheriff failing to comply with the provisions of this section, shall be guilty of a misdemeanor, and upon conviction, shall be liable upon his official bond," was rejected, and the section was adopted.

Sections 35, 36, 37, 38 and 39 were read and adopted.

Section 40 was read, and the amendment of Mr. Bennett, to come in as a proviso at the close of the section, "*Provided*, The compensation allowed said committee for their services shall not exceed two dollars per day each, for the time actually spent in said settlement," was adopted, and the section was adopted.

Sections 41, 42, 43, 44 and 45 were read and adopted.

The question recurring upon the passage of the bill, Mr. Gidney offered the following to section 34:

Strike out all after the word "subjects" in line 4, to "shall" in line 5, and insert, "and on the first Monday in September in each year."

The amendment was adopted and the bill passed.

The bill was read third time.

The amendment of Mr. Scott to strike out in line 3, section 1, the words "at the valuation of the same," and insert "and re-value the same," was rejected.

Mr. Lloyd's amendment, to strike out "six" in line 10, and insert "ten," was rejected.

Mr. Shinn of Iredell offered the following amendment to section 9: In line 42 strike out "one hundred dollars" and insert "provisions sufficient for self and family, or other personal property not to exceed one hundred and fifty dollars," which was rejected.

Mr. Bowman offered the following, to come in after the word "section" in line 43:

"*Provided, further*, that in addition to the foregoing exemptions, there shall be exempt from taxation in the hands of each taxpayer who is the owner thereof, and the head of a family, one cow and calf, one work horse, or one yoke of oxen, not to exceed in value two hundred dollars."

On the passage of this amendment, Mr. Bowman called for the ayes and noes.

The call was sustained, and the amendment was rejected. Ayes 17, noes 71.

The following gentlemen voted in the affirmative:

Messrs. Bean, Blythe, Bowman, Brown of Davidson, Bryan of Wilkes, Byrd, Corson, Foster, Hampton, Jones of Camden, Jones of Northampton, King, Lloyd, Paschall, Reid of Randolph, Trivett and Whisnant—17.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of

Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Alleghany, Brooks, Carter, Carson, Costner, Cox, Craige, Davis, Dickey, Dudley, Ellison, Fletcher, Freeman, Gant, Gidney, Gilbert, Godfrey, Gorman, Gudger, Guyther, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Jordan, Lindsay, Lutterloh, Luckey, Marler, Maxwell, McNeill, Miller, Michael, Mitchell, Mizell, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Scott, Shaw, Sharp, Shinn of Iredell, Stanford, Stowe, Todd, Warlick, Waddill, Watson, Webb, Winslow, Wiley and Whitmire—71.

On motion of Mr. Bennett, section 32 was stricken from the bill, and the following substituted therefor:

"Section 32. If the delinquent shall fail to redeem, as prescribed in the preceding section, the sheriff shall execute a deed for the quantity of land for which the said purchaser agreed to pay the amount of the purchase with all the expenses; and for said services the sheriff shall be entitled to two dollars, to be paid by the purchaser. The deed from the sheriff to the purchaser shall be registered within six months, and when so registered shall convey to the grantee all the estate in the quantity of land for which the said purchaser bid, which the delinquent had at the time of the sale for taxes."

Mr. Stanford demanded the previous question on the passage of the bill, which was seconded by the House, and the main question ordered; and the bill passed, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Bryan of Alleghany, the rules were suspended, and H. B. No. 479, a bill to be entitled an act to amend chapter 66, section 2, of the Public Laws of 1869–'70, was read second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Brown of Mecklenburg, the rules were

suspended, and H. R. No. 121, resolution to raise a joint committee on adjournment, was read second time.

The amendment of Mr. Jones of Caldwell, to strike out all after the word "report," in line 10, and insert "the earliest day at which this General Assembly can adjourn compatible with the best interests of the State," was adopted; and the resolution, as amended, was adopted.

On motion, the House adjourned till Monday, half-past 10 o'clock.

FORTY-NINTH DAY.

MONDAY, February 2, 1874.

The House was called to order by the Speaker at half-past 10 o'clock.

The journal of Saturday was read and approved.

It was announced that Mr. Freeman was detained at his room in this city on account of sickness.

Indefinite leave of absence was granted to Mr. Shinn of Iredell on account of sickness.

Leave till Wednesday next was granted to Mr. Jones of Northampton on account of sickness in his family.

Leave was granted Mr. Reid of Mecklenburg and Mr. Maxwell to be absent from the session of the House to-day to attend to committee business.

The following named petition was introduced, read and referred, or otherwise disposed of, as follows:

By Mr. Presson: From citizens of Union county, asking the prohibition of the sale of spirituous liquors within two miles of Tirzah church, in said county. Referred to the Committee on Propositions and Grievances.

The following bills, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 368: A bill to be entitled an act to prescribe the duties of the clerks of Superior Courts and Justices of the Peace in relation to bills of costs;

H. B. No. 458: A bill to be entitled an act to provide for the collection of taxes by the State and the several counties of the State on property, polls and income (known as the Machinery Act);

H. B. No. 479: A bill to be entitled an act to amend chapter 66, section 2, of Public Laws of 1869-'70.

The following bills, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act concerning Commissioners of Affidavits and Probates of Deeds in other States, Territories, and the District of Columbia;

An act to enable the commissioners of Surry county to consolidate and pay the debt of said county;

An act to authorize the commissioners of Nash county to levy a special tax;

An act to repeal chapter 68, laws of 1871-'72;

An act to amend the charter of the city of Newbern;

An act to amend an act entitled an act to charter the Wilson and Tar River Narrow Gauge Railroad, laws of 1872-'73, chapter 19.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON MILITARY AFFAIRS.

By Mr. Gorman: Resolution concerning the quota of arms annually furnished this State by the General Government. H. R. No. 128.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Bennett: Resolution in favor of Josiah Turner, Jr. H. R. No. 129.

By Mr. Bryson of Jackson: A bill to be entitled an act for the better protection of churches, camp grounds, &c. H. B. No. 528.

By Mr. Warlick: A bill to be entitled an act to re-enact chapter 169, Public Laws of 1868-'69. H. B. No. 529.

By Mr. Bennett: A bill to be entitled an act to amend section 18, chapter 14, Battle's Revisal. H. B. No. 530.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Presson: A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of Tirzah church, in Union county. H. B. No. 531.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Luckey: A bill to be entitled an act to repeal an act to establish a new county by the name of Graham, ratified the 30th of January, 1872, and to repeal an act supplemental thereto, ratified the 9th day of February, 1872. H. B. No. 532.

By Mr. Luckey: A bill to be entitled an act to repeal chapter 132, acts 1871-72, entitled an act to lay off and establish the county of Pamlico, ratified the 8th of February, 1872. H. B. No. 533.

A message was received from the Senate transmitting engrossed copies of the following named bills and resolutions, which were read first time, passed and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 325, H. B. No. 534: A bill to be entitled an act to give to Burke, Rutherford, McDowell and Cleaveland counties the proceeds of the sales of vacant lands therein.

S. B. No. 279, H. B. No. 535: A bill to be entitled an act

to incorporate Pythagoras Lodge, No. 6, F. and A. Y. M., of the town of Smithville, Brunswick county.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

S. B. No. 187, H. B. No. 536: A bill to be entitled an act concerning the annexation of Goose Creek Island to Pamlico county.

PLACED ON THE CALENDAR.

S. R. No. 113, H. R. No. 130: Resolution allowing R. B. Creecy free access to the records of the State for certain purposes.

H. B. No. 365: A bill to be entitled an act in favor of the contractors on the Marion and Asheville turnpike, was read second time, the amendment of the committee was adopted, and the further consideration of the bill was postponed till Wednesday next, and made special order for half-past 11 o'clock that day.

S. B. No. 189, H. B. No. 465: A bill to be entitled an act for the support, repairs, improvement and payment of the debts of the Insane Asylum for the year 1874, was announced and returned to the Calendar without action.

SPECIAL ORDER.

The hour (10:15 o'clock) having arrived, the special order H. B. No. 459, an act to raise revenue, was read by sections.

Section 1 was read and adopted.

Section 2 was read.

The amendment of Mr. Gidney to strike out "five" in line 5 and insert "eleven," was adopted, and section adopted.

Mr. Gidney's amendment to strike out "six" in line 1, sub section 1, class 1, and insert "eight," was rejected.

Mr. Gidney's amendment to strike out all after "and" in line 4, same section, and insert "the general prosecution of the work on the outer wall and the buildings," was rejected.

Mr. Dudley's amendment to strike out the word "no" in line 5 of the same section was rejected.

Section 3 was read.

The amendment of Mr. Bowman to sub-section 1 of class 1 of section 3, to strike out the word "twenty" in line 1, and insert the words "sixteen and two-thirds," was adopted.

On the passage of the amendment a call for the ayes and noes was sustained. Ayes 77, noes 12.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Byrd, Carter, Carson, Corson, Cox, Craige, Davis, Dickey, Dudley, Ellison, Fletcher, Foster, Gant, Gilmer, Gray, Grady, Gudger, Guyther, Hanner, Haynes, Houston, Hughes, Jones of Camden, Jones of Tyrrell, Jordan, King, Lindsay, Lloyd, Luckey, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Paschall, Perry of Bladen, Presson, Reid of Randolph, Richardson, Settle, Shaw, Sharp, Shinn of Iredell, Shackelford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Watson, Webb, Winslow, Wiley, Whitmire, Wheeler and Whisnant—77.

The following gentlemen voted in the negative:

Messrs. Copeland, Costner, Gidney, Gilbert, Godfrey, Gorman, Hampton, Jones of Caldwell, Jones of Orange, Marler, Rhodes and Stanford—12.

Section 3, as amended, was adopted.

Under Schedule B, section 1 was read and adopted.

Section 2 was read, and the following amendment of Mr. Jones of Caldwell, to come in at the close of section, was adopted:

"Unless such concert, musical entertainment or lecture, be given for religious or charitable purposes."

Sections 3, 4, 5, 6, 7, 8 and 9 of Schedule B, were read and adopted.

Section 10 was read.

The amendment of Mr. Stanford, to insert after the word "every" in line 4, the words "dealers or," was adopted.

The following amendment of Mr. Rhodes, to come in after section 10, was rejected :

Provided, That retail dealers shall only be required to pay a tax of two and one-half per cent. on the amount of purchases made from wholesale dealers whose place of business in situated in this State."

Section 11 was read.

The amendment of Mr. McNeill, to strike out "quart," in line 2, and insert "gallon," was rejected.

Mr. Dudley's amendment to strike out "twenty-five" in line 8, and insert "fifty," was rejected, and the section was adopted.

Section 12 was read.

The amendment of Mr. Marler, to strike out in line 13, after the word "January," the words "and July," and line 15, strike out "six," and insert "twelve," was rejected.

Mr. Carter's amendment, to come in after the word "months" in line 15, "*Provided*, That the persons mentioned in this section may make out in writing a list of their taxable property and swear to the same before any Justice of the Peace for their county and return the same list to the Register of Deeds," was adopted, and the section, as amended, was adopted.

Section 13 was read.

Mr. Johnston's amendment, to strike out the word " gross " in line 1, and insert " net," was rejected, and the section adopted.

Sections 14 and 15 were read and adopted.

Section 16 was read.

Mr. Gidney's amendment, to strike out in lines 5 and 6 the words "tenth chapter of the Revised Code " and insert " eighth

chapter of Battle's Revisal," was adopted, and the section as amended was adopted.

Section 17 was read.

The amendment of Mr. Bennett, to insert after the word "merchant" in line 3, the words, "provided that this section shall not apply to the sale of agricultural products of this State," was rejected, and the section adopted.

Section 19 was read.

Mr. Bean's amendment to strike out "medical practitioner" in line 1, was rejected.

Mr. Bean's amendment, to strike out "five" in line 3 and insert "ten," was rejected.

The amendment of Mr. Wiley, to insert after the word "photographs" in line 5 the words "or prizes of any kind," was adopted, and the section as amended was adopted.

Section 20 was read.

Mr. Grady's amendment, to insert after the word "medicines" in line 3, the words "or spirituous, vinous or malt liquors," and at the end of section, "*Provided, further*, that the sheriff, upon the production of the order from the commissioners as above provided, by any peddler of spirituous, vinous, or malt liquors, shall collect fifty instead of ten dollars as hereinbefore provided," was adopted.

The amendment of Mr. Anderson of Clay, to insert in line 14, after the word "fish," the words "earthen ware," was rejected. A verbal correction was made in line 18, and the section was adopted.

Section 21 was read.

Mr. Settle's amendment, to strike out "ten" in line 2, and insert "twenty," was adopted, and the section as amended was adopted.

Mr. Gorman's amendment, to insert after the word "rods," in line 2, the following: "and every authorized weigher and inspector of cotton, salt fish, and flour who may receive fees or salary for performing the duties of his office," was rejected.

Section 22 was read.

Mr. Settle's amendment, to strike out "fifty," in line 3, and insert "one hundred," was rejected, and the section adopted.

Section 23 was read.

The amendment of Mr. Perry of Bladen, to strike out "fifty," in line 8, and insert "one hundred," was rejected, and the section adopted.

Section 24 was read.

The amendment of Mr. Jones of Caldwell, to strike out, in line 11, the word "one," and insert "two," was adopted, and the section as amended was adopted.

Section 25 was read and adopted.

Section 26 was read.

The amendment of Mr. Rhodes, to strike out "April and October," in third line, and insert "and" between "January" and "July," and to strike out "quarter," in line 5, and insert "six months," was adopted.

Mr. Richardson's amendment, to insert after the word "sheriff," in line 13, the following, was adopted:

"And it shall be the duty of the sheriff to report all persons to the register of deeds who fail to list as is required by law."

The section, as amended, was adopted.

Section 27 was read.

Mr. Craige's amendment, to strike out in line 8, all after the word "license" down to the word "such," in line 14, and all after the word "direct," in line 18, down to "provided," in line 19, and insert "for the term of twelve months from its date," was adopted; and the section, as amended, was adopted.

Sections 28 and 29 were read and adopted.

Section 30 was read.

Mr. Foster's amendment, to strike out "twenty-five," in line 5, and insert "fifty," was rejected, and the section was adopted.

Section 31 was read.

The word "of," in line 11, was stricken out, and the word "in" inserted, and the section adopted.

Sections 32 and 33 were read and adopted.

Mr. Gilbert introduced the following, as a new section to the bill, which was adopted:

"Section 34. That in order to carry on any trade or practice any profession, or exhibit any circus, side show, or any other amusement, or to enjoy any other subject named in Schedule B, not otherwise provided for, the person so practicing, exhibiting, or enjoying, or his agent, shall apply to the sheriff for a license, which shall be granted by the sheriff upon payment of the required tax, but shall not be valid until countersigned by the register of deeds, who shall keep a record of the same, and receive for his services twenty-five cents."

Under Schedule C, sections 1 and 2 were read and adopted.

Section 3 was read.

The amendment of Mr. Gidney, to strike out in line 3, "except clerks of the Supreme or Superior Courts," was rejected.

Mr. Moss's amendment, to strike out the words "Supreme or," in line 3, was adopted; and the section, as amended, was adopted.

Section 4 was read.

The amendment of Mr. Hanner, to strike out "four," in line 15, and insert "five," was adopted and section adopted.

Sections 5, 6 and 7 were adopted.

Section 8 was read.

The amendment of Mr. Gidney, after the word "act" in line 2, insert, "and so much of chapter 29 of Battle's Revisal as requires fines, forfeitures and penalties to be paid to the County Treasurer," was adopted, and the section as amended was adopted.

On the passage of the bill Mr. Stanford demanded the previous question, which was sustained by the House, and the main question being ordered, the bill passed. Ayes 67, noes 20.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Bowman, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Alleghany, Brooks, Bullard, Byrd, Carter, Carson, Copeland, Costner, Craige, Davis, Dickey, Ellison, Fletcher, Gant, Gidney, Gilbert, Gilmer, Grady, Gudger, Guyther, Hanner, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Lindsay, Lutterloh, Luckey, Marler, McNeill, Miller, Michael, Moring, Moss, Norment, Outlaw, Paschall, Perry of Bladen, Presson, Richardson, Rhodes, Settle, Shaw, Shinn of Iredell, Shackelford, Stanford, Stowe, Todd, Warlick, Waddill, Watson, Webb, Winslow, Wiley and Whisnant—67.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Brown of Davidson, Bryan of Wilkes, Cox, Dudley, Foster, Gorman, Hampton, Hughes, Jordan, King, Lloyd, Mizell, Reid of Randolph, Sharp, Trivett and Wheeler—20.

On motion of Mr. Stanford, the rules were suspended and the bill made special order for to-morrow at 11 o'clock.

On motion, the House adjourned till to-morrow half-past 10 o'clock.

FIFTIETH DAY.

TUESDAY, February 3d, 1874.

The House was called to order by the Speaker at half-past 10 o'clock.

The journal of yesterday was read and approved.

Indefinite leave of absence was granted to Mr. Patrick from Saturday last on account of sickness in his family.

Leave was granted Mr. King till Friday on account of sickness in his family.

Mr. Maxwell and Mr. Reid of Mecklenburg were excused from attendance to-day on the session of the House on account of committee business.

It was announced that Mr. Perry of Wake was detained at home by sickness; and that Mr. Brown of Mecklenburg was unavoidably absent on account of important business.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Perry of Bladen: From citizens of Bladen county, praying for a prohibitory liquor law;

By Mr. McNeill: From citizens of Robeson county, asking for a new county named Jura.

PLACED ON THE CALENDAR.

By Mr. Richardson: From merchants and liquor dealers of New Hanover county, asking for an amendment to chapter 144, laws of 1872–'73.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Corporations:

By Mr. Jones of Caldwell, H. B. No. 450: A bill to be entitled an act to amend chapter 28, Private Laws of 1868–'69; that it do pass;

H. B. No. 435: A bill to be entitled an act to amend chapter 116, laws of 1871–'72; that it do pass;

S. B. No. 19, H. B. No. 516: A bill to be entitled an act supplemental to and explanatory of an act of incorporation passed by the present General Assembly; ask reference to Judiciary Committee; reference made;

H. B. No. 520: A bill to be entitled an act to amend an act to charter the Scotland Neck and Weldon Railroad and Steamboat Company, ratified 12th of April, 1869; that it do pass;

H. B. No. 521: A bill to be entitled an act to incorporate

the town of Cerro Gordo, in Columbus county; that it do pass with amendment;

H. B. No. 522: A bill to be entitled an act to incorporate the town of Shoe Heel, in the county of Robeson; that it do pass with amendment;

H. B. No. 523: A bill to be entitled an act to charter the Jamesville and Washington Railroad and Lumber Company; that it do pass with amendment;

H. B. No. 524: A bill to be entitled an act supplemental to an act to amend an act chartering the Jamesville and Washington Railroad and Lumber Company; that it do pass with amendment.

From the Committee on Railroads, Post Roads and Turnpikes:

By Mr. Bryson of Swain, H. B. No. 527: A bill to be entitled an act to lay off and construct a public road from the Watauga line to Morganton; that it do pass.

The following bills reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to provide for a special election in Caldwell county;

An act to repeal chapter 19 of the Private Laws of 1870-'71, and re-enact an act of the Private Laws of 1868-'69;

An act for the relief of N. C. Coor.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Houston: A bill to be entitled an act to repeal section 9, chapter 6, Battle's Revisal. H. B. No. 537.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Whisnant: A bill to be entitled an act to prevent the felling of trees in Second Broad river, in Rutherford county, and for other purposes. H. B. No. 538.

By Mr. Perry of Bladen: A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of Carver's Creek church, in Bladen county. H. B. No. 539.

TO THE COMMITTEE ON THE DEAF, DUMB AND BLIND ASYLUM.

By Mr. Carter: A bill to be entitled an act in favor of the North Carolina Institution for the Deaf and Dumb and the Blind. H B. No. 540.

PLACED ON THE CALENDAR.

By Mr. Norment: A bill to be entitled an act to amend an act passed at the present session to incorporate the town of Lumberton. H. B. No. 541.

By Mr. Haynes: A bill to be entitled an act to incorporate Renno's Camp Ground and Locust Old Field Baptist Church. H. B. No. 542.

TO THE COMMITTEE ON RAILROADS, POST ROADS AND TURNPIKES.

By Mr. Blythe: A bill to be entitled an act to allow county commissioners to contract for building turnpike roads. H. B. No. 543.

Messages were received from the Senate transmitting engrossed copies of the following named bills, which were read first time, passed, and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 460, H. B. No. 544: A bill to be entitled an act to repeal section 19, chapter 112, Battle's Revisal, and to amend said chapter;

S. B. No. 561, H. B. No. 545: A bill to be entitled an act supplemental to and amendatory of an act entitled an act

regulating the times of holding the terms of the Superior Courts of the Fourth Judicial District, and for other purposes;

S. B. No. 287, H. B. No. 546: A bill to be entitled an act to empower the board of commissioners of Burke county to levy a special tax.

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 263, H. B. No. 547: A bill to be entitled an act to incorporate the Raleigh Ware House and Trust Company.

TO THE COMMITTEE ON INTERNAL IMPROVEMENTS.

S. B. No. 512, H. B. No. 548: A bill to be entitled an act to amend the charter of the North Carolina Railroad Company, and for other purposes.

TO THE COMMITTEE ON FINANCE.

S. B. No. 232, H. B. No. 549: A bill to be entitled an act to allow the commissioners of Duplin county to levy a special tax.

TO THE COMMITTEE ON AGRICULTURE.

S. B. No. 398, H. B. No. 550: A bill to be entitled an act in relation to the storage of fertilizers.

PLACED ON THE CALENDAR.

S. B. No. 393, H. B. No. 551: A bill to be entitled an act to authorize the town of Hickory, in the county of Catawba, to issue bonds to aid the Carolina Central Railway Company in extending their railway, and for other purposes;

S. B. No. 580, H. B. No. 552: A bill to be entitled an act to incorporate Queen of the South Lodge, No. 6, of the Independent Order of Good Templars, in the city of Raleigh.

Senate amendments to H. B. No. 183, S. B. No. 343: A bill to be entitled an act to amend the charter of the town of Hillsboro, were read; and,

On motion of Mr. Jones of Orange, concurred in.

A message was received from the Senate transmitting engrossed copy of Senate amendment to H. R. No. 121, resolution to raise a Joint Committee on adjournment, which was read.

Mr. Marler moved to postpone the consideration of the amendment till Monday next.

Mr. Jones of Caldwell moved to concur in amendment.

The question being upon Mr. Marler's motion to postpone, it prevailed.

SPECIAL ORDER.

The hour (11 o'clock) for the special order having arrived, H. B. No. 459, an act to raise revenue, was read third time by sections.

Section 1 was adopted.

Section 2 was read.

The amendment of Mr. Stanford to strike out "one dollar and eleven" in line 5, and insert "ninety-five," prevailed.

Mr. Stanford's amendment to strike out "six" in line 1, section 3, Class 1, and insert "eight," was rejected.

The amendment of Mr. Turner to strike out in line 5, section 3, Class 1, the words "for no other purpose," and insert "for other necessary purposes," was rejected, and Class 1 was adopted.

Class 2 was read and adopted.

Schedule B was read.

Sections 1, 2 and 3 were adopted.

Section 4 was read.

Mr. Hughes' amendment to strike out "one" in line 2, and insert "two," was rejected, and section adopted.

Section 5 was read.

Mr. Wheeler's amendment to add in line 4, after the word

"performance," the words "flying trapeze shall pay a tax of ten dollars annually," was adopted.

Sections 6, 7, 8 and 9 were read and adopted.

Section 10 was read, and the following substitute, offered by Mr. Richardson, was adopted:

"Every dealer in spirituous or vinous liquors, porter, lager beer or other malt liquors shall pay a tax of five per centum on the amount of purchases of any and all the liquors aforesaid, on which a tax of like amount has not already been paid by some wholesale dealer in liquors residing in this State; *Provided*, That any such wholesale dealer shall furnish each and every person buying liquors from said dealer with a sworn certificate for each and every sale that he has paid the said tax as the law requires: *Provided, further*, That no dealer shall be exempt from said tax who does not produce said certificate. Any agent who offers any such liquors for sale shall pay a like tax on the value of all liquors of any description sold by him."

Section 11 was read.

Mr. Corson's amendment, to strike out "quart," in line 2, and insert "gallon," was rejected.

Mr. Scott's amendment, to insert after the word "dollars," in line 8, "*Provided*, said dealer takes out license the first day of April, if not, to pay in proportion for the balance of the year," was rejected.

Mr. Rhodes' amendment, to strike out "twenty-five," in line 8, and insert "thirty five," was rejected, and the section was adopted.

Sections 12, 13, 14 and 15 were read and adopted.

Section 16 was read.

Mr. Wheeler's amendment, to strike out "thirty-five," in line 8, and insert "twenty," was adopted.

Mr. Settle's amendment, to come in as a proviso at the end of section 16, was adopted:

"*Provided*, That if any tobacco warehouseman shall charge to account of sales of any patron or customer any item or sum, under pretence or color of State taxes, he shall be liable to a tax of one *per centum* on gross amount of his commissions on said sales, subject to the exemptions of said chapter."

The section, as amended, was adopted.

Section 17 was read.

Mr. Moss's amendment, in li e 2 strike out all that occurs after the word "his" to "provided," in line 3, and insert "commissions," was adopted; and the section was adopted.

Sections 18, 19, 20 and 21 were read and adopted.

Section 22 was read.

Mr. Bean's amendment, to strike out "fifty," in line 3, and insert "one hundred," was rejected; and the section was adopted.

Sect on 23 was read.

Mr. Perry of Bladen offered the following amendment, which was rejected:

Strike out lines 1 and 2, and insert "every drummer or traveling agent of any person who shall sell any spirituous, vinous, or malt liquors, with or without samples, whether delivered or to be delivered, shall, before making such sale, obtain a license to sell one year from the Public Treasurer, by paying said treasurer an annual tax of one hundred dollars, and every drummer or traveling agent of any person who shall sell any."

The section was adopted.

Section 24 was read and adopted.

Section 25 was read.

Mr. Gidney's amendment, to strike out "quarterly," in line 10, and insert "semi-annually;" strike out "April" and "October" when they occur in lines 11, 33 and 38, and in lines 15, 36 and 41 strike out "quarter" and insert "six

months" wherever "quarter" is stricken out, was adopted; and the section, as amended, was adopted.

Sections 26 and 27 were read and adopted.

Section 28 was read.

The amendment of Mr. Gidney, to strike out the words "first" and "April," in line 7, leaving blanks therefor, was adopted; and the section was adopted.

Secti n 29 was read, and,

On motion of Mr. Gidney, stricken from the bill.

Section 30 was read, and the following amendme..t of Mr. Grady was adopted:

Add to section 30, "And the sheriff shall be allowed a fee of fifty cents for issuing license under this act."

The section, as amended, was adopted.

Sections 31, 32, 33 and 34 were read and adopted.

Schedule C was read, and sections 1, 2, 3 and 4 were adopted.

Section 5 was read, and the amendment of Mr. Blythe, to insert after the word "literature" the words "or for religious purposes," was adopted; and the section, as amended, was adopted.

Section 6 was read.

The amendment of Mr. Hanner, to strike out "ten," in line 3, and insert "thirty," was adopted; and the section, as amended, was adopted.

Sections 7, 8, 9 and 10 were adopted.

The question recurring upon the passage of the bill its third reading,

Mr. Bennett offered the following amendment to section 2, line 6: after the word "education," insert the words "and the support of the poor," which was adopted.

Mr. Foster's amendment, to strike out in line 2, section 11, the word "quart" and insert "half gallon," was rejected.

Mr. Bennett's amendment, to insert after the word "merchant," in line 3, section 17, the following: "*Provided*, That

nothing herein contained shall apply to the sale of articles which are the agricultural products of the State," was adopted.

Mr. Bean's amendment, to strike out "fifty" in line 3, section 22, and insert "one hundred," was rejected, and, under the operation of the previous question, demanded by Mr. Stanford, and seconded by the House, the bill passed. Ayes 67, noes 27.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Bennett, Blackwell, Bowman, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Bullard, Byrd, Carter, Carson, Copeland, Costner, Craige, Dickey, Ellison, Fletcher, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gray, Grady, Gudger, Hanner, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Lindsay, Luckey, Marler, McNeill, Mitchell, Mizell, Moring, Moss, Norment, Outlaw, Paschall, Perry of Bladen, Presson, Richardson, Scott, Settle, Shaw, Shackelford, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb, Winslow, Wiley, Whitmire and Whisnant—67.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Brown of Davidson, Bryan of Wilkes, Corson, Cox, Davis, Dudley, Foster, Gorman, Guyther, Hampton, Hinnant, Hughes, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Reid of Randolph, Rhodes, Sharp, Trivett and Wheeler—27.

The House refused, on motion of Mr. Gorman, to suspend the rules to take up H. R. No. 118, a resolution in regard to night sessions.

The rules were suspended and S. B. No. 580, H. B. No. 552, a bill to be entitled an act to incorporate Queen of the South Lodge, No. 6, I. O. G. T., of the city of Raleigh, was read second and third times, passed each reading, and was ordered to be enrolled for ratification.

On motion of Mr. Brown of Davidson, the House adjourned till to-morrow half-past 10 o'clock.

FIFTY-FIRST DAY.

WEDNESDAY, February 4th, 1874.

The House was called to order by the Speaker at 10½ o'clock.

Prayer by Rev. Mr. Moody, of Caldwell.

The journal of yesterday was read and approved.

Mr. Maxwell and Mr. Reid of Mecklenburg were excused from attendance upon to-day's session, on account of important committee business.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

On the subject of the sale of liquors:

By Mr. Reid of Mecklenburg: From citizens near Pleasant Hill P. M. church;

By Mr. Maxwell: From citizens near Shady Grove church, Sampson county protesting against prohibitory law;

By Mr. Shackelford: From citizens of Stump Sound, Onslow county;

By Mr. Turner: From citizens of Iredell, residing near Catawba church;

By Mr. Hughes: From members of Pleasant Grove Baptist church, Granville county;

By Mr. Scott: From citizens of Jones county, asking for the privilege to sell liquor at Pollocksville;

By the Speaker: From citizens of Northampton county, asking for prohibition within ten miles of Elias Baptist church, in said county.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Jones of Caldwell: From citizens of Lincoln county, asking that Macedonia, church in said county, be incorporated.

TO THE COMMITTEE ON RAILROADS, POST ROADS AND TURNPIKES.

By Mr. Trivett: From citizens of Ashe county, asking the passage an act to make a road from the top of the Blue Ridge Mountains to Flint Hill, &c.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 109: A bill to be entitled an act to change the time of holding the courts in the Eighth Judicial District; that it do not pass.

H. B. No. 218: A bill to be entitled an act declaring certain larcenies misdemeanors, and giving to Justices of the Peace jurisdiction of the same; that it do not pass.

H. B. No. 249: A bill to be entitled an act to protect farmers and others from damages by railroad corporations; that it do not pass.

H. B. No. 319: A bill to be entitled an act in relation to the payment of costs by the State; that it do pass.

H. B. No. 347: A bill to be entitled an act to re-enact chapter 76, of the laws of 1870-'71; that it do pass.

H. B. No. 429: A bill to be entitled an act for the protection of timber; that it do not pass.

H. B. No. 430: A bill to be entitled an act to cause the Probate Court in the several counties of the State to be and remain open for the dispatch of business on the first Monday in January, April, July and October; that it do not pass.

H. B. No. 444: A bill to be entitled an act to repeal the charter of the Roanoke Navigation Company; that it do not pass.

H. B. No. 460: A bill to be entitled an act to declare certain larcenies misdemeanors, and to provide for the punishment of the same; that it do not pass.

H. B. No. 498: A bill to be entitled an act to regulate liens of executions; that it do not pass.

H. B. No. 509: A bill to be entitled an act entitled bastardy; that it do not pass.

H. B. No. 518: A bill be entitled an act to erect gates across public roads; that it do not pass.

H. B. No. 519: A bill to be entitled an act to authorize the removal of civil actions from one judicial district to another; that substitute do pass.

From the Committee on Corporations:

By Mr. Jones of Caldwell, S. B. No. 255, H. B. No. 488: A bill to be entitled an act to amend an act to incorporate the Haywood and Cane Creek Railroad Company; that substitute do pass.

H. B. No. 495: A bill to be entitled an act to extend the corporate limits of the town of Halifax, in the county of Halifax; that it do not pass.

H. B. No. 532: A bill to be entitled an act to repeal an act to establish a new county by the name of Graham, ratified 31st day of January, 1872; ask reference to Committee on Judiciary. Reference made.

H. B. No. 533: A bill to be entitled an act to repeal chapter 132, acts of 1871-'72 (Pamlico); ask reference to Judiciary Committee. Reference made.

S. B. No. 279, H. B. No. 535: A bill to be entitled an act to incorporate Pythagoras Lodge, No. 6, A. Y. M., in the town of Smithville, Brunswick county; that it do pass.

From the Committee on Finance:

By Mr. Stanford, H. B. No. 413: A bill be to entitled an act to empower the County Commissioners of Jones county to levy a special tax; that it do pass with amendment.

By Mr. Gidney, from same committee, H. B. No. 436: A bill to be entitled an act to authorize the commissioners of Bladen county to levy a special tax; that it do pass with amendment.

From the Committee on Salaries and Fees:

By Mr. Settle, H. B. No. 504: A bill to be entitled an act to amend section 25, sub-division 5, chapter 105, Battle's Revisal; that it do pass.

H. B. No. 505: A bill to be entitled an act in regard to the fees of sheriffs and registers of deeds; that it do pass.

From the Committee on Agriculture:

By Mr. Jones of Orange, H. B. No. 513: A bill to be entitled an act in relation to the State Geologist; that substitute do pass;

S. B. No. 398, H. B. No. 550: A bill to be entitled an act in relation to the storage of fertilizers; that it do not pass.

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 394: A bill to be entitled an act to amend chapter 91, Private Laws of 1870–'71, by striking out section 3 of said act; that it do not pass;

H. B. No. 501: A bill to be entitled an act to repeal an act passed at the present General Assembly, entitled an act to require the owners of seines at or near the mouth of Chowan river to stake out the channel; that substitute do pass.

The following bills, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to incorporate Richland Farmers' Association, Onslow county;

An act to amend the charter of the town of Hillsboro, Orange county;

An act to amend the charter of the town of Winston, in the county of Forsythe.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Turner: Resolution to secure the attendance of certain non-residents, as witnesses concerning the impeachment of Judge Watts. H. R. No. 131.

By the Committee on the Judiciary: A bill to be entitled an act to amend section 82 of the Code of Civil Procedure, in reference to the service of process. H. B. No. 553.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Bennett: A bill to be entitled an act to amend an act in relation to foreign insurance companies, ratified December 20th, 1873. H. B. No. 554.

By Mr. Hanner: A bill to be entitled an act to amend chapter 38 Battle's Revisal, entitled dogs. H. B. No. 555.

By Mr. Grady: A bill to be entitled an act to give mileage to sheriffs. H. B. No. 556.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Hughes: A bill to be entitled an act to prohibit the sale of spirituous liquors in one and a half miles of the Baptist church at Pleasant Grove, in Granville county. H. B. No. 557.

TO THE COMMITTEE ON RAILROADS, POST ROADS AND TURNPIKES.

By Mr. Robinson: A bill to be entitled an act to amend the existing laws in regard to the Western Turnpike Road. H. B. No. 558.

TO THE COMMITTEE ON SALARIES AND FEES.

By Mr. Gilbert: A bill to be entitled an act to amend section 8, chapter 105, Battle's Revisal. H. B. No. 559.

TO THE COMMITTEE ON EDUCATION.

By Mr. Ellison: A bill to be entitled an act in favor of J. V. McNamara. H. B. No. 560.

On motion of Mr. Hanner, the rules were suspended and S. B. No. 255, H. B. No. 488, a bill to be entitled an act to amend anact to incorporate the Haywood and Cane Creek Railroad Company, was read second time, the substitute proposed by the committee was adopted and the bill passed; was read

third time, passed and ordered to be returned to the Senate for concurrence.

On motion of Mr. Brown of Mecklenburg, the rules were suspended and H. B. No. 501, a bill to be entitled an act to repeal an act passed at the present General Assembly, entitled an act to require owners of seines at or near the mouth of Chowan river, to stake out the channel, was read second time, the substitute proposed by the committee was adopted, and the bill passed; was read third time, passed, and ordered to be engrossed and sent to the Senate.

On motion of Mr. Carter, the rules were suspended and H. B. No. 482, a bill to be entitled an act in reference to the First Judicial District, and for other purposes, was read second time, and the question being on the passage of the bill, Mr. Guyther called for the ayes and noes. The call was sustained and the bill passed. Ayes 54, noes 42.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Carter, Carson, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Grady, Gudger, Hanner, Hinnant, Houston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Lindsay, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shackelford, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb, Wiley, Whitmire and Woodhouse—54.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Cobb, Copeland, Corson, Cox, Davis, Dudley, Ellison, Fletcher, Foster, Gilbert, Gorman, Gray, Guyther, Hampton, Hughes, Jones of Camden, Jordan, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Paschall, Perry of Bladen, Perry of Wake, Scott, Sharp, Trivett, Winslow, Wheeler and Whisnant—42.

The bill was read third time.

Mr. Cox moved to lay on the table, and on this motion called for the ayes and noes; the call was sustained, and the House refused to lay the bill on the table. Ayes 41, noes 58.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Cobb, Copeland, Corson, Cox, Davis, Dudley, Ellison, Foster, Gilbert, Gorman, Gray, Guyther, Hampton, Hughes, Jones of Camden, Jordan, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Paschall, Perry of Bladen, Perry of Wake, Scott, Sharp, Trivett, Winslow, Wheeler and Whisnant—41.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryan of Sampson, Bryan of Alleghany, Bullard, Byrd, Carter, Carson, Costner, Craige, Dickey, Freeman, Gant, Gilmer, Godfrey, Grady, Gudger, Hanner, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shackelford, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb, Wiley, Whitmire and Woodhouse—58.

The question recurring upon the passage of the bill on its third reading, a call for the ayes and noes was sustained, and the bill passed. Ayes 57, noes 43.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryan of Sampson, Bryan of Alleghany, Bullard, Byrd, Carter, Carson, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Grady, Gudger, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Richardson, Settle, Shaw, Shackelford, Stanford, Todd, Turner, War-

lick, Waddill, Watson, Webb, Wiley, Whitmire and Woodhouse—57.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Cobb, Copeland, Corson, Cox, Davis, Dudley, Ellison, Fletcher, Foster, Gilbert, Gorman, Gray, Guyther, Hampton, Hughes, Jones of Camden, Jordan, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Paschall, Perry of Bladen, Perry of Wake, Scott, Sharp, Trivett, Winslow, Wheeler and Whisnant—43.

Mr. Carter moved to reconsider the vote by which the bill passed its third reading, and to lay the motion to reconsider on the table.

The question being upon tabling the motion to reconsider,

Mr. Cox called for the ayes and noes.

The call was sustained, and the motion to table prevailed. Ayes 57, noes 43.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryan of Sampson, Bryan of Alleghany, Bullard, Byrd, Carter, Carson, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Grady, Gudger, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Reid of Mecklenburg, Richardson, Settle, Shaw, Shackelford, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb, Wiley, Whitmire and Woodhouse—57.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Cobb, Copeland, Corson, Cox, Davis, Dudley, Ellison, Fletcher, Foster, Gilbert, Gorman, Gray, Guyther, Hampton, Hughes, Jones of Camden, Jordan, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Paschall, Perry of

Bladen, Perry of Wake, Reid of Randolph, Scott, Sharp, Winslow, Wheeler and Whisnant—43.

On motion of Mr. McGehee, the motion to reconsider the vote by which H. B. No. 154, a bill to be entitled an act to amend an act for amnesty, was rejected on its second reading was made special order for Faiday, 11 o'clock.

SPECIAL ORDER.

The hour (12 M.) having arrived for the special order, H. B. No. 154, a bill to be entitled an act in favor of the contractors on the Marion and Asheville Turnpike, was read second time.

The question being upon the amendment proposed by the Committee on Claims,

Mr. Bennett offered the following amendment, which was adopted:

Provided, That the amount appropriated by this act shall in no case exceed the sum of eight thousand five hundred dollars."

Mr. Houston offered the following, which was adopted:

After the word "Sparta," in line 7, insert the following: "and persons holding claims for work and labor done, on sections 18, 19 and 20, from the Watauga Turnpike to Hickory Station."

Mr. Johnston's amendment: "That when the original warrants have been lost or destroyed, the Auditor shall re-issue the same to the party entitled thereto, upon affidavit of its loss, and setting forth the amount for which it was issued, and the persons to whom the warrants are thus reissued shall be entitled to payment under this act, as if the original warrants had not been so lost or destroyed."

Mr. Moring offered the following amendment:

"*Provided*, That the amounts paid under the provisions of this bill shall be in full of the claims upon which they are so paid."

Pending the consideration of the amendment, the bill and amendments were referred to the committee on the Judiciary, and made special order for 11 o'clock to-morrow.

On motion of Mr. Johnston, the rules were suspended and S. B. No. 512, H. B. No. 548, a bill to be entitled an act to amend the charter of the North Carolina Railroad Company, and for other purposes, was read second time.

The amendment proposed by the committee, to strike out in section 11, line 5, the word "director," was rejected.

Mr. Gorman offered the following amendment:

After the words "grounds," in section 11, line 13, insert "or any one who has charged for the public printing by the letter "M," or who has been in any way connected, directly or indirectly, with any printing establishment which has "overdrawn" from the State Treasury, and has been forced, by legislative action, to disgorge, refund, or make good the said "overdraw."

The question being upon the adoption of this amendment, Mr. Gorman called for the ayes and noes.

The call was sustained, and the amendment was rejected. Ayes 31, noes 58.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Bowe, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Cobb, Copeland, Cox, Davis, Dudley, Ellison, Fletcher, Foster, Gorman, Guyther, Hampton, Hughes, Lloyd, Lutterloh, McLaurin, Michael, Paschall, Perry of Bladen, Scott, Sharp, Trivett and Whisnant—31.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jack-

son, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Bullard, Byrd, Carter, Carson, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gudger, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Lindsay, Luckey, Marler, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Perry of Wake, Presson, Richardson, Settle, Shaw, Shackelford, Stanford, Stowe, Todd, Turner, Waddill, Webb, Wiley, Whitmire, Wheeler and Woodhouse—58.

Mr. Norment's amendment, to strike out in section 15, line 3, all after the word "purchase" down to the word "line" in line 16, and insert "but shall not have the power to change the gauge of said road, except from that part from Paint Rock to Asheville," was adopted.

On motion of Mr. Jones of Caldwell, the House adjourned till Monday at half-past 10 o'clock.

FIFTY-SECOND DAY.

THURSDAY, February 5th, 1874.

The House was called to order by the Speaker at 10½ o'clock.

The journal of yesterday was read, amended and approved.

It was announced that Mr. Jones of Northampton was reported sick at his room in this city.

Leave of absence was granted to Mr. Abbott and to Mr. Williamson till Tuesday next, and to Mr. Bennett for one week.

Indefinite leave was granted Mr. Bowman from Monday next on account of sickness.

The Speaker announced Mr. Jones, of Camden, as added to the Committee on the Judiciary.

Reports from Standing Committees were submitted as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 215: A bill to be entitled an act to authorize the entry of swamp lands on the same terms as other vacant lands; that it do not pass;

H. B. No. 216: A bill to be entitled an act to appropriate the proceeds of vacant lands in the counties of Ashe, Alleghany and others to said counties; that it do not pass;

S. B. No. 19, H. B. No. 16: A bill to be entitled an act scpplemental to and explanatory of all acts of incorporation passed by the present General Assembly; that it do not pass;

S. B. No. 460, H. B. No. 544: A bill to be entitled an act to repeal section 19, chapter 112, Battle's Revisal, and to amend said chapter; that it do pass;

S. B. No. 561, H. B. No. 545: A bill to be entitled an act supplemental to and amendatory of an act regulating the times of holding the terms of the courts of the 4th Judicial District, and for other purposes; that it do pass;

S. B. No. 287, H. B. No. 546: A bill to be entitled an act to empower the board of commissioners of Burke county to levy a special tax; that it do not pass.

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 481: A bill to be entitled an act to establish a new county of portions of Robeson and Richmond counties, to be called the county of Jura; ask to be discharged from its further consideration;

H. B. No. 510: A bill to be entitled an act concerning the public roads in the several counties of the State; that it do not pass;

H. R. No. 78: Resolution to provide for celebrating the one hundredth anniversary of the Mecklenburg Declaration of Indepence at Charlotte, N. C., May 20th, 1875, &c. Ask appointment of joint committee to consider resolution;

From the Committee on Corporations:

By Mr. Wiley, S. B. No. 263, H. B. No. 547: A bill to be entitled an act to incorporate the Raleigh Ware House and Trust Company; that it do pass.

From the Committee on Education:

By Mr. Johnston: H. B. No. 426: A bill to be entitled an act to authorize the establishment of a Collegiate Institute for the colored youth of the State; that it do pass with amendment.

From the Committee on Salaries and Fees:

By Mr. Settle, H. R. No. 112: Resolution of instruction to Committee on Salaries and Fees; that they find it unnecessary to increase or decrease the salary of the clerks named.

The following bills, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate for concurrence:

H. B. No. 459: A bill to be entitled an act for raising revenue:

H. B. No. 482: A bill to be entitled an act in reference to the First Judicial District, and for other purposee;

H. B. No. 501: A bill to be entitled an act to repeal an act act passed at the present session General Assembly, entitled an act to require the owners of seins at or near the mouth of Chowan river to stake out the channel, &c.

The following bills, reported as correctly enrolled by Committee on Enrolled bills, were duly ratified and transmitted to the Senate:

An act concerning the ferries and causeways from the city of Wilmington to Brunswick county;

An act to incorporate the town of Germanton, Stokes county;

An act to incorporate Queen of the South Lodge No. 6, I. O. G. T., of the city of Raleigh, N. C.;

An act supplemental to an act entitled an act to require the owners o seines at or near the mouth of Chowan river to stake out the middle of the channel, and for other purposes, ratified December 22d, 1873.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. McGehee: A bill to be entitled an act to carry into effect the acts of Congress in relation to the establishment of an Agricultural College. H. B. No. 561.

By Mr. McGehee: A bill for the sale of public lands in and near Raleigh, and for other purposes. H. B. No. 562.

By Mr. McLaurin: A bill to be entitled an act to empower the city of Wilmington to subscribe to the special stock of the Wilmington and Seaside Railroad Company. H. B. No. 563.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Shackelford: A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of Stump Sound church, in the county of Onslow. H. B. No. 564.

By Mr. Outlaw: A bill to be entitled an act to amend section 41, chapter 104 of Battle's Revisal. H. B. No. 565.

By Mr. Outlaw: A bill to be entitled an act to amend section 10, chapter 104 of Battle's Revisal. H. B. No. 566.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Bennett: A bill to be entitled an act to incorporate Polkton, in Anson county. H. B. No. 567.

TO THE COMMITTEE ON INTERNAL IMPROVEMENTS.

By Mr. Blackwell: A bill to be entitled an act to amend an act entitled an act to incorporate the Greenville and French Broad Railroad Company, ratified 13th February, 1855, and an act amendatory thereto. H. B. No. 568.

By Mr. Guyther: A bill to be entitled an act to amend an act to incorporate the Seaboard and Raleigh Railroad Company, ratified 23d December, 1872. H. B. No. 569.

By Mr. Outlaw: A bill to be entitled an act to turn over

certain lots and grounds to the trustees of the University. H. B. No. 570.

PLACED ON THE CALENDAR.

By Mr. McGehee: A bill to be entitled an act to fix the time and place for the first meeting of the trustees of the University of North Carolina. H. B. No. 577.

By Mr. Wiley: A bill to be entitled an act to authorize the commissioners of Guilford county to sell the present jail site and to purchase another to erect a jail thereon. H. B. No. 578.

Messages were received from the Senate transmitting engrossed copies of the following bills and amendments, which were read first time, passed, referred or otherwise disposed of as follows:

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 276, H. B. No. 581: A bill to be entitled an act concerning elections of certain officers;

S. B. No. 277, H. B. No. 572: A bill to be entitled an act to amend chapter 182, laws of 1872–'73;

S. B. No. 538, H. B. No. 573: A bill to be entitled an act to amend chapter 97, section 27, Battle's Revisal.

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 307, H. B. No. 574: A bill to be entitled an act to incorporate the Tokay Wine Company;

S. B. No. 339, H. B. No. 575: A bill to be entitled an act to incorporate Enfield Institute, at Enfield, N. C.

S. B. No. 522, H. B. 576: A bill to be entitled an act to incorporate Justitia Lodge, No. 11 Knights of Pythias, of Goldsboro, N. C.

Senate amendments to H. B. No. 326, S. B. No. 351: A bill to be entitled an act in reference to the meeting of stockholders and directors of the Carolina Railway Company, were

concurred in, and the bill ordered to be enrolled for ratification.

Senate amendments to H. B. No. 20, S. B. No. 351: A bill to be entitled an act to change the time of holding the Superior Courts of Randolph county, 7th Judicial District, were concurred in, and the bill ordered to be enrolled for ratification.

SPECIAL ORDER.

The hour (11 o'clock) for the special order having arrived, H. B. No. 365 : A bill in favor of the contractors of the Marion and Asheville Turnpike Company, was announced, the question being upon the amendment of Mr. Moring offered yesterday.

Mr. Guyther's motion to lay the motion on the table was rejected, and the amendment was rejected.

Mr. Cox's amendment, " that no holder of any of the said warrants or claims not the property of the original contractor shall be paid more than they actually paid for the same," was adopted.

The amendment of Mr. Watson, " the road shall be turned over to the original contractors, and they may be allowed to levy a reasonable toll, to be regulated by the county commissioners of the different counties through which the road passed," was rejected.

The question recurring upon the passage of the bill on its second reading, a call for the ayes and noes was sustained, and the bill passed. Ayes 56, noes 35.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Bennett, Blackwell, Blythe, Bowe, Bowman, Bryson of Jackson, Bryson of Swain, Bryant of Halifax, Bryan of Wilkes, Bryan of Alleghany, Bullard, Bunn, Byrd, Carson, Cobb, Costner, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Gorman, Gudger, Haynes, Hughes, Johnston, Jones of Caldwelll, Jones of Orange, Jordan, Lloyd, Luckey, Marler, McGehee, McNeill, Mizell, Paschall, Perry of Wake, Presson, Settle, Shaw,

Shackelford, Standford, Todd, Trivett, Turner, Warlick, Waddill, Watson, Wiley, Wheeler and Whisnant—56.

The following gentlemen voted in the negative :

Messrs. Anderson of Clay, Ballard, Brown of Davidson, Brown of Mecklenburg, Bryan of Pitt, Carter, Cox, Craige, Gilbert, Gilmer, Godfrey, Gray, Grady, Guyther, Hanner, Hinnant, Jones of Camden, Jones of Tyrrell, Lindsay, Maxwell, Miller, Michael, Moring, Moss, Norment, Outlaw, Perry of Bladen, Reid of Mecklenburg, Reid of Randolph, Richardson, Scott, Sharp, Stowe, Winslow and Whitmire—35.

The rules were suspended, and the bill was read the third time.

The following amendment of Mr Jones of Caldwell was adopted :

"The claim of T. J. Austin, the superintendent of that part of the road from the Caldwell and Watauga turnpike to Hickory Tavern, is declared to be embraced in this act, and the Auditor is instructed to audit the same, provided said claim does not amount to more than twenty-five dollars."

The bill passed, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. McGehee, the rules were suspended, and

H. B. No. 577 : A bill to be entitled an act to fix the time and place of the first meeting of the Trustees of the University of North Carolina, was read second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Turner, the rules were suspended, and

H. R. No. 1 : Resolution to secure the attendance of certain non-residents, as witnesses concerning the impeachment of Judge S. W. Watts, was read and adopted.

SPECIAL ORDER.

The hour (12 M.) having arrived, the special order, S. B.

No. 93, H. B. No. 266, a bill to be entitled an act to amend chapter 60, section 16, laws of 1869–'70, was announced, and On motion of Mr. Shackelford, was referred to the Committee on the Judiciary.

The unfinished business of yesterday, S. B. No. 512, H. B. No. 548, a bill to be entitled an act to amend the charter of the North Carolina Railroad Company, and for other purposes, was resumed.

The question being upon the passage of the bill its second reading, it was passed.

The rules were suspended, and the bill made special order for to-morrow, at 11 o'clock.

On motion of Mr. Mizzell, the rules were suspended and H. B. No. 523, a bill to be entitled an act to charter the Jamesville and Washington Railroad and Lumber Company, was read second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Gudger, the rules were suspended and H. B. No. 112, a bill to be entitled an act to prohibit the sale of spirituous liquors where the people so determine, was made special order for Saturday at 11 o'clock.

On motion of Mr. McNeill, the rules were suspended and H. B. No. 481, a bill to be entitled an act to lay off and establish a new county by the name of Jura, was made special order for to-morrow, 12 M.

On motion of Mr. Reid of Mecklenburg, it was resolved that when the House adjourn, it adjourn to meet to-morrow at 10 o'clock.

On motion of Mr. Moss, the rules were suspended and H. B. No. 400, a bill to be entitled an act to charter the Bank of Wilson, was read.

Pending the consideration of the bill, on motion, the House adjourned till 10 o'clock to-morrow.

FIFTY-THIRD DAY.

FRIDAY, February 6th, 1874.

The House was called to order by the Speaker at 10 o'clock.

The journal of yesterday was read and approved.

It was announced that Mr. Hampton was sick at his room in this city.

Leave of absence was granted to Mr. Dudley for three days, to Mr. Maxwell for two days, to Mr. Scott till Monday next.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON COUNTIES, CITIES, TOWNS AND TOWNSHIPS.

By Mr. McGehee: From the Board of Commissioners of Warren county protesting against the establishment of the new county to be called Gilliam.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Trivett: From the citizens of Ashe county asking for the repeal of law prohibiting sale of liquor near Ore Knob Copper Mine.

PLACED ON THE CALENDAR.

By Mr. Stanford: From citizens of Duplin in favor of usury law.

By Mr. Fletcher: From citizens of Richmond against the proposed new county Jura.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 499: A bill to be entitled an act to re-enact section 6 and 7, chapter 104, of the revised Code; that it do pass;

S. B. No. 484, H. B. No. 487: A bill to be entitled an act

to amend chapter 27 Battle's Revisal, entitled "Counties and County Commissioners"; that it do pass with amendment;

S. B. No. 276, H. B. No. 571: A bill to be entitled an act concerning the election of certain officers; that it do not pass;

The bill was recommitted and made special order for Wednesday next.

A petition from citizens of Clay county in relation to the illegal marriage of John H. King and Sarah L. King; can suggest no remedy.

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 492: A bill to be entitled an act to appoint five Commissioners of Navigation; that substitute do pass.

From the Committee on Corporations:

By Mr. Wiley, H. B. No. 502: A bill to be entitled an act to repeal an act entitled an act to incorporate the Oriental Fish and Oyster Company, ratified December 22, 1873; that substitute do pass.

From the Committee on Railroads, Post Roads and Turnpikes:

By Mr. Freeman, H. B. No. 543: A bill to be entitled an act to allow county commissioners to contract for building turnpike roads; that it do pass.

From Committee on Education:

By Mr. Johnston, H. B. No. 560: A bill to be entitled an act in favor of J. V. McNamara; ask its reference to the Committee on Public Buildings and Grounds; reference made.

The following bills, reported as correctly engrossed by the Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 577: A bill to be entitled an act to fix the time and place of the first meeting of the trustees of the University of North Carolina.

H. B. No. 578: A bill to be entitled an act to authorize the Commissioners of Guilford county to sell the present jail site of the county and to purchase another to erect a jail thereon.

H. B. No. 365: A bill in favor of the contractors of the Marion and Asheville Turnpike.

The following bills, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to include the county of Hyde in the provisions of the act relating to fences and for the protection of crops.

An act in reference to the stockholders and directors of the Carolina Central Railway Company.

An act to incorporate the town of Taylorsville, in the county of Alexander.

An act to change the time of holding the Superior Courts of Randolph county, in the Seventh Judicial District.

An act to amend the charter of the Neuse River Ferry Company.

The following named resolutions and bills were introduced, read and passed the first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON FINANCE.

By Mr. Watson: A bill to allow the constable of Bingham to collect arrearage of taxes. H. B. No. 579.

By Mr. Carson: An act to authorize the Commissioners of Alexander county to levy a special tax. H. B. No. 580.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Wheeler: A bill to be entitled an act to legalize the acts of the school trustees of Kernersville township, in Forsythe county. H. B. No. 581.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Trivett: An act to amend an act passed at the present session prohibiting the sale of liquors within three miles of Ore Knob Copper Mine, in Ashe county. H. B. No. 582.

By Mr. Reid, of Randolph: An act to amend the charter of Trinity College. H. B. No. 583.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Bennett: Resolution in favor of Josiah Turner, Jr. H. R. No. 132.

PLACED ON THE CALENDAR.

By Mr. Bennett: Resolution asking the opinion of the Judges of the Supreme Court touching the right of the General Assembly to order an election the first Thursday in August, 1874, for the Supreme Court Judges, &c. H. R. No. 134.

Messages were received from the Senate transmitting engrossed copies of the following named resolutions, bills and amendments, which were read the first time, passed and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON FINANCE.

S. R. No. 375, H. R. 133: Resolution in favor of W. C. Thurston.

S. B. No. 590, H. B. No. 584: An act authorizing the Commissioners of Sampson county to levy a special tax.

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 173, H. B. No. 589: A bill to be entitled an act for the better protection of the bridge across Tar river at Greenevillè, in Pitt county.

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 364, H. B. No. 585: An act to incorporate Perseverance Council, No. 74, Friends of Temperance.

S. B. No. 365, H. B. No. 586: An act to incorporate Fayetteville Masonic Lodge, No. 329, at Fayetteville.

S. B. No. 368, H. B. No. 587: A bill to be entitled an act to incorporate Piedmont Springs Company.

TO THE COMMITTEE ON STATE DEBT AND LIABILITIES.

S. B. No. 241, H. B. No. 588: A bill to be entitled an act to adjust the State Debt.

Senate amendments to H. B. 307, S. B. 353, were read and, on motion, concurred in, and the bill was ordered to be enrolled for ratification.

The unfinished business of yesterday was resumed.

The question being upon the amendments proposed by the committee to the bill, (H. B. No. 400: A bill to be entitled an act to charter the Bank of Wilson), they were adopted, and the bill passed; was read third time, passed, and ordered to be engrossed and sent to the Senate.

On motion the rules were suspended, and S. B. No. 407, a bill to be entitled an act to amend the charter of the Neuse River Ferry Company, was read second time; by consent, the report of the committee was withdrawn, the bill amended and passed, was read third time, passed, and ordered to be returned to the Senate for concurrence in amendment.

On motion of Mr. Perry of Bladen, H. R. No. 113, a resolution in favor of the sheriff of Bladen county, was recommitted to the Committee on Finance.

On motion of Mr. McGehee, the motion of Mr. Brown of Davidson, to reconsider the vote by which H. B. 154, a bill to be entitled an act to amend an act for Amnesty and pardon, was rejected, was taken up; the vote was reconsidered and the bill made a special order for Tuesday next, and ordered to be printed.

H. B. No. 447: A bill to be entitled an act to amend section 53, Code Civil Procedure, was recommitted to the Committee on the Judiciary.

Under a suspension of the rules the following named bills

were read second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate:

H. B. No. 517: A bill to be entitled an act to amend the charter of the New River Canal Company;

H. B. No. 477: A bill to be entitled an act to incorporate Harmony Hill Camp Ground, in the county of Iredell;

H. B. No. 418: A bill to be entited an act for the relief of persons who have entered vacant lands in Cherokee, Clay and Graham counties.

The following named bills were read second time, the amendments proposed by the committee were adopted, and the bills passed; were read third time, passed, and ordered to be engrossed and sent to the Senate:

H. B. No. 496: A bill to be entitled an act to incorporate the Pee Dee Manufacturing Company:

H. B. No. 521: A bill to be entitled an act to incorporate the town of Cerro Gordo in the county of Columbus;

H. B. No. 522: A bill to be entitled an act supplemental to an act to amend an act chartering the Jamesville and Washington Railroad and Lumber Company;

H. B. No. 519: A bill to be entitled an act to authorize the removal of civil actions from one Judicial District to another, was read second time, the substitute of the committee was adopted, and the bill passed; was read third time, passed, and ordered to engrossed and sent to the Senate.

SPECIAL ORDER.

The hour (11 A. M.) having arrived, S. B. No. 512, H. B. No. 548, a bill to be entitled an act to amend the charter of the North Carolina Railroad, and for other purposes, was read third time. The question being upon the passage of the bill on its third reading,

Mr. Johnston moved to strike out in section 15, all after the word "purchase," in line 3, down to the word "provided," in line 6, and to strike out the word "further," in line 7.

The words proposed to be stricken out are the following:

"But shall not have power to change the guage of said road except upon that part from Paint Rock to Asheville."

A call for the ayes and noes was sustained, and the amendment was adopted. Ayes 55, noes 35.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Clay, Bean, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Halifax, Bryan of Wilkes, Brooks, Bunn, Byrd, Carson, Cobb, Copeland, Cox, Dickey, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Gorman, Goodwyn, Gudger, Haynes, Houston, Johnston, Jones of Caldwell, Jordan, King, Lloyd, Luckey, McGehee, Miller, Mizell, Perry of Wake, Reid of Mecklenburg, Reid of Randolph, Rhodes, Shaw, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Winslow, Wiley and Wheeler—55.

The following gentlemen voted in the negative:

Messrs. Anderson, of Davie, Ballard, Bennett, Bryan of Sampson, Bryan of Alleghany, Carter, Costner, Craige, Dudley, Gidney, Gilbert, Gilmer, Godfrey, Gray, Grady, Hanner, Hinnant, Jones of Camden, Jones of Orange, Jones of Tyrrell, Johns, Lindsay, Lutterloh, Marler, Maxwell, Michael, Moring, Moss, Norment, Outlaw, Presson, Richardson, Watson, Webb and Whisnant—35.

Mr. Trivett offered the following amendment:

Strike out in section 11 all after the word "who" in line 6, down to and including the word "who" in line 13.

On this amendment a call for the ayes and noes by Mr. Maxwell was sustained, and the amendment was rejected. Ayes 39, noes 51.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Clay, Bean, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Jackson, Bryan of Pitt, Bryan of Wilkes, Brooks, Bunn, Byrd, Carson, Cobb, Copeland, Dudley, Dula, Ellison, Freeman, Gorman, Good-

wyn, Gudger, Hughes, Johnston, Jones of Camden, Jordan, King, Lloyd, McLaurin, Miller, Paschall, Perry of Wake, Reid of Randolph, Rhodes, Sneed, Trivett, Wheeler and Whisnant—39.

The following gentlemen voted in the negative:

Anderson of Davie, Ballard, Bennett, Brown of Mecklenburg, Bryan of Sampson, Bryan of Alleghany, Bullard, Carter, Costner, Craige, Dickey, Gant, Gidney, Gilbert, Gilmer, Grady, Hanner, Hinnant, Houston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Johns, Lindsay, Lutterloh, Luckey, Marler, Maxwell, McGehee, McNeill, Michael, Mitchell, Mizell, Moring, Moss, Norment, Outlaw, Perry of Bladen, Presson, Reid of Mecklenburg, Richardson, Shaw, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb and Wiley—51.

Notices of amendments were given by Messrs. Brown of Mecklenburg, Gorman, Wheeler and Lloyd.

Mr. ———— demanded the previous question, which was seconded by the House, and the main question was ordered.

The following amendment of Mr. Brown of Mecklenburg, to come in after section 14, was rejected:

"*Provided*, That said road shall not have the right to change the guage of any of their said road, except that part between Asheville and Paint Rock until they shall complete the road from Old Fort to Paint Rock."

The amendment of Mr. Gorman, to come in after the word "embezzlement," in line 13, section 11, "or who has confessed that he has received a fee of twenty dollars, while a member of the Legislature, to defend a claim to a contested seat in the branch of the General Assembly of which he was a member," was rejected.

The amendment of Mr. Wheeler, "Amend section 1 by adding after the word Cherokee, in line 8, the Northwestern North Carolina Railroad from Greensboro to Winston, in the

county of Forsythe, and thence to the Tennessee line, and shall construct a branch road from Winston to Danbury, in Stokes county. Amend section 16 by adding after the words Paint Rock, in line 4, and the line from Winston to the Tennessee line and from Winston to Danbury, and add after Cherokee county, in line 16, it shall be the duty of the commissioners named in this act to reserve from the proceeds of said bonds 25 per cent. of the amount realized to be applied to the c mpletion of the road from Winston to the Tennessee line, and from Winston to Danbury," was rejected.

The motion of Mr. Bennett, entertained by consent, to strike out section 9 of the bill, was adopted, and the question recurring upon the passage of the bill, a call for the ayes and noes was sustained, and the bill passed. Ayes 60, noes 38.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Bean, Bennett, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Brooks, Bullard, Byrd, Carson, Copeland, Costner, Cox, Dickey, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Godfrey, Gorman, Goodwyn, Gudger, Haynes, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Johns, King, Luckey, McGehee, McNeill, Miller, Mitchell, Mizell, Paschall, Perry of Wake, Reid of Randolph, Shaw, Stanford, Todd, Trivett, Turner, Warlick, Waddill, Whitmire and Wheeler—60.

The following gentlemen voted in the negative:

Messrs. Ballard, Bryan of Alleghany, Bunn, Carter, Craige, Dudley, Gidney, Gilbert, Gilmer, Grady, Guyther, Hanner, Hinnant, Jones of Orange, Jones of Tyrrell, Jordan, Lindsay, Lloyd, Lutterloh, Marler, Maxwell, McLaurin, Michael, Moring, Moss, Norment, Outlaw, Perry of Bladen, Presson, Reid of Mecklenburg, Richardson, Sharp, Stowe, Watson, Webb, Winslow, Wiley and Whisnant 38.

S. B. No. 303, H. B. No. 507: A bill to be entitled an act to amend chapter 85 private laws of 1871–'72, was read the

second time, amended, on motion of Mr. Marler, and passed; was read the third time, passed and returned to the Senate for concurrence in amendment.

On motion of Mr. Bennett, the rules were suspended and H. B. No. 45, a bill to organize, equip and discipline the militia of North Carolina, was made the special order for Tuesday next, at half-past 11 o'clock.

SPECIAL ORDER.

The hour (12 M.) for the special order having arrived, H. B. No. 481, a bill to be entitled an act to establish a new county of portions of Robeson and Richmond counties, to be called the county of Jura, was read the second time.

Mr. Fletcher offered the following amendment, which was adopted:

Provided, That the provisions of this act be submitted to the qualified voters of the counties of Robeson and Richmond.

The question recurring upon the passage on its second reading, it was rejected.

On motion of Mr. Carson, the rules were suspended, and H. B. No. 457, a bill to be entitled an act for the relief of the sheriff of Alexander county, was read the second time.

The amendment of Mr. Todd, to include John Horton, sheriff of Watauga, in the provisions of the bill was adopted, and the bill passed; was read the third time, passed, and ordered to be engrossed and sent to the Senate.

On motion of Mr. Outlaw, the House adjourned until to-morrow at half-past 10 o'clock.

FIFTY-FOURTH DAY.

SATURDAY, February 7, 1874.

The House was called to order by the Speaker at 10½ o'clock.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Paschall till Tuesday next, on account of sickness.

Indefinite leave of absence was granted to Mr. Trivett, on account of sickness in his family.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Bennett: From a part of the citizens of Anson county, in regard to the prohibition of the sale of liquor near Deep Creek Church.

By Mr. Hughes: From citizens of Granville county, against the prohibition of the sale of spirituous liquors in one mile and a-half of Pleasant Grove Baptist Church.

TO THE COMMITTEE ON BANKS AND CURRENCY.

By Mr. Richardson: From the Chamber of Commerce of Wilmington, against the bill to make uniform the rate of interest, &c.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 583: A bill to be entitled an act to amend the charter of Trinity College; that it do pass.

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 447: A bill to be entitled an act to amend section 53 Code of Civil Procedure; that substitute do pass.

From the Committee on Finance:

By Mr. Gidney, H. R. No. 13: A resolution in favor of the sheriff of Bladen county; that it do pass with amendment;

S. R. No. 375, H. R. No. 133: Resolution in favor of W. C. Thurston; that it do pass;

H. B. No. 579: A bill to be entitled an act to allow the constable of Bingham to collect arrearages of taxes; that it do pass with amendment;

H. B. No. 580: A bill to be entitled an act to authorize the commissioners of Alexander county to levy a special tax; that it do pass.

The following named bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 418: A bill to be entitled an act for the relief of persons who have entered vacant lands in Cherokee, Clay and Graham counties;

H. B. No. 477: A bill to be entitled an act to incorporate Harmony Hill Camp Ground, in the county of Iredell;

H. B. No. 517: A bill to be entitled an act to amend an act to amend the charter of the New River Canal Company;

H. B. No. 519: An act to authorize the removal of civil actions from one judicial district to another.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to allow the commissioners of Stanley county to levy a special tax;

An act to amend an act to incorporate the Haywood and Cane Creek Railroad Company;

An act to amend chapter 85, Private Laws of 1871–'72;

An act to fix the time and place of the first meeting of the Trustees of the University of North Carolina;

Resolution in favor of Josiah Turner, Jr.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Turner: Resolution in regard to night sessions. H. R. No. 136.

By Mr. Bean: Resolution of instruction to the Public Treasurer. H. R. No. 137.

By Mr. Perry of Bladen: Resolution respecting the Big Swamp, in the counties of Bladen and Columbus. H. R. No. 138.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Richardson: A bill to be entitled an act to incorporate the Machine and Car Company, of Wilmington, N. C. H. B. No. 590.

By Mr. Lloyd: A bill to be entitled an act to incorporate the Farmers', Mechanics' and Laborers' Union Aid Association, of New Hanover county. H. B. No. 591.

A message was received from the Senate transmitting engrossed copies of the following named resolutions and bills, which were read first time, passed and referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

S. R. No. 584, H. R. No. 135: Resolution in relation to a "North Carolina Manual."

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 363, H. B. No. 592: A bill to be entitled an act to incorporate Leot aLodge, in Columbia, Tyrrell county.

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 591, H. B. No. 593: A bill to be entitled an act to amend chapters 66 and 212 of laws of 1831–'32, and 1846–'47.

The morning hour having expired, Mr. Trivett presented a protest signed by himself and others, in relation to the adoption of an amendment to section 11 of S. B. No. 512, H. B. No. 548, a bill to be entitled an act to amend the charter of the North Carolina Railroad Company, and for other purposes, which was read to the House.

The Speaker ruled the protest out of order, in that it impugned the motives of members, and was couched in terms discourteous to the House.

On motion of Mr. Jones of Caldwell, H. R. No. 117 and H. R. No. 132, resolutions in favor of Josiah Turner, Jr., were returned by the Judiciary Committee to the Calendar.

On motion of Mr. Jones of Caldwell, the rules were suspended and H. R. No. 117, resolution in favor of Josiah Turner, Jr., was read second time, amended by striking out $166.61, and inserting 5$26.66 and passed; was read third time and passed and ordered to be engrossed and sent to the Senate.

H. R. No. 129: A resolution in favor of Josiah Turner, Jr., was read second time and indefinitely postponed.

H. R. No. 132: Resolution in favor of Josiah Turner, Jr., was read second time and indefinitely postponed.

On motion of Mr. McGehee, the rules were suspended and S. R. No. 584, H. R. No. 135, resolution in relation to a North Carolina Manual, was read second and third times, passed each reading and was ordered to be enrolled for ratification.

S. B. No. 301, H. B. No. 515: A bill to be entitled an act to lay off and establish a public road in the counties of Davidson and Davie, and to establish a public ferry across the Yadkin river, was read second and third times, passed each reading and was ordered to be enrolled for ratification.

On motion of Mr. Bennett, the rules were suspended and H. R. No. 134, resolution asking the opinion of the Judges of the Supreme Court touching the right of the General Assembly to order an election the first Thursday in August, 1874, for two Supreme Court Judges, &c., was taken up.

Mr. Craige moved to indefinitely postpone the resolution.

On this motion, Mr. Bennett called for the ayes and noes, the call was sustained, and the House refused to postpone. Ayes 38, noes 53.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Blackwell, Blythe, Brown of Mecklenburg, Bryson of Jackson, Byrd, Carter, Costner, Craige, Davis, Freeman, Gant, Gidney, Gilmer, Gudger, Hanner, Haynes, Johnston, Jones of Northampton, Jones of Tyrrell, Johns, Lindsay, McGehee, McNell, Mitchell, Moring, Moss, Outlaw, Presson, Rhodes, Stanford, Stowe, Turner, Watson, Webb and Whitmire—58.

The following gentlemen voted in the negative:

Messrs. Bean, Bennett, Bowe, Brown of Davidson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bunn, Carson, Cobb, Corson, Dickey, Dula, Ellison, Fletcher, Foster, Gilbert, Godfrey, Gorman, Goodwyn, Gray, Grady, Guyther, Hinnant, Houston, Hughes, Jones of Camden, Jones of Orange Jordan, King, Lloyd, Luckey, Marler, McLaurin, Miller, Michael, Mizell, Perry of Bladen, Perry of Wake, Reid of Randolph, Richardson, Shaw, Sharp, Sneed, Todd, Winslow, Wiley, Wheeler and Whisnant—53.

The amendment of Mr. Brown of Mecklenburg, to strike out "Judges of the Supreme Court," and insert "Attorney General" therefor, was rejected, and the resolution was adopted.

H. B. No. 413: A bill to be entitled an act to empower the county commissioners of Jones county to levy a special tax, was read second time and passed. Ayes 55, noes 14.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Bean, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Brooks, Bunn, Carter, Cobb, Costner, Dickey, Ellison, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Goodwyn, Gray, Gudger, Guyther, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Jordan, King, Lindsay, Lloyd,

Marler, McLaurin, McNeill, Miller, Michael, Mitchell, Moss, Outlaw, Perry of Bladen, Presson, Reid of Randolph, Shaw, Sharp, Stanford, Todd, Watson, Winslow, Wiley, Whitmire and Whisnant—55.

The following gentlemen voted in the negative:

Messrs. Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Davidson, Bryan of Wilkes, Bryan of Alleghany, Godfrey, Gorman, Hanner, Hinnant, Moring, Richardson and Waddill—14.

H. B. No. 936: An act to authorize the commissioners of Bladen county to levy a special tax in the year 1874, was read second time.

The amendments proposed by the committee were adopted, and the bill passed. Ayes 76, noes 2.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Bowe, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Carter, Carson, Cobb, Costner, Dickey, Dula, Ellison, Fletcher, Foster, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Goodwyn, Gray, Grady, Gudger, Guyther, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Johns, Jordan, Lindsay, Lloyd, Marler, McLaurin, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Perry of Bladen, Perry of Wake, Presson, Reid of Randolph, Richardson, Shaw, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Winslow, Wiley, Whitmire and Whisnant—76.

The following gentlemen voted in the negative:

Messrs. Brown of Davidson and Sneed—2.

S. B. No. 232, H. B. No. 549: A bill to be entitled an act to allow the commissioners of Duplin county to levy a special tax, was read second time and passed. Ayes 68, noes none.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard,

Bean, Bennett, Blackwell, Blythe, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bunn, Byrd, Cobb, Coster, Dickey, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Goodwyn, Gray, Gudger, Guyther, Hanner, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Johns, King, Lindsay, Luckey, Miller, Michael, Mitchell, Mizell, Moss, Outlaw, Reid of Randolph, Shaw, Sharp, Stanford, Stowe, Todd, Waddill, Watson, Winslow, Wiley, Whitmire and Whisnant—69.

S. B. No. 393, H. B. No. 551, a bill to be entitled an act to authorize the town of Hickory, in the county of Catawba, to aid the Carolina Central Railway Company in extending their railway, and for other purposes, was read the second time and passed. Ayes 78, noes 1.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bunn, Byrd, Carter, Carson, Cobb, Costner, Craige, Dickey, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Goodwyn, Gray, Gudger, Guyther, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Johns, Lindsay, Lloyd, Luckey, Marler, McLaurin, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Outlaw, Perry of Bladen, Presson, Reid of Randolph, Richardson, Sharp, Stanford, Stowe, Todd, Warlick, Waddill, Watson, Winslow, Wiley, Whitmire and Whisnant—78.

Mr. King voted in the negative.

H. B. No. 563, a bill to be entitled an act to empower the city of Wilmington to subscribe to the special stock of the Wil-

mington and Seaside Railroad Company, was read the second time and passed. Ayes 65, noes 6.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Ballard, Bean, Bennett, Blackwell, Blythe, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Costner, Craige, Dickey, Dula, Ellison, Fletcher, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Gray, Grady, Gudger, Guyther, Haynes, Hinnant, Houston, Hughes, Jones of Camden, Jones of Northampton, Johns, King, Lindsay, Lloyd, Marler, McLaurin, McGehee, McNeill, Michael, Mitchell, Mizell, Moss, Presson, Reid of Randolph, Richardson, Stanford, Stowe, Sneed, Todd, Turner, Warlick, Waddill, Watson, Wiley, Whitmire and Wheeler—65.

The following gentlemen voted in the negative:

Messrs. Jones of Caldwell, Jones o Tyrrell, Luckey, Shaw, Sharp and Webb—6.

S. B. No. 590, H. B. No. 584: A bill to be entitled an act to authorize the commissioners of Sampson county to levy a special tax, was read second time, and passed. Ayes 69, noes 3.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Costner, Craige, Dickey, Dula, Ellison, Fletcher, Freeman, Gant, Gidney, Gilbert, Gilmer, Gorman, Goodwyn, Gray, Grady, Guyther, Haynes, Hinnant, Houston, Hughes, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Johns, King, Lindsay, Marler, McGehee, McNeill, Michael, Mitchell, Mizell, Moss, Outlaw, Perry of Bladen, Presson, Reid of Randolph, Richardson, Shaw, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb, Wiley, Whitmire, Wheeler and Whisnant —69.

Messrs. Bunn, Lloyd and Sneed voted in the negative—3.

The following named bills were read second and third times, passed each reading and were ordered to be engrossed and sent to the Senate:

H. B. No. 377: A bill to be entitled an act in relation to taking or shooting mountain trout in the waters of Elk river and tributaries, in the counties of Mitchell and Watauga;

H. B. No. 450: A bill to be entitled an act to amend chapter 28, Private Laws of 1868–'69;

H. B. No. 484: A bill to be entitled an act to amend chapter 171, laws 1872-'73;

H. B. No. 542: A bill to be entitled an act to amend an act entitled an act to incorporate Renno's Camp Ground and Locust Oldfield Baptist church;

H. B. No. 262: A bill to be entitled an act to amend an act for the incorporation of the town of Washington, ratified the 18th day of January, 1847, and amendments thereto was read second time and referred to the Committee on Corporations.

H. B. No. 472: A bill to be entitled an act to authorize the Piedmont Railroad Company to consolidate with the Richmond and Danville Railroad Company, was referred to the Committee on the Judiciary.

H. B. No. 495: A bill to be entitled an act to extend the corporate limits of the town of Halifax, was read second time, and,

On motion, recommitted to the Committee on Corporations.

S. B. No. 287, H. B. No. 546: A bill to be entitled an act to empower the board of commissioners of Burke county to levy a special tax, was read second time and laid on the table.

SPECIAL ORDER.

The hour (11 A. M.) for the special order having arrived,

H. B. No. 112: A bill to be entitled an act to prohibit the sale of spirituous liquors in townships where the people so determine, was read second time, and the amendments proposed by the Committee on the Judiciary were adopted.

The amendment of Mr. Bryson of Jackson, to strike out "townships" and insert "within whatever distance of any church, or other place of public worship, institution of learning, city, town, or other place, the boundary as set forth in said petitions," was rejected.

Mr. Costner's amendment, to come in at the end of section 5, "*Provided, however*, that this shall not prevent manufacturers from selling in quantities of one quart and upwards," was rejected.

Mr. Blythe's amendment, "*Provided*, nothing herein contained shall affect localities in which the sale of spirituous liquors is prohibited by law," was adopted.

Mr. Lloyd's amendment, to exempt New Hanover county from the operations of the law, was rejected.

Mr. Bowe's, to exempt Caswell, was rejected.

Mr. Moss', to exempt Wilson county, was rejected.

Mr. Freeman's, to exempt McDowell, was rejected.

Mr. Gudger demanded the previous question, which was seconded by the House, and the main question ordered, and the bill passed its second reading.

On the passage of the bill, Mr. Hinnant called for the ayes and noes, but the call was not sustained by the House.

H. B. No. 415: A bill to be entitled an act to prohibit the demanding of tolls at Sandy Bottoms, in Buncombe county, was read second time.

Mr. Blackwell's motion to refer to the Judiciary Committee, was rejected.

The following amendment, offered by Mr. Blackwell, was rejected:

"*Provided*, That the commissioners of Buncombe shall have the right to re-establish the toll gate on the Western Turnpike Road, in Buncombe county, at the same point at which it was formerly kept, and collect the same tolls as heretofore allowed by law."

The motion of Mr. Blackwell to table the bill, was rejected, and the bill passed.

On motion of Mr. Haynes, the rules were suspended, and the bill was read third time.

Mr. Johnston moved to postpone till Tuesday next, which was rejected.

The House refused to adjourn on motion of Mr. Johnston.

The question recurring on the passage of the bill,

Mr. Johnston called for the ayes and noes.

The call was not sustained, and the bill passed.

On motion of Mr. Haynes, his motion to reconsider the vote by which the bill passed its third reading, was laid on the table.

On motion of Mr. Gorman, the House adjourned till Monday morning, half-past 10 o'clock.

FIFTY-FIFTH DAY.

MONDAY, February 9th, 1874.

The House was called to order by the Speaker at half-past 10 o'clock.

The journal of Saturday was read and approved.

The following named petitions were introduced, read and referred:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Perry of Bladen: From citizens of Bladen county, asking for a repeal of the prohibitory law as far as it relates to French's Baptist church, in said county.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 565: A bill to

be entitled an act to amend section 41, chapter 104, of Battle's Revisal; that it do not pass;

H. B. No. 566: A bill to be entitled an act to amend section 10, chapter 104, Battle's Revisal; that it do pass;

H. B. No. 582: A bill to be entitled an act to amend an act prohibiting the sale of liquor within three miles of Ore Knob Copper Mine; that it do not pass;

By Mr. Carter, from same committee, S. B. No. 187, H. B. No. 536: A bill to be entitled an act concerning the annexation of Goose Creek Island to Pamlico county; that it do pass;

H. B. No. 526: A bill to be entitled an act to extend the time for the tax collector of Cherokee county to settle the public taxes; that it do pass.

From the Committee on Internal Improvements:

By Mr. McGehee, H. B. No. 289: A bill to be entitled an act to amend the charter of the Carolina Narrow Gauge Railroad Company; that it do pass;

H. B. No. 568: A bill to be entitled an act to amend an act to incorporate the Greenville and French Broad Railroad Company, and an act amendatory thereto; that it do pass;

H. B. No. 569: A bill to be entitled an act to amend an act to incorporate the Seaboard and Raleigh Railroad Company, ratified 22d December, 1873; that it do pass.

From the Committee on Corporations:

By Mr. Jones of Caldwell, H. B. No. 362: A bill to be entitled an act to incorporate the Carolina Stock and Poultry Association; that it do pass with amendment.

From the Committee on Finance:

By Mr. Stanford: A memorial from the Chamber of Commerce of Wilmington; ask to be discharged from the further consideration.

The following bills and resolutions, reported as correctly engrossed by the Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. R. No. 134: Resolution asking the opinion of the Judges of the Supreme Court touching the right of the General As-

sembly to order an election the first Thursday in August, 1874, for two Supreme Court Judges, &c.;

H. B. No. 377: A bill to be entitled an act in relation to taking or shooting mountain trout in the waters of Elk river and tributaries, in the counties of Mitchell and Watauga;

H. B. No. 400: A bill to be entitled an act to charter the Bank of Wilson;

H. B. No. 447: A bill to be entitled an act to amend section 53, Code Civil Procedure;

H. B. No. 450: A bill to be entitled an act to amend chapter 28, Private Laws 1868–'69;

H. B. No. 457: A bill to be entitled an act for the relief of the sheriff of Alexander county;

H. B. No. 484: A bill to be entitled an act to amend chapter 171, laws of 1872–'73;

H. B. No. 496: A bill to be entitled an act to incorporate the Pee Dee Manufacturing Company;

H. B. No. 521: A bill to be entitled an act to incorporate the town of Cerro Gordo, in the county of Columbus;

H. B. No. 523: A bill to be entitled an act to charter the Jamesville and Washington Railroad and Lumber Company;

H. B. No. 524; A bill to be entitled an act supplemental to an act to amend an act chartering the Jamesville and Washington Railroad and Lumber Company;

H. B. No. 542: A bill to be entitled an act to amend an act to incorporate Renno's Camp Ground and Locust Old Field Baptist church.

The following bills, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to amend chapter 110, laws of 1856–'57, in regard to the town of Salem;

An act for the relief of the sureties of the late William A. Walton;

An act to incorporate the town of Creswell, in Washington county;

An act to authorize the commissioners of Martin county to sell or lease certain lands;

An act to incorporate the People's Building and Loan Association, of Morganton, N. C.;

A act to amend chapter 162, section 27, laws of 1868–'69, in relation to proceedings by party committed in cases of bastardy;

An act to incorporate the trustees of Smith Grove Camp Ground, Methodist Episcopal Church, South, in the county of Davie;

An act to incorporate the Frizzell Citizens' Fire Company, of Fayetteville;

An act to incorporate the town of Manson, in the county of Warren;

An act to incorporate the town of Leicester, Buncombe county;

An act to authorize the commissioners of the town of Lenoir to sell certain tracts of land;

An act to incorporate the town of Engelhard, in the county of Hyde;

An act to incorporate Lilesville, in Anson county;

An act to make the entry takers of certain counties *ex officio* county agents.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Bryan of Pitt: Resolution in regard to the call of the House on the day of adjournment. H. R. No. 144.

By Mr. McGehee: Resolution in regard to indexing the journals of the two Houses. H. R. No. 149.

By Mr. Craige: Resolution in favor of the Engrossing and Enrolling Clerks. H. R. No. 140.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Costner: A bill to be entitled an act to secure costs in appeals from Justices of the Peace. H. B. No. 601.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Perry of Bladen: A bill to be entitled an act to repeal so much of section 1, chapter 171, of Public Laws of 1872-'73 as relates to French's Creek Baptist church, in Bladen county. H. B. No. 594.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Hughes: A bill to be entitled an act to amend an act entitled an act to incorporate the People's Building and Loan Association, of Oxford. H. B. No. 595.

TO THE COMMITTEE ON RAILROADS, POST ROADS AND TURNPIKES.

By Mr. Dula: A bill to be entitled an act to lay off and establish a public road from the town of Wilkesboro, in the county of Wilkes, so as to intersect the public road leading from the town of Taylorsville, Alexander county, to Statesville, in the county of Iredell. H. B. No. 596.

A message was received from the Senate transmitting engrossed copies of the following named resolutions and bills, which were read first time, passed, referred or otherwise disposed of, as follows:

TO THE COMMITTEE ON CLAIMS.

S. R. No. 494, H. R. No. 141: Resolution in favor of certain newspapers.

PLACED ON THE CALENDAR.

S. B. No. 411, H. B. No. 597: A bill to be entitled an act to authorize the commissioners of Stokes county to have the town lots of Danbury re-surveyed.

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 425, H. B. No. 598: A bill to be entitled an act

to amend an act to incorporate the Horse Ford Manufacturing Company, ratified the 11th of February, 1873.

S. B. No. 609, H. B. No. 599: A bill to be entitled an act to incorporate the town of Bush Hill, in Randolph county.

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 598, H. B. No. 600: A bill to be entitled an act to re-enact sections 5, 6 and 7, chapter 104, Revised Code.

The following named resolutions and bills were read the second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate:

H. R. No. 139: Resolution in regard to indexing the journals of the two Houses;

H. R. No. 140: Resolution in favor of the Enrolling and Engrossing Clerks;

H. B. No. 329: A bill to be entitled an act to provide a room for the Supreme Court records;

H. B. No. 505: A bill to be entitled an act in regard to the fees of sheriffs and registers of deeds;

H. B. No. 543: A bill to be entitled an act to allow county commissioners to contract for building turnpike roads;

H. B. No. 568: A bill to be entitled an act to amend an act entitled an act to amend an act entitled an act to incorporate the Greenville and French Broad Railroad Company, ratified 13th February, 1855, and an act amendatory thereto, ratified 22d December, 1873;

H. B. No. 569: A bill to be entitled an act to amend an act to incorporate the Seaboard and Raleigh Railroad Company ratified 22d December, 1873.

S. B. No. 327, H. B. No. 350: A bill to be entitled an act in relation to the Western Division of the Western North Carolina Railroad, was read the second time and passed; was read the third time, and,

On motion, ordered to be printed and made the special order for Thursday next, at 11 o'clock.

On motion, H. B. No. 478, a bill to be entitled an act to

adjust and settle the debt of the State of North Carolina, was referred to the Committee on State Debt and Liabilities.

H. B. No. 510: A bill to be entitled an act concerning the public roads in the several counties of the State, was referred to the Committee on the Judiciary.

SPECIAL ORDER.

The hour (1 P. M.) for the special order having arrived,

S. B. No. 241, H. B. No. 588: A bill to be entitled an act to adjust the State debt, was read, and,

On motion of Mr. Bennett, the further consideration of the bill was postponed till Wednesday next, and made special order for 12 M. that day.

S. B. No. 393, H. B. No. 551: A bill to be entitled an act to authorize the town of Hickory, in the county of Catawba, to issue bonds to aid the Carolina Central Railway Company in extending their railway, and for other purposes, was read the third time, passed, and was ordered to be enrolled for ratification. Ayes 70, noes 6.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowe, Bowman, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Carter, Carson, Cobb, Copeland, Costner, Craige, Dickey, Dula, Foster, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Goodwyn, Grady, Gudger, Guyther, Hampton, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Johns, Jordan, Lindsay, Lloyd, McLaurin, McNeill, Miller, Michael, Mizell, Perry of Bladen, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Shinn of Iredell, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb, Wiley and Whitmire—70.

Messrs. Brown of Davidson, Godfrey, King, Lutterloh, Davis and Winslow voted in the negative—6.

S. B. No. 263, H. B. No. 547: A bill to be entitled an act

to incorporate the Raleigh Warehouse and Trust Company, was read second time.

Mr. Lutterloh offered the following amendment:

"*Provided*, The private property of the stockholders shall be responsible for the debts of the company to the extent of the par value of their stock."

The amendment was rejected. Ayes 28, noes 54.

The following gentlemen voted in the affirmative:

Messrs. Bean, Bowe, Bryan of Pitt, Byrd, Carson, Cobb, Gilbert, Gilmer, Godfrey, Goodwyn, Guyther, Hampton, Hinnant, Jones of Northampton, King, Lloyd, Lutterloh, Michael, Mizell, Perry of Bladen, Sharp, Shinn of Iredell, Stanford, Sneed, Watson, Webb, Winslow and Wheeler—28.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Bennett, Blackwell, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bunn, Copeland, Costner, Craige, Davis, Dickey, Ellison, Fletcher, Foster, Gant, Gidney, Gorman, Gray, Grady, Gudger, Haynes, Houston, Hughes, Johnston, Jones of Camden, Jones of Orange, Jones of Tyrrell, Johns, Jordan, Lindsay, Marler, McLaurin, McGehee, Mitchell, Moring, Outlaw, Presson, Reid of Randolph, Richardson, Shaw, Stowe, Todd, Warlick. Waddill, Wiley and Whitmire—54.

Mr. Gorman's amendment, adding a ratifying clause, was adopted and bill passed; was read third time, passed and ordered to be returned to the Senate for concurrence.

S. B. No. 232, H. B. No. 549: A bill to be entitled an act to allow the commissioners of Duplin county to levy a special tax, was read third time and passed. Ayes 90, noes 1.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowe, Brown of Davidson, Brown of Mecklenburg, Bryson of Swain, Bryan of Pitt,

Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Carter, Carson, Cobb, Copeland, Corson, Costner, Craige, Davis, Dickey, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Goodwyn, Gray, Grady, Gudger, Guyther, Hampton, Haynes, Hinnant, Houston, Hughes, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Johns, Jordan, King, Lindsay, Lloyd, Lutterloh, Marler, McLaurin, McGehee, Miller, Michael, Mitchell, Mizell, Moring, Outlaw, Perry of Bladen, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Shaw, Sharp, Shinn of Iredell, Stanford, Stowe, Sneed, Todd, Turner, Warlick, Waddell, Watson, Webb, Winslow, Wiley, Whitmire, Wheeler and Whisnant—90.

Mr. Bunn voted in the negative—1.

S. B. No. 590, H. B. No. 584: A bill to be entitled an act authorizing the commissioners of Sampson county to levy a special tax, was read third time and passed. Ayes 78, noes 4.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Bowe, Brown of Davidson, Brown of Mecklenburg, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Carter, Carson, Cobb, Copeland, Costner, Craige, Davis, Dickey, Dula, Ellison, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Goodwyn, Gray, Grady, Gudger, Guyther, Hampton, Haynes, Hinnant, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Orange, Joynes of Tyrrell, King, Lindsay, Lutterloh, Marler, McGehee, Miller, Michael, Mitchell, Moring, Outlaw, Perry of Bladen, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Rhodes, Shaw, Sharp, Shinn of Iredell, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb, Winslow, Wiley, Whitmire and Whisnant—78.

Messrs. Gorman, Lloyd, McLaurin and Sneed voted in the negative—4.

The bill was ordered to be enrolled for ratification.

H. B. No. 436: A bill to be entitled an act to authorize the commissioners of Bladen county to levy a special tax in the year 1874, was read third time and passed. Ayes 66, noes 0.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Bowe, Bowman, Brown of Mecklenburg, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Carson, Copeland, Costner, Craige, Davis, Dula, Ellison, Gant, Gidney, Gilbert, Gilmer, Gorman, Goodwyn, Gray, Grady, Gudger, Guyther, Hampton, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Johns, Lindsay, Lloyd, Lutterloh, Marler, McLaurin, Miller, Michael, Mizell, Moring, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Shaw, Shinn of Iredell, Stanford, Stowe, Turner, Warlick, Waddill, Watson, Webb, Winslow, Wiley and Whisnant—66.

H. B. No. 563: A bill to be entitled an act to empower the city of Wilmington to subscribe to the special stock of the Wilmington and Seaside Railroad Company, was read third time and passed. Ayes 75, noes 4.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Ballard, Bean, Bennett, Blackwell, Blythe, Bowe, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Carson, Copeland, Costner, Craige, Davis, Dickey, Dula, Ellison, Freeman, Gant, Gidney, Gilbert, Gorman, Goodwyn, Guyther, Hampton, Haynes, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Johns, Jordan, King, Lindsay, Lloyd, Lutterloh, Marler, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Perry of Bladen, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Shinn of Iredell, Stanford, Stowe, Sneed, Todd, Turner, Warlick, Waddill, Winslow, Wiley, Whitmire and Whisnant—75.

The following gentlemen voted in the negative:

Messrs. Brown of Davidson, Grady, Shaw and Webb - 4.

S. R. No. 113, H. R. No. 130: Resolution allowing R. B. Creecy free access to the records of the State for certain purposes, was read second time, amended on motion of Mr. Bennett, and returned to the Senate for concurrence.

S. R. No. 375, H. R. No. 133: Resolution in favor of W. C. Thurston, was read second and third times, passed each reading, and was ordered to be enrolled for ratification.

S. B. No. 11, H. B. No. 264: A bill to be entitled an act fixing the weight of packages containing salted fish and to require packers to stamp or mark their name on each package shipped for sale, was read, the substitute proposed by the committee was adopted, and the bill passed; was read third time, passed, and ordered to be returned to the Senate for concurrence.

S. B. No. 484, H. B. No. 487: A bill to be entitled an act to amend chapter 37, Battle's Revisal, entitled Counties and County Commissioners, was read second time, the amendments proposed by the committee were adopted, and the bill passed; was read third time, passed, and ordered to be returned to the Senate for concurrence.

S. B. No. 460, H. B. No. 554: A bill to be entitled an act to repeal section 19, chapter 112, Battle's Revisal, and to amend said chapter, was read second and third times, passed each reading, and was ordered to be enrolled for ratification.

S. B. No. 19, H. B. No. 516: A bill to be entitled an act supplementary to and amendatory of an act of incorporation passed by the present General Assembly, was read second time and rejected.

S. B. No. 561, H. B. No. 545: A bill to be entitled an act supplemental to and amendatory of an act entitled an act regulating the times of holding the terms of the Superior Courts of the Fourth Judicial District, and for other purposes, was read second time and passed.

The following named bills were read second time, amended and passed, were read third time, passed and ordered to be engrossed and sent to the Senate:

H. B. No. 119 : A bill to be entitled an act to amend chapter 167 laws of 1869–'70, (substitute adopted);

H. B. No. 489 : A bill to be entitled an act for the protection of sheep and hog raising in the county of Martin ;

H. B. No. 589 : A bill to be entitled an act to allow the constable of Bingham township to collect arrears of taxes ;

H. B. No. 583 : A bill to be entitled an act to amend the charter of Trinity College ;

H. R. No. 123 : Resolution for appointment of a Joint Select Committee on the State and United States Centennial Celebration, was read second time and adopted.

H. R. No. 136 : Resolution in regard to night sessions, was read ssecond time, the amendment of Mr. Jones of Caldwell was adopted, and the resolution was adopted. (Provides for sessions each night, except Sunday, till close of session.)

H. R. No. 137 : Resolution of instruction to Public Treasurer, was read second time and adopted.

The following named bill was read second and third times, passed each reading and ordered to be engrossed and sent to the Senate :

H. B. No. 447 : A bill to be entitled an act to amend chapter 53, Code of Civil Procedure.

The following named bill was read second and third times, passed each reading and was ordered to be enrolled for ratification :

S. B. No. 460, H. B. No. 544 : A bill to be entitled an act to repeal section 19, chapter 112, Battle's Revisal, and to amend said chapter.

On motion of Mr. Houston, the House adjourned till 7:30 o'clock, P. M.

NIGHT SESSION.

MONDAY, February 9th, 1874.

The House was called to order by the Speaker at half-past 7 o'clock.

The following resolutions, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. R. No. 123: Resolution for appointment of a Joint Select Committee on the State and United States Centennial Celebration;

H. R. No. 139: Resolution in regard to indexing the journals of the two Houses;

H. R. No. 140: Resolution in favor of the Enrolling and Engrossing Clerks.

The following named bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Mizell: A bill to be entitled an act giving the Superior Court of Martin county concurrent jurisdiction with Bertie over misdemeanors committed on River Pocosin Island, in Bertie county. H. B. No. 602.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Perry of Bladen: A bill to be entitled an act to prohibit the sale of spirituous liquors within three miles of French's Creek church, in the county of Bladen. H. B. No. 603.

TO THE COMMITTEE ON CORPORATIONS.

By Mr. Webb: A bill to be entitled an act to incorporate Newport College, in the county of Carteret. H. B. No. 604.

Messages were received from the Senate transmitting engrossed copies of the following named bills and amendments, which were read first time, passed and referred, or otherwise disposed of, as follows :

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 448, H. B. No. 605 : A bill to be entitled an act to repeal chapter 48 of Battle's Revisal, as far as Scotland Neck, in Halifax county, is concerned.

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 465, H. B. No. 606 : A bill to be entitled an act to incorporate the Cape Fear Cotton and Woolen Mills ;

S. B. No. 466, H. B. No. 607 : A bill to be entitled an act to incorporate the Lockville Cotton and Woolen Mills ;

S. B. No. 510, H. B. No. 608 : A bill to be entitled an act to incorporate the town of Vandemere.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

S. B. No. 616, H. B. No. 609 : A bill to be entitled an act to prohibit the sale of spirituous liquors in the town of Shelby, and within two miles of the court-house, in Cleaveland county.

PLACED ON THE CALENDAR.

S. B. No. 619, H. B. No. 610 : A bill to be entitled an act in reference to inspectors in the city of Wilmington.

Senate amendment to H. B. No. 354, S. B. No. 519 : A bill to be entitled an act to authorize the County Board of Education of Randolph, to organize a teachers' institute, was read and concurred in.

Senate amendment to H. B. No. 371, S. B. No. 473 : A bill to be entitled an act to empower the Board of Education for

Davidson county to establish a teachers' institute in said county, which was read, and, on motion, concurred in.

Senate amendments to H. B. No. 402, S. B. No. — : A bill to be entitled an act to amend chapter 193, laws of 1872–'73, was read, and, on motion, concurred in.

S. B. No. 279, H. B. No. 535: A bill to be entitled an act to incorporate Pythagoras Lodge, No. 6, A. Y. M., of the town of Smithville, Brunswick county, was read second and third times, passed each reading, and was ordered to be enrolled for ratification.

The following named bills were read second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate :

H. B. No. 268: A bill to be entitled an act for the relief of executors and administrators, being chapter 59 of the laws of 1866–'67 ;

H. B. No. 319 : A bill to be entitled an act in relation to the payment of costs :

H. B. No. 347 : A bill to be entitled an act to re-enact chapter 76 of the laws of 1870–'71 ;

H. B. No. 393: A bill to be entitled an act to amend chapter 43 Private Laws, 1872-'73.

The following named bills were read second time, and, on motion, indefinitely postponed :

H. B. No. 299 : A bill to be entitled an act concerning the duties of county commissioners, and for other purposes ;

H. B. No. 366 : A bill to be entitled an act to amend Battle's Revisal.

The following named bills were read second time, and, on motion, laid on the table :

H. B. No. 195 : A bill to be entitled an act in relation to the bonds of sheriffs ;

H. B. No. 202 : A bill to be entitled an act to prevent the felling of timber in Tar river.

H. B. No. 203 : A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of Danbury, Stokes county, during the term of any Superior Court for said county ;

H. B. No. 215: A bill to be entitled an act to authorize the entry of swamp land on the same terms as other vacant lands;

H. B. No. 216: A bill to be entitled an act to appropriate the proceeds of vacant lands in the counties of Ashe, Alleghany and others to said counties;

H. B. No. 218: A bill to be entitled an act declaring certain larcenies misdemeanors, and giving to Justices of the Peace jurisdiction of the same;

H. B. No. 224: A bill to be entitled an act to amend chapter 139, laws of 1870–'71;

H. B. No. 223: A bill to be entitled an act to make attendence on the public schools obligatory;

H. B. No. 237: A bill to be entitled an act to transfer the county of Dare from the First to the Second Judicial District of North Carolina;

H. B. No. 249: A bill to be entitled an act to protect farmers and others from damages by railroad corporations;

H. B. No. 271: A bill to be entitled an act to strike out section 3 of chapter 67 of the Public Laws of 1872–'73;

H. B. No. 278: A bill to be entitled an act authorizing the commissioners of the city of Raleigh to open a street across the property upon which the Governor's Mansion is situated;

H. B. No. 296: A bill to be entitled an act concerning the fees of Justices of the Peace;

H. B. No. 297: A bill to be entitled an act regulating the commission of sheriffs;

H. B. No. 300: A bill to be entitled an act to amend chapter 12, section 1, of the Revised Code;

H. B. No. 429: A bill to be entitled an act declaratory of the meaning of section 52, chapter 63, of Battle's Revisal;

H. B. No. 314: A bill to be entitled an act to amend an act to establish the rate of interest, and repeal chapter 114 of the Revised Code, entitled Usury;

H. B No. 318: A bill to be entitled an act in relation to sheriffs' deeds;

H. B. No. 358: A bill to be entitled an act to amend chapter 80, Private Laws of 1871–'72;

H. B. No. 360: A bill to be entitled an act to discharge the security where the principal of any debt becomes discharged from said debt by any action of law and bankruptcy;

H. B. No. 367: A bill to be entitled an act in relation to persons in jail working the public roads;

H. B. No. 376: A bill to be entitled an act to protect the fish interest of North Carolina;

H. B. No. 446: A bill to be entitled an act to amend section 1, chapter 120, Revised Code, and for other purposes, was read second time.

Mr. Carter moved to lay the bill on the table.

A call for the ayes and noes was sustained, and the motion to table prevailed. Ayes 55, noes 37.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryson of Sampson, Bryan of Wilkes, Bryan of Alleghany, Byrd, Carter, Carson, Costner, Dickey, Gant, Gidney, Gilmer, Gorman, Grady, Gudger, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Marler, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Shaw, Shinn of Iredell, Shackelford, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb and Wiley—55.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Brooks, Bunn, Cobb, Copeland, Carson, Davis, Dudley, Dula, Ellison, Fletcher, Gilbert, Godfrey, Goodwyn, Gray, Guyther, Hampton, Jones of Camden, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Perry of Bladen, Reid of Randolph, Winslow, Williamson and Whisnant—37.

Mr. Gorman moved to reconsider the vote by which the bill failed to pass, and Mr. Carter moved to lay the motion to reconsider on the table.

A call for the ayes and noes, made by Mr. Corson, was sus-

tained, and the motion to reconsider was laid on the table. Ayes 54, noes 38.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryant of Halifax, Bryan of Sampson, Bryan of Alleghany, Byrd, Carter, Carson, Costner, Dickey, Gant, Gidney, Gilmer, Godfrey, Grady, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Marler, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Shaw, Shinn of Iredell, Shackelford, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb and Wiley—54.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Brown of Davidson, Bryan of Pitt, Bryan of Wilkes, Brooks, Bunn, Cobb, Copeland, Corson, Davis, Dudley, Dula, Ellison, Fletcher, Gilbert, Gorman, Goodwyn, Gray, Guyther, Hampton, Jones of Camden, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Perry of Bladen, Reid of Randolph, Sneed, Williamson, Winslow and Whisnant—38.

H. B. No. 301: A bill to be entitled an act to provide for the pay of witnesses in certain cases, was read the second time.

The question being upon the passage of the bill, Mr. Jordan called for the ayes and noes, the call was sustained, and the bill was rejected. Ayes 41, noes 44.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Blackwell, Blythe, Bowe, Bryan of Pitt, Bryant of Halifax, Brooks, Bunn, Carson, Cobb, Copeland, Corson, Costner, Dickey, Dudley, Dula, Ellison, Gilbert, Godfrey, Gray, Guyther, Hampton, Hughes, Jones of Camden, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Perry of Bladen, Reid of Randolph, Shinn of Iredell, Sneed, Todd, Winslow, Williamson and Whisnant—41.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Carter, Gant, Gidney, Gilmer, Gorman, Grady, Gudger, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Johns, Lindsay, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Shaw, Shackelford, Stowe, Warlick, Waddill, Watson, Webb and Wiley—44.

On motion, the House adjourned to meet to-morrow at half-past 10'clock.

FIFTY-SIXTH DAY.

TUESDAY, February 10th, 1874.

The House was called to order by the Speaker at half-past 10 o'clock.

The reading of the journal of yesterday was dispensed with.

Leave of absence for one day was granted to Messrs. Watson and Dickey.

The following named petition was introduced, read and referred to the Committee on the Judiciary:

By Mr. Bryan of Wilkes: From citizens of Wilkes, asking for a law to make a part of Hunting Creek a lawful fence.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 83: A bill to be entitled an act to amend chapter 205, section 2, of public laws of 1870–'71; that it do pass;

S. B. No. 325, H. B. No. 534: A bill to be entitled an act to give to Burke, Rutherford, McDowell and Cleaveland

counties the proceeds of the sales of vacant lands therein; that it do pass with amendments.

S. B. No. 226, H. B. No. 572: A bill to be enittled an act to amend chapter 182, Public Laws 1872–'73; that it do pass.

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 432: A bill to be entitled an act to authorize J. J. Hasty, former sheriff of Union county, to collect arrears of taxes; that it do pass.

From the Committee on Public Buildings and Grounds:

By Mr. Anderson of Clay, H. R. No. 85: Resolution in regard to the privy on Capitol Square; that it do pass with amendment;

H. B. No. 570: A bill to be entitled an act to turn over certain lots and grounds to the Trustees of the University; ask to be discharged from its further consideration.

The following bills, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 119: A bill to be entitled an act to amend chapter 167 laws of 1869–'70, entitled an act to pay the expense of liabilities incurred by witnesses in certain cases;

H. B. No. 329: A bill to be entitled an act to provide a room for the Supreme Court records;

H. B. No. 415: A bill to be entitled an act to prohibit the demanding of tolls at Sandy Bottoms, in Buncombe county;

H. B. No 436: A bill to be entitled an act to authorize the commissioners of Bladen county to levy a special tax in the year 1874;

H B. No. 489: A bill to be entitled an act for the better protection of sheep and hog raising in the county of Martin;

H. B. No. 505: A bill to be entitled an act in regard to the fees of sheriffs and register of deeds;

H. B. No. 543: A bill to be entitled an act to allow county commissioners to contract for building turnpike roads,

H. B. No. 563: A bill to be entitled an act to empower the city of Wilmington to subscribe to the special stock of the Wilmington and Seaside Railroad Company;

H. B. No. 568: A bill to be entitled an act to amend an act

entitled an act to incorporate the Greenville and French Broad Railroad Company, ratified 13th February, 1855, and an act amendatory thereto, ratified 22d December, 1873.

H. B. No. 569: A bill to be entitled an act to amend an act to incorporate the Seaboard and Raleigh Railroad Company, ratified 22d December, 1873;

H. B. No. 579: A bill to be entitled an act to allow the constable of Bingham township to collect arrears of taxes;

H. B. No. 583: A bill to be entitled an act to amend the charter of Trinity College.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to incorporate the Rough and Ready Fire Company;

An act to incorporate Centre Presbyterian church in the county of Iredell;

An act to lay off and establish a public road in the counties of Davidson and Davie, and to establish a public ferry across the Yadkin river;

An act to establish a turnpike road from the town of Winston, *via* Yadkinville, to the town of Wilkesboro;

An act to amend the charter of the North Carolina Railroad, and for other purposes therein mentioned:

An act to amend the charter of the town of Battleboro;

An act to change the line between the counties of Swain, Graham and Macon;

An act to incorporate Nebo Camp Ground, on the Western North Carolina Railroad in the county of McDowell;

Resolution in regard to the preservation of certain important manuscripts belonging to the State;

Resolution in relation to a North Carolina Manual.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Bean: Resolution of instruction to the Judiciary Committee. H. R. No. 142.

By Mr. Gorman: Resolution in regard to immigration and the next anniversary of the birth of St. Patrick, the Irish patron saint. H. R. No. 143.

By Mr. Bowman: Resolution of instruction to the Public Treasurer. H. R. No. 145.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Dula: A bill to be entitled an act to make a part of Big Hunting Creek, in the county of Wilkes, a lawful fence. H. B. No. 611.

By Mr. Gorman: A bill to be entitled an act to add certain sections to Battle's Revisal. H. B. No. 512.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Watson: A bill to be entitled an act appropriating the sum of six thousand dollars to the Orphan Asylum in Granville county, N. C. H. B. No. 613.

By Mr. Stanford: A bill to be entitled an act for the relief of disabled soldiers. H. B. No. 614.

PLACED ON THE CALENDAR.

By Mr. Bryan of Alleghany: A bill to be entitled an act to improve the road from the top of the Blue Ridge to Flint Hill. H. B. No. 615.

On motion of Mr. McNeill, the rules were suspended, and,

H. B. No. 522: A bill to be entitled an act to incorporate the town of Shoe Heel, in the county of Robeson, was read second time.

The substitute offered by Mr. McNeill was adopted.

An amendment, giving the commissioners the authority to change the name if desired, was adopted, and the bill passed; was read third time, passed, and ordered to be engrossed and sent to the Senate.

On motion of Mr. Bryan of Pitt, the rules were suspended, and,

H. R. No. 144: Resolution in regard to adjournment, was read second time and rejected.

The Calendar was placed at the disposal of the Speaker for the balance of the morning session.

S. B. No. 561, H. B. No. 545: A bill to be entitled an act supplemental to and amendatory of an act entitled an act regulating the times of holding the terms of the Superior Courts of the Fourth Judicial District, and for other purposes, was read third time, passed, and ordered to be enrolled for ratification.

S. B. No. 411, H. B. No. 597: A bill to be entitled an act to authorize the commissioners of Stokes county to have the town lots of Danbury re-surveyed, was read second and third times, passed each reading, and was ordered to be enrolled for ratification.

H. B. No. 384: A bill to be entitled an act to amend chapter 105, section 18, of Battle's Revisal, was read second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

The following named bills were read second time, and,

On motion, laid on the table:

H. B. No. 379: A bill to be entitled an act to prohibit the sale of spirituous liquors within one mile of churches, schools, &c.;

H. B. No. 388: A bill to be entitled an act for the relief of physicians;

H. B. No. 391: A bill to be entitled an act to prevent the obstruction of the waters of Black Creek, in the county of Wilson;

H. B. No. 394: A bill to be entitled an act to amend chapter 91, Private Laws of 1870–'71, by striking out section 3 of said act;

H. B. No. 403: A bill to be entitled an act to amend chapter 82, Battle's Revisal.

SPECIAL ORDER.

The hour for the special order having arrived, H. B. No. 45,

A bill to be entitled an act to organize, discipline and equip the militia of North Carolina, was announced, and,

On motion, the further consideration was postponed, and made special order for 8 o'clock, P. M.

On motion, H. R. No. 73: Resolution to refund taxes illegally collected from A., T. and O. Railroad Company, was referred to the Committee on the Judiciary.

SPECIAL ORDER.

The hour (12 M.) having arrived for the special order, H. B. No. 154, a bill to be entitled an act to amend an act entitled an act for amnesty and pardon, was announced, and,

On motion of Mr. McGehee, the further consideration was postponed, and made special order for Thursday next, at 12 M.

S. B. No. 619, H. B. No. 610: A bill to be entitled an act in reference to inspectors in the city of Wilmington, was read second time.

The motion of Mr. Lloyd, to postpone till Saturday next and make special order for 11 o'clock, was rejected.

Mr. Lloyd moved to lay the bill upon the table, and on this motion called for the ayes and noes. The call was sustained, and the House refused to table the bill. Ayes 32, noes 46.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Copeland, Corson, Davis, Dudley, Dula, Fletcher, Foster, Gorman, Goodwyn, Guyther, Hampton, Hughes, Jones of Northampton, King, Lloyd, McLaurin, Miller, Michael, Perry of Bladen, Sneed, Williamson and Whisnant—32.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Carter, Costner, Craige, Dickey, Gidney, Gilmer, Godfrey, Grady, Gudger, Haynes, Hinnant, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Lindsay, Marler, McNeill, Mitchell, Mor-

ing, Moss, Outlaw, Reid of Mecklenburg, Richardson, Shaw, Shinn of Iredell, Shackelford, Stanford, Stowe, Todd, Turner, Waddill, Watson, Waugh, Webb and Wiley—46.

The bill passed its second reading, and under a suspension of the rules the bill was read third time.

The question recurring upon the passage of the bill, a call for the ayes and noes was sustained, and the bill passed, and was ordered to be enrolled for ratification.

On the passage of the bill,

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Byrd, Carter, Carson, Costner, Craige, Freeman, Gant, Gidney, Gilmer, Godfrey, Goodwyn, Grady, Gudger, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, MeNeill, Mitchell, Moring, Moss, Outlaw, Presson, Reid of Mecklenburg, Richardson, Shaw, Sharp, Shinn of Iredell, Shackelford, Standford, Stowe, Todd, Waddill, Watson, Waugh, Webb and Wiley—53.

The followinging gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Copeland, Corson, Davis, Dudley, Dula, Ellison, Foster, Gorman, Guyther, Jones of Northampton, Jordan, King, Lloyd, McLaurin, Miller, Michael, Mizell, Reid of Randolph, Sneed, Williamson and Whisnant—32.

H. B. No. 112: A bill to be entitled an act to prohibit the sale of spirituous liquors in townships where the people so determine, was read third time.

Mr. Outlaw moved to strike out "one-fourth of the qualified voters," and insert "two hundred," was rejected.

Mr. Moss' amendment, "*Provided*, nothing herein contained shall prevent druggists from selling for medical purposes," was rejected.

Mr. Freeman moved to lay the bill on the table.

On this motion a call for the ayes and noes was sustained, and the motion was rejected. Ayes 26, noes 66.

The following gentlemen voted in the affirmative:

Messrs. Bryson of Swain, Bryant of Halifax, Bryan of Wilkes, Bunn, Byrd, Carter, Corson, Freeman, Goodwyn, Hampton, Hinnant, Jones of Camden, Jones of Tyrrell, Joyner, Lindsay, Miller, Mizell, Moss, Outlaw, Sharp, Stowe, Todd, Waddill, Waugh, Winslow and Whisnant—26.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Clay, Ballard, Bennett, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryan of Pitt, Bryan of Sampson, Bryan of Alleghany, Brooks, Bullard, Carson, Copeland, Costner, Davis, Dickey, Dudley, Dula, Ellison, Foster, Gant, Gilbert, Gilmer, Gorman, Gray, Grady, Gudger, Guyther, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Orange, Johns, Jordan, King, Lloyd, Lutterloh, Luckey, Marler, McLaurin, McGehee, Michael, Mitchell, Moring, Norment, Perry of Bladen, Presson, Reid of Randolph, Richardson, Shaw, Shinn of Iredell, Shackelford, Stanford, Sneed, Turner, Warlick, Webb, Wiley, Williamsom and Whitmire—66.

The amendment of Mr. Outlaw, to insert after the word "liquors," in section 1, the words "tobacco or snuff," was rejected.

Mr. Gudger demanded the previous question on the passage of the bill, and a call for the ayes and noes having been sustained, the bill passed. Ayes 67, noes 35.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowe, Bowman, Brown of Mecklenburg, Bryson of Jackson, Bryan of Pitt, Bryan of Alleghany, Brooks, Bullard, Copeland, Costner, Craige, Davis, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Gant, Gilbert, Gilmer, Gorman, Gray, Grady, Gudger, Cuyther, Hampton, Haynes, Hughes, Johnston, Jones of Northampton, Johns, Jordan, King, Lutterloh, Luckey, McGehee, McNeill, Michael,

Mitchell, Moring, Norment, Perry of Bladen, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Shaw, Shackelford, Sneed, Turner, Warlick, Watson, Webb, Wiley, Williamson, Whitmire, Wheeler and Whisnant—67.

The following gentlemen voted in the negative:

Messrs. Brown of Davidson, Bryson of Swain, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bunn, Byrd, Carter, Carson, Cobb, Corson, Freeman, Gidney, Godfrey, Goodwyn, Hinnant, Jones of Caldwell, Jones of Camden, Jones of Tyrrell, Joyner, Lindsay, Lloyd, Marler, McLaurin, Mizell, Moss, Outlaw, Sharp, Shinn of Iredell, Stanford, Stowe, Todd, Waddill, Waugh and Winslow—35.

On motion of Mr. Gudger, his motion to reconsider the vote by which the bill passed its third reading was laid on the table.

On motion the House adjourned till half-past 7 o'clock P. M.

NIGHT SESSION.

TUESDAY, February 10th, 1874.

The House was called to order by the Speaker at half-past 7 o'clock.

The journal of last night was read and approved.

The following bill was introduced, read and passed the first time, and was referred to the Committee on Claims.

By Mr. McLaurin: A bill to be entitled an act for the relief of L. Meginney. H. B. No. 616.

H. B. No. 405: A bill to be entitled an act to amend section 13, chapter 20, laws of 1868, (sec. 13, chap. 27, Battle's Revisal,) was read second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. R. No. 143: Resolution in regard to immigration and celebration of the next anniversary of the birth of St. Patrick, the Irish patron saint, was read second time and adopted.

SPECIAL ORDER.

The hour (8 P. M.) for the special order having arrived, H. B. No. 45, a bill to be entitled an act to organize, equip and discipline the militia of the State, was read second and third time, passed each reading, and was ordered to be engrossed and sent to the Senate.

H. B. No. 413: A bill to be entitled an act to empower the county commissioners of Jones county to levy a special tax, was read third time, passed, and ordered to be engrossed and sent to the Senate.

On the passage of the bill,

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Carson, Cobb, Copeland, Corson, Costner, Cox, Dudley, Dula, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gray, Grady, Gudger, Hampton, Hughes, Johnston, Jones of Orange, Jones of Tyrrell, Jordan, King, Lindsay, Lloyd, McLaurin, McGehee, Miller, Michael, Mitchell, Mizell, Moss, Paschall, Perry of Bladen, Reid of Mecklenburg, Reid of Randolph, Richardson, Scott, Shaw, Sharp, Shinn of Iredell, Shackelford, Stanford, Stowe, Sneed, Todd, Turner, Waddill, Waugh, Webb, Winslow, Wiley, Wheeler and Whisnant—72.

The following gentlemen voted in the negative:

Messrs. Blackwell, Bullard, Gorman, Haynes, Hinnant, Joyner, Johns, Lutterlah, Luckey, Marler, McNeill, Moring, Presson and Warlick—14.

S. B. No. 325, H. B. No. 534: A bill to be entitled an act to give Burke, Rutherford, McDowell and Cleaveland coun-

ties the proceeds of the sales of vacant lands therein, was read second time, and amendments of the committee were adopted, and the bill passed its second reading; was read third time, and Mr. Guyther's amendment to insert "Washington" after "Rutherford," was rejected.

The question recurring on the passage of the bill on its third reading, it was rejected. Ayes 32, noes 60.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Blackwell, Blythe, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Carson, Freeman, Gant, Gidney, Gilmer, Goodwyn, Gudger, Hampton, Haynes, Johnston, Johns, Marler, Perry of Bladen, Reid of Mecklenburg, Shackelford, Stanford, Todd, Warlick, Waddill, Waugh, Winslow, Wiley, Wheeler and Whisnant—32.

The following gentlemen voted in the negative:

Messrs. Abbott, Ballard, Bean, Bennett, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Bunn, Cobb, Copeland, Corson, Costner, Cox, Dudley, Fletcher, Foster, Gilbert, Godfrey, Gray, Grady, Guyther, Houston, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Jordan, King, Lindsay, Lloyd, Lutterloh, Luckey, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Outlaw, Paschal, Presson, Reid of Randolph, Scott, Shaw, Sharpe, Stowe, Sneed, Turner and Webb—60.

On motion of Mr. Bowman, the vote by which the bill failed to pass its third reading, was reconsidered, and the question again recurring upon its passage, a call for the ayes and noes was sustained, and the bill was rejected. Ayes 37, noes 47.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Clay, Ballard, Blackwell, Blythe, Bowman, Brown of Mecklenburg, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Craige, Freeman, Gant, Gidney, Gilmer, Gorman, Gudger, Hampton, Haynes, Johnston, Joyner, Johns, Jordan, Luckey, Marler, Reid of Mecklenburg,

Scott, Shaw, Shinn of Iredell, Shackelford, Stanford, Todd, Turner, Warlick, Waddill, Waugh, Wheeler and Whisnant —37.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Bennett, Bowe, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Cobb, Copeland, Cox, Dudley, Fletcher, Foster, Gilbert, Godfrey, Goodwyn, Gray, Guyther, Hinnant, Hughes, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Lindsay, Lloyd, Lutterloh, McLaurin, McGehee, McNeill, Miller, Michael, Mizell, Moss, Norment, Paschall, Perry of Bladen, Presson, Reid of Randolph, Richardson, Sharp, Stowe, Sneed and Winslow—47.

On motion of Mr. Hinnant, the House adjourned till to-morrow, at 10½ o'clock.

FIFTY-SEVENTH DAY.

WEDNESDAY, February 11th, 1874.

The House was called to order by the Speaker at half-past 10 o'clock.

The journal of yesterday was read and approved.

Mr. Maxwell was reported as detained from his seat on account of sickness.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Shaw: From M. B. Morris and D. S. Cameron, asking that they may be allowed to sell liquor at Swan's Station;

By Mr. McNeill: From certain citizens of Robeson county, asking for the pardon of Stephen Lowrey.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Carson: From citizens of Bath Township, asking for an additional Magistrate.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Bennett, H. B. No. 383: A bill to be entitled an act to amend Battle's Revisal, chapter 104; that it do not pass;

H. B. No. 445: A bill to be entitled an act to amend chapter 105, section 14, of Battle's Revisal; that it do pass;

H. B. No. 499: A bill to be entitled an act to re-enact sections 6 and 7, chapter 104, of the Revised Code; that it do pass;

H. B. No. 500: A bill to be entitled an act to require the publication of the Constitution as lately amended with the laws of the present session;

H. B. No. 528: A bill to be entitled an act for the better protection of churches, camp grounds, &c.; that it do not pass;

H. B. No. 529: A bill to be entitled an act to re-enact chapter 164, Public Laws of 1868-'69; that it do pass;

H. B. No. 530: A bill to be entitled an act to amend section 18, chapter 14, Battle's Revisal; that it do pass;

H. B. No. 561: A bill to be entitled an act to carry into effect the acts of Congress in relation to the establishment of an Agricultural College; that it do not pass;

H. B. No. 562: A bill to be entitled an act for the sale of public lands in and near Raleigh, and for other purposes; substitute do pass;

H. B. No. 601: A bill to be entitled an act to secure costs in appeals from Justices of the Peace; that it do not pass;

S. B. No. 300, H. B. No. 351: A bill to be entitled an act to extend the time of taking out grants from the State; that it do pass;

S. B. No. 538, H. B. No. 573: A bill to be entitled an act

to amend chapter 97, section 27, Battle's Revisal; that it do pass;

S. B. No. 173, H. B. No. 584: A bill to be entitled an act for the better protection of the county bridge across Tar river, at Greenville, Pitt county; that it do pass;

S. B. No. 598, H. B. No. 600: A bill to be entitled an act to re-enact sections 5, 6 and 7, chapter 103, Revised Code; that substitute do pass;

From the Committee on Propositions and Grievances:

By Mr. Brown of Mecklenburg, H. B. No. 381: A bill to be entitled an act to repeal chapter 61, Private Laws of 1872–'73; that substitute do pass.

From the Committee on Banks and Currency:

By Mr. Richardson, S. B. No. 261, H. B. No. 506: A bill to be entitled an act to make uniform the rate of interest in North Carolina; that substitute do pass.

From the Committee on Cities, Counties, Towns and Townships:

By Mr. Waugh, H. B. No. 497: A bill to be entitled an act to establish a new county by the name of Gilliam; that it do not pass.

Petition to change a part of the county line between Mc Dowell and Rutherford counties; ask to be discharged from its further consideration.

From the Committee on Railroads, Post Roads and Turnpikes:

By Mr. Bryson of Swain, H. B. No. 512: A bill to be entitled an act to lay off and establish a public road from the Virginia line, *via* Dobson, to Winston, in Forsythe county; that it do pass with amendment;

H. B. No. 558: A bill to be entitled an act to amend the existing laws in regard to the Western Turnpike Road; that it do pass;

H. B. No. 596: A bill to be entitled an act to lay off and establish a public road from the town of Wilkesboro, in the county of Wilkes, so as to intersect the public road leading

from the town of Taylorsville, in Alexander county, to Statesville, in Iredell county ; that it do pass.

From the Committee on Corporations :

By Mr. Jones of Caldwell, H. B. No. 262 : A bill to be entitled an act to amend an act for the incorporation of the town of Washington, ratified the 18th day of January, 1847, and amendments thereto ; that it do not pass ;

H. B. No. 495 : A bill to be entitled an act to extend the corporate limits of the town of Halifax, in the county of Halifax ; that it do not pass ;

H. B. No. 567 : A bill to be entitled an act to incorporate Polkton, in Anson county ; that it do pass with amendment ;

H. B. No. 590 : A bill to be entitled an act to incorporate the Machine and Car Company of Wilmington, N. C.; that it do pass ;

H. B. No. 595 : A bill to be entitled an act to amend an act entitled an act to incorporate the People's Building and Loan Association, of Oxford ; that it do pass ;

S. B. No. 307, H. B. No. 574 : A bill to be entitled an act to incorporate the Tokay Wine Company ; that it do pass ;

S. B. No. 399, H. B. No. 575 : A bill to be entitled an act to incorporate Enfield Institute, at Enfield, N. C.; that it do pass ;

S. B. No. 522, H. B. No. 576 : A bill to be entitled an act to incorporate Justitia Lodge, No. 11, Knights of Pythias, of Goldsboro, N. C.; that it do pass ;

S. B. No. 364, H. B. No. 585 : A bill to be entitled an act to incorporate Perseverance Council, No. 74, Friends of Temperance ; that it do pass ;

S. B. No. 365, H, B. No. 586 : A bill to be entitled an act to incorporate Fayetteville Masonic Lodge, No. 329, at Fayetteville ; that it do pass ;

S. B. No. 368, H. B. No. 587 : A bill to be entitled an act to incorporate Piedmont Springs Company ; that it do pass ;

S. B. No. 363, H. B. No. 592 : A bill to be entitled an act to incorporate Leota Lodge, in Columbia, Tyrrell county ; that it do pass ;

S. B. No. 425, H. B. No. 598: A bill to be entitled an act to amend an act entitled an act to incorporate the Horse Ford Manufacturing Company;

S. B. No. 689, H. B. No. 599: A bill to be entitled an act to incorporate the town of Bush Hill, in Randolph county;

S. B. No. 465, H. B. No. 606: A bill to be entitled an act to incorporate the Cape Fear Cotton and Woolen Mills;

S. B. No. 466, H. B. No. 607: A bill to be entitled an act to incorporate the Lockville Cotton and Woolen Mills; that it do pass;

S. B. No. 510, H. B. No. 608: A bill to be entitled an act to incorporate the town of Vandemere; that it do pass.

The following bills, resolutions and amendments, reported as correctly engrossed by the Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 268: A bill to be entitled an act concerning an act for the relief of executors and administrators, being chapter 59 of the laws of 1866–'67;

H. B. No. 319: A bill to be entitled an act in relation to the payment of costs by the State;

H. B. No. 347: A bill to be entitled an act to re-enact chapter 76, of the laws of 1870–'71;

H. B. No. 384: A bill to be entitled an act to amend chapter 105, section 18, Battle's Revisal;

H. B. 522: A bill to be entitled an act to incorporate the town of Shoe Heel, in the county of Robeson;

H. B. No. 393: A bill to be entitled an act to amend chapter 43, of Private Laws of 1872–'73;

H. B. No. 112: A bill to be entitled an act to prohibit the sale of spirituous liquors in townships where the people so determine;

H. B. No. 405: A bill to be entitled an act to amend section 13, chapter 20, laws of 1868, (sec. 13, chap. 27, Battle's Revisal);

H. B. No. 464: A bill to be entitled an act to amend an act entitled an act to incorporate the Mount Airy and Central Railroad Company;

H. B. No. 362: A bill to be entitled an act to incorporate the Carolina Stock and Poultry Association;

H. R. No. 143: Resolution in regard to immigration and celebration of the next anniversary of the birth of St. Patrick, the Irish patron saint;

S. B. No. 11, H. B. No. 264: A bill to be entitled an act fixing the weight of packages containing salted fish, and for other purposes.

The following bills, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act empowering the Board of Education for Davidson county to establish a Teacher's Institute or Normal School;

An act to incorporate Ramseytown Baptist Church in the county of Yancey;

An act to incorporate the town of Sanford in the county of Moore;

An act to incorporate the town of Gold Hill, in the county of Rowan;

An act to allow the commissioners of Duplin county to levy a special tax;

An act to provide for and furnish arms to Military Schools.

An act to incorporate the village of Kings Mountain in the county of Cleaveland;

An act giving the Superior Court of Martin county concurrent jurisdiction with Bertie county over misdemeanors committed on Conine Island in Bertie county;

An act to authorize the county commissioners of Sampson county to levy a special tax.

An act to amend an act entitled an act to amend the charter of the city of Raleigh, ratified the 23d Feb. 1871;

An act to amend chapter 175, laws of 1868–'69;

An act to authorize the county Board of Education of Randolph to organize a Teacher's Institute.

An act to authorize the town of Hickory, in Catawba county to issue bonds for the purpose of aiding the Carolina Central

Railway Company in extending their road, and for other purposes.

Resolution in favor of the Enrolling and Engrossing Clerks.

Resolution in regard to indexing the Journals of the two Houses.

Resolution in favor of W. C. Thurston.

An act to incorporate the Pythegoras Lodge No. 6, Ancient York Masons, of the town of Smithville;

An act to authorize the commissioners of Stokes county to have the town lots of Danbury re-surveyed;

An act supplemental to an act passed at the present session of the General Assembly regulating the times of holding the Superior Courts of the Fourth Judicial District.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. McNeill: Resolution in regard to Stephen Lowrey, and for other purposes. H. R. No. 146.

PLACED ON THE CALENDAR.

By Mr. Waugh: Resolution asking for a committee to investigate expenditures of State Geologist, and examine his books. H. R. No. 147.

By Mr. Marler: A bill to be entitled an act to establish a turnpike road from Salisbury, by way of East Bend, to Mount Airy. H. B. No. 617.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Brown of Mecklenburg: A bill to be entitled an act to amend chapter 5, Battle's Revisal. H. B. No. 618.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Michael: A bill to be entitled an act to prohibit the

sale of intoxicating liquors within one mile of churches and schools in Davidson county. H. B. No. 619.

By Mr. Bennett: A bill to be entitled an act in reference to hotel keepers. H. B. 620.

TO THE COMMITTEE ON AGRICULTURE.

By Mr. Houston: A bill to be entitled an act for the encouragement of agriculture, and immigration to North Carolina. H. B. 621.

Messages were received from the Senate transmitting engrossed copies of the following resolutions and amendments, which were read first time, passed and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 30, H. B. No. 622: A bill to be entitled an act to amend section 13, chapter 27, Battle's Revisal;

S. B. No. 606, H. B. No. 623: A bill to be entitled an act to re-enact sections 24 and 25, of chapter 32 of the Revised Code;

Senate amendments to H. B. No. 193, S. B. No. 518: A bill to be entitled an act concerning elections in this State;

S. R. No. 563, H. R. No. 148: Resolution in favor of Samuel Cabe.

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 462, H. B. No. 624: A bill to be entitled an act to amend an act entitled an act to incorporate the Falls of Neuse Manufacturing Company, ratified 5th day of January, 1872;

S. B. No. 509, H. B. No. 625: A bill to be entitled an act to amend the charter of Edenton, Chowan county.

PLACED ON THE CALENDAR.

S. B. No. 637, H. B. No. 626: A bill to be entitled an act to incorporate the Wilmington Cotton Mills;

S. R. No. 252, H. R. No. 149: Resolution appointing J. Turner Morehead, of Rockingham county, a member of the Board of Public Charities.

Senate amendments to H. B. No. 52, S. B. No. 342: A bill to be entitled an act to incorporate the Brunswick Bridge and Ferry Company, were read, and,

On motion of Mr. Brooks, concurred in.

Senate amendments to H. B. No. 76, S. B. No. 562: A bill to be entitled an act to prohibit the sale of intoxicating liquors in certain localities, were read, and,

On motion of Mr. Brown of Mecklenburg, were non-concurred in, and a committee of conference asked for.

Senate amendments to H. B. No. 458, S. B. No. 575: A bill to be entitled an act for the collection of taxes by the State and several counties of the State on property, polls and income, known as the Machinery act, were read, and,

On motion of Mr. Stanford, made special order for to-night at 8 o'clock.

SPECIAL ORDER.

The hour for the special order having arrived, S. B. No. 327, H. B. No. 350, a bill to be entitled an act in relation to the Western Division of the Western North Carolina Railroad, was announced, and,

On motion, postponed and made special order for to-morrow at 11:30 o'clock.

Permission was granted to Mr. Houston to withdraw original bill and memorials relating to Clarke's and Maiden's creeks from the files of the House.

On motion of Mr. McGehee, the rules were suspended and H. B. No. 562, a bill to be entitled an act for the sale of pub-

lic lands in and near the city of Raleigh, and for other purposes, was read second time. The amendments of the committee were adopted.

The following amendment of Mr. Brown of Davidson was read: Strike out "University" and insert "State Treasurer for the use of the public schools of the State" was rejected by the casting vote of the Speaker.

A call for the ayes and noes on this amendment was sustained. Ayes 50, noes 50.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Clay, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Byrd, Carson, Cobb, Copeland, Corson, Costner, Cox, Davis, Dudley, Dula, Ellison, Fletcher, Foster, Gilbert, Goodwyn, Guyther Hampton, Haynes, Hughes, Jones of Northampton, King, Lloyd, Lutterloh, Marler, McLaurin, Miller, Michael, Mizell, Paschall, Perry of Bladen, Reid of Randolph, Scott, Shackelford, Sneed, Todd, Waugh, Winslow and Whisnant—50.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Bennett, Brown of Mecklenburg, Bryson of Swain, Bryan of Sampson, Bryan of A., Bullard, Carter, Craige, Freeman, Gant, Gidney, Gilmer, Godfrey, Gorman, Grady, Gudger, Hanner, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Johns, Jordan, Lindsay, Luckey, Maxwell, McGehee, McNeill, Moring, Moss, Norment, Outlaw, Presson, Reid of M., Richardson, Shaw, Sharp, Shinn of Iredell, Stanford, Stowe, Turner, Warlick, Waddill, Webb, Wiley, Williamson and Whitmire —50.

Notices of amendments were given by Messrs. Lutterloh, Goodwyn and Ellison.

The previous question was demanded by Mr. McGehee and seconded by the House, and the main question ordered.

Mr. Ellison offered the following amendment to come in after the last word of section 1: "And four acres, more or less, in the southwestern part of the city of Raleigh, (com

monly called Gallows Hill) which is hereby set apart and donated for educational purposes for the colored people," which was read; a call for the ayes and noes was sustained and the amendment was rejected. Ayes 35, noes 65.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bennett, Brown of Mecklenburg, Bryant of Halifax, Bryan of Alleghany, Bunn, Carter, Cobb, Ellison, Gilbert, Gilmer, Godfrey, Gorman, Hughes, Johnston, Jones of Caldwell, Jones of Northampton, Jordan, Jones of Orange, Lindsay, McGehee, McNeill, Moss, Norment, Paschall, Presson, Reid of Mecklenburg, Shaw, Standford, Sneed, Turner, Webb, Wiley, Williamson and Wheeler—35.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Brooks, Byrd, Carson, Copeland, Corson, Costner, Cox, Craige, Davis, Dudley, Dula, Freeman, Gant, Gidney, Goodwyn, Gudger, Guyther, Hanner, Hampton, Haynes, Hinnant, Houston, Jones of Camden, Jones of Tyrrell, Joyner, Johns, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, Miller, Michael, Mitchell, Mizell, Moring Outlaw, Perry of Bladen, Reid of Randolph, Richardson, Scott, Sharp, Shinn of Iredell, Shackelford, Stanford, Stowe, Todd, Turner, Waddill, Waugh, Winslow, Whitmire and Whisnant —65.

Mr. Lutterloh's amendment, which provided that the funds realized from the sale of the lands should not be applied to the payment of out standing mortgagages, was rejected.

The following amendment, offered by Mr. Goodwyn, was rejected:

"*Provided*, That the funds hereby realized shall be applied to the education of one or more students from each county in the State, free of charge."

The question recurring upon the passage of the bill, a call

for the ayes and noes was sustained, and the bill passed. Ayes 57, noes 47.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Ballard, Bennett, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Byrd, Costner, Craige, Ellison, Freeman, Gant, Gidney, Gilmer, Godfrey, Gorman, Grady, Gudger, Hanner, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Johns, Jordan, Lindsay, Luckey, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Perry of Bladen, Presson, Reid of Mecklenburg, Richardson, Shaw, Sharp, Shinn of Iredell, Shackelford, Stanford, Todd, Turner, Warlick, Waddill, Webb, Wiley, Williamson, Whitmire and Wheeler—57.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Clay, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bullard, Bunn, Carson, Cobb, Copeland, Cox, Davis, Dudley, Dula, Fletcher, Foster, Gilbert, Goodwyn, Hanner, Hampton, Hinnant, Hughes, Jones of Northampton, Joyner, King, Lloyd, Lutterloh, Marler, McLaurin, Miller, Michael, Mizell, Paschall, Reid of Randolph, Stowe, Sneed, Waugh, Winslow and Whisnant—47.

A message was received from the Senate, asking that S. B. No. 241, be returned to the Senate.

The request was complied with, and the bill returned.

S. B. No. 276, H. B. No. 751: A bill to be entitled an act concerning elections, was read second time, and the amendments proposed by the committee were adopted.

Pending the consideration of the bill,

On motion, the House adjourned.

NIGHT SESSION.

WEDNESDAY, February 11th, 1874.

The House was called to order by the Speaker at half-past 7 o'clock.

The following named bills were introduced, read and referred, or otherwise disposed of, as follows :

TO THE COMMITTEE ON INTERNAL IMPROVEMENTS.

By Mr. Maxwell: A bill to be entitled an act to incorporate the Wilmington, Raleigh and Roxboro Railroad Company. H. B. No. 683.

TO THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Bunn: A bill to be entitled an act to amend the charter of Rocky Mount, in Nash and Edgecombe counties. H. B. No. 640.

Messages were received from the Senate transmitting engrossed copies of the following named bills and resolutions, which were read first time, passed and referred, or otherwise disposed of, as follows :

TO THE COMMITTEE ON THE JUDICIARY.

S. R. No. 641, H. R. No. 150: Resolution in favor of Jas. L. Moore, sheriff of Granville county.

S. B. No. 589, H. B. No. 629: A bill to be entitled an act to amend chapter 197 laws of 1858-'59.

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 523, H. B. No. 630: A bill to be entitled an act to incorporate the Watch Tower Publishing Company.

S. B. No. 539, H. B. No. 631: A bill to be entitled an act to incorporate the Western North Carolina Land Company.

TO THE COMMITTEE ON FINANCE.

S. B. No. 335, H. B. No. 632: A bill to be entitled an act to authorize the commissioners of Washington county to issue bonds.

PLACED ON THE CALENDAR.

S. B. No. 536, H. B. No. 633: A bill to be entitled an act to incorporate the town of Leaksville, Rockingham county.

S. B. No. 596, H. B. No. 634: A bill to be entitled an act to incorporate the trustees of the Halifax Educational Association, in Halifax county.

TO THE COMMITTEE ON AGRICULTURE.

S. B. No. 614, H. B. No. 635: A bill to be entitled an act to establish a Bureau of Immigration, Statistics and Agriculture.

S. B. No. 637, H. B. No. 626: A bill to be entitled an act to incorporate the Wilmington Cotton Mills, was read second and third times, passed each reading and was ordered to be enrolled for ratification.

Senate amendment to H. B. No. 406, S. B. No. 498: A bill to be entitled an act to lay off and improve the public road leading from Wilkesboro to Taylorsville, was read and concurred in.

Senate amendment to H. B. No. 412, S. B. No. 551: A bill to be entitled an act to incorporate St. John's Lodge, No. 12, of F. A. and A. Y. M., of Greensboro, was read and concurred in.

Senate amendment to H. B. No. 214, S. B. No. 443: A bill be entitled an act to authorize the commissioners of Polk county to levy a special tax, was read and concurred in.

Senate amendment to H. B. No. 419, S. B. No. 569: A bill

to be entitled an act for the better protection of sheep in Jackson and other counties, was read and concurred in.

Senate amendment to H. B. No. 452, S. B. No. 559: A bill to be entitled an act to in relation to the town of Trenton, Jones county, was read and concurred in.

Senate amendment to H. B. No. 52, S. B. No. 342: A bill to be entitled an act to incorporate the Brunswick Bridge and Ferry Company, was read and concurred in.

The consideration of the unfinished business of the morning, S. B. No. 276, H. B. No. 571, a bill to be entitled an act concerning the election of certain officers, was resumed.

Mr. Bowman's motion to postpone was rejected.

Mr. Bennett demanded the previous question, which was seconded by the House, and the main question ordered.

The question being upon the passage of the bill, a call for the ayes and noes was sustained, and the bill passed. Ayes 54, noes 42.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Bullard, Byrd, Carter, Carson, Costner, Craige, Gant, Gidney, Gilmer, Godfrey, Grady, Gudger, Hanner, Hinnant, Houston, Johnston, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Presson, Reid of Mecklenburg, Richardson, Shaw, Shinn of Iredell, Shackelford, Stanford, Stowe, Todd, Warlick, Watson, Waugh, Webb, Wiley and Whitmire —54.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Cobb, Copeland, Cox, Davis, Dudley, Dula, Fletcher, Foster, Gilbert, Gorman, Hampton, Hughes, Jones of Camden, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Perry of Bladen,

Reid of Randolph, Scott, Sharp, Sneed, Winslow, Williamson, Wheeler and Whisnant—42.

H. R. No. 95, S. R. No. 297: Resolution authorizing the Governor to withdraw the suit now pending in the Supreme Court of the United States, was read second and third times, passed each reading, and was ordered to be enrolled for ratification.

The following named bills were read second and third times, passed each reading and were ordered to be enrolled for ratification:

S. B. No. 173, H. B No. 584: A bill to be entitled an act for the better protection of the county bridge across Tar river, at Greenville, Pitt county;

S. B. No. 368, H. B. No. 587: A bill to be entitled an act to incorporate Piedmont Springs Company;

S. B. No. 637, H. B. No. 626: A bill to be entitled an act to incorporate the Wilmington Cotton Mills.

SPECIAL ORDER.

The hour (8 P. M.) for the special order having arrived, H. B. No. 458, S. B. No. 575, a bill to be entitled the Machinery act, was announced.

The question being upon the amendments proposed by the Senate,

On motion of Mr. Stanford, they were concurred in.

S. B. No. 300, H. B. No. 351: A bill to be entitled an act for extending the time for taking out grants from the State, was recommitted.

H. B. No. 362: A bill to be entitled an act to incorporate the Carolina Stock and Poultry Association, was read second time, amended, and passed; was read third time, passed, and ordered to be engrossed and sent to the Senate.

The following named resolutions and bills was read second and third times, passed each reading and ordered to be engrossed and sent to the Senate:

H. R. No. 113: Resolution in favor of the sheriff of Bladen county;

H. B. No. 417: A bill to be entitled an act to repeal all law heretofore passed giving the swamp lands to railroad and other companies, &c.;

H. B. No. 464: A bill to be entitled an act to amend an act to incorporate the Mount Airy and Central Railroad Company;

H. B. No. 526: A bill to be entitled an act to extend the time for the tax collector of Cherokee county to settle the public taxes;

H. B. No. 520: A bill to be entitled an act to charter the Scotland Neck and Weldon Railroad and Steamboat Company;

H. B. No. 530: A bill to be entitled an act to amend section 18, chapter 14 Battle's Revisal;

H. B. No. 528: A bill to be entitled an act for the better protection of churches, camp grounds, &c.;

H. B. No. 540: A bill to be entitled an act in favor of the North Carolina Institute for the Deaf and Dumb and the Blind;

H. B. No. 590: A bill to be entitled an act to incorporate the Machine and Car Company, of Wilmington, N. C.;

H. B. No. 591: A bill to be entitled an act to incorporate the Farmers', Mechanics' and Laborers' Union Aid Association, of New Hanover county;

H. B. No. 595: A bill to be entitled an act to incorporate the People's Building and Loan Association, of Oxford, N. C.

SPECIAL ORDER.

The hour (8 P. M.) for the special order, H. B. No. 45, a bill to be entitled an act to organize, discipline and equip the militia of North Carolina, was read second time, amendments of committee were adopted, and the bill passed, was read third time, passed, and ordered to be engrossed and sent to the Senate:

The following named bills were read second time, and, on motion, laid on the table:

H. B. No. 213 : A bill to be entitled an act in relation to public roads in Beaufort county.

H. B. No. 425 : A bill to be entitled an act to raise revenue, and for other purposes.

H. B. No. 397 : A bill to be entitled an act concerning inspectors in the city of Wilmington, was read second time, the amendment of Mr. Lloyd was rejected, and the bill passed; was read third time, passed, and ordered to be engrossed and sent to the Senate.

H. B. No. 426 : A bill to be entitled an act to authorize the establishment of a collegiate institute for the colored youth of the State, was read second time, and made special order for 11 o'clock to-morrow, on motion of Mr. Abbott.

On motion of Mr. Brown, it was resolved that when the House adjourn to-morrow morning, it adjourn to meet at 3 P. M.

S. B. No. 325, H. B. No. 534 : A bill to be entitled an act to give Burke, Rutherford, McDowell and Cleaveland counties the proceeds of the sales of vacant lands therein, was read second time, and the amendments of the committee were adopted.

Mr. Guyther's amendment to give to the county of Washington the public lands in that county, was rejected, and the question recurring upon the passage of the bill, its second reading, it was rejected.

Mr. Bowman moved to reconsider the vote by which the bill was rejected, and,

Mr. Guyther moved to lay the motion to reconsider on the table. The motion to table prevailed.

On motion of Mr. Hinnant, the House adjourned.

FIFTY-EIGHTH DAY.

THURSDAY, February 12th, 1874.

The House was called to order by the Speaker at 10 o'clock.

The journal of yesterday was read and approved.

Indefinite leave of absence was granted to Messrs. Anderson of Clay, Bennett, Bunn, Bryson of Swain, Houston and Patrick from and after to-morrow.

Reports from standing committees were submitted with recommendations as follows:

From the Committee on Propositions and Grievances:

By Mr. Brown, of Mecklenburg, H. B. 538: A bill to be entitled an act to prevent the felling of trees in Second Broad River, in Rutherford county, and for other purposes; that it do not pass.

H. B. No. 594: A bill to be entitled an act to repeal so much of section 1, chapter 171, Public Laws 1872-'73, as to French's Creek Baptist Church, Bladen county; that it do not pass.

From the Committee on the Deaf and Dumb and the Blind:

By Mr. Hanner, H. B. 540: A bill to be entitled an act in favor of the North Carolina Institute for the Deaf and Dumb and the Blind; that it do pass.

From the Committee on Cities, Counties, Towns and Townships:

By Mr. Waugh, H. B. No. 420: A bill to be entitled an act to lay off and establish a new county by the name of Badger; that it do not pass.

H. B. No. 462: A bill to be entitled an act to create a new county by the name of Lee; that it do not pass.

From the Committee on Claims:

By Mr. McNeill, S. R. No. 494, H. R. 141: Resolution in favor of certain newspapers; that it do pass.

H. B. No. 616: A bill to be entitled an act for the relief of L. Meginney; that it do not pass.

The following bills, resolutions and amendments, reported as correctly engrossed by the Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 45: A bill to be entitled an act to organize, equip and discipline the militia of North Carolina;

H. B. No. 417: A bill to be entitled an act to repeal all laws, parts of laws, or clauses of laws, Public or Private, heretofore passed giving, or dedicating, or purporting to give or dedicate any part of the swamp lands to any railroads or other corporation or company;

H. B. No. 520: A bill to be entitled an act to amend an act to charter the Scotland Neck and Weldon Railroad and Steamboat Company, ratified 12th April, 1869;

H. R. No. 113: A resolution in favor of the sheriff of Bladen county;

H. B. No. 526: A bill to be entitled an act to extend the time for the tax collector of Cherokee county to settle the public taxes;

H. B. No. 530: A bill to be entitled an act to amend section 18, chapter 14, Battle's Revisal;

H. B. No. 540: A bill to be entitled an act to amend an act passed at the present session to incorporate the town of Lumberton;

H. B. No. 413: A bill to be entitled an act to empower the county commissioners of Jones county to levy a special tax;

H. B. No. 397: A bill to be entitled an act concerning inspectors in the city of Wilmington.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to incorporate Sandy Cross Colored Farmers' Mutual Aid Society, of Gates county;

An act to extend the corporate limits of the town of Wilson;

An act to amend an act entitled an act for the better government of the town of Wadesboro, in Anson county, chapter 75, acts of 1825;

An act to incorporate the Union Camp Ground, on Crooked Creek, McDowell county;

An act to change the corporate limits of the town of Rockingham, Richmond county;

An act to amend chapter 90, laws of 1872-'73;

Resolution allowing R. B. Creecy and Stephen D. Pool access to the public records for certain purposes;

An act to legalize the acts of the commissioners of Watauga county;

An act to prevent the selling or giving away intoxicating liquors within two miles of Turkey Creek Camp Ground, in Buncombe county, and for other purposes;

An act to repeal section 19, chapter 112, Battle's Revisal, and to amend said chapter;

An act to incorporate the town of Saratoga, in the county of Wilson;

An act in relation to taking or shooting mountain trout in the waters of Elk river and its tributaries of Mitchell and Watauga;

An act to amend chapter 193, laws of 1872-'73.

An act in reference to inspectors in the city of Wilmington;

An act to amend chapter 27, Battle's Revisal, entitled "Counties and County Commissioners";

An act to amend section 3 of an act concerning Clover Hill Camp Ground, &c, and section 3 of an act concerning Sharon Camp Ground, &c.;

An act to incorporate the town of Winston, in the county of Hertford;

An act to incorporate the Raleigh Warehouse and Trust Company;

Resolution authorizing the Governor to withdraw the suit now pending in the Supreme Court of the United States;

An act to secure a better drainage of the lowlands on Clarke's Creek and Maiden's Creek, in the counties of Lincoln and Catawba.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Stanford: A bill to be entitled an act to provide for the printing and distribution of the acts concerning revenue. H. B. No. 627.

By Mr. Dula: A bill to be entitled an act to authorize the Governor to employ counsel in certain cases. H. B. No. 628.

By Mr. Bennett: A bill in regard to waiting upon the Supreme Court. H. B. No. 635.

By Mr. Bennett: A bill to amend section 13, chapter 44, Battle's Revisal. H. B. No. 636.

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. Maxwell: A bill to be entitled an act to amend chapter 71, section 4 of Battle's Revisal. H. B. 637.

A communication was received from Hon. D. A. Jenkins, Treasurer of the State, in response to a resolution of the House asking information as to the holders of the North Carolina Railroad bonds, commonly known as construction bonds. Has no information except as to $185,000 owned by the State. Also another communication from the Treasurer, in response to a resolution asking to be informed what propositions had been made by the creditors of the State looking to a settlement of the State debt. In but few instances only have special terms of adjustment been proposed. Correspondence has been chiefly in the nature of inquiries as to what would be the probable policy of the General Assembly, &c.

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 595, H. B. No. 651: A bill to be entitled an act to amend chapter 254, laws of 1870-'71.

S. B. No. 588, H. B. No. 649: A bill to be entitled an act in relation to the town of Clayton, in the county of Johnston.

Senate amendment to H. B. No. 459, S. B. ——: A bill to be entitled an act to raise revenue, were read, and,

On motion referred to the Committee on Finance, and made special order for to-morrow at 11 o'clock.

Messages were received from the Senate transmitting engrossed copies of the following named bills, which were read first time, passed and referred, or otherwise disposed of, as follows :

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 604, H. B. No. 641 : A bill to be entitled an act in relation to the county of Franklin ;

S. B. No. 605, H. B. No. 642 : A bill to be entitled an act to authorize the commissioners of Franklin to levy a special tax. Committee on Finance.

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 578, H. B. No. 643 : A bill to be entitled an act to incorporate the town of Elizabethtown, in the county of Bladen ;

S. B. No. 643, H. B. No. 644 : A bill to be entitled an act to authorize Granville county to subscribe to capital stock of the Granville Railroad.

TO THE COMMITTEE ON AGRICULTURE.

S. B. No. 614, H. B. No. 645 : A bill to be entitled an act to establish a Bureau of Immigration, Statistics and Agriculture.

PLACED ON THE CALENDAR.

S. B. No. 377, H. B. No. 646 : A bill to be entitled an act concerning wagoners.

S. B. No. 493, H. B. No. 647 : A bill to be entitled an act to change the time of holding the Superior Courts in the Third Judicial District.

S. B. No. 642, H. B. No. 648: A bill to be entitled an act to amend an act to incorporate the Oxford and Henderson Railroad Company.

The following named bills were read second and third times, passed each reading, and were ordered to be enrolled for ratification:

S. B. No. 591, H. B. 593: A bill to be entitled an act to amend chapters 66 and 212, laws of 1831–'32 and 1846–'47;

S. B. No. 425, H. B. No. 598 · A bill to be entitled an act to amend an act to incorporate the Horse Ford Manufacturing Company, ratified the 11th day of February, 1873;

S. B. No. 609, H. B. 598: A bill to be entitled an act to incorporate the town of Bush Hill, in Randolph county;

S. B. No. 465, H. B. No. 606: A bill to be entitled an act to incorporate the Cape Fear Cotton and Woolen Mills;

S. B. No. 466 H. B. No. 607: A bill to be entitled an act to incorporate the Lockville Cotton and Woolen Mills;

Senate amendment to H. B. No. 496, S. B. No. 628: A bill to be entitled an act to incorporate Pee Dee Manufacturing Company;

Senate amendment to H. B. No. 77, S. B. No. 314: A bill to be entitled an act to change the line between the counties of Cumberland and Bladen.

The following named bills were read second and third times, passed each reading and ordered to be engrossed and sent to the Senate:

H. B. No. 456: A bill to be entitled an act to incorporate the Planters' Bank of Mount Airy;

H. B. No. 627: A bill to be entitled an act to provide for the printing and distribution of the acts concerning revenue;

H. B. No. 628: A bill to be entitled an act to authorize the Governor to employ counsel in certain cases.

On motion of Mr. Luckey, the rules were suspended and S. B. No. 189, H. B. No. 465, a bill to be entitled an act for the support, repairs and improvement, and payment of the debts of the Insane Asylum for the year 1874, was read the second

time, passed and ordered to be returned to the Senate for concurrence in House amendments.

On motion of Mr. Ellison, H. B. No. 278, a bill to authorize the Commissioners of the city of Raleigh to open a street across the property on which the Governor's Mansion is situated, was taken from the table, read second and third times, passed and ordered to be engrossed and sent to the Senate.

Senate amendment to H. B. No. 193, S. B. No. 518, A bill to be entitled an act concerning elections in this State, was read and concurred in.

S. B. No. 276, H. B. No. 571: A bill to be entitled an act concerning the election of certain officers, was read third time.

Mr. Bennett demanded the previous question, which was seconded by the House, and the main question ordered.

The question recurring upon the passage of the bill, a call for the ayes and noes was sustained, and the bill passed. Ayes 60, noes 44.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bullard, Byrd, Carter, Carson, Costner, Craige, Freeman, Gant, Gidney, Gilmer, Godfrey, Grady, Gudger, Hanner, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Shaw, Sharp, Shinn of Iredell, Shackelford, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley and Whitmire—60.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Cobb, Copeland, Corson, Cox, Davis, Dudley Dula, Ellison, Fletcher, Foster, Gilbert, Gorman, Goodwyn, Guyther, Hampton, Hughes, Jones of Northampton, Jordan,

King, Lutterloh, McLaurin, Miller, Michael, Paschall, Perry of Bladen, Reid of Randolph, Scott, Sneed, Winslow, Williamson, Wheeler and Whisnant—44.

Mr. Craige moved to reconsider the vote by which the bill passed its third reading, and to lay that motion on the table.

On the motion to table, Mr. Cox called for the ayes and noes, the call was sustained, and the motion to table the motion to reconsider prevailed. Ayes 57, noes 39.

The following gentlemen voted in the affirmative:

Messrs. Anderson f Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bullard, Byrd, Carter, Carson, Costner, Craige, Freeman, Gant, Gidney, Gilmer, Godfrey, Grady, Gudger, Hanner, Haynes, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Maxwell, McGehee, McNeill, Mitchell, Moring Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Shaw, Shinn of Iredell, Shackelford, Standford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley and Whitmire—57.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Copeland, Corson, Cox, Davis Dudley, Dula, Ellison, Gorman, Goodwyn, Guyther, Hampton, Hughes, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Paschall, Perry of Bladen, Reid of Randolph, Sneed, Williamson, Wheeler and Whisnant—39.

H. B. No. 562: A bill for the sale of public lands in and near Raleigh, was read third time.

Mr. Brown of Davidson offered the following amendment: Strike out "University," and insert "the Public Treasurer of the State for the benefit of the free public schools," and on this amendment called for the ayes and noes.

The call was sustained and the amendment was adopted. Ayes 56, noes 45.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Clay, Bean, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Byrd, Carson, Cobb, Copeland, Corson, Cox, Davis, Dudley, Dula, Ellison, Fletcher, Foster, Gilbert, Gorman, Goodwyn, Guyther, Hampton, Haynes, Hughes, Jones of Camden, Jones of Northampton, King, Lloyd, Lutterloh, Marler, McLaurin, Miller, Michael, Mizell, Paschall, Perry of Bladen, Reid of Randolph, Scott, Shackelford, Sneed, Todd, Waugh, Winslow, Williamson, Wheeler and Whisnant—56.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Ballard, Bennett, Brown of Mecklenburg, Bryan of Sampson, Bullard, Carter, Craige, Freeman, Gant, Gidney, Gilmer, Godfrey, Grady, Gudger, Hanner, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Johns, Jordan, Lindsay, Luckey, Maxwell, McGehee, McNeill, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Shaw, Shinn of Iredell, Stanford, Stowe, Turner, Warlick, Waddill, Watson, Webb and Wiley—45.

On a motion to lay the bill on the table, a call for the ayes and noes was sustained, and the House refused to lay the bill on the table. Ayes 50, noes 55.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bullard, Byrd, Carter, Carson, Costner, Craige, Davis, Freeman, Gant, Gidney, Gilbert, Gilmer, Grady, Gudger, Guyther, Houston, Johnston, Jones of Caldwell, Joyner, Lindiay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Norment, Outlaw, Presson, Reid of Mecklenburg, Settle, Shinn of Iredell, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb, Winslow, Wiley and Whitmire—50.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Clay, Ballard, Bean, Bennett, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Cobb, Copeland, Corson, Cox, Dudley, Dula, Ellison, Fletcher, Foster, Godfrey, Gorman, Goodwyn, Hanner, Hampton, Haynes, Hughes, Jones of Camden, Jones of Northampton, Jones of Orange, Johns, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Moss, Paschall, Perry of Bladen, Reid of Randolph, Richardson, Scott, Shaw, Shackelford, Sneed, Waugh, Williamson, Wheeler and Whisnant—55

Mr. Cox's motion to refer to the Committee on Public Buildings and Grounds, was rejected.

Mr. Gorman offered the following amendment:

"The city of Raleigh shall have power to purchase the following lands, or either of them, at the prices herein named, executing its bond to the State for the purchase money, payable in not exceeding twenty years, with interest at the rate of six per cent., payable semi-annually, viz: Nash Square for the sum of four thousand dollars; Moore Square for the sum of four thousand dollars; Burke Square for the sum of six thousand dollars; North-east Square for the sum of four thousand dollars: *Provided*, That the citizens of said city shall consent to such purchase, at an election to be held for that purpose, under authority of the Board of Commissioners, the question to be submitted separately as to each parcel."

Pending the consideration of the amendment, the House adjourned to meet at 3 o'clock P. M.

AFTERNOON SESSION.

THURSDAY, February 12th, 1874.

The Speaker called the House to order at 3 P. M.

Indefinite leave of absence was granted, from and after to-morrow, to Mr. Presson.

Mr. Wheeler stated that H. B. No. 443, a bill in regard to the transfer of causes pending in the late courts of equity, engrossed and sent to the Senate January 20th, 1874, could not be found, and asked that another engrossed copy might be transmitted.

The Engrossing Clerk was directed to furnish the desired copy.

Mr. Jones of Caldwell, offered a resolution providing for the appointment of a committee of three to whom should be referred the calendars of the House, to separate all bills and resolutions, favorably reported on, from those having unfavorable reports, and also placing the calendar for the remainder of the session at the disposal of the Speaker.

The resolution was adopted, and the Speaker appointed as the committee Messrs. Jones of Caldwell, Gorman and Brown of Mecklenburg.

The unfinished business, H. B. No. 562, a bill to be entitled an act for the sale of public lands in and near Raleigh, was resumed.

Mr. Jones of Caldwell moved to indefinitely postpone the whole matter.

On this motion a call for the ayes and noes was sustained, and the motion prevailed. Ayes 58, noes 43.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Alleghany, Bullard, Byrd, Carter, Carson, Costner, Craige, Freeman, Gant, Gidney, Gilmer, Godfrey, Grady, Gudger, Guyther, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Shaw, Sharp, Shinn of Iredell, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Webb, Wiley and Whisnant—58.

The following gentlemen voted in the negative:

Messrs. Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Cobb, Copeland, Corson, Cox, Davis, Dudley Dula, Ellison, Foster, Gilbert. Gorman, Goodwyn, Hampton, Hughes, Jones of Caldwell, Jones of Northampton, Jordan, King, Lloyd, McLaurin, Miller, Michael, Paschall, Perry of Bladen, Reid of Randolph, Scott, Shackelford, Sneed, Waugh, Winslow, Williamson, Wheeler and Whisnant—43.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Corporations:

By Mr. Jones of Caldwell, S. B. No. 462, H. B. No. —: A bill to be entitled an act to amend an act entitled an act to incorporate the Falls of Neuse Manufacturing Company; that it do pass;

S. B. No. 509, H. B. No. 625: A bill to be entitled an act to amend the charter of Edenton, Chowan county; that it do not pass;

H. B. No. 154: A bill to be entitled an act to amend an act entitled an act for amnesty and pardon, chapter 181, Public Laws of 1872–'73, was read.

Mr. McGehee offered the following amendment:

"Sec. 2. That section 1, chapter 181, Public Laws of 1872–'73, be amended as follows: Strike out all after the word "rape," in line 4 of said section, down to the word "arson," in line 5 of said section.

"Sec. 3. That this act shall take effect from its ratification."

On this amendment a call for the ayes and noes was sustained, and it was rejected. Ayes 43, noes 53.

The following gentlemen voted in the affirmative:

Messrs. Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bullard, Byrd, Carter, Craige, Freeman, Gant, Gidney, Gilmer, Godfrey Gorman, Grady, Hanner, Haynes, Jones of Caldwell, Jones

of Orange, Jones of Tyrrell, Johns, Lindsay, Luckey, Maxwell, McGehee, Moring, Outlaw, Reid of Mecklenburg, Richardson, Shaw, Shinn of Iredell, Shackelford, Stanford, Stowe, Todd, Warlick, Watson, Waugh, Webb, Wiley and Whitmire—43.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bnnn, Carson, Cobb, Copeland, Corson, Costner, Cox, Davis Dudley, Dula, Ellison, Fletcher, Foster, Gilbert, Goodwyn, Gudger, Hampton, Hinnant, Houston, Hughes, Johnston, Jones of Camden, Jones of Northampton, Joyner, Jordan, King, Lloyd, Marler, McLaurin, Miller, Michael, Moss, Paschall, Perry of Bladen, Reid of Randolph, Scott, Sharp, Sneed, Turner, Winslow, Williamson, Wheeler and Whisnant—53.

On motion to lay the bill on the table, a call for the ayes and noes was sustained, and,

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson, of Davie, Anderson of Clay, Ballard, Bean, Bennett, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Bunn, Byrd, Carter, Carson, Cobb, Copeland, Corson, Costner, Cox, Craige, Davis, Dudley, Dula, Ellison, Fletcher, Foster, Freeman, Gant Gidney, Gilbert, Gilmer, Godfrey, Goodwyn, Grady, Gudger, Hanner, Hampton, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, King, Lindsay, Lloyd, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Moring Moss, Norment, Outlaw, Paschall, Perry of Bladen, Presson, Reid, of Mecklenburg, Reid of Randolph, Richardson, Shaw, Sharp, Shinn of Iredell, Shackelford, Stanford, Stowe, Sneed, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whitmire, Wheeler and Whisnant.

Messrs. Gorman and Williamson voted in the negative.

The House refused to take the bill from the table, on motion of Mr. Gilbert.

The following named bill was read second and third times, passed each reading and was ordered to be enrolled for ratification:

S. B. No. 591, H. B. No. 593: A bill to be entitled an act to amend chapters 66 and 212 of laws of 1831–'32, and 1846–'47;

S. B. No. 609, H. B. No. 599: A bill to be entitled an act to incorporate the town of Bush Hill in Randolph county;

S. B. No. 465, H. B. 606: A bill to be entitled an act to incorporate the Cape Fear Cotton and Woolen Mills;

S. B. No. 466, H. B. No 607: A bill to be entitled an act to incorporate the Lockville Cotten and Woolen Mills.

A message was received from the Senate concurring in the proposition of the House to raise a committee of conference on H. B. No. 76, S. B. 562: A bill to be entitled an act to prohibit the sale of intoxicating liquors in certain localities, and designating Messrs. Ellis of Columbus, Cowles and King as the Senate branch of the Committee.

The Speaker announced as the House branch of the committee Messrs. Brown of Mecklenburg, Gudger, Bowman, Hanner and Copeland.

SPECIAL ORDER.

The hour for the special order, H. B. No. 350, S. B. No. 327: A bill to be entitled an act in relation to the Western Division of the Western N C. Railroad, was read second time, amended and passed; was read third time, passed and returned to the Senate for concurrence in House amendments.

The following named bills were read second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate:

H. B. No. 435: A bill to be entitled an act to amend chapter 116, Laws of 1871–'72.

H. B. No. 502: A bill to be entitled an act to amend an act entitled an act to incorporate the Oriental Fish and Oyster Company. Substitute of committee was adopted on second reading.

On motion of Mr. Carson, H. B. No. 596: A bill to be entitled an act to lay off and establish a public road from the town of Wilkesboro, in the county of Wilkes, so as to intersect a public road from the town of Taylorsville, Alexander county, to Statesville, in the county of Iredell, was laid on the table.

On motion, the House adjourned.

FIFTY-NINTH DAY.

FRIDAY, February, 13th, 1874.

The House was called to order by the Speaker at 10 o'clock.

The reading of the journal of yesterday was dispensed with.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on Corporations:

By Mr. Jones of Caldwell, S. B. No. 316, H. B. No. 609: A bill to be entitled an act to prohibit the sale of spirituous liquors in the town of Shelby, and within two miles of the court-house, in Cleaveland county; that it do pass;

S. B. No. 523, H. B. No. 630: A bill to be entitled an act to incorporate the Watch Tower Publishing Company; that it do pass;

S. B. No. 539, H. B. No. 631: A bill to be entitled an act to incorporate the Western North Carolina Land Company; that it do pass;

S. B. No. 578, H. B. No. 643: A bill to be entitled an act to incorporate the town of Elizabethtown, Bladen county; that it do pass.

From the Committee on the Judiciary:

By Mr. Craige. H. B. No. 581: A bill to be entitled an act to legalize the acts of the school trustees of Kernersville township, in Forsythe county.

The following bills, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 627: A bill to be entitled an act to provide for the printing and distribution of the acts concerning revenue;

H. B. No. 628: A bill to be entitled an act to authorize the Governor to employ counsel in certain cases;

H. B. No. 502: A bill to be entitled an act to amend an act entitled an act to incorporate the Oriental Fish and Oyster Company, ratified December 20th, 1873;

H. B. No. 636: A bill to be entitled an act to amend section 13, chapter 44, Battle's Revisal;

H. B. No. 456: A bill to be entitled an act to incorporate the Planters' Bank, of Mt. Airy;

H. B. No. 435: A bill to be entitled an act to amend chapter 116 laws of 1871–'72;

H. B. No. 591: A bill to be entitled an act to incorporate the Farmers', Mechanics' and Laborers' Union Aid Association, of New Hanover county.

H. B. No. 638: A bill to be entitled an act to incorporate the Wilmington, Raleigh and Roxboro' Railroad Company.

Engrossed amendments to S. B. No. 448, H. B. No. 605, entitled a bill to repeal chapter 48 of Battle's Revisal, as far as Scotland Neck, Halifax county, is concerned.

H. B. No. 540: A bill to be entitled an act in favor of the North Carolina Institution for the Deaf and Dumb and the Blind.

H. B. No. 635: A bill in regard to waiting upon the Supreme Court.

H. R. No. 111: A resolution in favor of Alexander Dawson and others.

H. B. No. 640: A bill to be entitled an act to incorporate the Rocky Mount Mills.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to amend an act chartering the Jamesville and Washington Railroad and Lumber Company;

An act to incorporate Harmony Hill Camp Ground, in the county of Iredell;

An act to authorize the town of Newton to take stock in railroad companies, and for other purposes;

An act to prescribe the duties of the clerks of the Superior Courts and justices of the peace in relation to bills of costs;

An act to authorize the county commissioners of Guilford county to sell the present jail lot and purchase another;

An act to provide room for the Supreme Court records;

An act to incorporate Free Love Lodge, No. 1,469, Grand United Order of Odd Fellows of the city of Wilmington, county of New Hanover;

An act to amend an act entitled an act to incorporate Renno's Camp Ground and Locust Old Field Baptist Church;

An act to prohibit the demanding of tolls at Sandy Bottoms, in Buncombe county;

An act to amend an act to amend the charter of New River Canal Company;

An act concerning the election of certain officers;

Resolution on adjournment;

An act to incorporate the Lockville Cotton and Woolen Mills;

An act for the better protection of sheep in Cherokee, Graham, Swain, Jackson, Transylvania, Haywood, Clay, Henderson, and Brunswick counties;

An act to authorize the commissioners of Polk county to levy a special tax;

An act to incorporate St. John's Lodge, No. 12, of Free and Accepted Ancient York Masons, of Greensboro, Guilford county;

An act to appoint commissioners to lay off and improve the public road leading from Wilkesboro, in the county of Wilkes, to Taylorsville, in Alexander county;

An act to incorporate the town of Trenton, in Jones county;

An act to incorporate the Brunswick Bridge and Ferry Company.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Gilbert: Resolution authorizing the appending the amended Constitution to the volume of laws. H. R. No. 155.

By Mr. Dickey: Resolution in favor of John Barker, of Graham county. H. R. No. 156.

By Mr. ———: Resolution of instruction to the Attorney General. H. R. No. 157.

By Mr. Carson: A bill to be entitled an act to amend an act passed at the present General Assembly, appointing commissioners to lay off and improve the public road leading from Wilkesboro to Taylorsville. H. B. No. 660.

By Mr. Waugh: A bill to be entitled an act to repeal section 44, chapter 85, Battle's Revisal, H. B. No. 661.

By Mr. Watson: A bill to be entitled an act to amend Battle's Revisal, chapter 105. H. B. No. 662.

By Mr. McNeill: A bill to be entitled an act to repeal section 39 of Battle's Revisal. H. B. No. 663.

The following named resolution and bills were read the second and third times, passed each reading, and were ordered to be enrolled for ratification:

S. R. No. 175, H. R. No. 93: Resolution in favor of the Fayetteville National Bank, of Fayetteville;

S. B. No. 93, H. B. No. 266: A bill to be entitled an act to amend chapter 160, section 16, laws of 1869–'70;

S. B. No. 277, H. B. No. 572: A bill to be entitled an act to amend chapter 182, Public Laws, 1872–'73;

S. B. No. 536, H. B. No. 633: A bill to be entitled an act to incorporate the town of Leaksville, Rockingham county.

Senate amendments to H. B. No. 482, S. B. No. 600: A bill to be entitled an act in reference to the First Judicial District, and for other purposes, was read and concurred in.

S. R. No. 494, H. R. No. 141: Resolution in favor of a certain newspaper, was read second time, amendment of committee adopted and passed; was read third time, passed, and ordered to be returned to the Senate for concurrence in amendment.

A message was received from the Senate asking that the revenue bill and engrossed copy of amendments to the same be returned to the Senate to be correctly engrossed.

A message was received from the Senate transmitting engrossed copies of the following resolutions, bills and amendments, which were read first time, passed and referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

Resolution of instruction to the Attorney General. H. R. No. 158.

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 251, H. B. No. 664: A bill to be entitled an act to amend chapter 104, section 41 Battle's Revisal.

S. B. No. 618, H. B. No. 665: A bill to be entitled an act to amend chapter 105, section 14, of Battle's Revisal.

Senate amendment to H. B. No. 459, S. B. No. 602: A bill to be entitled an act to raise revenue.

Senate amendments to H. B. No. 482, S. B. No. 600: A bill to be entitled an act in reference to the First Judicial District, and for other purposes, was read and the question being on concurrence,

Mr. Guyther called for the ayes and noes.

The call was sustained, and the House refused to postpone. Ayes 42, noes 59.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Copeland, Corson, Cox, Davis, Dudley, Dula, Ellison, Fletcher, Foster, Goodwyn, Guyther, Hampton, Hughes, Jones of Camden, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Paschall, Perry of Bladen, Reid of Randolph, Scott, Sharp, Sneed, Winslow, Wheeler and Whisnant—42.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Bullard, Byrd, Carter, Costner, Craige, Freeman, Gant, Gidney, Gilmer, Grady, Gudger, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley Whitmire and Woodhouse—59.

The question again recurring upon the motion to concur, a call for the ayes and noes was sustained, and the amendment was concurred in. Ayes 59, noes 38.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryan of Sampson, Bryan of Alleghany, Bullard, Byrd, Carter, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Grady, Gudger, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Moring, Moss, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shinn of Iredell, Shinn of Cabarrus, Snackelford, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley, Whitmire and Woodhouse—59.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryan of Wilkes, Bunn, Copeland, Corson, Davis, Dudley, Dula, Ellison, Fletcher, Foster, Gorman, Goodwyn, Guyther, Hampton, Hughes, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Paschall, Perry of Bladen, Reid of Randolph, Sharp, Winslow, Wheeler and Whisnant—38.

Mr. Gilbert having refused to vote, after the House had declined to excuse him, was brought before the bar of the House for contempt.

On motion, further proceedings in his case were dispensed with.

The bill, as amended, was ordered to be eerolled for ratication.

H. B. 640: A bill to be entitled an act to incorporate the Rocky Mount Mills, was read first time and passed.

The rules having been suspended, the bill was read second and third times, passed each reading, and was ordered to be engrossed and sent to the Senate.

S. B. No. 598, H. B. No. 600: A bill to be entitled an act to re-enact sections 5, 6 and 7, chapter 104, Revised Code, was read second time.

The substitute proposed by the committee was adopted, and the bill passed; was read third time, passed, and ordered to be returned to the Senate for concurrence.

S. B. No. 535, H. B. No. 632: A bill to be entitled an act to authorize the commissioners of Washington county to issue bonds, was read second time, and,

On motion, laid on the table.

S. B. No. 111, H. B. No. 241: A bill to be entitled an act to give to the county of Cumberland three terms of the Superior Court each year, and to regulate the time of holding the same, was read second time.

The substitute proposed by the committee was adopted, and the bill passed; was read third time, passed, and ordered to be returned to the Senate for concurrence.

The motion to non-concur in Senate amendments to H. B. No. 193, S. B. No. 518, a bill to be entitled an act concerning elections in this State, was rejected. Ayes 42, noes 56.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes Brooks, Bunn, Carson, Cobb, Copeland, Corson, Cox, Davis, Dudley, Dula, Ellison, Fletcher, Gilbert, Gorman, Goodwyn, Gray, Guyther, Hampton, Hughes, Jones of Northampton, Jordan, King, Lutterloh, McLaurin, Miller, Michael, Mizell, Paschall, Perry of Bladen, Scott, Sneed, Winslow and Whisnant—42.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Bullard, Byrd, Costner, Craige, Dickey, Freeman, Gant, Gidney, Grady, Gudger, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Norment, Outlaw, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Todd, Turner, Waddill, Watson, Waugh, Webb, Wiley and Whitmire—56.

The bill was ordered to be enrolled for ratification.

The following named bills were read second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate:

H. B. No. 554: A bill to be entitled an act in relation to foreign insurance companies.

H. B. No. 203: A bill to be entitled an act to prohibit the sale of spirituous liquors within two miles of Danbury, in Stokes, during the term of any Superior Court for said county;

H. B. No. 83: A bill to be entitled an act to amend chapter 205, section 2, Public Laws of 1870-'71;

H. B. No. 504: A bill to be entitled an act to amend section 25, subdivision chapter 105, Battle's Revisal;

H. B. No. 540: A bill to be entitled an act in favor of the North Carolina Institution for the Deaf and Dumb and the Blind.

SPECIAL ORDER.

The hour for the special order having arrived, Senate amendment to H. B. No. 459, S. B. No. 602: A bill to be entitled an act to raise revenue, was read, and the question upon the 1st amendment of the committee to strike out "six" in line 1, section 3, class 1, and insert "eight," the House refused to concur. Ayes 23, noes 72.

The following gentlemen voted in the affirmative:

Messrs. Brown of Mecklenburg, Bryan of Alleghany, Brooks, Bullard, Corson, Costner, Craige, Ellison, Fletcher, Gilbert, Gorman, Guyther, Jones of Caldwell, Luckey, Marler, Presson, Reid of Mecklenburg, Shackelford, Stanford, Stowe, Turner, Watson and Whitmire—23.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Bean, Blackwell, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Byrd, Carson, Copeland, Cox, Davis, Dickey, Dudley, Dula, Freeman, Gant, Gidney, Gilmer, Goodwyn, Grady, Gudger, Hanner, Hampton, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Camden, Joyner, Johns, Jordan, King, Lindsay, Lloyd, Lutterloh, Maxwell, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Outlaw, Paschall, Perry of Bladen, Reid of Randolph, Richardson, Settle, Shaw, Shinn of Iredell, Shinn of Cabarrus, Sneed, Todd, Warlick, Waddill, Waugh, Webb, Winslow, Wiley, Wheeler and Whisnant—72.

All the other amendments proposed by the Senate were concurred in, and the bill returned to the Senate with message informing that body of the action of the House.

H. B. No. 580: A bill to be entitled an act to authorize the commissioners of Alexander county to levy a special tax was read second time and passed. Ayes 83, noes 4.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Bean, Blackwell, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Bryan of Alleghany, Brooks, Byrd, Carson, Copeland, Corson, Costner, Cox, Craige, Dickey, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Goodwyn, Grady, Guyther, Hanner, Hampton, Haynes, Hinnant, Houston, Johnston, Jones of Camden, Jones of Tyrrell, Joyner, Johns, Jordan, Lindsay, Lloyd, Luckey, Marler, Maxwell, McLaurin, MeGehee, McNeill, Miller, Michael, Mitchell Mizell, Moring, Moss, Norment, Paschall, Perry of Bladen, Presson, Reid of Mecklenburg, Reid of Randolph, Richardson, Scott, Shaw, Shinn of Iredell, Shinn of Cabarrus, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Winslow, Wiley, Whitmire and Whisnant—83.

The following gentlemen voted in the negative:

Messrs. Bunn, Hughes, Jones of Caldwell and Sneed—4.

S. B. No. 615, H. B. No. —: A bill to be entitled an act to authorize the commissioners of Franklin county, to levy a special tax, was read second time and passed. Ayes 81, noes 13.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bean, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Byrd, Carter, Carson, Costner, Cox, Craige, Dickey, Dula, Foster, Freeman, Gant, Gidney, Gilbert, Gilmer, Gorman, Grady, Gudger, Guyther, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Tyrrell, Johns, Jordan, King, Lindsay, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mizell, Moring, Moss, Norment, Outlaw, Perry of Bladen, Presson, Reid of

Mecklenburg, Reid of Randolph, Richardson, Shaw, Sharp, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley, Whitmire, Wheeler, Whisnant and Woodhouse—81.

The following gentlemen voted in the negative:

Messrs. Abbott, Brown of Davidson, Bunn, Copeland, Davis, Dudley, Ellison, Goodwyn, Hampton, Hughes, Joyner, Lloyd and Winslow—13.

H. B. No. 426: A bill to be entitled an act to authorize the establishment of a Collegiate Institute for the colored youth of this State, was read second time.

The question being upon the adoption of the amendments proposed by the committee, a call for the ayes and noes was sustained and the amendments were adopted. Ayes 52, noes 45.

The following gentlemen voted in the affirmative:

Messrs. Ballard, Blackwell, Brown of Mecklenburg, Bryan of Sampson, Bryan of Alleghany, Bullard, Byrd, Carter, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gilmer, Grady, Hanner, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Outlaw, Presson, Reid of Mecklenburg, Richardson, Settle, Shaw, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Turner, Warlick, Waddill, Watson, Webb, Wiley, Whitmire and Woodhouse—52.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Carson, Cobb, Copeland, Cox, Davis, Dudley, Dula, Ellison, Fletcher, Foster, Gorman, Goodwyn, Gudger, Guyther, Hampton, Hughes, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Paschall, Perry of Bladen, Reid of Randolph, Scott, Sneed, Waugh, Wheeler and Whisnant—45.

Mr. Abbott offered the following amendment:

After the word "purpose," in the fifteenth line of section 1, insert as follows: "The Board of Education of this State are hereby instructed to sell so much of the public land as may be necessary to create a fund of sixty thousand dollars, said fund to be paid by the State Treasurer on warrant of the chairman of the Board of Education in quarterly installments to the commissioners above named."

On motion to lay the bill on the table, a call for the ayes and noes, made by Mr. Abbott, prevailed, and the bill was laid on the table. Ayes 50, noes 36.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Blackwell, Brown of Mecklenburg, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Byrd, Carter, Carson, Costner, Craige, Dula, Freeman, Gant, Gilmer, Grady, Gudger, Hanner, Haynes, Hinnant, Johnston, Jones of Tyrrell, Joyner, Lindsay, Marler, Maxwell, McGehee, Mitchell, Moring, Moss, Outlaw, Richardson, Settle, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Webb, Wiley, Whitmire and Woodhouse—50.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Blythe, Bowe, Brown of Davidson, Bryson of Jackson, Bryant of Halifax, Bryan of Alleghany, Brooks, Copeland, Corson, Cox, Dudley, Ellison, Fletcher, Gidney, Gilbert, Gorman, Goodwyn, Hampton, Hughes, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Paschall, Scott, Sneed, Waugh, Winslow, Wheeler and Whisnant—36.

S. B. No. 448, H. B. 605: A bill to be entitled an act to repeal chapter 48 of Battle's Revisal, so far as Scotland Neck, in Halifax county is concerned, was read the second time.

Mr. Goodwyn moved to lay the bill on the table.

On this motion a call for the ayes and noes was sustained, and the motion to table rejected. Ayes 44, noes 45.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Swain, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Carson, Cobb, Copeland, Corson, Cox, Davis, Dudley, Dula, Ellison, Fletcher, Foster, Freeman, Gorman, Goodwyn, Gudger, Guyther, Hampton, Hughes, Jones of Northampton, King, Lloyd, McLaurin, Miller, Michael, Mizell, Paschall, Perry of Bladen, Reid of Randolph, Scott, Sneed, Todd, Waugh and Whisnant—44.

The following gentlemen voted in the negative:

Messrs. Blackwell, Brown of Mecklenburg, Bryan of Sampson, Bryan of Alleghany, Bullard, Byrd, Carter, Costner, Craige, Dickey, Gant, Gidney, Gilmer, Grady, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Luckey, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Presson, Richardson, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Waddill, Watson, Webb, Wiley and Whitmire—45.

The bill passed its second and third readings, and was ordered to be enrolled for ratification.

S. B. No. 241, H. B. No. 588: A bill to be entitled an act to adjust and settle the debt of the State was announced.

Pending its consideration, on motion, the House adjourned.

NIGHT SESSION.

FRIDAY, February 13th, 1874.

The Speaker called the House to order at half-past 7 o'clock.

It was announced that Mr. Mitchell was detained at his room on account of sickness.

The following named petition was introduced, read and referred to the Committee on Propositions and Grievances:

By Mr. Miller: From citizens of Windsor township, Bertie county, against retailing spirituous liquors.

Report from the Committee on Corporations was submitted with the following recommendation :

By Mr. Jones of Caldwell, H. B. No. 604 : A bill to be entitled an act to incorporate Newport College, in the county of Carteret; that it do pass.

Mr. Brown of Mecklenburg, from the Committee of Conference on H. B. No. 76, S. B. No. —, known as the Omnibus Liquor Bill, submitted a report embracing sundry amendments to the bill.

The following bills, reported as correctly engrossed by the Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 558 : A bill to be entitled an act to amend the existing laws in regard to the Western Turnpike Road ;

H. B. No. 590 : A bill to be entitled an act to incorporate the Machine and Car Company, of Wilmington ;

H. B. No. 278 : A bill to be entitled an act to authorize the commissioners of the city Raleigh to open a street across the property upon which the Governor's Mansion is situated ;

Substitute adopted by the House for S. B. No. 111, H. B. No. 240, a bill to be entitled an act to change the time of holding the Superior Courts in Cumberland county.

The following named resolutions and bills were introduced, read and past first time and referred, or otherwise disposed of, as follows :

PLACED ON THE CALENDAR.

By Mr. Watson : Resolution in regard to the public printing. H. R. No. 154.

By Mr. Freeman : Resolution rescinding joint resolution fixing Monday, 16th, for adjournment, and fixing the time for 12 M., Monday, 23d inst. H. R. No. 164.

By Mr. Jones of Caldwell : Resolution in favor of Josiah Turner, Jr. H. R. No. 163.

By Mr. Stanford : A bill to be entitled an act for the ap-

pointment of commissioners of deeds in foreign countries. H. B. No. 655.

By Mr. Watson: A bill to be entitled an act to amend the charter of the town of Durham.

By Mr. Anderson of Clay: A bill to be entitled an act in relation to the bridge on Nantihala river, on what is known as the Tarquette road.

By Mr. Richardson: A bill to be entitled an act to amend section 27, chapter 97, Battle's Revisal.

Messages were received from the Senate transmitting engrossed copies of the following named bills and resolutions, which were read first time, passed and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON FINANCE.

S. R. No. 372: Resolution in favor of the sheriff of Tyrrell county.

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 421: A bill to be entitled an act to amend an act passed during the present session of the General Assembly, and for other purposes.

PLACED ON THE CALENDAR.

S. R. No. 608: Resolution of instruction and request to N. C. Senators and Representatives in Congress.

On motion, the rules were suspended and S. R. No. 252, H. R. No. 149, was read and adopted.

The unfinished business of the morning, S. B. No. 241, H. B. No. 588, a bill to be entitled an act to adjust and settle the State Debt, was resumed.

Mr. Brown of Mecklenburg, offered the following amendments, which were adopted:

Strike out "one million eight hundred thousand dollars" and insert "two million three hundred thousand dollars." Add to section 4: Also twenty cents in the dollar for all outstanding bonds with coupons issued under Act of the General Assembly for 1854–'55 and 1860–'61, to the Western North Carolina Railroad Company, on which, under Act of the General Assembly of 1866–'67, chapter 106, have been endorsed deeds of mortgage for an equal amount of the stock which the State now holds in the North Carolina Railroad as collateral security for the payment of the said bonds, and that the security now provided for the payment of the North Carolina Railroad bonds authorized by the Act of the General Assembly referred to in the 1st section of this Act; and also the bonds issued to the Western North Carolina Railroad, and guaranteed by the mortgage of the stock of the N. C. Railroad Company, the redemption of which is authorized by this Act, shall attach to and continue unimpaired in the new bonds for the payment of the same, issued under this Act, and that the lien hereby given upon the State's property and interest in the North Carolina Railroad for the payment of the bonds and coupons issued under this Act, shall never be impaired by the directors of said road, or by the State.

Strike out "eight" and insert "ten" in section 5, line 2, and in line 4 of said section strike out "twenty-four" and insert "thirty."

The motion of Mr. Brown, of Davidson, to postpone till to-morrow, and make special order for 11 o'clock A. M., was rejected.

Messrs. Freeman and Moring gave notice of amendments.

Mr. McGehee demanded the previous question, which was seconded, and the main question ordered.

The amendment of Mr. Freeman to strike out "fifty cents" and insert "twenty cents" as the price to be paid for the construction bonds, was read.

On this amendment a call for the ayes and noes was sustained, and it was rejectted. Ayes 36, noes 50.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Bowe, Brown of Davidson, Bryan of Pitt, Bryan of Wilkes, Bunn, Carson, Copeland, Corson, Cox, Dula, Foster, Freeman, Goodwyn, Gudger, Guyther, Hampton, Hinnant, Hughes, Jones of Camden, Jones of Northampton, Jordan, King, Lloyd, McLaurin, Miller, Michael, Mizell, Paschall, Perry of Bladen, Scott, Sharp, Sneed, Winslow and Whisnant—36.

The following gentlemen voted in the negative:

Messrs. Anderson of Clay, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryant of Halifax, Bryan of Sampson, Bryan of Alleghany, Brooks, Bullard, Carter, Costner, Craige, Dickey, Ellison, Fletcher, Gant, Gidney, Grady, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Moring, Moss, Norment, Reid of Mecklenburg, Richardson, Settle, Shaw, Shinn of Cabarrus, Shackelford, Stowe, Todd, Turner, Waddill, Watson, Waugh, Webb, Wiley and Whitmire—50.

Mr. Moring offered H. B. No. 478: A bill to be entitled an act to adjust and settle the debt of the State of North Carolina as a substitute for the Senate bill as amended.

Upon the adoption of the substitute a call for the ayes and noes, made by Mr. Moring, was sustained, and the substitute was adopted. Ayes 42, noes 36.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Bowe, Brown of Davidson, Bryan of Pitt, Bryan of Wilkes, Brooks, Bunn, Carson, Copeland, Corson, Cox, Dula, Fletcher, Foster, Gorman, Goodwyn, Grady, Guyther, Hanner, Hinnant, Hughes, Jones of Northampton, Jones of Tyrrell, Joyner, Jordan, King, Lloyd, Lutterloh, Maxwell, McLaurin, Miller, Michael, Mizell, Moring, Paschall, Perry of Bladen, Sharp, Sneed, Todd, Waugh and Webb—42.

The following gentlemen voted in the negative:

Messrs. Anderson of Clay, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Samp-

son, Bryan of Alleghany, Bullard, Costner, Dickey, Gant, Gidney, Gilbert, Hampton, Johnston, Jones of Caldwell, Jones of Camden, Johns, Luckey, McGehee, McNeill, Norment, Reid of Mecklenburg, Richardson, Scott, Settle, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Turner, Waddill, Watson, Whitmire, Wheeler and Whisnant—36.

The question recurring on the passage of the bill its second reading, a call for the ayes and noes was sustained, and the bill was rejected. Ayes 30, noes 55.

The following gentlemen voted in the affirmative:

Messrs. Blackwell, Brown of Davidson, Bryan of Pitt, Bryan of Wilkes, Brooks, Copeland, Corson, Costner, Dula, Fletcher, Gidney, Gorman, Goodwyn, Grady, Guyther, Hanner, Haynes, Jones of Northampton, Jones of Tyrrell, Lutterloh, Marler, Maxwell, Michael, Mizell, Moring, Paschall, Perry of Bladen, Watson, Waugh and Webb—30.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bowe, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Bullard, Bunn, Carson, Cobb, Cox, Dickey, Foster, Gant, Gilbert, Gudger, Hampton, Hinnant, Hughes, Jones of Caldwell, Jones of Camden, Joyner, Johns, King, Lindsay, Lloyd, Luckey, McLaurin, McGehee, McNeill, Miller, Moss, Norment, Reid of Mecklenburg, Richardson, Scott, Settle, Shaw, Sharp, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Sneed, Todd, Turner, Waddill, Wiley, Whitmire, Wheeler and Whisnant —55.

On motion of Mr. Miller, the vote by which the bill was rejected, was reconsidered.

Mr. Johnston offered H. B. No. 685: A bill to be entitled an act to secure the adjustment and settlement of the public debt of the State, as a substitute.

The Speaker ruled the bill, as a substitute, out of order, and Mr. Johnston, by unanimous consent, introduced it as an independent proposition, and it was read first time, passed, and placed on the Calendar.

The question then recurring upon the passage of the bill which had been reconsidered,

On motion, the House adjourned.

SIXTIETH DAY.

SATURDAY, February, 14th, 1874.

The House was called to order by the Speaker at 10 o'clock.

The journal of yesterday morning was read and approved.

It was announced that Mr. Perry of Wake had been detained from his seat on account of sickness.

Indefinite leave of absence was granted to Mr. Perry of Bladen, and to Mr. Rhodes, who had been detained at his room since Monday last by sickness.

Mr. Craige, from the Judiciary Committee, submitted the following report:

H. R. No. 159: Resolution in favor of Timothy F. Lee—that the first and second sections be stricken out, and that as amended, it do pass.

Mr. Brown of Mecklenburg, from the Committee of Conference on H. B. No. 76: An act to amend an act entitled an act to prevent the sale of spirituous liquors in certain localities, submitted a report which was read, concurred in, and ordered to be transmitted to the Senate.

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON THE JUDICIARY.

By Mr. McNeill: Resolution in relation to the expenses of sheriffs. H. R. No. 166.

PLACED ON THE CALENDAR.

By Mr. Brown of Davidson: Resolution requesting the Judiciary Committee to report whether Battle's Revisal is in force. H. R. No. 160.

The following named bills, resolutions and amendments, reported as correctly engrossed by Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 655: A bill for the appointment of Commissioners of Deeds in foreign countries;

H. B. No. 504: A bill to be entitled an act to amend section 25, sub-division 5, chapter 105, of Battle's Revisal;

H. B. No. 83: A bill to be entitled an act to amend chapter 205, section 2, of public laws of 1870–'71;

H. B. No. 205: A bill to be entitled an act to incorporate the Industrial Association of Western North Carolina;

H. R. No. 163: Resolution in favor of Josiah Turner, Jr.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act concerning elections in this State;

An act to amend chapter 60, section 15 laws of 1869-'70;

An act in relation to the Western Division of the Western North Carolina Railroad;

An act to cure certain irregular proceedings in the Probate Courts;

An act to charter the Jamesville and Washington Railroad and Lumber Company;

An act to incorporate the town of Cerro Gordo, in the county of Columbus;

An act to incorporate the town of Bush Hill, in Randolph county;

An act to amend an act entitled an act to incorporate the Horse Ford Manufacturing Company;

An act to change a portion of the dividing line between Cumberland and Bladen counties;

An act to incorporate the Pee Dee Manufacturing Company, in the county of Richmond;

An act in relation to Scotland Neck;

An act to incorporate the Wilmington Cotton Mills;

An act to amend an act entitled an act to repeal an act passed at the session of 1842-'43, entitled an act to amend an act for the better regulation of the town of Tarboro, in Edgecombe county, and for other purposes;

An act in favor of the contractors on the Marion and Asheville Turnpike;

An act to incorporate Piedmont Springs Company;

An act for the better protection of the county bridge across Tar river, at Greenville, Pitt county;

An act in reference to the First Judicial District, and for other purposes;

An act in favor of servants to wait upon the Supreme Court;

An act for the support, repairs, improvement and payment of the debts of the Insane Asylum for the year 1874;

An act to provide for the collection of taxes by the State and the several counties of the State on property, polls and income, known as the Machinery act;

Resolution to amend an act in favor of the sheriff of Bladen county, ratified 3d December, 1873;

Resolution in favor Fayetteville National Bank;

An act for the relief of persons who have entered vacant lands in Cherokee, Clay and Graham counties;

An act to re-enact sections 5, 6 and 7, chapter 104, Revised Code;

Resolution in favor of certain newspapers.

On motion of Mr. Mizell, H. B. No. 602, a bill to be entitled an act to give the Superior Court of Martin county concurrent jurisdiction over river Pocosin Island, in Bertie county, was taken from the Committee on the Judiciary and placed on the Calendar.

Messages were received from the Senate transmitting engrossed copies of the following named bills and resolutions, which were read first time, passed and referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

S. R. No. —: Resolution in reference to a manual of North Carolina;

S. R. No —: Resolution supplemental to a resolution authorizing the Governor to withdraw a suit, now pending in the Supreme Court of the United States;

S. R. No. —: Resolution in favor of Reading Clerks in both Houses of the General Assembly;

S. B. No. 671: A bill to be entitled an act to amend the the charter of the town of Tarboro;

S. B. No. —: A bill to be entitled an act for the government of the Penitentiary;

S. B. No. 309: A bill to be entitled an act amendatory to an act entitled an act to authorize the mayor and commissioners of Fayetteville to appoint a receiver of railroad taxes;

S. B. No. 269: A bill to be entitled an act to repeal sections 1 and 4, chapter 179 public laws 1870-'71;

S. B. No. 617, H. B. No. 674: A bill to be entitled an act to establish a turnpike across the swamp at Old Lebanon Mills, in Camden county.

TO THE COMMITTEE ON FINANCE.

S. B. No. 489, H. B. No. 672: A bill to be entitled an act to regulate taxation in the incorporated cities and towns of the State.

TO THE COMMITTEE ON THE JUDICIARY.

S. B. No. 601, H. B. No. 673: A bill to be entitled an act for the greater protection of human life.

S. B. No. —, H. B. No. 675: A bill to be entitled an act to provide for a better collection of fines, forfeitures and penalties;

Senate amendments to House amendments to S. B. No. —: A bill to be entitled an act to give the county of Cumberland

three terms of the Superior Court each year, and to regulate the time for holding the same, were read and concurred in.

Senate amendments to H. B. No. 119: A bill to be entitled an act to amend chapter 167, laws of 1869–'70, entitled an act to pay the expense of lunatics incurred by counties in certain cases, were read, amended, and returned to the Senate for concurrence.

A message was received from the Senate refusing to concur in House amendments to H. B. No. 598, S. B. No. 600: A bill to be entitled an act to re-enact section 5, 6, and 7, chapter 104, Revised Code.

The House receded from its amendments, and ordered the bill to be enrolled for ratification.

A message was received from the Senate concurring in the H. R. to raise a Joint Select Committee on the subject of the celebration of the centennial anniversary of the Mecklenburg Declaration of Independence on 20th May, 1875, and of the United States Declaration of Independence, 4th July, 1876, and designating Messrs. Waring, Grandy and Humphrey as the Senate branch of the committee.

The unfinished business of last night, the bill to adjust and settle the State debt, was resumed.

Mr. Bryan of Alleghany, moved to lay the bill on the table.

On this motion a call for the ayes and noes was sustained, and the motion was rejected. Ayes 18, noes 79.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Bryan of Alleghany, Carson, Cox, Jones of Caldwell, Joyner, Jordan, Luckey, Marler, Reid of Mecklenburg, Sharp, Shinn of Iredell, Shackelford, Stanford, Stowe, Sneed, Trivett and Wheeler—18.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Clay, Ballard, Bean, Blackwell, Blythe, Bowe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Brooks, Carter, Copeland, Corson, Costner, Craige, Dickey,

Dudley, Dula, Ellison, Fletcher, Foster, Freeman, Gant, Gidney, Gilbert, Gorman, Goodwyn, Grady, Guyther, Hanner, Hampton, Haynes, Hinnant, Houston, Hughes, Johnston, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Johns, King, Lindsay, Lloyd, Lutterloh, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Paschall, Perry of Bladen, Richardson, Scott, Settle, Shaw, Shinn of Cabarrus, Todd, Turner, Warlick, Waddill, Watson, Waugh, Webb, Wiley, Whitmire, Whisnant and Woodhouse—79.

Mr. Grady moved to reconsider the vote by which the substitute of Mr. Moring was adopted.

On this motion a call for the ayes and noes was sustained, and it was rejected. Ayes 42, noes 59.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Clay, Blackwell, Blythe, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bullard, Carter, Costner, Fletcher, Gant, Gidney, Gilbert, Gudger, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Tyrrell, Johns, Luckey, McGehee, McNeill, Mitchell, Moss, Norment, Outlaw, Scott, Sharp, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Todd, Turner, Warlick, Watson, Waugh, Webb, Whitmire and Woodhoure—42.

The following gentlemen voted in the negative:

Messrs. Abbott, Ballard, Bean, Bowe, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Bryan of Alleghany, Brooks, Carson, Cobb, Copeland, Corson, Cox, Craige, Dickey, Dudley, Dula, Ellison, Foster, Freeman, Gorman, Goodwyn, Grady, Guyther, Hanner, Hampton, Hinnant, Hughes, Jones of Camden, Jones of Northampton, Joyner, Jordan, King, Lindsay, Lloyd, Lutterloh, Marler, Maxwell, McLaurin, Miller, Michael, Mizell, Moring, Paschall, Perry of Bladen, Perry of Wake, Reid of Mecklenburg, Richardson, Settle, Sharp, Shinn of Iredell, Trivett, Waddill, Winslow, Wiley, Wheeler and Whisnant—59.

Mr. Shaw moved to strike out section 3 of the amended bill.

On this motion, a call for the ayes and noes was sustained, and the House refused to strike out. Ayes 11, noes 78.

The following gentlemen voted in the affirmative:

Messrs. Carter, Costner, Houston, Johnston, Jones of Caldwell, Luckey, Michael, Moss, Shaw, Shinn of Cabarrus and Turner—11.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bowe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Carson, Cobb, Copeland, Corson, Cox, Craige, Dickey, Dudley, Dula, Ellison, Freeman, Gant, Gidney, Gilbert, Gorman, Goodwyn, Grady, Gudger, Guyther, Hanner, Hampton, Haynes, Hinnant, Hughes, Jones of Camden, Jones of Northampton, Jones of Tyrrell, Joyner, Johns, Jordan, King, Lloyd, Lutterloh, Marler, Maxwell, McLaurin, McNeill, Miller, Mitchell, Mizell, Moring, Norment, Outlaw, Paschall, Perry of Bladen, Richardson, Scott, Settle, Sharp, Shinn of Iredell, Shackelford, Stowe, Sneed, Todd, Trivett, Waddill, Watson, Waugh, Webb, Winslow, Wiley, Whitmire and Whisnant—78.

Mr. Shackelford moved to strike out "thirty cents," (the price to be paid for construction bonds.)

On this motion a call for the ayes and noes was sustained, and it was rejected. Ayes 5, noes 85.

The following gentlemen voted in the affirmative:

Messrs. Freeman, Gudger, Outlaw, Shackelford and Stanford—5.

The following gentlemen voted in the negative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bean, Bowe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Carson, Cobb, Copeland, Corson, Costner, Cox, Craige, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Gant, Gidney, Gilbert, Gorman, Goodwyn, Grady, Guyther, Hanner, Hampton, Haynes, Hinnant, Hughes, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones

of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McGehee, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Paschall, Perry of Bladen, Perry of Wake, Richardson, Shaw, Shinn of Iredell, Shinn of Cabarrus, Stowe, Sneed, Todd, Trivett, Turner, Watson, Waugh, Webb, Winslow, Wiley, Whitmire and Whisnant—85.

Mr. Bryson of Jackson, moved to strike out "thirty" and insert "thirty-six," (price to be paid for construction bonds.)

The motion was rejected, and the question recurring upon the passage of the bill, a call for the ayes and noes was sustained, and the bill passed. Ayes 53, noes 43.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Blackwell, Bowe, Bowman, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Cobb Copeland, Corson, Cox, Dudley, Dula, Ellison, Fletcher, Foster, Gant, Gorman, Goodwyn, Grady, Guyther, Hanner, Hinnant, Johnston, Jordan, King, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, Miller, Mizell, Moring, Outlaw, Paschall, Perry of Bladen, Perry of Wake, Reid of Mecklenburg, Richardson, Sharp, Shinn of Cabarrus, Trivett, Waddill, Watson, Waugh, Webb and Wiley—53.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Bryson of Swain, Bryan of Alleghany, Carter, Carson, Dickey, Freeman, Gidney, Gilbert, Gudger, Hampton, Haynes, Houston, Hughes, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, McGehee, McNeill, Michael, Norment, Scott, Shaw, Shinn of Iredell, Shackelford, Stanford, Stowe, Sneed, Todd, Turner, Warlick, Winslow, Whitmire, Wheeler and Whisnant—43.

On motion of Mr. Johnston, H. B. No. 685: A bill to be entitled an act to secure the adjustment and settlement of the public debt of the State, was read second time.

Mr. Carson moved to lay the bill on the table.

On this motion Mr. Johnston called for the ayes and noes. The call was sustained, and the motion to table did not prevail. Ayes 27, noes 64.

The following gentlemen voted in the affirmative:

Messrs. Bean, Bowe, Brown of Davidson, Bryan of Pitt, Cobb, Copeland, Corson, Cox, Dudley, Ellison, Foster, Gorman, Hanner, Hampton, Hughes, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Michael, Moring, Perry of Wake, Stanford, Sneed and Wheeler—27.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Blackwell, Blythe, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany Brooks, Bullard, Carter, Carson, Costner, Dickey, Dula, Freeman, Gidney, Gudger, Guyther, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McNeill, Miller, Mitchell, Mizell, Moss, Norment, Perry of Bladen, Reid of Mecklenburg, Richardson, Settle, Shaw, Sharp, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Waugh, Webb, Winslow, Wiley, Whitmire, Whisnant and Woodhouse—64.

Mr. Dula offered the following amendment, which was adopted:

"That no person, herein named, shall act as a commissioner if he be the owner, or agent, of any bond due from the State. Said commissioners shall receive no compensation for their services."

On this amendment a call for the ayes and noes was sustained, and,

The following gentlemen voted in the affirmative:

Messrs. Abbott, Ballard, Bean, Blythe, Bowe, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Cobb, Copeland, Corson, Cox, Dudley, Dula, Ellison, Fletcher,

Foster, Freeman, Gilbert, Gorman, Goodwyn, Guyther, Hanner, Hampton, Hinnant, Hughes, Jones of Camden, Jones of Northampton, Jordan, King, Loyd, Lutterloh, McLaurin, Miller, Michael, Mizell Moring, Moss, Outlaw Paschall, Perry of Bladen, Scott, Settle, Shaw, Shackelford, Sneed, Trivett, Waugh, Webb, Wheeler and Whisnant—52.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Bullard, Carter Costner, Craige, Dickey, Gant, Gidney, Gudger, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Norment, Perry of Wake, Reid of Mecklenburg, Richardson, Sharp, Shinn of Iredell, Shinn of Cabarrus, Stanford, Stowe, Todd, Turner, Warlick, Waddill, Watson, Wiley and Woodhouse—45.

The question recurring upon the passage of the bill, a call for the ayes and noes was sustained, and the bill passed.

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Blackwell, Blythe, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Carter, Carson, Costner, Craige, Dickey, Dula, Gant, Gidney Gilbert, Gorman, Gudger, Guyther, Haynes, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Miller, Mitchell, Mizell, Moss, Norment, Perry of Bladen, Perry of Wake, Reid of Randolph, Richardson, Scott, Settle, Shaw, Sharp, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Todd, Turner, Watson, Waugh, Webb, Winslow, Wiley, Whisnant and Woodhouse—68.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Bowe, Brown of Davidson, Bryant of Halifax, Cobb, Copeland, Corson, Cox, Dudley, Ellison,

Fletcher, Foster, Freeman, Goodwyn, Hanner, Hampton, Hinnant, Hughes, Jordan, King, Lloyd, Lutterloh, McLaurin, Michael, Moring, Outlaw, Paschall, Sneed and Waddill—30.

Mr. Johnston moved to suspend the rules to place the bill on its third reading.

On this motion a call for the ayes and noes was sustained, and the House refused to suspend (less than two-third voting therefor).

The following gentlemen voted in the affirmative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Blackwell, Blythe, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Sampson, Bryan of Alleghany, Brooks, Bullard, Carter, Carson, Costner, Craige, Dickey, Freeman, Gant, Gidney, Gudger, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Moss, Norment, Outlaw, Perry of Bladen, Reid of Mecklenburg, Richardson, Settle, Shaw, Sharp, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Todd, Turner, Waddill, Watson, Webb, Winslow, Wiley, Whitmire, Whisnant and Woodhouse—61.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Bowe, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Cobb, Copeland, Corson, Cox, Dudley, Dula, Ellison, Fletcher, Foster, Gorman, Goodwyn, Grady, Guyther, Hanner, Hampton, Hughes, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Mizell, Moring, Paschall, Perry of Wake, Scott, Sneed, Trivett, Waugh and Wheeler—40.

On motion of Mr. Jones of Caldwell, the rules were suspended, and H. R. No. 163, resolution in favor of Josiah Turner, Jr., was read second time.

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

On this motion, a call for the ayes and noes was sustained, and the House refused to table the resolution. Ayes 28, noes 64.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Blythe, Bowe, Brown of Davidson, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Cobb, Corson, Cox, Dudley, Fletcher, Hampton, Hughes, Jones of Northampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Miller, Michael, Paschall, Sharp, Sneed, Trivett and Whisnant—28.

The following gentlemen voted in the negative:

Messrs. Anderson of Davie, Anderson of Clay, Ballard, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryan of Sampson, Bryan of Alleghany, Brooks, Bullard, Carter, Carson, Copeland, Costner, Craige, Dickey, Dula, Ellison, Freeman, Gant, Gidney, Gilbert, Gorman, Gudger, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Camden, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Mitchell, Moring, Moss, Norment, Outlaw, Reid of Mecklenburg, Richardson, Scott, Settle, Shaw, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Todd, Turner, Waddill, Watson, Waugh, Webb, Wiley, Wheeler and Woodhouse—64.

The resolution passed; was read third time, passed, and was ordered to be engrossed and sent to the Senate.

H. R. No. 164: Resolution rescinding joint resolution to adjourn Monday, 16th February, and fixing the hour of 12 M., Monday, 23d instant, for an adjournment *sine die*, was read.

Mr. Freeman moved to strike out "Monday, 23d," and insert "Thursday, 19th."

Mr. Bryan of Alleghany moved to lay the whole matter on the table.

On this motion a call for the ayes and noes was sustained, and the motion to table prevailed. Ayes 82, noes 14.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Anderson of Davie, Anderson of Clay, Ballard, Bean, Blackwell, Bowe, Brown of Davidson, Brown of Mecklenburg, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alle-

ghany, Brooks, Bullard, Carter, Carson, Cobb, Copeland, Corson, Costner, Cox, Craige, Dudley, Dula, Fletcher, Foster, Gant, Gidney, Goodwyn, Gudger, Guyther, Hanner, Hampton, Haynes, Hinnant, Houston, Johnston, Jones of Caldwell, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Lindsay, Marler, Maxwell, McGehee, McNeill, Miller, Michael, Mitchell, Mizell, Moring, Moss, Norment, Perry of Bladen, Reid of Mecklenburg, Richardson, Settle, Shaw, Sharp, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stowe, Sneed, Todd, Trivett, Turner, Warlick, Waddill, Watson, Waugh, Winslow, Wiley, Whitmire, Wheeler Whisnant and Woodhouse—82.

The following gentlemen voted in the negative:

Messrs. Bryant of Halifax, Ellison, Freeman, Gilbert, Gorman, Jordan, King, Lloyd, Lutterloh, McLaurin, Outlaw, Paschall, Scott and Standford—14.

On motion, the House adjourned.

NIGHT SESSION.

SATURDAY, February 14th, 1874.

The House was called to order by the Speaker at half-past 7 o'clock.

The following named petitions were introduced, read and referred, or otherwise disposed of, as follows:

TO THE COMMITTEE ON AGRICULTURE.

By Mr. Gudger: From citizens of Raleigh, asking a change of the act in regard to the sale of commercial manures.

PLACED ON THE CALENDAR.

By Mr. Robinson: From Amanda R. Cabe, widow of L. F.

Cabe, praying that no resolution be passed authorizing the Secretary of State to issue to Samuel Cabe a grant for eighty-seven acres of land.

Reports from standing committees were submitted with recommendations, as follows:

From the Committee on the Judiciary:

By Mr. Craige, H. R. No. 166: Resolution in relation to the expenses of sheriffs; that it do pass;

S. B. No. 26, H. B. No. 90: A bill to be entitled an act to amend an act supplemental to an act to lay off and establish the new county of Pamlico; that it do pass;

H. B. No. 317: A bill to be entitled an act for funding the floating debt of Raleigh, and providing protection against fire; that it do not pass;

H. B. No. 616: A bill to be entitled an act to amend chapter 5, Battle's Revisal; that it do pass;

S. B. No. 30, H. B. No. 622: A bill to be entitled an act to amend section 13, chapter 27, Battle's Revisal; that it do pass.

S. B. No. 606, H. B. No. 623: A bill to be entitled an act to re-enact sections 24 and 25, chapter 32, Revised Code; that it do pass;

S. B. No. 251, H. B. No. 663: A bill to be entitled an act to amend chapter 104, section 41, Battle's Revisal;

The following named resolution and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Craige: A resolution in favor of the Principal Clerks of the two Houses. H. R. No. 175.

By Mr. Wheeler: A resolution in favor of the reporters of the Senate and House of Representatives. H. R. No. 178.

By Mr. Hanner: Resolution in favor of the Doorkeepers of the General Assembly. H. R. No. 179.

By Mr. Jones, of Caldwell: A bill to be entitled an act

supplemental to an act in favor of the contractors on the Marion and Asheville Turnpike. H. B. 681.

By Mr. ————: A bill to be entitled an act supplemental to and amendatory of an act ratified the 29th day of January, 1874. H. B. No. 682.

By Mr. ————: Resolution in favor of the Clerks of the General Assembly. H. R. No. 180.

Messages were received from the Senate, transmitting engrossed copies of the following resolutions and bills, which were read first time, passed, and placed on the Calendar:

S. R. No. —, H. R. No. 176: Resolution in favor of the Reading Clerks of the two Houses;

S. R. No. 148, H. R. No. 177: Resolution in relation to the public library;

S. B. No. 6, H. B. No. 677: A bill to be entitled an act in relation to special terms of the Superior Courts;

S. B. No. 42, H. B. No. 678: A bill to be entitled an act to amend chapter 37, Battle's Revisal;

S. B. No. 309, H. B. No. 679: A bill to be entitled an act amendatory of an act entitled an act to authorize the Mayor and Commissioners of the town of Fayetteville to appoint a receiver of railroad taxes;

S. B. No. 673, H. B. No. 680: A bill to be entitled an act to repeal chapter 106, of the acts of the General Assembly, passed at its session of 1848–'49, and for other purposes.

The following named resolutions and bills were read second and third times, passed each reading, and were ordered to be engrossed and sent to the Senate:

H. R. No. 159: Resolution to relieve Timothy F. Lee, sheriff of Wake county;

H. R. No. 166: Resolution in relation to the expenses of sheriffs;

H. R. No. 175: Resolution in favor of the Principal Clerks;

H. B. No. 499: A bill to be entitled an act to repeal sections 6 and 7, chapter 104, of the Revised Code;

H. B. 554: A bill to be entitled an act to amend an act in relation to foreign insurance companies;

H. B. No. 559: A bill to be entitled an act to amend section 8, chapter 105, Battle's Revisal;

H. B. No. 580: A bill to be entitled an act to authorize the commissioners of Alexander county to levy a special tax;

H. B. No. 581: A bill to be entitled an act to legalize the acts of the school trustees of Kernersville Township, in Forsythe county;

H. B. No. 602: A bill to be entitled an act giving the Superior Court of Martin county concurrent jurisdiction with Bertie county over misdemeanors committed on River Pocosin Island, in Bertie county;

H. B. No. 619: A bill to be entitled an act to prohibit the sale of intoxicating liquors within one mile of churches and schools in Davidson county;

H. B. No. 666: A bill to be entitled an act in relation to the bridge on Nantihala river, on what is known as the Tusquette road;

H. B. No. 668: A bill to be entitled an act to amend section 27, chapter 97, Battle's Revisal;

H. B. No. —: A bill to be entitled an act to amend section 20, chapter 97, Battle's Revisal;

H. B. No. 381: A bill to be entitled an act to repeal chapter 61, private laws of 1872–'73, was read the second time, the substitute proposed by the committee was adopted, and the bill passed its second and third readings;

H. B. No. 440: A bill to be entitled an act to amend section 1, chapter 48, Revised Code, entitled "Fences," was read the second time, the amendments of the committee were adopted, and the bill passed its second and third readings.

H. B. No. 580: A bill to be entitled an act to authorize the commissioners of Alexander county to levy a special tax, was read the third time and passed. Ayes 70, noes 1.

The following gentlemen voted in the affirmative:

Messrs. Ballard, Bean, Blackwell, Bryson of Swain, Bryant of Pitt, Bryant of Halifax, Bryan of Wilkes, Bryan of Alleghany, Brooks, Carter, Carson, Cobb, Copeland, Costner, Dickey, Dudley, Ellison, Freeman, Gant, Gilbert, Gorman,

Goodwyn, Grady, Gudger, Guyther, Hanner, Hampton, Haynes, Hinnant, Houston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Johns, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, Miller, Michael, Mitchell, Mizell, Paschall, Richardson, Scott, Settle, Shaw, Sharp, Shinn of Cabarrus, Shackelford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Waugh, Webb, Winslow, Wiley, Wheeler, Whisnant and Woodhouse--70.

Mr. Sneed voted in the negative--1.

The following named resolutions and bills were read the second and third times, passed each reading and were ordered to be enrolled for ratification:

Resolution supplemental to a resolution authorizing the Governor to withdraw the suit now pending in the Supreme Court of the United States, ratified the 12th day of February, 1874;

Resolution in favor of the Reading Clerks of the General Assembly;

S. B. No. 300, H. B. No. 351: A bill to be entitled an act to extend the time of taking out grants from the State;

S. B. No. 187, H. B. No. 536: A bill to be entitled an act concerning the annexation of Goose Creek Island to Pamlico county;

S. B. No. 522, H. B. No. 576: A bill to be entitled an act to incorporate Justitia Lodge, No. 11, Knights of Pythias, of Goldsboro', N. C.;

S. B. No. 616, H. B. No. 609: A bill to prohibit the sale of spirituous liquors in the town of Shelby, and within two miles of the court house in Cleaveland county;

S. B. No. 462, H. B. No. 624: A bill to be entitled an act to amend an act to incorporate the Falls of Neuse Manufacturing Company, ratified the 5th day of January, 1872;

S. B. No. 539, H. B. No. 631: A bill to be entitled an act to incorporate the Western North Carolina Land Company;

S. B. No. 596, H. B. No. 634: A bill to be entitled an act

to incorporate the trustees of the Halifax Educational Association, in Halifax county;

S. B. No. 578, H. B. No. 643: A bill to be entitled an act to incorporate the town of Elizabethtown, in the county of Bladen;

S. B. No. 614, H. B. No. 645: A bill to be entitled an act to establish a Bureau of Immigration, Statistics and Agriculture;

S. B. No. 618, H. B. No. 664: A bill to be entitled an act to amend chapter 105, section 14 Battle's Revisal;

S. B. No. 421, H. B. No. 670: A bill to be entitled an act to amend an act passed during the present session, and for other purposes;

S. B. No. —, H. B. No. 671: A bill to be entitled an act to amend the charter of the town of Tarboro;

S. B. No. 588, H. B. No. 649: A bill to be entitled an act in relation to the town of Clayton, in the county of Johnston;

S. B. No. —, H. B. No. 675: A bill to be entitled an act to provide for a better collection of fines, forfeitures and penalties;

Senate amendments to H. B. No. 171, S. B. No. 500: A bill to be entitled an act to make the jurisdiction of Justices of the Peace final in certain criminal matters, were read and concurred in.

On motion to concur, a call for the ayes and noes was sustained, and,

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Blackwell, Blythe, Bryson of Jackson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Bryan of Alleghany, Brooks, Carson, Cobb, Copeland, Corson, Costner, Cox, Dickey, Dudley, Dula, Ellison, Fletcher, Foster, Gant, Gilbert, Gorman, Guyther, Hanner, Hampton, Haynes, Hinnant, Hughes, Jones of Caldwell, Jones of Camden, Jones of Northampton, Joyner, Johns, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, McLaurin, Miller, Michael, Mitchell, Mizell, Outlaw, Paschall, Perry of Bladen, Reid of Mecklenburg, Richardson, Scott, Shaw,

Sharp, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stowe, Sneed, Todd, Trivett, Turner, Warlick, Waddill, Waugh, Webb, Winslow, Wiley, Wheeler and Whisnant—72.

The following gentlemen voted in the negative:

Messrs. Carter, Craige, Freeman, Gidney, Grady, Johnston, Jones of Orange, Jones of Tyrrell, Jordan, Maxwell, McNeill, Moring, Moss, Norment, Settle, Stanford, Watson and Woodhouse—18.

S. B. No. 605, H. B. No. 642: A bill to be entitled an act to authorize the commissioners of Franklin to levy a special tax, was read third time and passed. Ayes 68, noes 0.

The following gentlemen voted in the affirmative:

Messrs. Ballard, Blackwell, Bryson of Jackson, Bryson of Swain, Bryan of Wilkes, Bryan of Alleghany, Brooks, Carter, Carson, Cobb, Copeland, Costner, Cox, Dickey, Dudley, Ellison, Foster, Freeman, Gant, Gilbert, Gorman, Goodwyn, Grady, Gudger, Guyther, Hanner, Hampton, Haynes, Hinnant, Houston, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, King, Lindsay, Lloyd, Lutterloh, Luckey, Marler, Maxwell, Miller, Michael, Mitchell, Mizell, Outlaw, Paschall, Perry of Bladen, Richardson, Shaw, Sharp, Shinn of Cabarrus, Shackelford, Stowe, Todd, Turner, Warlick, Waddill, Waugh, Webb, Winslow, Wiley, Wheeler, Whisnant and Woodhouse—68.

Senate amendments to S. B. 645, H. B. No. 543: A bill to be entitled an act to allow county commissioners to contract for building turnpike roads, were concurred in.

Senate amendments to S. B. No. 111, H. B. No. 240: A bill to be entitled an act to give to the county of Cumberland three terms of the Superior Court each year, and to regulate the time for holding the same, were read and concurred in.

H. B. No. 688: A bill to be entitled an act to amend section 37 of chapter 97 of Battle's Revisal, entitled "Public Printing," was read second time.

Mr. Richardson offered the following amendment, which was rejected:

Strike out all in section 1 after the word "office" and insert the following: The printing herein authorized shall be executed by the Public Printer, and expenses for the same shall be allowed by the Auditor according to the rates prescribed by law, and charges for all other items herein mentioned shall be adjudged of by the board composed of the Governor, Secretary, Auditor, Treasurer and Superintendent of Public Instruction, for which the Auditor shall be authorized to give his warrant on the State Treasurer.

In same section, after the word "postage," add, "and all express charges, and the Auditor and Treasurer shall have one hundred copies of their respective reports printed for the use of their offices."

The bill as amended passed its second and third readings, and was ordered to be engrossed and sent to the Senate.

S. B. 377, H. B. No. 646: A bill to be entitled an act concerning wagoners, was read second and third time, and, on motion, laid on the table.

S. B. No. 601, H. B. No. 673: A bill to be entitled an act for the greater security of human life, was read third time.

Mr. Shaw's amendment to insert after the word "manufacturer" the word "and" in section 1, line 3, was rejected.

Mr. Bryson, of Jackson moved, to strike out "less" and insert "more" before the words "than five years" in line 12 of section 1 of the bill. The amendment was rejected.

Mr. Norment's amendment to strike out the word "sell" in section 3, line 1, was rejected, and the bill passed its second reading.

On motion to suspend the rules to place the bill on its third reading, a call for the ayes and noes was sustained, and the rules were suspended. Ayes 60, noes 15.

The following gentlemen voted in the affirmative:

Messrs. Bean, Blackwell, Bryson of Jackson, Bryson of

Swain, Bryan of Pitt, Bryan of Wilkes, Bryan of Alleghany, Carter, Copeland, Costner, Dickey, Fletcher, Foster, Freeman, Gant, Gidney, Gudger, Guyther, Hanner, Haynes, Houston, Johnston, Jones of Camden, Jones of Northampton, Jones, of Tyrrell, Johns, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Miller, Michael, Mitchell, Moring, Moss, Norment, Perry of Bladen, Reid of Mecklenburg, Richardson, Settle, Shaw, Sharp, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Todd, Trivett. Turner, Warlick, Waddill, Watson, Waugh, Webb, Winslow, Wiley and Woodhouse—60.

The following gentlemen voted in the negative:

Messrs. Abbott, Bryant of Halifax, Brooks, Corson, Dudley, Gorman, Goodwyn, Hampton, Jordan, King, Lloyd, Lutterloh, McLaurin, Paschall, Scott, Sneed, Wheeler and Whisnant—18.

The question recurring upon the passage of the bill, a call for the ayes and noes was sustained, and the bill passed. Ayes 46, noes 24.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bean, Blythe, Bryson of Swain, Bryan of Pitt, Bryan of Wilkes, Copeland, Dickey, Dudley, Foster, Gant, Gorman, Goodwyn, Gudger, Hampton, Haynes, Houston, Hughes, Jones of Camden, Jones of Northampton, Joyner, Johns, King, Lindsay, Lloyd, Marler, Maxwell, McGehee, Miller, Michael, Mitchell, Moring, Paschall, Reid of Mecklenburg, Scott, Settle, Shinn of Cabarrus, Shackelford, Sneed, Turner, Waddill, Watson, Waugh, Webb, Winslow and Wiley—46.

The following gentlemen voted in the negative:

Messrs. Bryson of Jackson, Bryant of Halifax, Corson, Cox, Gidney, Guyther, Johnston, Jordan, Lutterloh, McLaurin, McNeill, Mizell, Moss, Norment, Outlaw, Perry of Bladen, Richardson, Shaw, Sharp, Stanford, Stowe, Todd, Whisnant and Woodhouse—24.

S. B. No. 617, H. B. No. 674: A bill to be entitled an act to establish a turnpike across the swamp at Old Lebanon Mill, in Camden county, was read, and,

On motion, referred to the Committee on Corporations.

On motion, the House adjourned till Monday morning 9 o'clock.

SIXTY-FIRST DAY.

MONDAY, February 16th, 1874.

The House was called to order by the Speaker at 9 o'clock.

The reading of the journal of Saturday was dispensed with.

Mr. Craige, from the Committee on the Judiciary, submitted the following report on H. R. No. 116, a resolution impeaching Samuel W. Watts, Judge of Sixth Judicial District, of high crimes and misdemeanors in office:

The Judiciary Committee, to which this resolution was referred, have considered the same, and beg leave to report that in the investigation of the charges contained within, they have examined a number of witnesses, and that the testimony adduced does not sustain the charges. They further report that they were referred to a number of witnesses residing beyond the limits of the State, whose attendance it was impossible for the committee to procure; they, therefore, ask to be discharged from its further consideration.

On motion, the report was received and the committee discharged.

Mr. Richardson, from the special committee to examine into the affairs of the office of H. J. Menninger, late Secretary of State, respectfully report, that after considerable trouble and labor they have discharged this duty, so far as was possible under existing circumstances. Want of time and the confusion of the papers in the office of the late Secretary of State prevent the committee from making a full and satisfactory

report, and they ask to be discharged from the consideration of the same.

On motion of Mr. Jones of Caldwell, the report of the committee was received and the committee discharged.

Mr. Brown of Mecklenburg, from the Joint Select Committee on the State and United States Centennial, returned H. R. No. 78: Resolution for the celebration of the one hundredth anniversary of the Mecklenburg Declaration of Independence, &c., recommending the rejection of all amendments and the passage of the resolution.

The report of the committee was concurred in and the resolution adopted and ordered to be transmitted to the Senate without engrossment.

Mr. Gidney, from the Committee on Finance, returned to the House H. R. No. 57: Resolution in favor of G. J. Williams, sheriff of Chatham county, and asked to be discharged from its further consideration.

The Speaker announced as additional members to the Committee on Enrolled Bills, Messrs. Luckey, Mithell, Dula, Norment and Wiley.

The following bills, resolutions and amendments, reported as correctly engrossed by the Committee on Engrossed Bills, were transmitted to the Senate for concurrence:

H. B. No. 559: A bill to be entitled an act to amend section 8, chapter 105, Battle's Revisal;

H. B. No. 440: A bill to be entitled an act to amend section 1, chapter 48, Revised Code, entitled "Fences";

A bill to be entitled an act to amend section 20, chapter 97, of Battle's Revisal;

H. B. No. 619: A bill to be entitled an act to prohibit the sale of intoxicating liquors within one mile of churches and schools in Davidson county;

H. B. No. 602: A bill to be entitled an act giving the Superior Courts of Martin county concurrent jurisdiction with Bertie over misdemeanors committed on River Pocosin Island, in Bertie county;

A bill to be entitled an act in relation to Floral College;

Resolution in favor of door-keepers;

H. B. No. 685: A bill to amend an act entitled an act to prevent the spreading of infectious diseases in cattle;

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Senate:

An act to raise revenue.

An act to allow the transfer of certain cases pending in the late courts of Equity, in this State.

An act to extend the time for taking out grants from the State.

An act to incorporate Leota Lodge in Columbia, Tyrrell county, N. C.

An act to amend chapter 77, laws of 1871–'72.

An act for the better security of human life.

An act to amend section 4, chapter 81, laws of 1870–'71.

Resolution in favor of Principal Clerks.

An act to repeal certain portions of chapter 250, laws of 1868–'69, to prevent the hunting of wiid fowl in Carteret and other counties.

An act to amend the charter of the town of Tarboro.

An act to amend an act entitled an act to incorporate Mt. Airy and Central Railroad Company.

An act to incorporate the town of Leaksville in Rockingham county.

An act to amend an act in relation to Foreign Insurance Companies, ratified December 30th, 1873.

An act to incorporate the town of Vandemere, in Pamlico county.

An act to change the times of holding the courts in Cumberland county.

An to amend chapter 154, laws of 1872–'73, entitled an act to authorize the Commissioners of Wilkes county to issue bonds.

An act in favor of the N. C. Institution for the Deaf and Dumb and the Blind.

An act prohibiting the sale of intoxicating liquors within two miles of the Court House in Shelby.

An act to prohibit the sale of spirituous liquoas where the people so determine.

An act to prohibit the sale of spirituous liquors in certain localities.

An act to incorporate the town of Elizabethtown, in the county of Bladen.

An act to incorporate Tokay Wine Company.

An act to authorize the county commissioners of Jones county to levy a special tax.

An act to incorporate the Machine and Car Company of Wilmington, N. C.

An act to amend chapter 205, Public Laws of 1870–'61.

An act to incoporate Mechanics and Laborers' Union' Aid Association of New Hanover.

An act to incorporate the Western North Carolina Land Company.

An act to amend an act to consolidate the various acts heretofore passed to incorporate the town of Lumberton, in Robeson county.

An act to incorporate the Planter's Bank of Mount Airy;

Resolution in favor of Alex. Dawson and others;

An act concerning the purchase of public stationery;

An act to amend section 13, chapter 20, laws of 1868, (sec. 13, chap. 27, Battle's Revisal);

Resolution in favor of Jno. Rankin, of Graham county;

An act to amend section 25, sub-division 5, chapter 105, of Battle's Revisal;

An act to charter the Bank of Wilson;

An act concerning the annexation of a portion of the county of Beaufort to the county of Pamlico;

An act to incorporate the Carolina Stock and Poultry Association for the improvement of the breed of all domestic animals and poultry;

An act to incorporate the Rocky Mount Mills;

An act to amend section 2, chapter 61, laws of 1872-'73;

An act in relation to certain insane persons;

An act to amend an act to change the name of Boon Hill, in Johnston county, and to prohibit the sale of spirituous liquors therein;

An act for the relief of the sheriffs of Alexander county and of Watauga county;

An act to amend chapter 104, section 41, of Battle's Revisal;

An act to amend chapter 197, laws of 1858–'59;

Resolution in relation to the public library;

Resolution of instruction to the Attorney General;

An act to legalize the acts of the school trustees of Kernersville Township, in Forsythe county;

An act to establish a bureau of statistics of immigration and agriculture;

An act to amend an act to incorporate the Seaboard and Raleigh Railroad Company, ratified the 22d day of December, 1873;

Resolution in favor of Josiah Turner, Jr.;

An act to amend section 31, chapter 115, Public Laws of 1872–'73;

An act to amend an act entitled an act to incorporate the Falls of Neuse Manufacturing Company, ratified the 5th day of January, 1872;

Resolution in relation to the expenses of sheriffs;

Resolution in favor of the Doorkeepers of this General Assembly, and of certain other officers and employees;

An act for the government of the penitentiary;

An act to amend section 13, chapter 27, of Battle's Revisal;

An act to repeal chapter 106 of the acts of the General Assembly passed at its session of 1848–'49, and for other purposes;

An act to incorporate the Wilmington, Raleigh and Roxboro' Railroad Company;

An act in reference to courts in Martin and Bertie counties;

An act to authorize the commissioners of Bladen county to levy a special tax in 1874;

An act to change the time of holding the Superior Courts in the Third Judicial District;

An act to repeal an act to charter the Tennessee River Turnpike Company;

An act to amend chapter 182, Public Laws of 1872–'73;

An act in relation to Franklin county;

An act for the relief of such counties as have not received the compensation allowed by law for the support of lunatics;

An act to incorporate the Cape Fear Cotton and Woolen Mills;

An act to amend section 13, chapter 74, Laws of 1872–'73, concerning the distribution of Battle's Revisal;

An act to authorize the commissioners of the city of Raleigh to open a street through the South end of the lot upon which the Governor's mansion is now situated;

An act to authorize the Governor to employ counsel in certain cases;

An act to incorporate the town of Shoe Hill, in Robeson county;

Resolution appointing J. Turner Morehead, of Rockingham county, a member of the Board of Public Charities;

An act to empower the city of Wilmington to subscribe to the special stock of the Wilmington and Seaside Railroad Company;

An act to amend an act entitled an act to incorporate the People's Building and Loan Association of Oxford, ratified the 29th day of January, 1872.

An act to amend an act passed during the present session of the General Assembly of North Carolina, entitled an act to amend an act to incorporate the town of Concord, Cabarrus county;

An act to amend section 14, chapter 105, Battle's Revisal

An act to amend chapter 28, Private Laws, 1868–'69;

An act to amend chapter 116, laws of 1871–'72;

An act to incorporate the Halifax Educational Association of Halifax county;

An act to enable foreign guardians of infants and persons

of insane memory, to remove the estates of their wards from this State;

An act to amend the charter of Trinity College;

An act to allow county commissioners to contract for building turnpike roads;

An act to amend an act entitled an act to amend an act entitled an act to incorporate the Greenville and French Broad Railroad Company, ratified the 13th day of February, 1855, and an act amendatory thereto, ratified the 23d of December, 1873.

Resolution supplemental to a resolution authorizing the Governor to withdraw the suit now pending in the Supreme Court of the United States, ratified the 12th day of February, 1874;

An act in relation to the town of Clayton, in Johnston county;

An act to amend chapter 32 of the acts of Assembly, known as Battle's Revisal, which chapter is entitled "Crimes and Punishments," and chapter 33, Battle's Revisal, entitled "Criminal Proceedings";

An act to authorize the commissioners of Franklin county to levy a special tax for the purpose of building a jail;

An act to amend an act entitled an act to incorporate the town of Asboro', in Randolph county;

An act to amend section 27, chapter 97, of Battle's Revisal, entitled "Public Printing";

An act to incorporate Justitia Lodge, No. 11, Knights of Pythias, of Goldsboro', N. C.;

An act to authorize the Governor to appoint Commissioners of Deeds, &c., in foreign countries;

An act to provide for the better collection of fines, forfeitures and penalties;

Resolution to relieve T. F. Lee, sheriff of Wake county;

Resolution in favor of the Reading Clerks of both Houses of the General Assembly;

An act fixing the weight of packages containing salted fish, and to require packers to stamp their names on each package shipped for sale;

The following named resolutions and bills were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

By Mr. Gorman: A resolution of thanks to the Speaker of the House of Representatives, H. R. No. —;

By Mr. Turner: A resolution changing the hour for adjournment from 12 M. to 3 P. M. H. R. No. —;

By Mr. ——: Resolution of thanks to the Clerks of the House, and to the Reporters for the daily papers;

By Mr. McNeill: A bill in relation to Floral College. H. B. No. —;

By Mr. Goodwyn: A bill to amend section 7, chapter 23, private laws of 1869–'70. This bill was referred to a special committee of three, consisting of Messrs. Wheeler, Stanford and Gidney.

Mr. Wheeler, from the committee to which the bill was referred, reported it back to the House, stating that a majority of the committee recommended its passage.

Messages were received from the Senate transmitting engrossed copies of the following named bills and amendments which were read first time, passed and referred, or otherwise disposed of, as follows:

PLACED ON THE CALENDAR.

S. B. No. 427, H. B. No. —: A bill to be entitled an act to amend chapter 71, laws of 1871-'72.

TO THE COMMITTEE ON CORPORATIONS.

S. B. No. 571, H. B. No. —: A bill to be entitled an act to amend an act entitled an act to incorporate the Oak City Savings Bank, of Raleigh.

Senate amendment to the bill known as the Omnibus Liquor Bill, was read and concurred in.

Senate amendments to S. B. No. 457, H. B. No. 634 : A bill to be entitled an act or the relief of the Sheriff of Alexander county, and of Watauga county, were read and concurred in.

A message was received from the Senate, concurring in the proposition of the House to rescind so much of the joint resolution on adjournment, as fixed the hour 12 M., and extending the session to 3 P. M., provided no legislation should be had after the hour 12 M., with this amendment, "except the ratification of bills and resolutions." The amendment of the Senate was concurred in.

The following named bills and resolutions were read second and third times, passed each reading and ordered to be engrossed and sent to the Senate :

H. B. No. 684 : A bill to be entitled an act in relation to Floral College ;

H. B. No. 685 : A bill to be entitled an act to amend rn act to prevent distemper and infectious diseases among cattle, ratified January 24th, 1874 ;

H. R. No. 179 : Resolution in favor of the Doorkeepers of this General Assembly ;

H. R. No. 285 : Resolution to fix the hour 3 P. M. for final adjournment, was read second time and adopted,

H. B. No. 512 : A bill to be entitled an act to lay off and establish a public road from the Virginia line, *via* Dobson to Winston in Forsyth, was read second time, the amendment proposed by the committee was adopted, and the bill passed ; was read third time, passed and ordered to be transmitted to the Senate without engrossment.

S. R. No. —, H. R. No. 165 : Resolution in reference to a Manual of North Carolina, was read second time and laid on the table.

A message was received from the Senate transmitting engrossed amendments to H. R. No. 179, resolution in favor of the Doorkeepers of this General Assembly, which were read and concurred in.

The following named bills and resolution were read second and third times, passed each reading, and were ordered to be enrolled for ratification :

S. B. No. 307, H. B. No. 574: A bill to be entitled an act to incorporate the Tokay Wine Company.

S. B. No. 510, H. B. No. 608: A bill to be entitled an act to incorporate the town of Vandemere, in Pamlico county.

S. B. No. 363, H. B. No. 592: A bill to be entitled an act to incorporate Leota Lodge, in Columbia, Tyrrell county.

On motion of Mr. Johnston, the rules were suspended and the bill introduced by him to secure an adjustment and settlement of the State Debt, was read third time.

Mr. Gidney offered the following amendment, which was rejected:

"Said commissioners shall have power to negotiate with the creditors of the State a compromise of the State Debt, and for the purpose of expediting the consolidated North Carolina Railroad system, the said commissioners are hereby authorized and advised to offer 50 cents in the dollar, principal and interest, for the North Carolina Railroad bonds, and 20 cents in the dollar, principal and interest, for the bonds issued to the Western North Carolina Railroad, for which the stock of the State in the North Carolina Railroad is pledged as collateral security, to be paid with new bonds at six per cent. interest, payable semi-annually, to run thirty years, to be fully secured; and said commissioners are further authorized and directed to confer, as far as possible, with the other creditors of the State upon what terms the balance of said debt can be settled, and report to the next session of the General Assembly. Nothing herein binding until approved by the General Assembly.

Mr. Johnston's amendment to strike out the commissioners named and insert Tod R. Caldwell of Burke, Joseph J. Davis of Franklin, and W. S. Battle of Edgecombe, was adopted, and the question recurring upon the passage of the bill, its third reading, a call for the ayes and noes was sustained, and the bill passed. Ayes 68, noes 21.

The following gentlemen voted in the affirmative:

Messrs. Ballard, Blackwell, Blythe, Brown of Mecklenburg, Bryson of Jackson, Bryan of Pitt, Bryan of Sampson, Bryan of Wilkes, Bryan of Alleghany, Brooks, Bullard, Carter, Carson, Costner, Craige, Freeman, Gant, Gidney, Gilbert, Gilmer, Gudger, Guyther, Hampton, Haynes, Houston, Johnston, Jones of Camden, Jones of Northampton, Jones of Orange, Jones of Tyrrell, Joyner, Johns, Jordan, Lindsay, Luckey, Marler, Maxwell, McGehee, McNeill, Miller, Mitchell, Mizell, Moss, Norment, Outlaw, Perry of Wake, Reid of Mecklenburg, Richardson, Scott, Settle, Shaw, Sharp, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Todd, Trivett, Turner, Warlick, Waddill, Watson, Webb, Winslow, Wiley, Whisnant and Woodhouse—68.

The following gentlemen voted in the negative:

Messrs. Abbott, Bean, Bowe, Brown of Davidson, Bryant of Halifax, Copeland, Davis Dudley, Ellison, Foster, Goodwyn, Hanner, Hughes, King, Lloyd, Lutterloh, McLaurin, Michael, Moring, Waugh and Wheeler—21.

On motion of Mr. Moring, the rules were suspended, and H. B. No. 478, a bill to be entitled an act to adjust and settle the State debt, was read third time.

On the passage of the bill its third reading, a call for the ayes and noes was sustained, and the bill passed. Ayes 49, noes 37.

The following gentlemen voted in the affirmative:

Messrs. Abbott, Bowe, Brown of Davidson, Bryson of Jackson, Bryan of Pitt, Bryan of Wilkes, Copeland, Craige, Dickey, Dudley, Dula, Ellison, Fletcher, Gorman, Goodwyn, Guyther, Hanner, Haynes, Hinnant, Hughes, Johnston, Jones of Tyrrell, Jordan, King, Lloyd, Lutterloh, Luckey, Marler, Maxwell, McLaurin, McNeill, Miller, Mizell, Moring, Moss, Norment, Outlaw, Perry of Wake, Reid of Mecklenburg, Richardson, Scott, Shaw, Sharp, Trivett, Waddill, Watson, Waugh, Webb and Woodhouse—49.

The following gentlemen voted in the negative:

Messrs. Ballard, Bryant of Halifax, Bryan of Sampson, Bryan of Alleghany, Bullard, Carson, Cobb, Costner, Foster,

Freeman, Gant, Gidney, Gilmer, Hampton, Houston, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jones of Orange, Joyner, Johns, Lindsay, McGehee, Michael, Settle, Shinn of Iredell, Shinn of Cabarrus, Shackelford, Stanford, Stowe, Todd, Turner, Warlick, Winslow, Wiley, Wheeler and Whisnant—37.

The bill was transmitted to the Senate without engrossment.

On motion of Mr. Gorman, (Mr. Settle in the chair,) the rules were suspended, and the resolution of thanks to the Speaker was *unanimously* adopted. The resolution was in these words:

"*Resolved by the House of Representatives*, That in adjourning *sine die*, it is meet and fitting that expression should be made by this body of the feeling which is universal, of the impartiality and courtesy which has ever animated our presiding officer. He has worthily and ably filled his position, and by his tact, judgment and thorough efficiency, rendered the sessions of this body harmonious and promoted the kindly and friendly relations that have prevailed between the members. We owe him our heartfelt thanks, and the people of the State their gratitude. In parting, he has our earnest prayers for his future welfare, and our heartfelt desire that his future career of usefulness, as in the past, may redound to his continued honor, and the glory of North Carolina."

Mr. Gorman said:

"Mr. Speaker—In introducing this resolution, I feel sure that the sentiments it contains are heartily endorsed by every individual of this body, without regard to party affiliation. Although I am young in legislation, I have watched from my youth the deliberations of the Legislatures which have assembled in this Hall, and I know that the ablity and proficiency of our presiding officer has exhibited have never been excelled and have seldom been equalled. The courtesy, urbanity and

impartiality he has shown have tended in no little degree to promote the kindly and friendly feelings which have animated our membership during the sessions of this House, and his capacity in the Chair has done much in expediting business. The State owes him a debt of gratitude for his faithful services, and we owe him our heartfelt thanks, and in retiring to his mountain home, I feel sure he carries with him the friendship and best wishes of every individual of this body."

On resuming the chair, Mr. Speaker Robinson spoke as follows in response to the resolution of thanks to him:

Gentlemen of the House of Representatives:

Under the resolution of the two Houses, the term of this General Assembly expires to day. We leave here now, and must answer to the people, whose servants we are, for the wisdom or folly of the laws we have enacted, and the measures of public importance inaugurated.

To simplify the laws of our State, and to curtail and cheapen its administration, should be, and is, the object of prudent legislators. To remedy grievances, and "for amending and strengthening the laws," the Constitution affords the people protection in *frequent elections.* Armed with this power, and enlightened by truth, through the medium of a high-toned and patriotic press, the people will never fail to do right.

In parting from you, gentlemen, I desire to express some measure of my approbation for the courtesy and support I have received at your hands. I can say, truthfully, that I have received, as your presiding officer, the utmost respect and consideration from *each individual member of the House.* I cherish none but feelings of friendship and kindness for each member of your body. I came into the chair entirely without solicitation on my part, and confess I assumed its duties with misgivings and doubt. As I assured you in the beginning, I have endeavored to "know *neither party* nor friend in the government of your body." How faithful I have been to that pledge I will leave you to determine. North Carolina has

need for the services of all persons. Let us, in whatever sphere we may move in the future, continue to keep her honor and prosperity in view.

The hour of 3 P. M. having arrived, the Speaker declared the House of Representatives adjourned *sine die*.

J. L. ROBINSON,
Speaker of the House.

S. D. POOL, *Clerk.*

RULES OF ORDER.

The Select Committee on Rules beg leave to submit the following Report of Rules and Order of conducting the business in the House of Representatives:

TOUCHING THE DUTY OF THE SPEAKER.

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

2. He shall take the Chair every day precisely at the hour to which the House, on the preceding day, adjourned; shall immediately call the members to order, and on the appearance of a quorum, cause the Journal of the preceding day to be read.

3. He shall preserve order and decorum, may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

4. He shall rise to put a question, but may state it sitting.

5. Questions shall be put in this form, namely: "As many as are of the opinion that, (as the question may be,) will say aye," and after the affirmative voice has been expressed, "as many as are of the contrary opinion, will say no." Upon a call for a division, the Speaker shall count; if required, he shall appoint tellers.

6. The Speaker shall examine and correct the Journal before it is read. He shall have a general direction of the Hall.

He shall have a right to name any member to perform the duties of the Chair; but such substitution shall not extend beyond one day, except in case of sickness, or by leave of the House.

7. All committees shall be appointed by the Speaker, unless otherwise specially ordered by the House.

8. In all elections, the Speaker may vote. In other cases he shall not vote, unless the House be equally divided; in case of such equal division, he shall decide the question.

9. All acts, addresses and joint resolutions shall be signed by the Speaker; and all writs, warrants and subpœnas, issued by order of the House, shall be under his hand and seal, attested by the Clerk.

10. In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker, (or Chairman of the Committee on the Whole) shall have power to order the same to be cleared.

11. No person, except members of the Senate, officers and clerks of the two Houses of the General Assembly, Judges of the Supreme and Superior Courts, officers of the State resident at the seat of Government, members of Congress, persons particularly invited by the Speaker or some member, and such gentlemen as have been members of either House of the Legislature, or of the Convention of the people of the State, shall be admitted within the Hall of the House.

12. Reporters wishing to take down debates may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere to affect their object as shall not interfere with the convenience of the House.

ORDER OF BUSINESS OF THE DAY.

13. After the reading of the Journal of the preceding day, the House shall proceed to business in the following order, viz:

1. The receiving of petitions, memorials and papers addressed either to the General Assembly, or to the House.

2. The reports of Standing Committees.

3. The reports of Select Committees.
4. Resolutions.
5. Bills.
6. Bills, resolutions, petitions, memorials, messages, and other papers on the calendar, then the orders of the day; but motions and messages to elect officers shall always be in order.

ON DECORUM AND DEBATE.

14. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address the Speaker.

15. When the speaker shall call a member to order, the member shall sit down; as also he shall when called to order by another member, unless the Speaker decide the point of order in his favor. By leave of the House, a member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands, but by permission of the House. Any member may appeal from the decision of the Chair, and if, upon the appeal, the decision be in favor of the member called to order, he may proceed; if otherwise, he shall not, except by leave of the House; and if the case, in the judgment of the House requires it, he shall be liable to its censure.

16. When two or more members rise at the same time, the Speaker shall name the member to speak.

17. No member shall speak more than twice on the same question, not more than thirty minutes upon a main question, and not more than ten minutes upon an amendment, or motion to commit or postpone, without leave of the House.

18. Whilst the Speaker is putting any question, or addressing the House, no person shall speak, stand up, walk out, or across the House; nor when a member is speaking entertain private discourse, stand up, or pass between him and the Chair.

19. No member shall vote on any question in the case

where he was not present when the question was put by the Speaker, except by consent of the House Upon a division and count of the House on any question, no member without the bar shall be counted.

20. Every member who shall be in the hall of the House when the question is given, shall give his vote, unless the House, for special reasons, shall excuse him.

21. When a motion is made and seconded, it shall be stated by the Speaker; or, if written, it shall be handed to the Chair and read aloud by the Speaker or Clerk before debated.

22. Every motion shall be reduced to writing, if the Speaker or any two members desire it.

23. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in possession of the House, but may be withdrawn before a decision or amendment, except in case of a motion to reconsider, which motion, when made by a member, shall be deemed and taken to be in possession of the House, and shall not be withdrawn without leave of the House.

24. When a question is under debate, no motion shall be received but to adjonrn, to lay on the table, to postpone indefinitely, to postpone to a certain day, to commit or amend, which several motions shall have precedence in the order they stand arranged, and no motion to lay on the table, to postpone indefinitely, to postpone to a day, certain to commit or amend, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition.

25. A motion to adjourn, or lay on the table, shall be decided without debate; and a motion to adjourn shall always be in order, except when the House is voting, or some member is speaking.

26. When a question is postponed indefinitely, the same shall not be acted on again during the session.

27. Any member may call for a division of the question when the same shall admit of it, which shall be determined by the Speaker.

28. When a motion has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or succeeding day, unless it may have already passed the Senate, and no motion to reconsider shall be taken from the table except by a two thirds vote.

29. When the reading of a paper is called or, which has been read in the House, and the same is objected to by any member, it shall be determined by a vote of the House.

30. Petitions, memorials, and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place; a brief statement of the contents thereof shall verbally be made by the introducer, and shall not be debated or decided on the day of their being first read, unless the House shall direct otherwise, but shall lie on the table, to be taken up in the order they were read.

31. When the ayes and nays are called for on any question, it shall be on motion before the question is put, and if seconded by one-fifth of the members present, the question shall be decided by the ayes and nays; and in taking the ayes and nays, or on a call of the House, the names of the members will be taken alphabetically.

32. Decency of speech shall be observed, and personal reflections carefully avoided.

33. Any fifteen members, including the Speaker, shall be authorized to compel the attendance of absent members.

34. No member or officer of the House shall absent himself from the service of the House, without leave, unless from sickness or inability.

35. Any member may excuse himself from serving on any committee at the time of his appointment, if he is a member of two standing committees.

36. If any member shall be necessarily absent on any temporary business of the House, when the vote is taken on any question, upon entering the House, he shall be permitted, on motion, to vote.

37. No standing rule or order shall be rescinded or altered

without one day's notice given of the motion thereof; and to sustain such motion, two thirds of the House shall be required.

38. The members of this House shall uncover their heads upon entering the Hall, whilst the House is in session, and shall continue so uncovered during their continuance in the Hall, except Quakers.

COMMITTEES.

39. At the commencement of the session a Standing Committee shall be appointed on each of the following subjects, viz: On Propositions and Grievances; on Claims; on Privileges and Elections; on Judiciary; on Internal Improvements; on Finance; on Agr culture, Mechanics and Mining; on Education; on Penal Institutions; on Engroised Bills; on Counties, Cities, Town and Townships; on Immigration; on Corporations; on Railroads, Post Roads and Turnpikes; on Salaries and Fees, and on Military Affairs; to be appointed by the Speaker, and the first announced on each committee shall be Chairman. In addition to the above Standing Committees the Speaker shall appoint another—two members from each Judicial District—to be denominated the Committee on Private Bills.

40. In forming a Committee of the whole House, the Speaker shall leave the Chair, and a Chairman to preside in Committee shall be appointed by the Speaker.

41. Upon bils committed to a Committee of the whole House, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined; but all amendments, noting the page and line, shall be duly entered by the Clerk, on a separate paper, as the same shall be agreed to by the Committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by sections, before a question on its passage be taken.

42. All questions, whether in Committee or in the House shall be propounded in the Order in which they were moved.

43. The rules of proceeding in the House shall be observed in a Committee of the whole House, so far as they may be applicable, except the rule limiting the time of speaking and the previous question.

44. In a committee of the whole House, a motion that the Committee rise shall always be in order, except when a member is speaking, and shall be decided without debate.

ON BILLS, RESOLUTIONS, &C.

45. Every bill shall be introduced by motion for leave, or by order of the House, on the report of a Committee.

46. Every bill shall receive three several readings in the House previous to its passage, and the Speaker shall give notice at each whether it be its first second or third. The first reading of a bill shall be for information. If no opposition be made the bill shall go to its second reading without question.

47. Upon the second reading of the bill, the Speaker shall state it as reading for commitment or amendment.

48. The Speaker shall refer all bills and resolutions upon their introduction to the appropriate Committee, unless otherwise ordered.

49. The Clerk of the House shall keep a *separate* calendar of the *public and private bills*, and shall number them in the order in which they are introduced, *and all bills shall be disposed of in the order they stand upon the calendar, except otherwise specially ordered.* No public bill shall be twice read on the same day without the concurrence of two-thirds of the members present.

50. All resolutions which may grant money out of the Treasury, or such as shall be of public nature, shall be treated in all respects in a similar manner with public bills.

51. The clerk of the House shall be deemed to continue in office until another is appointed.

52. Upon a motion of any member, there shall be a call of the House, a majority of the members present assenting thereto; and upon a call of the House, the names of the members shall be called over by the clerk, and the absentees noted;

after which the names of the absentees shall again be called over. The doors shall then be closed and those from whom no excuse, or insufficient excuses are made, may, by order of those present, if fifteen in number, be taken into custody as appear, or may be sent for, and taken into custody wherever to be found, by special manager appointed for that purpose.

PREVIOUS QUESTION.

53. The previous question shall be as follows: "Shall the main question be now put?" and until it is decided shall preclude all amendments and debates. 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 taken upon such amendments in their order without further debate or amendment. If such question be decided in the negative, the main question shall be considered as remaining under debate: *Provided*, That no one shall move the previous question, except the Chairman of a committee, whose report is under consideration, the mover of a resolution or bill, or the author of a minority report.

54. When a motion for the previous question is made, and pending the second thereto by a majority, debate shall cease, but if any member obtain the floor, he may move to lay the matter under consideration on the table, or move an adjournment, and when both or either of these motions is pending, the question shall stand:

1st. Previous question.

2d. To adjourn.

3d. Lay on the table.

And then upon the main question; or amendments, or the motions to postpone indefinitely, postpone to a day certain, to commit or amend, in the order of their precedence, until the main question is reached or disposed of; but after the previous question has been called by a majority, no motion, amendment or debate shall be in order.

All motions below the motion to lay on the table must be made prior to a motion for the previous question; but pending and not after the second therefor by the majority of the House a motion to adjourn or lay on the table, or both are in order. This constitutes the precedence of the motion to adjourn and lay on the table over other motions, in rule twenty-five.

Motions stand as follows, in order of precedence in Rule 25:

Adjourn.

Lay on the table.

Previous question.

Postpone indefinitely.

Postpone definitely.

To commit or amend.

When the previous question is called, all motions below it fall, unless made prior to the call, and all motions above it fall after its second by a majority required. Pending the second, the motions to adjourn and lay on the table are in order, but not after a second. When in order, and every motion is before the House, the question stands as follows:

Previous question.

Adjourn.

Lay on the table.

Postpone indefinitely.

Postpone definitely.

To commit.

Amendment to amendment.

Amendment.

Substitute.

Bill.

The previous question covers all other motions when seconded by a majority of the House, and proceeds by regular gradation to the main question, without debate, amendment or motion until such question is reached or disposed of.

JOINT RULES OF ORDER.

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

2. When a bill or resolution shall have passed in one House, shall be repealed 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 for that purpose, and the other shall also appoint a committee to confer. The committee shall meet at such time and place as shall be appointed by the chairman of the committee on the part of the House requesting such committee. 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 may 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 or 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 reading, 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 on joint order, unless otherwise specified, two hundred and twenty copies of all messages from the Governor, all reports from standing or select committees, and all reports or communications made in pursuance of law.

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

10. The Clerk of each House shall receive from the Public Printer all matter ordered by their 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.

11. The two hundred and twenty copies of messages from the Governor, reports of committees and reports or communications made in pursuance of law, ordered to be printed by section eight, shall be distributed as follows: To the Senate, seventy copies; to the House of Representatives, one hundred and fifty copies.

12. There shall be joint standing committees consisting of three members of the Senate and five members of the House of Representatices, 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.
8. On Banks and Currency.
9. On Insurance.

INDEX

TO THE

HOUSE JOURNAL

SESSION OF 1873-'74.

INDEX.

—:o:—

A

ABSENCE, LEAVE OF GRANTED TO
Messrs. Abbott, 432
Anderson of Clay, 230, 507
Anderson of Davie, 241
Bennett, 432, 507
Blythe, 241
Bowe, 81
Bowman, 221, 432
Brown of Davidson, 333
Brown of Mecklenburg, 142, 241
Bryan of Sampson, 107
Bryan of Wilkes, 241, 333
Bryant, 241
Bryson of Swain, 230, 507
Bullard, 282
Bunn, 241, 387, 507
Byrd, 230
Carson, 260, 300
Carter, 124, 221, 241
Cobb, 116, 396
Copeland, 241
Carson, 81, 241
Costner, 81
Cox, 125, 326
Craige, 85
Darden, 81, 266
Davis, 151, 333
Dickey, 230, 478
Dudley, 125
Dula, 75, 125
Ellison, 142
Gilbert, 230
Gilmer, 179, 200
Godfrey, 260
Goodwyn, 133
Grady, 124
Gray, 161
Hampton, 230
Hanner, 125

ABSENCE, LEAVE OF TO
Messrs. Heaton, 4, 396
Houston, 241, 507
Hughes, 67
Johns, 313
Jones of Caldwell, 100
Jones of Camden, 266
Jones of Northampton, 135, 403
Jones of Orange, 318
Jones of Tyrrell, 241
King, 116, 333, 412
Lindsay, 31, 241, 266, 333
Luckey, 200
Marler, 241
Maxwell, 85, 333, 403, 413, 422
McGehee, 116
McLaurin, 124, 387
Mizell, 81, 161, 266
Moring, 142
Moss, 81, 333
Norment, 81, 300
Paschall, 133, 151, 341, 450
Patrick, 56, 412, 507
Perry of Bladen, 61, 539
Perry of Wake, 200
Presson, 230, 517
Reid of Mecklenburg, 403, 413, 422
Reid of Randolph, 56, 341
Rhodes, 539
Richardson, 125, 333
Settle, 125
Sharp, 221
Shaw, 133
Shinn of Cabarrus, 81, 300
Shinn of Iredell, 92, 161, 403
Sneed, 161
Stanford, 241
Todd, 241
Trivett, 230, 450
Waddill, 241
Watson, 478
Waugh, 133, 241, 260, 389
Whisnant, 241
Williamson, 230, 333, 396, 432
ACADEMIES:
to incorporate the trustees of Fairfield, 145, 162, 192, 349
in relation to Mount Pleasant, of Cherokee, 294, 319, 346
to prohibit the sale of liquors within two miles of the male, at Mt. Airy, 385

ADJOURNMENT.
in relation to, 69, 79, 112, 181, 182, 215, 220, 276, 367, 372, 398, 482
Committee of Conference on, 146, 155, 181
to raise a Joint Select Committee on, 293, 367, 403, 417
rescinding a joint resolution on, 534, 550, 568
changing the hour for, 567
ADMINISTRATORS AND EXECUTORS:
for the relief of 174, 211, 446, 474, 493
AGRICULTURE:
for the encouragement of, &c., 496
Agricultural interests of the State, to protect the 53, 191, 289
ALEXANDER COUNTY:
to incorporate the town of Taylorsville, in 166, 180, 326, 334
to prohibit the sale of liquors within one mile of Stony Point Church, in 175
to lay off and improve the public road leading from Wilkesboro to Taylorsville, in 286, 292, 305, 330, 436, 464, 523, 524
for the relief of the sheriff of 323, 434, 449, 462
to prohibit the sale of liquor within one mile of Rocky Spring Camp Ground and Church, in 331
to prohibit the sale of liquor within one mile of Bethel Church, in 343
to prohibit the sale of liquors within one mile of Liberty Church and Camp Ground in, 359, 396
to allow the commissioners of, to levy a special tax, 451, 530, 554
for the relief of the sheriff of Watauga and, 564, 568
ALLEGHANY:
to give to the county of, the proceeds of sales of vacant lands therein, 447, 475
AMENDMENT, TO THE CHARTER OF:
the Carolina Central Railway Company, 41, 51, 64, 94
the city of Raleigh, 58, 138, 211, 288, 291, 302, 494
the town of Beaufort, 95, 109, 122, 129, 143, 202
the town of Newbern, 112, 143, 157, 173, 404
the town of Hillsboro, 128, 229, 232, 417, 425
the North Carolina Railroad Company, (Consolidation Bill), 146, 153, 170, 185, 195, 208, 219, 225, 241, 248, 252, 278, 314, 315, 320, 321, 337, 351, 361, 369, 375, 416, 431, 453, 480
the town of Winston, 154, 162, 205, 225
the Rabun Gap Short Line Railroad Company, 176, 254, 258
the Carolina Narrow Guage Railroad Company, 182, 223, 433, 461
the Fair of the Carolinas at Charlotte, 203, 222, 250, 256, 267, 269, 25, 363
the Wilson and Tar River Narrow Guage Railroad Company, 225, 242, 251, 265, 404
the town of Concord, 233, 266, 281, 293
the town of Battleboro, 304, 338, 366, 480
the Neuse River Ferry Company, 232, 357
the Scotland Neck and Weldon Railroad and Steamboat Company, 391 414, 508
the Jamesville and Washington Railroad and Lumber Company, 393, 414, 462, 523, 549

AMENDMENTS—TO THE CHARTER OF:
Trinity College, 443, 550, 471, 480, 566
the New River Canal Company, 451, 523
Edenton in Chowan, 496
Rocky Mount, 501
the town of Durham, 535
TO ACTS TO INCORPORATE:
the Wilmington & Seaside Railway Company, 41, 51, 64, 182
the town of Lumberton, 42, 50, 64, 70, 110, 193, 415, 508, 563
the trustees of Davidson College, 58, 68, 79, 87, 173
the town of Lincolnton, 104, 118, 150, 164, 234, 244
the Young Men's Intelligent and Enterprising Association, 104, 201, 286
the town of Washington, 167, 211, 346, 458, 492
the New River Canal Company, 154, 172, 196, 223, 332, 342, 391
the Greenville and French Broad Railroad Company, 181, 192, 240, 253, 433 437, 661, 465, 479, 566
the Mount Airy Central Railroad Company, 331, 357, 493, 505, 562
the Seaboard and Raleigh Railroad Company, 433, 437, 461, 465, 480, 564
the People's Building and Loan Association, of Oxford, 436, 464, 492, 565
the Horse Ford Manufacturing Company, 437, 464, 493, 512, 540
the Haywood and Cane Creek Railroad Company, 451
Renno's Camp Ground and Locust Old Field Baptist Church, 434, 458 462, 523
the Falls of Neuse Manufacturing Company, 496, 518, 555, 564
the Oxford & Henderson Railroad Company, 512
the town of Concord, 565
the town of Ashboro, 566
the Oak City Savings Bank, of Raleigh, 567
TO BATTLE'S REVISAL:
chapter 38, 426
section 18, chapter 14, 405, 490, 505, 508
sections 4 and 5, chapter 37, 375
chapter 27, 350, 509
chapter 52, 348, 364
section 1, chapter 9, 335, 364
section 13, chapter 27, 285, 348, 486, 496, 552, 567
section 13, chapter 82, 258, 388, 482
Battle's Revisal, 268, 277, 362, 446, 474
section 31, chapter 17, 233, 283, 318
section 5, chapter 83, 203
chapter 102, 167
chapter 105, 165, 190, 277, 322, 326, 482, 490, 493, 524 525, 529, 540, 554, 329, 368, 424, 426, 555, 571, 563, 565
section 53 chapter 10, 103, 179
section 13, chapter 52, 82, 101, 115
section 31, chapter 102, 82, 86, 96, 119
sections 13, 19 and 20, chapter 27, 78, 86, 96
sections 27 and 28, chapter 60, 70, 117, 141, 157, 164
chapter 68, 63, 74, 118
section 50, chapter 68, 63, 118, 140

AMENDMENTS, OF BATTLE'S REVISAL:
section 11, chapter 53, 62, 117, 132
section 13, chapter 121, 58, 60, 61, 63, 74, 101, 105, 117, 186, 141, 193
section 10, chapter 104, 433, 461
chapter 37, 442, 470, 553
section 19, chapter 112, 112, 423, 471
section 41, chapter 104, 461, 525, 552
chapter 104, 490, 564
chapter 97, 491, 535, 554, 557, 561, 566
chapter 5, 495, 552
section 13, chapter 44, 510, 522
section 4, chapter 71, 510
chapter 32, 566
THE CODE OF CIVIL PROCEDURE:
title 4, 47, 101, 116, 126
title 11, chapter 17, 94, 191, 289
section 55, title 5, 103, 117, 150, 164
sub-division 2, section 31, chapter 3, title 4, 133, 172, 315
section 76, title 7, 155, 211, 325
section 53, 322, 328, 435, 443, 450, 462, 471
section 82, 425
THE REVISED CODE:
section 1, chapter 120, 165, 191, 278, 342, 448, 476
sections 3 and 4, chapter 87, 165, 310, 325
section 1, chapter 12, 194, 210, 447, 475
section 1, chapter 48, 214, 319, 554, 561
chapter 109, 359, 665
Laws of 1848-'49, chapter 130, Private, 208, 221, 254, 258
Laws of 1846-'47, chapter 66, 452, 512, 520
Laws of 1846-'47, chapter 212, 452, 512, 520
Laws of 1856-'57, chapter 110, 181, 301, 265, 275, 434, 462
Laws of 1858-'59, chapter 197, 501, 564
Laws of 1866-67, chapter 126, 134
Laws of 1868-'69, chapter 28, Private 322, 413, 434, 458, 462, 565
chapter 175, 233, 283, 325, 334, 494
section 11, chapter 201, 127, 210, 289
section 27, chapter 162, 435
Laws of 1868, section 4 and 5, chapter 35, 145, 191, 338
section 13, chapter 20, 486, 493, 563
Laws of 1869-'70, chapter 66, section 2, Public 344, 402, 404
chapter 60, section 16, 167, 310, 340, 279, 524, 540
line 5, chapter 169, section 3, 136, 191, 325
chapter 167, 103, 388, 443, 471, 479, 543
section 3, chapter 206, Public 70, 117, 141
section 7, chapter 23, 567
Laws of 1870-'71, chapter 189, 350, 424, 426
section 1, chapter 70, 358
chapter 91, Private 284, 425, 482
chapter 110, 136, 200, 272, 281, 302
chapter 139, 146, 374, 447, 475

AMENDMENT, LAWS OF 1870-'71, TO
section 1, chapter 70, 121, 156, 172
chapter 205, Public 82, 478, 528, 540 563
section 2, chapter 277, 53, 76, 86
chapter 254, 510
section 4, chapter 81, 562
Laws of 1871-'72, chapter 85, Private 368, 451
section 1, chapter 71, 295, 334, 352, 365, 567
chapter 116, 313, 329, 351, 413, 520
chapter 80, Private 244, 374, 447, 475, 522, 465
chapter 19, 253, 258
chapter 197, 103, 151, 265, 275
chapter 193, 103, 210, 289, 322
chapter 77, 53, 57, 72, 87, 562
Laws of 1872-'73, chapter 193, 314, 219, 347, 348, 446, 474, 509
chapter 43, Private 284, 328, 446, 474, 493
section 3, chapter 67, Public 175, 211, 447, 475
chapter 90, (school bill) 121, 134, 138, 159, 167, 177, 193, 509
chapter 171, 80, 82, 89, 90, 94, 349, 374, 434, 458, 462
chapter 154, 88, 101, 105, 119, 562
chapter 182, 479, 524, 565
section 2, chapter 61, 563
section 31, chapter 115, Public 564
section 13, chapter 74, 565
An act to prevent distemper among cattle, 233, 242, 349, 562, 568
An act relating to fences, &c., 285, 319
An act to protect the city of Raleigh from fire, 331, 357
An act for the better government of the town of Wadesboro, in Anson county, 337, 344, 508
An act in relation to foreign insurance companies, 426, 553, 562
The existing laws in regard to the Western Turnpike Road, 426, 391, 534
An act prohibiting the sale within three miles Ore Knob Copper Mine, 433, 461
Supplemental to an act chartering the Jamesville and Washington Railroad Company, 434
An act to establish the rate of interest, &c., 417, 475
An act for the better regulation of the town of Tarboro, Edgecombe county, 540, 542, 556, 562
An act to authorize the mayor and commissioners of Fayetteville to appoint a receiver of railroad taxes, 542, 553
An act to change the name of Boon Hill, &c., 554
An act in relation to the fees of county officers and Supreme Court Clerks, 145, 230
An act for amnesty and pardon, 120, 152, 206, 217, 225, 279, 324, 430, 483, 518
An act to prohibit the sale of spirituous liquors within certain localities, 78, 197, 278, 286, 312, 520, 539
An act supplemental to an act establishing the new county of Pamlico, 90, 118, 132, 552
An act for building a bridge across Pasquotank river, 185, 223, 254, 358

An act to change the dividing line between the counties of Granville and Franklin, 135, 192, 263, 276
AMENDMENTS:
47, 59, 54, 66, 74, 97, 98, 114, 115, 140, 148, 159, 168, 177, 183, 225, 234, 253, 279, 286, 296, 336, 339, 346, 350, 360, 361, 362, 368, 370, 392, 399, 306 to 411, 417 to 421, 430, 431, 439, 449, 453, 454, 459, 467, 484, 499, 536, 544, 558.
AMNESTY AND PARDON:
To amend an act for, 120, 152, 206, 217, 225, 279, 324, 430, 483, 518
ANIMALS:
In relation to mischievous, 104, 126, 158, 171, 289
For the protection of sheep and other, 294, 374
ANSON:
To incorporate Polkton in, 492
To prevent the sale of spirituous liquors within two miles of Cedar Creek Church in, 82, 87, 105, 119
To allow the commissioners of to levy a special tax, 111, 118, 139, 149, 163, 295
to amend an act for the better government of Wadesboro in, 166, 180, 337, 344, 348, 508
to incorporate Lilesville in, 214, 242, 309, 330, 435, 463
APPEALS:
from decisions of the chair, 238
ARMS.
concerning this State's quota of, 404
ARMSTRONG, JOHN:
in favor of, 390
ASSOCIATION:
to amend an act incorporating the Young Men's Intelligent and Enterprising, 104, 201, 286
to incorporate the Industrial of Western North Carolina, 137, 163
to incorporate the Richland Farmers', 129, 143, 178, 212
to incorporate the Ladies' Memorial of Wilmington, N. C., 257, 273, 103, 315, 321
to incorporate the Carolina Stock and Poultry, 262, 433, 461, 494, 504, 563
to incorporate the People's Building and Loan, of Morganton, 322, 329, 352, 435, 463
to incorporate the Halifax Educational, 502, 556, 565
ARREARAGES OF TAXES:
To authorize the collection of, in the town of Statesville, 167, 192, 243, 250, 268
To enable the sureties of the late sheriff of Yadkin to collect, 175, 206, 223, 251
To allow the sheriff and tax collector of Caldwell to collect, 262, 267, 346
To allow J. J. Hasty to collect, 313, 479
To authorize Bland Wallace to collect, 313
To allow the constable of Bingham township to collect, 443, 451, 471, 480
ASYLUMS:
Oxford Orphan, in favor of the, 127, 276
appropriating the sum of $6,000 to the, 481

ASYLUMS:
Insane, in relation to, 77, 83, 101
to raise a joint select committee to report the expenditures of, 321, 326, 338, 350, 377
for the support, &c., for the year 1874, 331, 460, 406, 512, 541
ASHE:
to improve the State road on Buffalo creek in, 162, 120, 273
to prohibit the sale of liquors within 3 miles of Ore Knob Copper Mine in, 234, 250
to give to the county proceeds of sales of vacant lands therein, 447, 475
ATTORNEY GENERAL:
instruction to the, 57, 59, 77, 79, 93, 112, 524, 525, 504
opinion of the, 163, 320
AUDITOR:
instruction to the, 294, 311, 321, 324, 342
AYES AND NOES:
44, 48, 64, 65, 71, 73, 91, 87, 98, 106, 113, 122, 123, 124, 130, 129, 140, 149, 150, 157, 168, 169, 177, 183, 184, 198, 205, 207, 208, 215, 216, 217, 218, 219, 227, 228, 229, 235, 236, 237, 238, 239, 240, 246, 247, 249, 264, 271, 279, 296, 300, 306, 316, 317, 323, 324, 337, 338, 344, 345, 353, 354, 355, 361, 362, 363, 369, 371, 372, 378, 379, 393, 394, 395, 401, 407, 412, 421, 427, 428, 429, 431, 438, 439, 440, 441, 448, 454 to 458, 467 to 470, 477, 477, 483 to 486, 497, 488, 489, 499, 500, 503, 513 to 516, 517, 519, 526, 528, 529, 530 to 533, 587, 538, 543 to 551, 554, 557, 559, 569, 570.

B

BANKS:
to incorporate the People's, of Monroe, 215, 267, 282
in favor of the Fayetteville National, 233, 267, 329, 351, 524, 541
to charter the Bank of Wilson, 302, 285, 311, 434, 462, 563
to incorporate the Planters', of Mount Airy, 323, 375, 512, 522, 563
to amend an act to incorporate the Oak City Savings, 567
BADGER:
to establish a new county by the name of, 303, 342, 507
BACK SALARY GRAB ACT:
respecting Hon. A. M. Waddell on the 304
respecting Hon. M. W. Ransom on the 304
BASTARDY:
an act entitled 375, 423, 463
BAXTER, T. F.:
for the relief of 135, 152
BARKER, JOHN
in favor of 524
BATTLE'S REVISAL:
to amend chapter 121, section 13, of 58, 60, 61, 63, 74, 101, 115, 117, 126, 141, 193

BATTLE'S REVISAL:
to amend section 11, chapter 53, of 62, 117, 132
to amend chapter 68, section 50, of 63, 118, 141
to amend chapter 68, of 63, 74, 118
county officers to deliver to their successors, 70, 151, 265, 275
to exempt the county of Caswell from the provisions of section 13, chapter 27, of 70, 86, 96
to amend sections 27 and 28, chapter 60, of 70, 117, 141, 147, 164
relating to 78, 83, 142, 148, 164
to amend sections 13, 19 and 20, chapter 27, of 78, 86, 96
to amend section 13, chapter 52, of 82, 101, 115
to amend section 31, chapter 102 of 82, 86, 96
to amend title 11, chapter 17, of the Code of Civil Procedure, of 94, 191, 289
to repeal section 10, chapter 97, of 121, 148, 171, 289, 566
to amend chapter 61, section 53, of 103
declaratory of the meaning of section 41, chapter 45, of 127, 201, 270, 293
to amend chapter 105 of 165, 190, 277, 322, 326, 329, 368, 424, 426, 482, 490, 493, 524, 525, 529, 554, 556, 561, 563
to add certain sections, to 165, 232, 241, 258, 481
declaratory of the meaning of chapter 63, section 50, of 230
to amend section 5, chapter 88, of 203
to amend chapter 17, section 31, of, 233, 283, 318
concerning 252, 259
to amend 268, 277, 364, 446, 474
in regard to amending 312
to amend chapter 9, section 1, of 235, 364
to amend chapter 52 of 343, 364
to amend section 13, chapter 27, of 285, 348, 486, 496, 552
to alter sections 4 and 15, chapter 37, of 349, 364
to amend chapter 37 of 350, 509, 563, 564
to amend chapter 37, sections 4 and 5, of 375
to amend chapter 82 of 285, 388, 482
to amend section 18, chapter 14, of 405, 490, 505, 508
to repeal section 6, chapter 9, of 414
to repeal section 19, chapter 102, of 415, 442, 443, 470, 471, 509
to amend chapter 38 of 426
to amend section 10, chapter 104 of 433, 461
to amend chapter 37 of 442, 470, 553
to repeal chapter 48, as far as Scotland Neck, in Halifax, is concerned, 445, 522, 532
declaratory of the meaning of section 52, chapter 63, 447, 475
to amend section 41, chapter 104, of 461, 552, 564
to amend chapter 104 of 490, 525
to amend chapter 97 of 491, 535, 554, 557, 561

BATTLE'S REVISAL:
to amend chapter 5 of 495, 552
to amend section 13, chapter 44, of 510, 522
to amend section 4, chapter 71, of 510
Judiciary Committee to report whether is in force, 540
to amend chapters 32 and 33 of 566

BELL, A. W.:
Instructing the Secretary of State to issue a grant to, 77, 83, 109, 131, 143, 232

BEAUFORT:
in relation to public roads in, 144, 211, 506
to amend an act incorporating the town of Washington in, 167, 211, 346, 492
to empower the commissioners of, to sell the Poor-house site in, 214, 223
concerning the annexation of a part of the county of, to Pamlico, 563

BETHEL: (See Pitt.)

BERTIE:
for the benefit of the farmers in Cashie Neck, 53, 119, 132, 153, 232
to change the county line between, and Martin, 144, 163, 325
giving the Superior Court of Martin concurrent jurisdiction over misdemeanors committed on River Pocosin Island in, 444, 472, 541, 554, 561
in reference to courts in, 564

BILLS:
introduction of, 6, 41, 46, 52, 58, 69, 78, 82, 88, 90, 94, 99, 102, 110, 120, 127, 136, 138, 144, 154, 155, 165, 174, 181, 194, 202, 213, 224, 232, 244, 252, 262, 268, 276, 284, 294, 303, 312, 343, 349, 350, 358, 367, 376, 390, 398, 404, 414, 435, 444, 451, 452, 463, 472, 480, 495, 496, 509, 524, 539, 552, 567
on second reading, 43, 49, 54, 55, 60, 64, 66, 72, 74, 83, 84, 90, 96, 99, 105, 114, 122, 129, 138, 148, 156, 170, 178, 183, 196, 204, 228 229, 235, 246, 254, 263, 270, 281, 288, 314, 337, 338, 339, 346, 347, 350, 351, 352, 371, 391, 401, 443, 446, 458, 459, 465, 470, 471, 474, 483, 484, 504, 512, 520, 524, 528, 543, 555, 558, 568
on third reading, 43, 49, 54, 55, 60, 64, 66, 72, 74, 83, 84, 90, 96, 99, 105, 114, 122, 129, 138, 148, 156, 170, 178, 183, 196, 204, 227, 228, 235, 246, 254, 263, 270, 279, 281, 288, 314, 338, 339, 347, 350, 351, 352, 353, 369, 379, 391, 402, 443, 446, 449, 458, 460, 465, 468, 470, 471, 474, 481, 484, 504, 512, 520, 524, 528, 554, 558, 568, 570

BLACK, A. R.
for the relief of, 6, 51, 54, 57, 77

BLADEN:
to change the line between, and Cumberland county, 78, 86, 170, 212, 512, 540
in favor of the sheriff of, 99, 110, 335, 397, 451, 505, 508, 541
to prohibit the sale of liquors, within three miles of the Methodist church at Abbottsburg in, 269
to authorize the commissioners to levy a special tax, 313, 424, 441, 455 469, 479, 564
to prohibit the sale of liquors in certain localities in, 294, 347, 388
to prohibit the sale of liquors within 2 miles of Carver's Creek church in, 415
to repeal so much of section 1, chapter 171, of public laws of 1872-'73 as relates to French's Creek Baptist Church, in 436, 464
to prohibit the sale of liquor within three miles of French's Creek Church, in 444, 472
respecting the Big Swamp in, 452
to incorporate the town of Elizabethtown, in 511, 521, 556, 563

BONDS OF THE STATE:
special tax, concerning the 5, 43, 80, 96
instructing the Finance Committee to tax the, 110
to re-issue certain lost special tax, 175, 192, 338
upon the subject of the special tax, 181
from Committee on special tax, 212

BONDS:
to authorize the commissioners of Washington to issue, 502, 527
in relation to the, of sheriffs, 136, 273, 374, 446, 474
in relation to the penalty of guardians, 211, 289
to authorize the town of Hickory, in Catawba, to issue, 416, 438, 466, 494

BOYDEN, HON. NATHANIEL:
resolutions in regard to the death of, 55

BRAGG:
to establish a new county by the name of, 63, 93, 105

BROAD RIVER:
in regard to Cherokee Dam, on 213, 222

BRUNSWICK:
concerning the ferries and causeways from the city of Wilmington to, 63, 109, 152, 170, 182
in reference to the line between New Hanover and, 192, 315
to prohibit the sale of spirituous liquors within 5 miles of Zion Methodist Church in, 331
to incorporate the Pythagoras Lodge F. & A. Y. Masons of the town of Smithville in, 406, 424

BURKE:
to give all vacant lands in said county to, 110, 152, 206, 216
to extend the time for taking out grants in, 202, 211
to incorporate the People's Building and Loan Association of Morganton, in 322, 329, 352, 366, 435, 463

BURKE:
to empower the Board of Commissioners to levy a special tax, 416, 458
to give to the county of, the proceeds of sales of vacant lands therein, 405, 478, 487, 506
BUNCOMBE:
Concerning the passage of fish in Sandy Mush Creek, in, 63, 76, 84, 93
To establish two toll bridges on the French Broad River in, 89, 109, 149, 163, 232
Concerning the sale of spirituous liquors in the town of Liecester, in, 89
To incorporate Montmorency Church in, 89, 109, 131, 143, 223
To incorporate the Baptist Church of Hominy, in 89, 109, 131, 143, 201
To incorporate Weaversville College, in, 90, 110, 122, 143, 202
In favor of the sheriff of, 154, 158, 165
To prevent the selling or giving away of spirituou4 liquors within 2 miles of Turkey Creek Camp Ground, in, 277, 311, 347, 358, 509
To incorporate the town of Liecester, in, 285, 302, 346, 353, 365, 435, 463
To prohibit the demanding of tolls at Sandy Bottoms, in, 295, 320, 459, 479 523

C

CAPITOL SQUARE:
In regard to a privy on, 212, 222, 479
CABARRUS:
To amend the charter of the town of Concord, in, 233, 266, 281, 293, 565
CABE, SAMUEL:
In favor of, 496
CALL OF THE HOUSE: 259, 435, 463
CALDWELL:
To allow the sheriff and tax collector of to collect arrears of taxes, 262, 267, 346
To provide for a special election in the county of, 303, 334, 345, 348, 355, 414
To authorize the Commissioners of the town of Lenoir, in, to sell certain lands, 304, 366
CAMDEN:
In favor of D. D. Ferebee, Jr., sheriff of, 52, 76, 84, 93
To establish a turnpike road across the swamp at Old Lebanon Mills in, 542, 559
CAMP GROUND:
To incorporate Reno's, 46, 68, 79, 87, 102, 415

CAMP GROUND:
concerning Sharon, 52, 68, 79, 87, 173, 313, 329, 366, 509
concerning the sale of liquors at Shallotte, 56, 83, 121, 153
concerning Clover Hill, 58, 76, 83, 101, 173, 313, 329, 366, 509
to incorporate Union, 182, 222, 346, 375
to incorporate Nebo. 195, 222, 270, 302, 480
to incorporate Smith Grove, 214, 222, 308, 320
in relation to the sale of liquor at Turkey Creek, 277, 311, 347, 358
to incorporate Harmony Hill, in Iredell, 343, 451, 523
to prohibit the sale of liquor within two miles of Hilton, 398
for the better protection of churches, and 405, 490, 505
to amend an act to incorporate Reno's, &c., 434, 458, 462, 523
to incorporate the Trustees of Smith Grove, &c., 435, 463
CATAWBA:
to authorize the town of Hickory, in, to aid the Carolina Central Railway Company, 456
to incorporate the town of Hickory, in, 176, 180, 206, 215, 223
to authorize the town of Hickory, in, to issue bonds, &c., 416, 438, 466
CHATHAM:
in favor of the sheriff of, 127
to prohibit the sale of liquors in certain localities, in, 224, 231, 255, 268
to change the time of holding the Superior Courts of, 294, 295, 302
CAROLINA CENTRAL RAILWAY:
(See Company.)
CASHIE NECK:
(See Bertie.)
CARTERET:
to incorporate Newport College, in 444, 472, 533
to amend the charter of the town of Beaufort, in 95, 109, 122, 129, 143, 202
to change the time for the Meeting of the Board of Commissioners, &c., of 103, 108, 150, 163, 224
to incorporate the Oriental Fish and Oyster Company, of 185, 222, 245, 259, 368, 397, 521, 522
CENTER:
to establish a new county by the name of 154, 163, 325
CASWELL:
to exempt the county of, from the provisions of section 13, chapter 27, Battle's Revisal, 96, 70, 86
CENTENNIAL CELEBRATION:
relating to the, at Philadelphia, 95, 194
to provide for the appointment of State managers for the 230
to appoint a joint select committee on the State and United States 376, 443, 444, 471, 472

CHEROKEE:
to require the treasurer of to turn over certain bonds 53, 76, 83, 93, 202
in relation to Mount Pleasant Academy, in 294, 319, 346
for the relief of persons who have entered vacant lands in 303, 319, 451, 541
to establish a turnpike road from Shoal Creek, in 322
to extend the time for the tax collector of, to settle the public taxes, 398, 433, 461, 505, 508
COMMERCIAL FERTILIZERS:
to prevent fraud in the sale of 176, 201, 262, 228, 350, 375
in relation to the storage of 416, 425
CHARLOTTE MILITARY INSTITUTE:
in relation to correspondence between the Governor and Superintendent of the, 278
CHATOOGA:
to establish a new county by the name of, 128, 134, 152
CHURCH:
to incorporate Locust Old Field Baptist, 46, 68, 79, 87, 102, 415, 523
to incorporate Montgomery, 89
to incorporate the Baptist of Hominy, 89
CIVIL ACTIONS:
to authorize the removal from one judicial district to another, 391, 424, 451
CLERK:
in relation to the fees of the Supreme Court, 145, 230
to prescribe the duties of the, of Superior Courts in relation to bills of cost, 269, 301, 391, 404, 523
thanks to the, 567
in favor of the Engrossing and Enrolling, 435, 437, 444, 463, 465, 472, 495
in favor of Reading, 542, 553, 555, 566
in favor of the Principal, 552, 553, 562
in favor of the, of the General Assembly, 553
CLAY:
for the relief of persons who have entered vacant lands in, 303, 319, 451, 541
CLEAVELAND:
concerning Sharon Camp Ground in, 52, 68, 79, 87, 173, 313
concerning Clover Hill Camp Ground in, 58, 76, 83, 101, 173, 313
the Board of Commissioners of to make title to certain town lots, 269, 281, 292, 342
to incorporate the village of Kings Mountain, 277, 302, 347, 358, 494
to give to the county of, the proceeds of the sales of vacant lands therein, 405, 478, 487, 506
to prohibit the sale of liquors in the town of Shelby in, 445, 473, 521, 555, 563
CHOWAN:
for the relief of the sheriff of, 89, 109, 142, 153, 202
to amend the charter of Edenton in, 496, 518

CIVIL RIGHTS:
in favor of, 78, 106
to protest against the passage of the bill by Congress, 293, 295, 320
CODE OF CIVIL PROCEDURE:
to amend title 4 of 47, 101, 116, 126
to amend section 55, title 5 of the, 10 . 117, 150
to amend sub-division 2, section 31, chapter 3, title 4 of the, 136, 172
to amend section 76, title 7 of the, 155, 211, 325
to amend section 53 of the, 322, 328, 434, 443, 462, 471
to amend sect on 82 of the, 425
COLLEGE:
to incorporate Weaversville, 90, 122, 143
amendatory of the charter of Floral, 252, 562, 567, 568
in relation to the establishment of an agricultural, 490
COLUMBUS:
to incorporate the town of Whiteville in, 111, 118, 131, 143, 224
to incorporate the town of Cerro Gordo in, 391, 414, 434, 462, 540
respecting the Big Swamp in, 452
COOR, N. C.:
for the relief of, 46, 57, 66, 68, 414
COLLEGIATE INSTITUTE:
to authorize the establishment of a, for the colored youth of the State, 304, 506, 531
COMMISSIONERS (COUNTY):
to exempt certain property from taxation, 154, 162, 263, 283, 325
concerning the duties of, 194, 231, 263, 446, 474
to authorize the, of Martin, to sell certain lands, 334, 434, 462
to allow, to contract for building turnpike roads, 415, 437, 479, 557, 566
to authorize the, of Stokes to have the town lots of Danbury resurveyed, 436, 464, 495
to enable the, of Surry to consolidate and pay the debt of, 78, 93
to authorize the, of the town of Lenoir to sell certain tracts of land, 351, 435, 463
to make no distinction in drawing and selecting jurors, 82, 139
COUNTY OFFICERS:
in relation to the fees of, 145, 146, 230, 323
to deliver to their successors Battle's Revisal, 70, 151, 265, 275
CONSTABLES:
concerning the fees of Justices of the Peace and, 333, 365
COMMITTEE:
to wait on Governor, 4
joint select, in relation to suit of Self et al., 42, 49, 51, 72
on State debt and liabilities, 43
on joint rules of order, 43
on Banks and Currency, 50, 114
on Enrolled Bills, 561
on Insurance, 50, 114
on Education—instruction to the 51, 55
on H. B. No. 45—the militia bill, 75

COMMITTEE:
of Conference, 146, 155, 181, 520
on Penal and Benevolent Institutions, 340, 350
to separate the private and public laws, 340
COMPANY:
to amend the charter of the Carolina Central Railway, 41, 51, 64, 94
to amend an act to incorporate the Wilmington & Seaside Rail way, 41, 51, 64, 87
report of the President and Directors of the Albemarle & Chesapeake Canal, 85
to amend the charter of the N. C. Railroad, (consolidation bill,) 146, 153, 170, 185, 195, 208, 218, 225, 241, 248, 252, 278, 314, 315, 320, 321, 337, 351, 361, 369, 375, 416, 431, 453, 480
to amend an act to incorporate the New River Canal, 154, 172, 196, 223, 332, 342, 391, 523
to provide ways and means to aid the Carolina Central Railway, 176, 192, 228, 255
to amend an act to incorporate the Greenville & French Broad Railroad, 181, 192, 240, 258, 433, 437, 461, 465, 479, 566
to amend the charter of the Carolina Narrow Guage Railroad, 182, 223, 433, 461
to incorporate the Frizells Citizens' Fire, of Fayetteville, 182, 222, 346, 855, 365, 435, 463
to incorporate the Oriental Fish and Oyster, of Carteret county, 185, 222, 245, 259, 368, 397, 521, 522
to incorporate the Seaboard & Raleigh Railroad, 176, 197, 212, 253, 259
to incorporate the Yadkin, New & Watauga Timber, Lumber and Raft, 204, 222, 257, 258
in reference to meetings of stockholders and directors of the Carolina Central Railway, 214, 231, 242, 243, 250
to incorporate the Rough and Ready Fire, of Newbern, 203, 222, 302, 480
to amend the charter of the Wilson & Tar River Railroad, 225, 242, 351, 404, 365
to incorporate the Diamond Cotton Chopper and Cultivator, 233, 267, 281, 293, 295
to incorporate the Cross Creek Cemetery, 176, 180, 254, 258
to amend the charter of the Rabun Gap Short Line Railroad, 176, 254, 258
to amend an act to incorporate the Mount Airy & Central Railroad, 331, 357, 505, 562
to amend the charter of the Neuse River Ferry, 332, 357
to authorize the Piedmont Railroad to consolidate with the Richmond & Danville Railroad, 335, 458

COMPANY:
to incorporate the Pee Dee Manufacturing, 339, 397, 434, 462, 512, 541
to incorporate the North Carolina Gold Amalgamating, 376, 389, 391
to amend the charter of the Scotland Neck Railroad and Steamboat, 391, 413, 508
to charter the Jamesville and Washington Railroad and Lumber, 398, 414, 434, 462, 523, 549
to incorporate the Raleigh Warehouse and Trust, 416, 438, 466, 509
to repeal the charter of the Roanoke Navigation, 423
to amend an act to incorporate the Seaboard & Raleigh Railroad, 433, 437, 461, 465, 480, 564
to amend an act to incorporate the Horse Ford Manufacturing, 437, 464, 493, 512, 540
to amend an act to amend the charter of the New River Canal, 451
to amend the act to incorporate the Haywood & Cane Creek Railroad, 451
to authorize the town of Hickory, in Catawba, to aid the Carolina Central Railway, 456, 494
to incorporate the Tokay Wine, 492, 563, 569
to incorporate the Piedmont Springs, 492, 504, 541
to amend an act to incorporate the Falls of Neuse Manufacturing, 496, 518, 555, 564
to incorporate the Wilmington, Raleigh & Roxboro Railroad, 501, 522, 564
to incorporate the Watch Tower Publishing, 501, 521
to incorporate the Western North Carolina Land, 502, 521, 555, 563
to charter the Scotland Neck & Weldon Railroad and Steamboat, 505
to amend an act to incorporate the Oxford & Henderson Railroad, 512
to repeal an act to charter the Tennessee River Turnpike, 565
to incorporate the Brunswick Bridge and Ferry, 62, 153, 199, 205, 497, 503

COMMUNICATIONS:
from the Mayor of the city of Raleigh, 40
from the Public Treasurer, 42, 121, 510
from committee inviting members to visit the Fair of the Carolinas at Charlotte, 56
from the Principal of the Institute for the Deaf and Dumb and the Blind, 146
from the President of the Board of Directors of the Penitentiary, 146
from the President of the Board of Directors of the Insane Asylum, 146
from committee of Cape Fear Agricultural Association, 158
from the Chamber of commerce of the city of Wilmington, 327
from the Auditor, 331

CONTRACTS:
in regard to, for labor, 102, 106
to prevent enticing servants from fulfilling their, 62, 118, 132
CONSTITUTION:
to require the publication of the, as lately amended, &c., 367, 490
to append the, to the volume of the laws, 524
CONVICTS RELEASED FROM THE PENITENTIARY:
providing for the transportation of, 89, 100, 115, 322, 327, 336, 342, 357
CORONERS:
in relation to the deeds of sheriffs and, 213, 230
CORPORATIONS:
to protect farmers and others from damage by railroad, 165, 423, 447, 475
COTTON:
in relation to the sale of, 53, 152, 178, 193, 358
concerning the Federal tax on, 147, 157, 193
COTTON MILLS:
to incorporate the Wilmington, 497, 502, 504, 541
to incorporate the Cape Fear Woolen and, 445, 473, 493, 512, 520, 565
to incorporate the Lockville Woolen and, 445, 473, 493, 512, 520, 523
to limit a day's work of the employees in to ten hours, 128, 134, 157
COX, MR.:
permission to record vote, 356
COURTS OF EQUITY:
to transfer certain causes pending in the, 321, 328, 352, 366, 517, 562
COURTS:
to make legal the special term of Wake Superior, 344 350, 352, 357, 359, 366
Superior of Randolph, to change the time of holding, 47, 231, 243, 249
to cure irregular proceedings in the jurisdiction of the, 136 201, 272, 302
in relation to special term of Wayne Superior, 147, 156, 193
in relation to special terms of the Superior, 553
in relation to fees of witnesses in Justices, 165, 191
to cure certain irregular proceedings in the Probate, 232 243, 281, 283, 314, 330, 540
to cause the Probate to remain open for the transaction of business on the first Monday in January, April, July and October, 313, 423
concerning cases in the late county, 335, 374
CRAVEN:
to repeal an act in regard to the terms of the Superior Courts in 129, 135
CREEKS:
concerning Clarks & Maidens, 166, 319, 346, 388, 509
CREECY, R. B.:
allowing free access to the records of the State, 406, 442, 470, 509
CRIMINAL MATTERS:
to make the jurisdiction of Justices of the Peace final in certain, 127, 222, 290, 334, 556
CUBA:
respecting the Island of, 52, 108

CUMBERLAND:
to change the line between the county of, and Bladen, 78, 86, 170, 212, 512, 540
to repeal an act prohibiting the sale of spirituous liquors within three miles of Cumberland Union church in, 95
to give to, three terms of the Superior Court each year, 155, 262, 272, 527, 534, 543, 557, 562
CURRITUCK:
in favor of sheriff of, 135, 152
to prohibit the sale of liquors within one-quarter of a mile of certain churches in, 368

D

DAN RIVER COAL FIELDS RAILROAD:
to authorize the, to buy the A., T. & O. Railroad, 129, 134, 140, 153, 224
DAVIDSON COLLEGE:
to amend an act to incorporate the trustees of, 58, 68, 79, 87, 173
DAVIDSON:
the Board of Education to establish a Teachers' Institute in, 269, 292, 305, 315, 330, 445, 473, 494
to establish a public road in the county of, 377, 397, 453, 480
to prohibit the sale of liquors within one mile of churches, schools, &c., 496, 554, 561
DAVIE:
to incorporate Smith Grove Camp Ground in, 214, 222, 308, 320
to regulate the sale of spirituous liquors in Mocksville, in 234, 117, 243, 249, 258
to establish a public road in the county of, 377, 397, 453, 480
DAWSON, ALEXANDER:
in favor of, 321, 397, 522, 563
DEBT OF THE STATE:
an act declaring what portion of the, is valid, and to pay off the same, 46
to pay twenty-five cents in the dollar on the old, &c., 88
in relation to the, 102
to adjust and settle the, 343, 351, 379, 437, 438, 465, 466, 533, 535, 543, 57[illegible]
to secure the adjustment and settlement of the, 538, 562
DEEDS:
to require the registration of, 82, 117, 289
in relation to sheriffs', 213, 230, 283, 397, 447, 47
for the appointment of commissioners of, 535, 540, 56[illegible]
DOOR KEEPERS:
in favor of the, 55[illegible]2, [illegible]

DIVORCE CASES:
to make valid certain, 174, 201, 270, 293
DIVORCE AND ALLIMONY:
to make valid the proceedings heretofore had in the courts of this State in the cases of, 203, 231, 263, 276
DISABLED SOLDIERS:
for the relief of 481
DUPLIN:
to allow the commissioners of, to levy a special tax, 416, 439, 455, 467, 494
to prevent the sale of liquors in certain localities in, 120
to incorporate the town of Teacheys in, 166, 180, 255, 268, 389
to authorize Bland Wallace, sheriff of, to collect arrears of taxes, 313

E

EDGECOMBE:
to create an additional term of the Superior Court for, 165, 172, 255, 268, 349
to amend the charter of Rocky Mount in, 501
to amend an act for the better regulation of the town of Tarboro in, 540, 542, 556, 562
ELECTION:
to provide for a special in the county of Caldwell, 303, 334, 345, 348, 355, 414
resolution asking the opinion of the Supreme Court Judges in regard to the, of two Supreme Court Judges, 433, 453, 461
ELECTIONS:
concerning, 136, 231, 307, 339, 342, 496, 500, 513, 527, 540
concerning the, of certain officers, 503, 513
ENNISS, JAMES H.:
in favor of 51, 69, 72, 79, 87, 88, 202, 204, 253, 256, 259
ENTRY TAKERS:
to make the, of certain counties ex-officio county agents, 166 255, 435, 463
EQUAL RIGHTS TO SECURE:
to colored citizens of North Carolina, 53, 57, 65
ESTABLISH, TO:
a turnpike road from Winston to Wilkesboro, 63
a new county by the name of Bragg, 63, 93
a new county by the name of Lillington, 278, 301, 305, 332, 336, 341, 345, 371, 379, 391
a new county by the name of Badger, 303, 342, 507
a new county by the name of Center, 154, 163, 325
a new county by the name of Chatooga, 128, 134, 152
a new county by the name of Gilmer, 359, 491
a public ferry across the Yadkin river, 377, 397, 454, 480
a new county by the name of Jura, 449
ESTATE, REAL:
Allowing widows to sell, 58, 68, 79

ESTATES:
to save harmless, honest representatives of, 136, 172. 265, 275
Superior Court Judges to appoint a commissioner for the settlement of, 103, 151, 265, 275
EXECUTIONS:
to provide for and cure certain irregularities in, 81, 86, 105, 119
to regulate leins of, 367, 423
XEMPTIONS:
to increase the homestead on personal property, 136, 211, 317, 330
EXEMPT TO:
the county of Caswell from the provisions of section 13, chapter 27 of Battle's Revisal, 70, 96
from taxation persons who shall establish any factory, &c., 78, 86, 97
three hundred dollars ($300) worth of personal property from taxation, 138, 153
certain property from taxation, 154, 163, 283, 325

F

FAIR OF THE CAROLINAS:
to amend the charter of the, 203, 222, 250, 256, 267, 269, 295, 302
FEREBEE, D. D., JR.:
in favor of, 52, 76, 84, 93
FENCE, LAWFUL:
to make a part of Tar river a, 50
to make Tar river in Nash county a, 53, 57, 72
to declare Welch's creek and Warren Neck creek a, 128, 134, 157
to make Big Hunting creek in Wilkes a 481
FENCES:
to amend an act relating to, 285, 319
FELLING OF TREES, TO PREVENT THE
in Richland creek, Guilford county, 41, 66, 56, 77
in Deep river and its tributaries, 41, 51, 66, 68
in Upper Little river in Harnett county, 276, 328, 337
in Second Broad river in Rutherford county, 414, 507
FINES, FORFEITURES AND PENALTIES:
to provide for the better protection of, 542, 556, 566
FOLEY, JOHN:
to authorize the Auditor to settle with the sureties of, 138, 144, 148
FORSYTHE:
to extend the time for collecting railroad taxes in, 112, 126, 131, 234, 244
to amend the charter of the town of Winston in, 154, 162, 205, 425
to establish a turnpike road from Winston in, &c., 63, 212, 250, 175
to establish a public road from the Virginia line to Winston in, 376, 491, 568
to legalize the acts of the School Trustees of Kernersville in, 522, 554, 564
FISH:
to open the Catawba for the free passage of, 70, 76, 84, 117, 147, 148, 263
to fix the weight of packages containing salted, 167, 191, 257, 288, 316, 334, 442, 470, 494, 566

FISH:
to protect the, interest of North Carolina, 276, 311, 448, 476
FRANKLIN:
to amend an act to change the line between the counties of, and Granville, 185, 192, 247, 263, 276
in relation to the county of 511, 565
to authorize the commissioners of, to levy a special tax, 511, 530, 557

G

GAIL, G. W. & AX:
in favor of, 82, 275, 364
GATES:
in favor of, 154, 165
to incorporate Sandy Cross Colored Mutual Aid Society, 154, 162, 256, 268, 568
to enable the board of commissioners of to sell land 181, 201, 256, 268
GEOLOGIST, STATE:
requiring the report of the, 57, 105, 119
to defray the expenses of the, at the Grand Exposition at Vienna, 245, 256, 319, 340, 377
in relation to the, 376, 425
asking a committee to investigate the expenditures of the, &c., 479
GRAHAM:
for the relief of the sureties of the late sheriff of, 41, 45, 66, 77, 164
for the relief of the citizens of, 46, 57, 66, 77, 184, 193
to require the treasurer of Cherokee to turn over certain bonds to the treasurer of, 53, 76, 83, 93, 202
to change the line between the counties of Swain and Macon, 175, 211, 255, 275, 480
for the relief of persons who have entered vacant lands in, 303, 319, 451, 541
to repeal an act to establish the county of, 405, 424
in favor of John Barker of, 524
in favor of John Rankin of, 563
GIFTS OR PRIZES:
to prevent the selling of articles by the offer of, 59, 134, 161, 289
GILLIAM:
to establish a new county by the name of 359, 491
GOVERNOR:
requesting the, to send papers, 144, 256
to authorize the, to employ counsel in certain cases, 510, 512, 522, 565
GRAHAM, W. A. EX-GOV.:
inviting to address the General Assembly, 112
GENERAL GOVERNMENT:
respecting reforms in the, 194, 272
GENERAL ASSENBLY:
appointing a committee to inquire and report when the first session of the next is to be held, 293, 321, 338

GENERAL ASSEMBLY:
in favor of the door keepers of the, 552, 562
in favor of the clerks of the, 553, 564, 568
GOOD TEMPLARS:
to incorporate Queen of the South Lodge, No. 6, I. O. of, 416, 421
GRANVILLE:
to amend an act to incorporate the People's Building and Loan Association, of Oxford, in, 436, 464, 492
in favor of the sheriff of, 501
to incorporate the People's Building and Loan Association, of Oxford, in, 505
to authorize subscription to stock of Railroad, 511
to prohibit the sale of liquor within one mile and a half of the Baptist Church at Pleasant Grove, in, 426
to amend an act to incorporate the People's Building and Loan Association of Oxford, in, 436, 565
to prohibit the sale of liquors within two miles of Mountain Creek Church, in, 103
to prohibit the sale of liquors within one mile of P. E. Church, at Sassafras Forks, in, 166
to amend an act to change the line between the counties of, and Franklin, 185, 192, 247, 263, 276
touching the prohibition of liquors within four miles of Oxford, in, 262, 275, 330
GUILFORD:
to prevent the felling of trees in Richland Creek, in the county of, 41, 56, 77
to establish an additional term of the Superior Court of, 81, 117, 132 144
to authorize the Commissioners to sell the county jail, 523
GRANTS:
to extend the time of taking out, from the State, 245, 262, 267, 306, 490, 604, 555, 562
GREENE:
to prohibit the sale of liquors in two miles of Clarilla Institute, in, 102
GUARDIANS:
to enable foreign, of infants and insane persons to remove the estates of their wards from the State, 62, 86, 96, 119, 566
GUARDIAN, PUBLIC:
to appoint a 127, 212, 255, 268

H

HALL OF THE HOUSE:
authorizing the heating of the 51, 54, 162
in relation to the repairs on the, 58, 59, 374

HALIFAX:
to prohibit the sale of liquors within one mile of Ebenezer Church, in, 104
to extend the corporate limits of the town of Halifax, in, 359, 424, 458, 492
to repeal chapter 48, Battle's Revisal, as far as Scotland Neck, in, is concerned, 445, 473, 522, 532, 541
HARNETT:
to prevent the felling of trees in Upper Little River, in, 276, 328, 337
HASTY, J. J.:
to authorize the former sheriff of Union to collect arrears of taxes, 479, 313
HENRY, J. L.:
in favor of 121, 162, 183, 215, 224
HEATON, MR.:
permission to record vote, 125
HENDERSON:
to prohibit the sale of spirituous liquors within three miles of Fanning Chapel, in, 277
HERTFORD:
to incorporate the town of Winton in, 294, 329, 347, 389, 509
HIGHWAYS, PUBLIC:
to p ovide for the keeping up of, 112, 156
to authorize the Board of Trustees of Hickory Tavern Township to establish, 234, 242, 263, 283, 318, 342
HILLSBORO':
to amend the charter of, 128, 134, 229, 232, 417, 425
HOMESTEADS:
to allow the sale of the reversion of, 103, 117, 151
HORTON, JOHN:
for the relief of, 449
HOTEL KEEPERS:
in reference to, 496
HUMAN LIFE:
for the greater protection of, 542, 558, 562
HYDE, J. S.:
for the relief of the sureties of, 41, 45, 66, 77, 164
HYDE:
to prohibit the sale of spirituous liquors within two miles of Rush Academy in, 103
to incorporate Fairfield Academy in, 145, 162, 178, 192, 349
to change the time for holding the Superior Courts in, 155, 172, 229, 244
to incorporate the town of Engelhard in, 214, 242, 270, 302, 435, 463
to include the county of, within the act relating to fences, 314, 347, 358

INCORPORATE, TO:

Reno's Camp Ground and Locust Old Field Baptist Church, 46, 68, 79, 87, 102, 415
to amend an act, the town of Lumberton, 50
a board of trustees for Sharon Camp Ground, 52, 68, 79, 87, 173, 313, 329
Rock Spring Seminary (H. B. No. 36,) 52, 118, 129
the congregation of the United Brethren of the town of Salem, 52, 115, 143, 397, 398
to amend an act, the trustees of Davidson College, 58, 68, 79, 87
a board of trustees for Clover Hill Camp Ground, 58, 76, 83, 101, 173, 313, 329
Bethel, in the county of Pitt, 58, 134, 156, 173, 232
Mount Moreney church in Buncombe county, 89, 131, 143, 223
Baptist church of Hominy, in Buncombe county, 89, 109, 131, 143, 201
Weaversville College in Buncombe county, 90, 110, 122, 143, 202
the North Carolina Immigration Society, 95, 101, 115, 134, 173
Gray's Chapel, M. P. Church, in the county of Randolph, 111, 126, 150, 164, 224
the town of Jonesville, in Yadkin, 111, 143 178, 192 224
the town of Toisnot, in Wilson, 111, 128, 178, 192, 224
the town of Whiteville, in Columbus, 111, 118, 131, 143, 224
Blue Lodge, No. 287, Free and Accepted Masons, 120, 134, 156, 173, 224
the town of Jonesboro, in Moore, 120, 134 156, 173, 232
Clayton Lodge, I. O. O. F., in the county of Johnston, 128, 143, 148, 168, 232
Richlands Farmers' Association, in the county of Onslow, 129, 143, 178, 212, 425
the Industrial, of Western North Carolina, 137, 163
the town of Pine Level, in Johnston county, 137, 162, 178, 192, 389
the trustees of Fairfield Academy, in Hyde, 145, 162, 178, 192, 349
Sandy Cross Colored Farmers' Mutual Aid Society, of Gates, 154, 162, 256, 268, 508
the town of Teachys, in Duplin, 166, 180, 255, 268, 389
the town of Taylorsville, in Alexander, 166, 180
Berne Lodge, No. 71, I. O. O. F., 180, 254 258
Athenia Lodge, No. 8, Knights of Pythias, 167, 180, 254, 259
the United Brotherhood, of Newbern, N. C., 175, 180, 265, 276, 366
the town of Sanford, in Moore, 175, 180, 254, 268, 494
the town of Germanton, in Stokes, 175, 180, 256, 268
the Seaboard and Raleigh Railroad, 16, 197, 212, 253, 259
the Cross Creek Cemetery 176, 180, 254, 258
the town of Hickory, in Catawba, 176, 180, 206, 215, 223
Union Camp Ground, in McDowell, 182, 222, 346, 375, 509
the Frizell's Citizens' Fire Company of Fayetteville, 182, 222, 346, 355, 465, 435, 463
the Oriental Fish and Oyster Co., 185, 222, 259, 297, 524, 522
Nebo Camp Ground, in McDowell, 195, 222, 270, 302, 480
Center Presbyterian Church, in Iredell, 203, 222, 255, 275, 480
the Rough and Ready Fire Co., of Newbern, 203, 222, 254, 302, 480

INCORPORATE, TO:
the Yadkin, New and Watauga Timber and Lumber and Raft Co., 204, 222, 257, 258
the Brunswick Bridge and Ferry Co., 62, 153, 199, 205, 231, 497, 503, 524
Smith Grove Camp Ground, in Davie, 214, 222, 300, 320
the town of Engelhard, in Hyde, 214, 242, 270, 302, 435, 463
Lilesville, in Anson, 214, 242, 309, 330, 435, 463
the People's Bank, of Monroe, 215, 267, 282
the town of Reidsville in Rockingham, 225, 231, 232, 235, 258
the town of Manson, in Warren, 233 267, 309, 320, 435, 463
the town of Cresswell, in Washington, 233, 267, 307, 314, 330, 434, 462
the Diamond Cotton Chopper and Cultivator Co., 233, 267, 281, 293, 295
Free Love Lodge, No. 1469, 252, 254, 268, 532
the Ladies' Memorial Association of Wilmington, N. C., 257, 273, 301, 315, 321
the Carolina Stock and Poultry Association, 262, 433, 461, 494, 504, 568
the village of King's Mountain in Cleaveland, 277, 302 344, 353, 494
the town of Gold Hill, in Rowan, 285, 306, 309, 320, 496
the town of Leicester, in Buncombe, 285, 302, 346, 353, 356, 435, 463
the town of Saratoga, in Wilson, 285, 302, 347, 365, 509
the town of Winton, in Hertford, 291, 329, 347, 389
St John's Lodge, No. 12, of F. and A. Masons, 294, 329, 346, 353, 365, 502, 523
Ramseytown Baptist Church, in Yancey, 304, 320, 347, 358, 494
Western Star Lodge, No. 9, F. and A. Masons, 304, 329
the People's Building and Loan Association, of Morganton, N. C., 322, 329, 332, 366, 435, 463
the town of Taylorsville, 326, 334
Brown's Chapel, Methodist Protestant Church, in Randolph, 335, 357
Harmony Hill Camp Ground, in Iredell, 343, 357, 451, 523
the Pee Dee Manufacturing Company, 359, 397, 434, 462, 512, 541
the Planters' Bank of Mount Airy, 323, 375, 512, 522, 563
the Young Men's Aid Society, 375, 397
the North Carolina Gold Amalgamating Company, 376, 389, 391
the town of Serro Gordo, in Columbus, 391, 414, 434, 462, 540
the town of Shoe Heel, in Robeson, 398, 414, 481, 493, 565
the Pythagoras Lodge, No. 6, Free and Ancient York Masons, of Smithville, in Brunswick, 406, 424, 446, 474 495
the Raleigh Ware House and Trust Company, 416, 438, 466, 509
Queen of the South Lodge, I. O. G. T., in Raleigh, 416, 421
trustees of Smith Grove Camp Ground, &c., 435, 463
the town of Bush Hill, in Randolph, 437, 465, 493, 512, 520, 540
Newport College, in Carteret, 444, 472, 534
Cape Fear Cotton and Woolen Mills, 445, 473, 493, 512, 520, 565
Lockville Cotton and Woolen Mills, 445, 473, 493, 512, 520, 523
the town of Vandemere 445, 473, 493, 562, 569
the Machine and Car Company, of Wilmington, 452, 492, 505, 534, 563
the Farmers', Mechanics' and Laborers' Union Aid Association, New Hanover, 452, 505, 522, 563
Leota Lodge, in Columbia, Tyrrell county, 452, 492, 562, 569

INCORPORATE, TO:
Polkton, in Anson, 492
the Tokay Wine Company, 492, 563, 569
Enfield Institute, at Enfield, 492
Justitia Lodge of Knights of Pythias, of Goldsboro, 492, 555, 566
Perseveranee Counell, Friends of Temperanee, 492
Fayetteville Masonie Lodge, No. 329, at Fayetteville, 492
Piedmont Springs Company, 492, 504, 541
the Wilmington Cotton Mills, 497, 502, 504, 541
the Wilmington, Raleigh and Roxboro Railroad Company, 501, 522, 564
the Wateh Tower Publishing Company, 501, 521
the Western N. C. Land Company, 501, 521
the Trustees of the Halifax Educational Association, 602, 556, 565
the town of Leaksville in Rockingham, 502, 524 562
the People's Building and Loan Association of Oxford, 505
the town of Elizabethtown in the county of Bladen, 511, 521, 556, 563
th Rocky Mount Mills, 522, 527, 563
the town of Trenton in Jones, 524
INFECTIOUS DISEASES:
to prevent distemper and other, among cattle, 233, 243, 308, 349, 625, 568
INCORPORATIONS:
supplemental to and explanatory of all acts of, 376, 413, 442, 470
IMMIGRATION SOCIETY:
to incorporate the North Carolina, 95, 102, 101, 115, 135, 173
IMMIGRATION, STATISTICS AND AGRICULTURE:
to establish a bureau of, 215, 231, 286, 368, 502, 511, 556, 564
IMMIGRATION:
in regard to, and the next anniversary of St Patrick, &c., 481, 487, 494
INDIGENT PERSONS:
to enable, to appeal to the Supreme Court, 70, 210, 270, 302, 349
INDEXING THE JOURNALS OF THE TWO HOUSES:
resolution in regard to, 435, 437, 444, 463, 465, 472, 495
INDICTMENTS:
to prevent, in certain eases, 165
IMPEACHMENT:
coneerning the, of Samuel W. Watts, Judge of the Sixth Judicial Distriet, 343, 560
to seeure the attendanee of certain non-resident witnesses in the, 425
INSURANCE COMPANIES:
in relation to foreign, 53, 118, 131, 144, 251, 426, 528, 553, 562
instruetion to the Committee on the Judiciary in regard to, 57, 72
INSTRUCTION:
to the Committee on the Judieiary, 57, 126, 144, 148, 165, 194, 213, 235, 311, 480
to the Attorney General, 57, 59, 77, 79, 95, 112, 524, 525, 564
to the Committee on Public Buildings and Grounds, 194
to the Committee on Salaries and Fees, 321, 371

INSTRUCTION:
to the Committee on State debt and Liabilities, 194, 195
to the Public Treasurer, 443, 452, 471, 481
to our Senators and Representatives in Congress, 40, 69, 71, 79, 102, 224, 250
to the Finance Committee 301, 326 357
to the Auditor, 311, 321, 324, 342
INSPECTORS:
of wood and coal for the city of Raleigh, 46, 56, 67, 77, 225, 358
concerning the, in the city of Wilmington, 136, 285, 311, 364, 388, 445, 473, 493, 506, 508, 509
INSTITUTE:
to incorporate the Enfield at Enfield, 492
INSTITUTIONS:
for the Deaf and Dumb and the Blind, in relation to, 77, 83, 101
for the relief of the, 213
report from the joint select committee on the, 225
to provide for the necessary appropriation for the year 1874, 305, 316, 332, 349
in favor of the 415, 505, 507, 522, 529, 562
concerning the State penal and benevolent, 332, 337
INTEREST:
to make uniform the rate of, 368, 376, 491
INDIANS:
relating to the Cherokee, 148
IREDELL:
to authorize the collection of arrearages of taxes in the town of Statesville in, 163, 192, 243, 250, 268
to establish a turnpike road from the town of Statesville in, 177, 192, 254, 258
to incorporate Center Presbyterian Church in, 203, 222, 255, 275 480
to incorporate Harmony Hill Camp Ground in, 343, 357

J

JACKSON:
in favor of the sheriff of 41, 51, 63, 69
to prevent the sale of liquors in certain localities in 137
for the better protection of sheep in, 303, 319, 351, 389, 503
JOINT SELECT COMMITTEE:
providing for the appointment of a 69, 71, 80
on Professor Kerr's report, 80
to report what effect the amendment to the Constitution has on the present session, 94
to examine the expenditures of the Insane Asylum, 321, 326, 338, 350
on penal and benevolent institutions, 350
on the State and United States centennial celebration, 376, 443, 444, 471, 472, 561

JONES:
to prevent the obstruction of White Oak and Trent rivers, in 128, 152, 264
to prohibit the sale of liquors in the town of Trenton, in 129, 156 173, 322
to empower the Commissioners of, to levy a special tax, 295, 424 454, 487, 508, 563
in relation to the town of Trenton, in 329, 346, 366, 503
to incorporate the town of Trenton, in 524
JOHNSTON:
to incorporate Clayton Lodge, I. O. O. F., in 128, 143, 148 163, 232
to incorporate the town of Pine Level, in 137, 162, 178, 193, 389
in relation to the town of Clayton, in 510, 556, 566
to amend an act to change the name of Boon Hill, in, &c., 564
JUDGES OF THE SUPREME COURTS:
asking the opinion of the, in regard to an election of Supreme Court Judges, &c., 433, 453, 461
JUDICIARY:
instruction to the committee on the, 57, 127, 144, 148, 165, 235
requesting the committee on the, to draft and report a bill, 174
JUDICIAL DISTRICT:
to change the time for holding the Courts in the Eighth, 94, 423
to change the time for holding the Courts in Randolph and Rockingham in the Seventh, 110, 289
to increase the salary of the Judge of the First, 111, 152 206
to transfer the county of Dare from the First to the Second, 155, 374, 447, 475
regulating the time of holding the term of the Superior Courts of the Fourth, 203, 230, 270, 283, 416, 442, 470, 482, 495
to change the time of holding the Superior Courts of Chatham and Rockingham in the Seventh, 294, 295, 302
in reference to the First, and for other purposes, 349, 374, 399, 427, 525, 541
to authorize the removal of civil actions from one to another, 391, 424, 451
to change the time for holding the Superior Courts in the Third, 511, 565
JURORS:
county commissioners to make no distinction in drawing and selecting, 82, 112, 139, 150
JURA:
to establish a new county by the name of, 449
KNIGHTS OF PYTHIAS:
to incorporate Athenia Lodge, No. 8, of 167, 180, 254, 258
to incorporate Justitia Lodge, of Goldsboro, 492, 555, 566
JUSTICES OF THE PEACE:
in favor of the members of the legislature who are, 58, 60
requiring to give bond, 127, 172, 272
to make the jurisdiction of final, 127, 222, 290, 334, 556
concerning the fees of, 194, 447, 475
to extend and define the jurisdiction of, 213, 230, 447, 475

JUSTICES OF THE PEACE:
to prescribe the duties of, in relation to bills of cost, 569, 301, 391, 404, 435, 523
regulating the fees of, 323, 365
to secure costs in appeals from, 463, 490
LAND LORDS:
for the relief of, 111, 191, 289
LANDS, PUBLIC:
for the sale of the, in and near the city of Raleigh, 490, 497, 514, 517
LAURINBURG:
to prohibit the sale of spirituous liquors, 41, 66, 77
LAW:
to create a laborers' and mechanics' lien, 58, 125, 132, 144
LAWS OF NORTH CAROLINA:
in relation to amending the, 89, 191, 289
LEE:
to create a new county by the name of 335, 507
LEE, TIMOTHY F.:
in favor of 539, 553, 566
LENOIR:
to authorize the Commissioners of the town of, to sell certain tracts of land, 351
LEICESTER:
(See Buncombe.)
LIBRARY:
in relation to the public 553, 564
LINEBERRY, THOMAS:
in relation to the pardon of 232, 261
LIQUORS:
(See Spirituous Liquors.)
LINCOLN:
to incorporate Rock Spring Seminary, in 52, 118, 129, 153, 389
LINCOLNTON:
to amend the act incorporating the town of 104, 118, 150, 164, 234, 244
LIGHT HOUSE:
giving consent to the purchase, by the United States, of land in Currituck to erect thereon a 88, 90, 102
to provide for the relinquishment to the United States of title to lands for sites of 94, 143, 178, 192, 366
LILLINGTON:
to establish a new county by the name of 278, 301, 305, 333, 336, 341, 345, 371, 379, 391
LONG, ISAAC:
to enable the sureties of, to collect arrearages of taxes, 175, 205, 223, 251

LOWERY, STEPHEN:
in regard to 495
LUNATICS:
for the relief of such counties as have not received compensation for the support of, 78, 109, 185, 212, 543 565
in relation to certain 563
LUMBERTON:
to amend acts incorporating the town of, 42, 50, 64, 70, 110, 193 508
to repeal so much of chapter 171, laws of 1872-'73, as relates to the sale of intoxicating liquors in 42, 43, 45
LINDSAY, MR.:
permission to record vote, 67

M

MANUSCRIPTS:
in reference to certain manuscripts belonging to the State, 174, 314, 330, 480
MACHINERY ACT: (See Revenue,)
MACON:
instructing the Secretary of State to issue a grant to A. W. Bell of, 77, 83, 109, 143, 232
to change the line between Graham, Swain and, 175, 211, 255, 275, 480
McGOWAN, P.:
in favor of, 126, 153, 243, 250, 358
MEXICAN VOLUNTEERS:
in regard to a flag presented by the ladies of Raleigh to, 69, 90, 135, 144
McDOWELL:
to incorporate Union Camp Ground in, 182, 222, 346, 375, 509
to incorporate Nebo's Camp Ground in, 195, 222, 270, 302, 480
to give to the county of, the proceeds of sales of vacant lands therein, 405, 478, 487, 509
to extend the time for the tax collector of, to settle, 128, 134, 156, 173, 234, 244
MEXICAN WAR:
in favor of the soldiers and the widows of deceased soldiers of the, 390
MEGINNEY, L.:
for the relief of, 486, 50
McNAMARA, J. V.:
in favor of 425
MASONS, F. & A.:
to incorporate Blue Lodge No. 287 of, 120, 134, 156, 173, 223
to incorporate St. John's Lodge, No. 12 of, 294, 329, 346, 353, 365, 502
to incorporate Western Star Lodge, No. 9 of, in Salisbury, 304, 329
to incorporate Pythagoras Lodge of, in Smithville, 406, 446, 474, 495
MARTIN:
in regard to a certain public landing in, 137, 152, 309, 320

MARTIN:
in regard to certain lands in, 138, 163, 325, 334
to change the line between Bertie and, 144, 163, 325
giving the Superior Court of, jurisdiction over misdemeanors committed on Conine Island in Bertie, 313, 328, 352, 389, 494
for the better protection of sheep and hogs, 349, 365, 443, 471, 479
to allow commissioners of, to sell or lease certain lands, 434, 462
giving the Superior Court of, jurisdiction with Bertie over misdemeanors committed on River Pocosin Island, in Bertie, 441, 472, 541, 554, 561
in regard to courts in, 564
MADISON:
concerning the passage of fish in Sandy Mush creek in, 63, 76, 84, 93
MECKLENBURG DECLARATION:
inviting Ex-Gov. W. A. Graham to address the General Assembly on the subject of the, 112
in regard to the, 119
to provide for the one hundredth anniversary of the, 193, 328, 360, 369, 543
McHAW, BIRCH:
in favor of, 61, 76, 84, 93
MELTON, JAMES R.:
in favor of, 135
MENNINGER, H. J.:
to investigate the affairs of, 62, 72, 560
committee on the affairs of, 96
MEMBERS OF THE HOUSE:
in regard to seats of the, 62, 108, 132
MEMBERS REPORTED SICK:
Messrs. Davis, 4
Moring, 5, 282, 396
Bowe, 5
Bryant of Halifax, 45
Abbott, 61
Foster, 85
Jones of Northampton, 92, 432
Goodwyn, 241
Heaton, 260
Perry of Wake, 266, 413, 589
Byrd, 291
Hanner, 291
King, 291
Outlaw, 291
Patrick, 291
Davis, 318
Anderson of Clay, 348
Woodhouse, 387
Freeman, 403
Maxwell, 489
Mitchell, 583
MEMORIALS: (See Petitions.)

MESSAGES:
to the Senate, 35. 57, 61, 68, 76, 85, 87, 114, 101, 110, 119, 126, 131, 135, 143, 146, 153, 163, 173, 192, 212, 223, 231, 256, 275, 283, 292, 302, 312, 320, 330, 378, 380, 388, 403, 444. 461, 472, 479, 493, 508, 522, 534, 540, 558
from the Senate, 4, 39, 49, 74, 80, 84, 95, 99, 121, 129, 138, 446, 167, 176, 184, 215, 225, 234, 241, 252, 257, 277, 295, 305, 331, 338, 344, 368. 378, 380, 398, 405, 415, 436 445, 552, 464, 473, 496, 500, 501. 511, 520, 525, 535, 567
from His Excellency the Governor, 6, 42, 84, 95, 278
from His Excellency, with report of commission on Western N. C. Railroad, 60
referring the Governor's, 52, 72
MINORS:
to prohibit the sale of ardent spirits to, 120,191, 272, 279, 293, 368, 375
MILITIA OF NORTH CAROLINA:
to organize, equip and discipline the, 59, 74, 358, 449, 483, 587, 505, 508
committee on the bill to, &c., 96
MISDEMEANORS:
declaring certain larcenies, 144, 331, 423, 449, 475
MITCHELL:
in relation to taking or shooting mountain trout in the waters of Elk river and its tributaries in, 276, 311, 434, 458, 462, 509
MONTGOMERY:
to prohibit the sale of spirituous liquors in the town of Troy in, 95
MITCHELL, MR.:
permission to record vote, 318
MOORE:
to incorporate the town of Jonesboro in, 120, 134, 156, 173, 232
to prohibit the sale of liquors near certain churches in, 128
to incorporate the town of Sanford in, 175, 180, 255, 268, 494
MORING, MR.:
permission to record vote, 67
MOSS, MR.
permission to record vote, 67
MOREHEAD, J. TURNER:
appointing a member of the board of public charities, 497, 565
MORRIS, W. H. & CO.:
in favor of 52, 72, 87, 202
MORTGAGE:
to provide a cheap chattel, 53, 76, 87
a misdemeanor for any person who has executed a chattel, to dispose of the property with intent to defeat the mortgage, 70, 86, 97, 126, 251
MOORE, JAMES I:
in favor of, 501

N

NASH:
petition to make part of Tar River a lawful fence, 50, 57
to authorize the commissioners of, to levy a special tax, 111, 126, 138, 149, 164, 404

NASH:
for the relief of certain officers and tax payers in 224, 231, 270, 283, 389
to amend the charter of the town of Battleboro in, 304, 338, 366, 480
to amend the charter of the Rocky Mount in. 501
NAVIGATION:
to appoint five commissioners of, 359
NEW HANOVER:
for the relief of sheriff of, 6, 51, 54, 57, 77
in reference to the line between Brunswick and, 292, 315
to incorporate the Farmers', Mechanics' & Laborers' Union and Aid Association, 452, 505, 522, 563
NEWSPAPERS:
in favor of certain, 436, 464, 507, 525, 541
NEWBERN:
to amend the charter of, 112, 143, 157, 173, 404
to incorporate the Rough and Ready Fire Company of, 203, 222, 255, 302, 480
to incorporate the United Brotherhood of, 175, 180, 265, 276, 366
NEWTON:
to authorize the town of, to take stock in railroads, 145, 172, 273, 301, 306, 316, 365, 523
NORTH CAROLINA MANUAL:
in relation to a, 452, 453, 580, 542, 568
NICHOLSON, T. A.:
added to the Committee on Printing, 84
NORTH CAROLINA RAILROAD—(See Company).

O

ODD FELLOWS:
to incorporate Berne Lodge Independent Order of, 167, 180, 254
Clayton Lodge Independent Order of, 128, 143, 148, 163, 232
Free Love Lodge Grand United Order of, 252, 255, 268, 523
ONSLOW:
to prohibit the sale of liquors within two miles of Tabernacle church in, 111
to incorporate Richland Farmers' Association of, 129, 143, 178, 212, 424
to prohibit the sale of liquor within two miles of Bellevue School House in, 276
ORANGE:
to amend the charter of the town of Hillsboro in, 128, 134, 229, 232, 414, 425
to amend the charter of the town of Durham in, 535
OWNERS OF LAND:
to allow, to seize and impound horses, &c., for damages, 284, 311

P

PAMLICO:
to amend an act supplemental to an act establishing the new county of 90, 118, 132, 204, 206, 552
to repeal an act to establish the county of 405, 424
concerning the annexation of Goose Creek Island to 406, 433, 461, 555
concerning the annexation of a part of Beaufort to the county of 563
to incorporate the town of Vandemere, in 445, 473, 493, 562, 569
PASQUOTANK:
for the relief of the sheriff of 104, 105, 119, 135
to amend an act to build a bridge across, river, 185
PATRICK, MR.
permission to record vote, 356
PENITENTIARY:
in relation to the 77, 83, 101, 338
for the government of the 542, 564
providing for the transportation of convicts released from the 89, 100, 115, 322, 328, 336, 342, 357
investigation of charges in regard to the deputy warden of 213, 256, 269, 329
PENITENTIARY BOARD:
investigation of charges in regard to the 213, 256, 329
committee to investigate the affairs of the 269
PAYMENT OF COSTS:
in relation to the, by the State, 214, 423, 493
in relation to 446, 474
PETITIONS—INTRODUCTION OF:
From citizens of Anson, 82, 92, 107, 282, 364, 450
Alexander, 161, 327, 341, 356
Ashe, 242, 396, 423
Alleghany, 373
Bath, (Township,) 490
Bertie, 301, 374, 533
Burke, 92, 108, 117, 309
Brunswick, 56, 61, 326
Buncombe, 61, 81, 92, 107, 171, 190, 210, 260, 327, 388
Bladen, 75, 260, 274, 413, 460
Beaufort, 142, 341, 388
Catawba, 161
Columbus, 92, 388
Craven, 209, 327
Carteret, 221, 356

PETITIONS—INTRODUCTION OF :
From citizens of Chatham, 221
Currituck, 274
Cherokee, 318
Clay, 383
Cumberland, 92, 364, 396
Camden, 100
Davidson (College,) 100
Davidson (County,) 274, 374
Davie, 209
Duplin, 161
Gates, 133
Greene, 116, 209
Granville, 251, 422, 450
Wake, (Grand Jury of,) 300
Graham, 107
Hyde, 92, 200, 274
Hertford, 291
Halifax, 318
Henderson, 81, 151, 260, 274, 310, 388
Haywood, 45, 388
Iredell, 422
Jones, 301, 422
Jones, (Commissioners of,) 291
Johnston, 92, 125, 190
Jackson, 133
King's Mountain, 266
Lincoln, 50, 422
Laurinsburg, 5
Lake Landing, 85
Lenoir, 100
Moore, 100, 107, 161, 171
Mecklenburg, 100, 117, 341, 422
Macon, 282
McDowell and Rutherford, 301, 491
Madison, 171
Mitchell, 179, 274
McDowell, 179, 190, 210, 310, 356, 387
Montgomery, 92, 125
Martin, 125
Nash, 50, 108
New Hanover, 5, 413
North Carolina, 75, 85
Newbern, 108
Northampton, 341, 422
Onslow, 274, 310, 422

PETITIONS—INTRODUCTION OF:
From citizens of Orange, 100
Robeson, 68, 100, 133, 142, 200, 209, 251, 266, 327, 333, 356, 313, 489
Rockingham, 221
Raleigh, 551
Rowan, 92, 373
Richmond, 85, 125, 133, 179, 251, 266, 282, 356, 387
Randolph, 108, 171, 327
Stokes, 116, 171
Burke, Caldwell, Mitchell and McDowell, 117
Stanly, 161, 274
Surry, 274
Sampson, 100, 107, 242, 300, 422
Transylvania, 200, 210, 274, 388
Union, 209, 403
Wayne, 107, 108, 133
Washiugton, 274
Wilkes, 478
Watauga, 171, 274
Warren, 92, 242, 373
Wake, 75, 209, 318
Yadkin, 108, 356
Yancey, 274
From students of Wake Forest College, 85
students and President of Biddle Institute, 161
Amanda R. Cabe, 551
Hickman Lodge, Good Templars, Raleigh, 200
Gail & Ax, 82
members of Mountain Creek Church, 100
Morris & Cameron, 489
Mexican War Veterans, 68
Queen of the South Lodge, Good Templars, Raleigh, 210
Saratoga Monument Association, 261
Tourgee, Judge, 221
Turner, Josiah, Jr., 341
Wicker, Jesse C., 210
Wilmington Chamber of Commerce, 433, 450, 461
PHYSICIAN:
for the relief of, 284, 310, 482
PIEDMONT RAILROAD: (See Company.)
PITT:
to incorporate Bethel in the county of, 58, 134, 156, 173, 232
to authorize the Auditor to settle with the late sheriff of, 138, 144, 148
to change the time of holding the Superior Courts in, 155, 172, 229, 244
to provide for three regular terms of the Superior Court in, 155, 172, 229, 244

PITT:
for the better protection of the bridge across Tar River at Greenville, in 491, 504, 541
POLK:
to authorize the commissioners of to levy a special tax, 145, 153, 264, 271, 292, 502, 523
PROTECT, TO :
the fish interests of North Carolina, 276
POOL, STEPHEN D.:
to allow access to the public records for certain purposes, 509
PROBATE OF DEEDS:
concerning Commissioners of Affidavits, and 284, 310, 326, 334, 404
PREVENT, TO:
the adulteration and the sale of adulterated liquors, 59, 75, 84, 93
the selling of articles by the offer of gifts or prizes, 59, 124, 191, 289
enticing servants from fulfilling their contracts, 62, 118, 132
Persons from obstructing the passage of fish in Sandy Mush Creek, 63, 76, 84, 93
the felling of trees and other obstructions into Deep River and its tributaries, 41, 51, 66, 68
the felling of trees in Richland Creek, Guilford county, 41, 56, 66, 77
Persons from carrying torch lights through covered bridges in the county of Randolph, 70, 109. 147, 164, 389
the sale of spirituous liquors within two miles of Shallotte Camp Ground, 82, 87, 121, 153
within two miles of Cedar Creek church, in Anson county, 83, 87, 119
the sale of spirituous liquors within two miles of any place of public worship in Stokes county, &c., 128, 199
the obstruction of White Oak and Trent Rivers, in Jones county, 128, 152, 264
the sale of spirituous liquors in certain localities in Jackson county, 137
the felling of timber in Tar River, 137, 152, 264, 278, 446, 474
indictments in certain cases, 165
fraud in the sale of commercial fertilizers, 176, 201, 262, 328, 350, 375
the felling of trees in Upper Little River, in Harnett, 276, 328
the obstruction of Black Creek, in Wilson, 284, 328
distemper and other infectious diseases among cattle, 233, 243, 308, 568
the felling of trees in second Broad River, in Rutherford, 414, 507
PRINTING, PUBLIC:
in reference to the, 46, 50, 55, 57, 261, 267, 271
to amend an act entitled, 557
in regard to, 52, 72, 87, 534
report of the joint committee on, 243

PRINTING, PUBLIC:
adding two additional members to the committee on, 88, 90, 93, 146
change in committee on, 176
in relation to the, 102, 181, 194, 343, 351
instructions to the joint committee on, 102, 106, 122
PUBLIC INSTRUCTION:
concerning the report of Superintendent of, 53, 69
QUALIFIED AND SEATED:
Mr. Costner, 4
Mr. Gilbert, 4
QUESTION, PREVIOUS:
97, 98, 112, 170, 206, 927, 235, 938, 287, 288, 336, 369, 402, 411, 513, 536
QUESTION, PRIVILEGE:
Mr. Jones of Caldwell, 351
Mr. Trivett, 309

R

RALEIGH, CITY OF:
concerning an inspector of wood and coal in the, 46, 56, 67, 77, 225, 350
communication from the Mayor of 40
to amend the charter of the, 58, 138, 211, 212, 288, 291, 302, 494
to cede to the United States part of lot 99, in the, 89, 101, 114, 129, 135
authorizing the commissioners of the, to open a street, &c., 104, 169, 173 447, 475, 513, 534, 565
in relation to the United States Court House and Post Office, 136, 140, 154, 174
to authorize the, to establish and maintain free public schools, 155, 201
for funding the floating debt of the, 213, 552
to amend an act to protect the, from fire, 331, 357
concerning the lots belonging to the State of North Carolina in the, 598
RANDOLPH:
to change the time for holding the Superior Courts in, 47, 110, 230, 231, 243, 249, 289
to prevent persons from carrying torch-lights through covered bridges in, 70, 109, 147, 164, 389
to incorporate Gray's Chapel, M. P. church in, 111, 136, 150, 224
Board of Education of, to organize a teacher's institute, 252, 292, 348, 445, 473, 494
to incorporate Brown's Chapel, Methodist Protestant church in, 335, 357
to incorporate Bush Hill in, 437, 465, 493, 512, 520, 540
to amend the charter of Trinity College in, 443, 450, 471, 480, 566
to amend an act to incorporate the town of Ashboro in, 566
RECORDS:
to provide a room for the Supreme Court, 224, 310, 436, 365, 479, 523
to restore the, of Washington, 350, 357, 260
allowing R. B. Creecy free access to the State, 406
RANKIN, JOHN:
in favor of, 563

RAILROAD : (See Company.)
RAILWAY : (See Company.)
ROADS, PUBLIC :
in relation to persons in jail working the, 269, 292, 448, 457
to lay off and improve the, leading from Wilkesboro to Taylorsville, 286, 292, 305, 330, 436, 464, 491, 502, 521, 523, 524
to compensate overseers of, 323, 341
the Secretary of State to furnish laws touching, 323, 341
an act concerning, 375, 438, 466
to establish a, from the Virginia line to Winston in Forsythe, 376, 491, 568
to establish a, in the counties of Davidson and Davie, 377, 453, 397
to erect gates across, 391, 424
to construct a, from the Watauga line to Morganton, 398, 414
to improve the, from the top of the Blue Ridge to Flint Hill, 481
RE-ENACT:
sections 5, 6 and 7, chapter 104 of the Revised Code, 491, 527, 551, 543
chapter 32, sections 24 and 25 of the Revised Code, 496, 552
chapter 75 of the laws of 1870-'71, 244, 273, 423, 446, 474, 493
sections 5 and 7, chapter 104, 490, 367, 437, 465, 553
REVISED CODE :
chapter 169 Public Laws of 1868-'69, 405
chapter 164 Public Laws of 1868-'69, 490
RELIEF, FOR THE :
of such counties as have not received compensation for the support of lunatics, 78
RECESS :
to provide for a, 220, 234
REGISTRATION :
to provide for the, of voters on the day of election, 343, 357
REGISTER OF DEEDS :
in regard to the fees of, 368, 424, 437, 465, 479
REPORTS :
thanks to the, of the daily papers, 566
REVENUE :
(Revenue bill.) to raise, 304, 319, 330, 336, 399, 406, 417, 506, 569, 525, 562
(Machinery bill.) for collecting, 329, 330, 336, 392, 399, 404, 497, 504, 541,
to provide for the printing and distribution of the acts concerning, 510, 512, 522
REPEAL, TO :
chapter 68, laws of 1871-'72, 42, 57, 66, 77, 404
so much of chapter 171, laws of 172-'73, as relates to the town of Lumberton, 42, 43, 45
an act of the private laws of 1868-'69, 52, 153, 185
chapter 119, laws of 1870-'71, 58, 87, 105, 212, 414
chapter 165, laws of 1872-'73, 79, 101, 105, 119, 164
an act prohibiting the sale of spirituous liquors within three miles of Cumberland Union church, 95
section 5, chapter 2, of the Revised Code, 95, 201, 289
parts of chapter 250, laws of 1878-'69, 103, 143, 178, 193

REPEAL, TO:
chapter 69, laws of 1870-'71, 104, 109, 150, 164
such parts of sections 13 and 19, chapter 20, laws of 1868, as require publication in newspapers, 119
chapter 68, laws of 1868-'69, 120, 211, 288, 334
section 1, chapter 97, Battle's Revisal, 121, 148, 171, 289
an act in regard to the Superior Court of Craven county, 129, 135
chapter 71, laws of 1871-'72, 136, 191, 315
section 7, chapter 9, laws of 1868, 145, 210, 325
chapter 114, of the Revised Code entitled Usury, 213, 238, 447
chapter 101, private laws of 1870-'71, 245, 267, 273, 288, 312
all laws giving away any parts of the swamp lands of the State, 303, 311
sections 14, 15, 16 and 17, of chapter 2, Revised Code, 285, 319, 354, 371
the charter of the Roanoke Navigation Company, 322, 423
chapter 61, of private laws of 1872-'73, 277, 328, 345, 491, 554
chapter 262, acts 1870-'71, 334
section 3, chapter 28 of the Revised Code, 343, 374
section 15, chapter 258, acts of 1859, 358, 374
the Oriental Fish and Oyster Company, 368
an act to establish the county of Graham, 405, 424
an act to establish the county of Pamlico, 405, 424
section 9, chapter 6, Battle's Revisal, 414
section 19, chapter 112 of Battle's Revisal, 415, 442, 443, 470, 471, 509
so much of section 1, chapter 171, of public laws of 1872-'73, as relates to French's Creek Baptist church in Bladen, 436, 464, 507
chapter 48 of Battle's Revisal, as far as Scotland Neck, Halifax county, is concerned, 445, 473, 522, 532
all laws giving the swamp lands to railroads and other companies, 505, 508
section 44, chapter 85, of Battles Revisal, 524
section 39 of Battle's Revisal, 524
sections 1 and 3, chapter 179, public laws of 1870-'71, 542
chapter 106, laws of 1848-'49, 553, 564
chapter 250, laws of 1868-'69, 562
an act to charter the Tennessee River Turnpike Company, 565

REPORT OF
Committee on Judiciary, 40, 57, 68, 86, 100, 117, 125, 142, 151, 162, 171, 180, 190, 200, 210, 221, 230, 261, 267, 283, 272, 301, 310, 327, 334, 342, 357, 364, 374, 388, 423, 450, 478, 490, 522, 539, 552, 560
Propositions and Grievances, 45, 51, 56, 75, 87, 101, 108, 119, 126, 134, 152, 162, 172, 191, 211, 222, 231, 262, 275, 311, 319, 328, 334, 342, 364, 374, 397, 425, 450, 460, 479, 491, 507
Joint Select, relating to suit of Self and others, 49
on Public Printing, 50
on Corporations, 51, 68, 76, 87, 109, 118, 134, 143 153, 162, 172, 180, 212, 222, 262, 266, 302, 320, 328, 357, 396, 413, 424, 461, 492, 518, 521, 534
on Finance, 51, 57, 76, 118, 153, 192, 262, 274, 311, 319, 329, 397, 424, 451, 461

REPORT OF:
on Claims, 153, 262, 328, 388, 397, 507
on Salaries and Fees, 365, 424
Counties, Cities, Town and Townships, 50, 56, 76, 86, 93, 118, 152, 163, 192, 211, 223, 292, 301, 334, 341, 348, 491, 507
Military Affairs, 125, 358
Deaf, Dumb and Blind, 507
Immigration, 101, 231
Railroads, Post Roads and Turnpikes, 101, 212, 231, 283, 292, 320, 341, 357, 397, 414, 491
Engrossed Bills, 57, 61, 68, 76, 87, 93, 101, 110, 119, 126, 135, 143, 153, 163, 173, 192, 223, 231, 268, 275, 283, 292, 302, 312, 320, 330, 334, 342, 348, 358, 365, 375, 388, 403, 444, 461, 472 479, 493, 508, 522, 534, 540, 561
State and United States Centennial, 561
Internal Improvements, 134, 153, 192, 320, 461
Enrolled Bills, 69, 76, 94, 102, 110, 119, 135, 144, 158, 164, 173, 193, 201, 223, 231, 276, 283, 292, 302, 312, 321, 342, 348, 358, 366 375, 389, 397, 404, 414, 425, 434, 451, 462, 480, 494, 508, 523, 540, 562
Public Buildings and Grounds, 162, 172, 201, 479
Insurance, 118
Banks and Currency, 311, 375, 491
Agriculture, 118, 126, 201, 319, 365, 388, 425
Penal Institutions, 342
Education, 118, 134, 201, 292
To separate the Public and Private Laws, 342
RESOLUTIONS:
concerning special tax bonds, 5
introduction of, 5, 40, 51, 52, 55, 57, 61, 69, 77, 82, 88, 99, 102, 110, 135, 144, 154 164, 174, 179, 193, 212, 232, 276, 293, 312, 343, 390, 397, 404, 435, 414, 445, 480, 496, 567
REFERENCE
to committees, 6, 41, 52, 54, 58, 59, 62, 69, 78, 82, 88, 94, 102, 110, 120, 136, 144, 154, 165, 174 179, 181, 185, 193, 202, 213, 224, 232, 244, 268, 276, 284, 303, 314, 330, 335, 342, 343, 349, 350, 358, 367, 375, 391, 398 404, 414, 435, 444, 445, 452, 468, 480, 496, 510, 567
REVISED CODE:
to amend section 1, chapter 120, of the 165, 191, 496
to amend sections 3 and 4, chapter 87, of the 165, 310, 325
to amend chapter 12, section 1, of the 194 210, 278, 342, 447, 475
to repeal section 5, chapter 2, of 95, 201, 289
to repeal chapter 114, of the 213, 328, 447
to amend section 1, chapter 48, of 314, 319, 554
to repeal sections 14 15 16 and 17 of chapter 2, of 285, 319, 344, 371
to repeal section 3, chapter 28, of the 343, 374
to amend chapter 109, of the 359, 365
to re-enact sections 6 and 7. chapter 104, of the 367, 437, 465, 490, 553
to re-enact sections 5, 6 and 7 of chapter 101, of the 491, 527, 541, 543
to re-enact sections 24 and 25, chapter 32, of the 496, 552

RICHMOND:
to prohibit the sale of spirituous liquors within three miles of certain churches, in 128, 137
to change the corporate limits of the town of Rockingham, in 166, 180, 344, 353, 365, 509
to prohibit the sale of spirituous liquors within three miles of Beaver Dam church, in 182
to prohibit the sale of liquors within three miles of Lethe church, in 284
RICHMOND AND DANVILLE RAILROAD COMPANY:
to authorize the Piedmont Railroad to consolidate with the, 335, 458
ROBESON:
to incorporate the town of Shoe Heel, in 398, 414, 481, 493, 565
to prohibit the sale of liquors within five miles of Montpelier church, in 252
amendatory of an act in relation to Floral College, in 252, 562
prohibiting the sale of liquors within four miles of Bethel church, in 284
prohibiting the sale of liquor within two miles of Back Swamp Baptist church, in 349
ROBINSVILLE:
to prohibit the sale of liquors within three miles of 111
ROWAN:
to regulate the sale of spirituous liquors in the town of Salisbury, in 137, 234, 243, 249, 258
to incorporate the town of Gold Hill, in 285, 302, 309, 320, 494
to incorporate the Young Men's Aid Society of Salisbury, in, 376, 397
ROCKINGHAM:
to change the time of holding the Superior Courts of, 110, 230, 289, 294, 295, 302
to incorporate the town of Reidsville, in 2225, 231, 252, 235, 258
to incorporate the town of Leaksville, in 502, 524, 562
ROCKINGHAM, TOWN OF:
to change the corporate limits of the, in Richmond, 166, 180, 344 353, 509
RULES OF ORDER: 575
in relation to joint 43
RUTHERFORD:
to give the proceeds of sales of vacant lands in the county of, to 405, 478, 487, 506
to prevent the felling of trees in Second Broad River in 414, 507
in relation to 51, 54

S

SALARIES—OF MEMBERS OF CONGRESS AND OTHER OFFICERS:
concerning the increase of, 40, 41, 47, 54, 59, 101, 123, 164
SALARY:
in regard to the back pay, 127

SALEM:
to incorporate the United Brethren of the town of 52, 115, 143, 397, 398
to amend chapter 110, laws of 1856-'57, in regard to, 181, 201, 265, 275, 462
SALISBURY:
touching the sale of liquors in 137
SCHOOLS:
to provide arms for military, 121, 126, 199, 235, 338, 342, 494
to make obligatory the attendance upon the public, 145, 201, 272, 278, 310, 447, 475
to authorize the city of Raleigh to establish and maintain free public, 155
SAMPSON:
to prohibit the sale of liquors within two miles of Shady Grove church in, 104
to prohibit the sale of liquors in certain localities in, 244
to prohibit the sale of spirituous liquors within two miles of New Hope church in, 303
to authorize the commissioners of, to levy a special tax, 440, 457, 468, 494
SECRETARY OF STATE:
concerning the, 102, 106
to furnish laws touching the public roads to the counties of the State, 323, 357
to authorize the, to purchase a fire proof safe, 89, 162, 201, 204, 223, 252
to defray certain clerical expenses in the office of, 234, 248, 252
SEINES:
to require the owners of, to stake out the channel, 214, 222, 243, 259, 369, 425, 427
SENATORS AND REPRESENTATIVES IN CONGRESS:
instruction to our 40, 69, 71, 79, 102, 234, 250, 259, 535
SECURITY:
to discharge the, when the principal is discharged, 262, 310, 448, 476
SESSIONS OF HOUSE OF REPRESENTATIVES:
in relation to the 69, 79
in favor of night 181, 367
in relation to night 213, 421, 452, 471
in regard to the 293, 307, 443
SETTLE, MR.
permission to record vote, 67
SHARP, MR.
permission to record vote, 300
SHERIFFS:
regulating the commissions of 194, 375, 447, 475
in relation to the deeds of 230, 213, 283, 397, 447, 475
in relation to the bonds of 136, 273, 374, 446, 474
in regard to the fees of 368, 424, 437, 465, 479

SHERIFFS:
to give mileage to 426
in relation to the expenses of 539, 552, 553, 564
SHERIFFS AND TAX COLLECTORS:
to extend the time allowed to settle 6, 40, 47, 59, 74, 76, 83, 94, 433, 461, 505, 508
for the relief of 89, 95, 109, 118, 135, 151, 267, 290, 303, 346
SHEEP:
for the better protection of, in certain counties, 523
SPEAKER OF THE HOUSE:
a resolution of thanks to the 567
address to the 571
reply of the 572
SNEED:
detained at home on account of injuries, 40
SPECIAL TAX:
(See Tax.)
SPIRITUOUS LIQUORS:
to prohibit the sale of, within three miles of the Presbyterian Church at Laurinsburg, 41, 77
within two miles of Burnsville, in Yancey, 46, 76, 83, 93, 258
and adulteration, 59, 75, 93
within two miles of Charleston, in Swain, 62, 75, 84, 93
in certain localities, 78, 197, 211, 278, 286, 312, 520, 534, 539, 563
within two miles of Shallotte Camp Ground,
within two miles of Cedar Creek Church, Anson county, 83, 87, 105, 119
in townships, 95, 172, 204, 357, 458, 493
in the town of Troy, 95
within two miles of Concord Church, in Anson, 103
within two miles of Rush Academy, 103
within two miles of Mountain Creek Church, in Granville, 103
within two miles of Shady Grove Church, in Sampson, 104
within one mile of Ebenezer Church, in Halifax, 104
within three miles of Robinsville, 111
within two miles of Carver's Creek Church, Bladen, 415
within one mile and a half of the Baptist Church at Pleasant Grove, Granville, 426
within three miles of Ore Knob Copper Mine, 433, 461, 234, 250, 259
within 3 miles of French's Creek Church, Bladen, 444, 472
in the town of Shelby, Cleveland, 445, 473, 521, 555, 563
within two miles of Danbury, in Stokes, 137, 199, 446, 474, 528
within one mile of churches and schools in Davidson, 496, 554, 561
in certain localities in Sampson, 144

SPIRITUOUS LIQUORS:
to prohibit the sale of, within two miles of Mount Olive Church, in Stanly, 629
within three miles of the Methodist Church, Bladen, 269
within two miles of Bellevue School House, Onslow, 276
within two miles of certain churches in Yancey, 277
within one mile of churches, schools, &c., 277, 311, 482
within three miles of Fanning's Chapel, Henderson, 277
within two miles of Turkey Creek Camp Ground, Buncombe, 277, 311, 347, 358, 509
within four miles of Bethel Church, in Robeson, 284
within three miles of Lethe Church, Richmond, 284
within two miles of the Baptist Church, Dobson, Surry, 284
within two miles of Tabernacle Church, in Onslow, 111
in certain localities in Duplin, 120, 172
in the town of Fremont, 120
within two miles of Clarilla Institute, in Greene, 120
within two miles of any place of public worship in Stokes, 128. 199, 288
within three miles of certain churches in Richmond, 128
near certain churches in Moore, 128
within two miles of New Hope Church, in Sampson, 303
in certain localities, 294, 311
within one mile of Rocky Spring Camp Ground and Church, in Alexander, 331
within five miles of Zion Methodist Church, in Brunswick, 331
within two miles of the Male Academy, town of Mount Airy, 335
within one mile of Bethel Church, in Alexander, 343
in certain localities, 294, 347, 388, 497
within two miles of Back Swamp Baptist Church, in Robeson, 349
within half a mile of the Baptist Church near Boonville, in Yadkin, 359
within one mile of Liberty Church and Camp Ground, in Alexander, 359, 396
within one quarter of a mile of certain churches in Currituck, 368
within two miles of Hilton Camp Ground, 398
within two miles of Tirzah Church, in Union, 405
in certain localities in Jackson, 136
within three miles of Smyrna Church, Richmond, 137
in the town of Trenton, 129, 156
within two miles of Center Methodist Church, in Stanly, 166
within one mile of the P. E. Church, at Sassafras Fork, Granville, 166
within one mile of Stony Point M. E. Church, 175
within three miles of Beaver Dam Church, Richmond, 182
within three miles of the Court House at Brevard, 214
in certain localities in Chatham, 224, 231, 255, 268

SPIRITUOUS LIQUORS:
touching the prohibition of, within four miles of Oxford, 262, 275, 315, 330
in Salisbury, 136, 234, 243, 249, 258
to submit to the qualified voters of cities, towns, &c., 128, 172, 360, 484
to prohibit the sale of, to minors, 120, 191, 272, 279, 293, 368, 375
concerning the sale in Leicester, Buncombe, 89
to repeal an act prohibiting the sale of, within three miles of Cumberland Union Church, 95
to prohibit the sale of, where the people so determine it, 563
STATE OFFICERS:
defining the duties of in making annual reports, 155, 211, 325
STATIONERY, PUBLIC:
concerning the purchase of, 104, 563
requiring a pro rata share of, &c., 136, 141
STOCK, HORSES, CATTLE, &c.:
to allowing the owners of land to seize and impound for damages, 284, 311
STANLEY:
for the benefit of, 111, 126, 149, 163, 251
to prohibit the sale of liquor within two miles of Centre Methodist church, in 166
to allow the commissioners of, to levy a special tax, 203, 209, 243, 246, 451
to prohibit the sale of liquors within two miles of Mount Olive church, in 269
STOKES:
to prevent the sale of liquors within two miles of, &c., 128, 137, 199, 288
to incorporate the town of Germanton, in 175, 180, 256, 268
to authorize the commissioners of, to have the town lots of Danbury re-surveyed, 436, 464
to prohibit the sale of liquor within two milesof Danbury, in 446, 474, 495, 528
SURRY:
to enable the commissioners of, to consolidate and pay the debt of, 78, 93, 105, 119, 404
to prohibit the sale of liquors within two miles of the Baptist church in Dobson, in 284
to incorporate the Planters' Bank of Mount Airy, in 323, 375, 512, 522
SWAMP LANDS:
to authorize the entry of, 145, 447, 475
to repeal all laws giving away any part of the, &c., 303, 311, 505, 508
SUPREME COURT:
to provide a room for the records, 224, 465, 479, 523
to enable indigent persons to appeal to the, 70, 210, 270, 302, 349
in relation to fees of county officers and the clerks of the, 323
in regard to waiting upon the, 510, 522, 541
SUPREME COURT OF THE UNITED STATES:
instructing the Governor to withdraw the appeal taken to the, 110
authorizing the Governor to withdraw the suit now pending in the, 245, 504, 509, 542, 555, 566

SWAIN:
to prohibit the sale of liquors within two miles of Charleston in, 62, 75, 84, 93
to change the line between the counties of Graham and Macon, 175, 211, 255, 275, 480

T

TAX COLLECTORS: (See Sheriffs, &c.)
TAX:
to authorize the commissioners of Nash to levy a special 111, 126, 138, 149, 164, 404
to allow the commissioners of Anson to levy a special, 111, 118, 139, 149, 163, 295
to extend the time for the collection of railroad, in Forsythe, 112, 126, 131, 234, 244
to authorize the commissioners of Polk to levy a special, 145, 153, 264, 271, 292, 509, 523
to allow the commissioners of Stanley to levy a special. 203, 229, 243, 246, 451
to empower the commissioners of Jones to levy a special, 295, 424, 454, 487, 508
to authorize the commissioners of Bladen to levy a special, 564, 313, 424, 441, 455, 469, 479
to empower the commissioners of Burke to levy a special 416, 458
to allow the commissioners of Duplin to levy a special, 416, 459, 455, 567, 494
to authorize the commissioners of Sampson to levy a special, 440, 457, 468, 491
to allow the commissioners of Alexander to levy a special, 451, 530, 554
to allow the commissioners of Franklin to levy a special, 511, 530, 557
TAXATION:
to exempt ($300) three hundred dollars' worth of personal property, from 138, 153, 264, 325
to regulate, in the incorporate cities and towns of State, 542
TAXES:
to refund, illegally collected from the Atlantic, Tennessee and Ohio Railroad Company, 174, 275, 483
concerning the levy of and collecting. by county commissioners, 231
to allow the constable of Bingham township to collect arrears of, 443
to authorize the mayor and commissioners of Fayetteville to appoint a receiver of, 542, 553
TEACHERS INSTITUTE:
to authorize the Board of Education of Randolph county to organize a, 255, 292, 314, 348, 445, 473, 494
to authorize the Board of Education of Davidson to establish a, 269, 292, 305, 315, 445, 473, 494
THANKS:
resolution of, 571

THORN, ALEXANDER:
in relation to the pardon of 232, 261
THAKSGIVING DAY:
in reference to 77, 79
TIMBER:
for the protection of ton, 312, 423
THURSTON, W. C.:
in favor of, 442, 451, 470, 495
TREASURER, PUBLIC:
communication in relation to suit of Self and others, 42
in relation to the duties of the 63
requiring the, to make a report, 102
resolution of instruction to the, 443, 452, 471, 481
communication from the, in relation to the Bonds of the State and the holders thereof, 510
TOWNSHIPS:
to prohibit the sale of spirituous liquors in, 95, 172, 204
TRANSYLVANIA:
to prohibit the sale of spirituous liquors within three miles of the court house at Brevard in, 214
TURNER, JOSIAH, JR:
in favor of, 292, 367, 374, 375, 404, 451, 453, 534, 549, 564
TOWNS:
concerning incorporated, 184, 212, 261, 278, 283, 352
to regulate taxation in incorporated cities &c., 542
OLL BRIDGE:
to authorize a, across Catawba River, 6, 115, 126, 202
to establish two in Buncombe county, 89, 109, 149, 163, 232
TOLLS:
to prohibit the demand of, at Sandy Bottom, in Buncombe, 295, 320, 459, 479, 523
TYRRELL:
to incorporate Leota Lodge, in Columbia, in 452, 492, 562, 569
in favor of the sheriff of, 535
TURNPIKE ROAD:
to allow county commissioners to contract for building, 415, 437, 465, 479, 557, 566
to amend the existing laws in regard to the Western, 426, 491, 534
to establish a, from Salisbury to East Bend via Mount Airy, 495
to establish a, across the swamp at Old Lebanon Mills, in Camden county, 542, 559
to establish a, from Winston to Wilkesboro, 63, 212, 250, 275, 480
in relation to the Western, 128, 152, 257
to establish a, from the town of Statesville, in Iredell, 177, 192, 254, 258
in favor of the contractors on the Marion and Asheville, 262, 312, 328, 331, 368, 430, 541, 553
to establish a, from Shoal Creek to the Tennessee, 322

U

UNIVERSITY OF NORTH CAROLINA:
to provide for the election of trustees of the, 165, 334, 348, 366
election of trustees of, 381, 386, 389
to fix the time and place of the first meeting of the trustees of the, 451
to turn over to he trustees of, certain lots and grounds, 479
UNION:
to authorize J. J. Hasty, sheriff of to collect arrears of taxes, 313, 479
to prohibit the sale of liquor within two miles of Tirzah church, in 405
USURY:
in relation to, 6, 45, 114
to repeal chapter 114 of the Revised Code, entitled 213, 328

V

VACANT LANDS:
regulating entries of, 42, 100, 116
to appropriate the proceeds of, &c., 145
to give to the county of Burke, all in said county. 110, 152, 206, 216
giving to certain counties the proceeds of, 155, 178
in relation to entries of, 245, 315
for the relief of persons who have entered in Cherokee, Clay and Graham, 303, 319, 451, 541
to give to certain counties the proceeds of the sales of, 405, 447, 475. 478, 506
VOTERS:
to provide for the registration of, on the day of election, 343, 357

W

WALTON, WM. A.:
for the relief of the sureties of the late, 262, 267, 270, 275, 434, 462
WALLACE, BLAND:
to authorize to collect arrears of taxes, 313
WAKE:
to provide for the improvement of public highways in, 314
to make legal the special term of the Superior Court of, beginning January 27th, 1874, 344, 350, 352, 357, 359, 366
to relieve the sheriff of, 553, 566
WAGONERS:
concerning, 511, 558
WATTS, SAMUEL W.:
concerning the impeachment of, Judge of the Sixth Judicial District, 343 50

WASHINGTON:
to authorize the commissioners of, to remove the county seat, 204, 212, 249, 258
to incorporate the town of Cresswell in, 233, 267, 307, 314, 330, 434, 462
to restore the records of the county of, 350, 357, 360, 366
to authorize the commissioners of, to issue bonds, 502, 527
to give to the county of, the public lands therein, 506
WARREN:
to incorporate the town of Manson in, 233, 267, 309 320, 435, 463
WAYNE:
in relation to the taxes of, 51, 60
to forbid the sale of liquors in the town of Fremont in, 120
in regard to the public taxes due by, 213
to incorporate Justitia Lodge, Knights of Pythias, of Goldsboro in, 492
WATAUGA:
to restore burnt records, 47, 125, 150, 163, 232
to legalize the acts of the commissioners of, 166, 199, 255, 268
in relation to taking or shooting mountain troute in the waters of Elk river and tributaries in, 276, 311, 434, 458, 462, 509
in favor of the sheriff of, 449
for the relief of the sheriff of Alexander and, 564, 568
WEIGHTS AND MEASURES:
in relation to 134
WESTERN NORTH CAROLINA RAILROAD:
in relation to the Western Division of the 245, 320, 437, 465, 497, 540
WHEELER, MR.
permitted to record vote, 318
WIDOWS:
allowing to sell real estate, 58, 68, 78
in favor of the, of deceased soldiers of the Mexican war, 390
WILEY, B. F.:
in favor of 154, 158, 159, 165
WILMINGTON, CITY OF:
concerning the ferries and causeways from the 63, 109, 152, 170, 182
to incorporate the Ladies Memorial Association of 257, 273, 301, 315
relating to the 99, 110
to empower the, to subscribe to the stock of the W. & S. R. R. Company, 441, 456, 469, 479, 565
concerning inspectors in the 136, 285, 311, 364, 388, 445, 473, 483, 506, 508, 509
communication from the Chamber of Commerce of the 327
to incorporate the Machine and Car Company of the 452, 492, 505, 534, 563
WILSON:
to incorporate the town of Toisnot in, 111, 134, 156, 173, 224
to prevent the obstruction of Black creek in, 284, 328, 482

WILSON:
to incorporate the town of Saratoga in, 285, 302, 347, 365, 509
to charter the Bank of, 285, 302, 311, 434, 462, 563
to extend the corporate limits of the town of Wilson in, 313, 329, 352, 366, 508
WILLIAMS G. J.
in favor of 127, 561
WILMINGTON & SEASIDE RAILROAD COMPANY:
to amend an act to incorporate the 41, 87, 182
WILKES:
to amend an act to authorize the commissioners of to issue bonds, 88 101, 105, 119
to establish a turnpike road from Winston to Wilkesboro in, 63, 212, 250, 275
to lay off and improve the public road leading from Wilkesboro in, 286, 292, 306, 330, 436 464, 491, 502, 521, 523, 524
to make a part of Big Hunting creek in, a lawfnl fence, 481
WITNESSES:
in relation to fees of, 165, 191, 325
to provide for the pay of, 174, 211, 477

Y

YANCEY:
to prohibit the sale of intoxicating liquors in two miles of the town of Burnsville in, 46, 76, 83, 93, 258
to extend the time for tax collectors of to settle, 244
to prohibit the sale of liquor near certain churches in, 277
to incorporate Ramseytown Baptist church in, 304, 320, 347, 358, 494
YADKIN:
to incorporate the town of Jonesville in, 111, 143, 178, 193, 224
to enable the sureties of the late sheriff of, to collect arrearages of taxes, 175, 206, 223, 251
to prohibit the sale of liquor within one half mile of the Baptist church near Boonville in, 359
YOUNG, JAMES M.:
in favor of, 154, 158, 165